

New Head Start Rule: Citizenship /Immigration Status Verification Requirement

What Changed, Why, and What's Next
August 5, 2025



Los Angeles County
Office of Education

LACOE's Commitment to Children and Families...

- As educators, we are guided by one principle above all—children come first.
- We stand firmly against any policy that would penalize children for circumstances beyond their control or that would create unnecessary obstacles to their fundamental rights to education and well-being.



Background on Head Start

- Established in 1965 as part of President Johnson's War on Poverty
- Provides preschool, childcare, health, nutrition, and family support services to children experiencing homelessness, children from foster care, and income eligible families
- Head Start has never required documentation of immigration status as a condition for enrollment over the last 60 years



Head Start by the Numbers

40 million children served since
1965

Over 750,000 children and
pregnant women served annually

Over 1,600 local agencies
delivering services nationwide

90% of children meet or exceed
school readiness goals



Positive Child Outcomes

Strong gains in early literacy, math, and social-emotional skills

Increased developmental screening and early intervention access

Higher kindergarten readiness compared to non-Head Start peers

Long –term benefits: improved graduation rate and lower criminal involvement



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Community Impact

Creates jobs: more than 200,000 staff nationally, many former head start parents

Strengthens local service networks through partnerships

Generates long-term cost savings in education, welfare and justice systems

Promotes economic mobility and equity



Head Start: Local, State and National

- Los Angeles County Office of Education serves more than 7,000 children and families every year with an annual budget of \$200+ million
- Los Angeles County grantees serve 21,000 children and families every year
- Federal to local funding in Los Angeles County is estimated at \$500+ million annually
- In California, more than 80,000 children and families participate in Head Start with annual funding level over \$1.3 billion
- Nationally, 750,000 children and families participate in Head Start with annual funding level of \$12 billion



Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA):

1998 Interpretation

- In 1998, Health and Human Services (HHS) clarified that Head Start was not considered a “federal public benefit” under the 1996 Personal Responsibility and Work Opportunity Reconciliation Act (welfare reform)



What Changed – July 10, 2025

On July 10, 2025, HHS issued a new notice reclassifying Head Start (and several other programs) as “federal public benefits”

This means that only U.S. citizens and qualified individuals (e.g. lawful permanent residents, refugees, asylees) are eligible under PRWORA. Undocumented children are now excluded.



Timeline of Regulatory Change

July 10, 2025

HHS announced reclassification

July 14, 2025

Notice published in Federal Register, effective immediately with 30-day public comment period

July 21, 2025

States and associations filed lawsuit*; Head Start providers remain on hold awaiting formal guidance

*Lawsuit filed by 20 states plus D.C. and coalitions of Head Start associations, supported by the ACLU, challenge the change for failing to follow rulemaking procedures and for unlawfully restricting access



Implications for Head Start Providers

New verification requirement: Programs must verify citizenship or immigration status as a condition for enrollment where previously they had not

Administrative burden: Providers face uncertainty on how to implement status checks, in addition to added staffing and documentation costs

Trust issues & enrollment declines: Fear among immigrant families may lead to drop in enrollment even among eligible U.S. citizen children



Legal & Advocacy Response



Legal challenge:
coalition of 21 Attorney
Generals filed suit on
July 21, arguing
rulemaking was
improper and that new
policy causes harm to
both undocumented
and U.S. citizen families



**National Head Start
Association (NHSA)
reaction:** NHSA called
the change “alarming”,
emphasizing that the
Head Start Act has
never required
immigration
documentation and
warning of fear and
confusion among
families



**Pause issued by a US
District Court in Rhode
Island:** on July 25, an
agreement was reached
allowing Head Start
programs in those
states mounting the
legal challenge
(including CA) to not be
required to verify the
immigration or
citizenship status of the
children they enroll until
at least Sept. 3, 2025



What Comes Next



Public comment period:

public comments accepted through August 13, 2025



Federal guidance: federal agencies, including Office of Head Start (OHS), have not yet issued implementation details – programs are still unsure how to operationalize verification requirements



Possible outcomes:

Court injunction further delaying or overturning implementation
Issuance of detailed implementation guidelines
Legislative or judicial actions clarifying eligibility standards



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Thank you



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