



## What to Know About the 10% Eligibility Requirement

Head Start programs have a strong history of inclusion of children with disabilities and suspected delays. Programs are expected to ensure that 10% of their actual enrollment are children eligible for services under the Individuals with Disabilities Education Act (IDEA).

This requirement, often called the 10% requirement, was established in 1972 to ensure that children with disabilities and developmental delays and their families have equitable access to the Head Start program's comprehensive services. Since then, over 3 million children with disabilities have participated in Head Start programs.

Our grant recipients have a strong commitment to providing high-quality inclusive services. Disabilities services coordinators can support their program's efforts to recruit and enroll children with disabilities and suspected delay to meet the 10% enrollment requirement.

Find answers to your questions regarding the 10% enrollment requirement below.

### FAQs

#### **Q: How do I calculate our program's percentage?**

**A:** The Head Start Act states that at least 10% of a program's actual enrollment be filled by children who are eligible for IDEA services. A program's 10% enrollment is calculated based on the cumulative number of IDEA-eligible children served over the program year divided by the actual number of children enrolled.

#### **Q: Does a child need to have an Individualized Family Service Plan (IFSP) or Individual Education Program (IEP) to count towards our program's 10%?**

**A:** No, a child does not need to have an IFSP or IEP to count towards a program's 10%, as long as the child was evaluated for IDEA eligibility and determined to be eligible. If a child receives an eligibility evaluation and is found eligible but the family does not consent to IDEA services, the child still counts toward the 10% requirement.

#### **Q: Does a child who is waiting for an eligibility evaluation count towards our program's 10%?**

**A:** No, children who are waiting for an evaluation or are in the evaluation process do not count toward the 10% requirement.

#### **Q: Can a child who is receiving private therapy count towards our program's 10% requirement?**

**A:** No. Unless a child has been evaluated and found eligible under IDEA, they do not count towards the 10% requirement.

#### **Q: Our program is over 10% children with disabilities. Is there a limit?**

**A:** No, there is not a limit on the number or percentage of children with disabilities in a program. Enrollment in Head Start

**Q: Is there a limit on the number of children with disabilities in a single classroom?**

**A:** The 2020 Information Memorandum on the inclusion of children with disabilities offers this guidance: “There is no regulation stipulating the number of children with disabilities who should be in each classroom. The following elements can all influence how many children with disabilities are in a particular room: children’s needs, staff capacity, availability of early intervention, special education, and related service providers, and the number of children identified as having disabilities after enrollment. Programs must ensure staffing is sufficient to ensure safe, nurturing environments and individualized teaching and learning for all children.”

**Q: When should our program meet the 10% enrollment requirement?**

**A:** The Office of Head Start (OHS) expects that programs could be midway through the program year before reaching the 10% eligibility requirement. For many programs, this might be in January.

Nearly half of children with disabilities in Head Start and Early Head Start programs are determined eligible after they enroll in the program. In fact, the Head Start program plays a major role in helping identify and ensure early intervention services for children from low-income families. Enrolled children who are found to be eligible for IDEA services are often identified through a referral to an IDEA agency for eligibility assessment following screening or ongoing assessment from a Head Start program. The referral and eligibility process take time.

OHS recommends that programs document the percentage of IDEA-eligible children on an ongoing basis to monitor progress, share data, and plan for continuous improvement.

**Q: What if a child leaves our program? Do they still count towards the 10%?**

**A:** Yes, the 10% requirement is based on a program’s cumulative enrollment of IDEA-eligible children over the course of a program year. If a program serves an IDEA-eligible child during the program year but leaves the program, they still count towards the 10% requirement for that program year.

**Q: How do we report on our program’s enrollment?**

**A:** The enrollment percentage is reported on the annual Head Start Program Information Report (PIR). If a grant recipient has multiple delegate agencies, a separate PIR with the percentage of IDEA-eligible children must be completed for each delegate agency.

**Q: Do we report on early head start and head start programs separately?**

**A:** Recipients must meet 10% of the total enrollment for each grant award. Some recipients may have two separate grants (e.g. one for Early Head Start services, one for Head Start services). If this is the case, the program needs to meet and report on the 10% eligibility requirement for each of those grant awards. Many recipients have one grant for a birth-to-5 program. In this case, the program tracks and reports on the percentage of actual enrollment across the infant/toddler and preschool age groups.

For example, an agency with one grant has 12 of 100 infants and toddlers (12%) identified with disabilities and 18 of 200 preschoolers (9%) identified with disabilities. The total actual enrollment of the agency is 300. The total enrollment of children with disabilities is 30. This combined number equals 10%. If the program has two separate grant awards, one for Early Head Start services and a separate grant for Head Start services, it would report 12% for Early Head Start services and 9% for Head Start services. If the program delivers Early Head Start and Head Start services as part of one award, it would report 10%.

**Q: What should our program do if we don't meet the 10% requirement?**

**A:** Programs must monitor recruitment and enrollment of children with disabilities throughout the program year. Programs facing difficulty in meeting the 10% enrollment requirement must communicate with their Regional Office to discuss challenges and define strategies to implement prior to submitting a request for a disability waiver.

If a program is unable to meet the 10% requirement prior to the end of the program year, they must work with their Regional Office to submit a detailed request for a disability waiver. Programs should make a request after the halfway point in the program year but no later than one month after the close of the program year.

Grant recipients must ensure adequate tracking and documentation of efforts to recruit, enroll, and provide services to the required percentage of children with disabilities throughout the program year.

## Related Resources

[Program Considerations Prior to Submitting a Disability Waiver Request](#)



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