

Head Start Programs — Q&A Sheet on the Federal Court’s Preliminary Injunction

Overview

A federal judge has issued a preliminary injunction blocking the federal government from enforcing the DEIA ban, the DEIA grant certification, and the mass layoffs/office closures within the Office of Head Start (OHS).

This Q&A explains what that means for your program.

The court granted a preliminary injunction, which, until the court issues a further order, stops the federal government from:

- Enforcing the March 14 DEI Letter
- Requiring the DEIA certification in grant awards
- Adding new anti-DEIA conditions to grants
- Delaying or withholding continuation funding because of DEIA issues
- Pursuing False Claims Act actions based on DEIA-related allegations
- Continuing mass layoffs, office closures, or reorganizations within OHS

What does this mean for our grant applications?

You may submit continuation applications as you normally would, including:

- Community assessments
- Demographic data (race, ethnicity, language, disability, homelessness, foster care)
- Required performance standards language
- DEI-related training, staffing, or program descriptions

You do not need to remove words like “equity,” “inclusion,” “disability,” “tribal,” “dual language,” or “mental health.”

Do we still have to sign the DEIA certification?

No.

The court blocked HHS from requiring or enforcing the DEIA certification. You cannot be penalized for refusing to sign it.

Can the government delay or deny our funding because of DEI content?

No.

The injunction prohibits HHS from:

- Delaying continuation awards

- Freezing funds
- Rejecting applications
- Threatening clawbacks
- Conditioning awards on DEIA restrictions

Your funding must proceed under the normal statutory process.

Are DEI-related training, services, or partnerships allowed again?

Yes.

Programs may continue:

- Cultural and linguistic responsiveness
- Disability inclusion and mental health supports
- Tribal language and cultural preservation
- Dual language learner services
- Equity-focused family engagement
- Staff training related to diversity, inclusion, or accessibility

These activities are fully consistent with the Head Start Act and Performance Standards.

What does this mean for the regional offices and the regional office staff?

We do not think this means they will necessarily be rehired or that any offices will reopen. The injunction **halts further layoffs and closures**. It also **postpones the effective dates of the cuts already announced**.

We'll provide further information and clarifications as we get them. This is an incredible victory – we won on ALL counts – DEIA restrictions, firing of OHS staff, and earlier, the immigration restrictions. There's still a way to go – the government is likely to appeal, but we can really celebrate this victory!

Thank you to so many who made this win possible. The ACLU and Head Start Associations in Washington, Illinois, Pennsylvania, and Wisconsin.

The judge has required HHS to send this information to you officially within 72 hours, so you'll get this directly from them tomorrow or Friday.