



**Department of Health and Human Services (HHS)
Office of Head Start**

Tribal Consultation Summary Report

December 5, 2023

Costa Mesa, California

OHS Representatives

- **Khari Garvin**, Director, Office of Head Start
- **Heather Wanderski**, Program Operations Division Director
- **Todd Lertjuntharangool**, Regional Program Manager OHS Region XI

Greetings and Introductions

Todd Lertjuntharangool, Regional Program Manager begins by welcoming everyone and thanking them for being here today and sharing their time with us. He also thanks the OHS leadership for being here.

Khari Garvin, Director of OHS, welcomed attendees, and expressed his excitement and gratitude to attend today's consultation in Costa Mesa, and the importance of being able to have these meetings and become more informed on the topics important to this group.

Heather Wanderski welcomed attendees and expressed her excitement for the AIAN Meeting and Tribal Consultation. Before turning the meeting over to Mr. Todd Lertjuntharangool, she recognized his hard work and thanked him for his service as a liaison, keeping her updated about what's happening and the things that can be done to make things better for the OHS programs.

Transcript from OHS Informational Overview/Presentation

Office of Head Start Updates

Khari Garvin:

We've made the decision to focus our updates specifically on the Notice of Proposed Rulemaking, also sometimes referred to as an NPRM. I'm going to walk through about a half dozen slides just lifting the highlights of that. But I do want to make clear that the entire rule is about 280 pages. So, we're not going to cover all of that in detail today. But at your reading pleasure, it is available to you almost for the next 45 days or so. You can certainly read that, and we would invite you to make public comment.

We'll just be lifting some of the highlights here for your interest. So, I do want to stress, also, and really reiterate the reasons behind all of the proposed policies in this NPRM and talk about the why behind the policies that have been proposed in this NPRM.

1. We have been listening to many people across the country and in the field, including many of you, and we've also have been listening to and paying attention to the latest research from experts as it relates to early care and education.

2. The second reason or the second why behind this set of policies is that we, the Office of Head Start, want to keep our highly qualified staff in our programs so that they can build careers in the Head Start program for years to come.

3. The third reason that drives this set of policies is that, we believe, there are changes that are urgently needed to support high-quality service delivery for the long term and to maintain a high standard for Head Start services. For these three reasons, primarily, we have worked hard to think about proposing a set of policies.

Wages

A set of standards to promote competitive wages for all staff, including comparable wages for education staff with public school preschool teachers. So, another way to say that is that we are proposing regulations that will pay a living wage for all staff, not just teachers, but family service workers, cooks, bus drivers, based according to what the real cost of living is in whatever part of the country that program operates in. But we're also specifically calling for pay parity or competitive pay between Head start teachers and preschool teachers and public schools. What we outlined in the NPRM is progress to pay parity for Head Start education staff in comparison with kindergarten through third grade teachers.

We also call for benefits for full-time staff, including health insurance, paid sickness, personal and family leave, and access to short-term behavioral health services at minimal or no cost.

Workforce

As we look to workforce support, we want programs to build a culture of wellness and staff empowerment in their programs and we propose that all staff must receive regularly scheduled breaks and that teaching staff, specifically, must have access to brief, unscheduled wellness breaks. We also propose to establish a maximum caseload of no more than 40 families per family service workers. We've seen cases where there are some family service workers that have 100, or 110, or 80.

Mental Health

In terms of mental health supports, we are proposing several changes to our standards that will, hopefully, build and support stronger mental health services at programs. For instance, we are proposing that programs must establish multidisciplinary mental health teams and improve mental health consultation services. We also want programs to integrate mental health into family support services and services for expecting families.

Eligibility

We are proposing an option where programs can adjust a family's income for excessive housing costs that we know plague certain areas of the country. With this proposal, a program could deduct excessive housing expenses from a family's income and then the remaining income is what the program would then

use or consider for the purposes of eligibility. We, in this rule, are defining excessive as housing expenses that exceed 30% of a family's income. One more time. We define, for the purposes of this rule, excessively any amount that is above or more than 30% of a family's household income that's going towards the housing itself, so we lay out a very specific example in the NPRM.

Meaningful Consultation with Sovereign Nations

Testimony from Melissa Charlie, Deputy Director at Fairbanks Native Association of Fairbanks Alaska

Melissa Charlie: Thank you. Good afternoon. My name is Melissa Charlie. I'm the deputy director at Fairbanks Native Association in Fairbanks, Alaska. I am originally from Minto. I am Athabaskan and Iñupiat Eskimo. I want to thank you all for allowing us to come together today for this consultation.

So, we're grateful for the opportunity to take part in the tribal consultation with the Office of Head Start. We are hopeful that as tribes provide testimony on what's working for AIAN programs and identify areas of concern that the Office of Head Start will take action to ensure positive outcomes. We want our concerns to be heard and act upon in a meaningful way as stated in the act and we would like feedback on solutions to concerns that Alaska Head Start programs are faced with.

First, I just really want to acknowledge the new Head Start standards coming out to address the wages and benefits of Head Start staff. Although we are very, very thankful for the Office of Head Start to finally address the underpaying of our staff, for years, we feel that these changes have come a little too late. For over 11 years that we have been coming to every tribal consultation, we have expressed our frustration with the teacher wage not matching the teacher qualifications for Alaska programs.

For years, the Head Start teacher qualifications have not met a livable wage for any of our staff in Alaska. We have pleaded with the office of Head Start to hear our concerns and to work with us to address this issue. It took a pandemic and a great resignation of Head Start teaching staff and all our programs to finally hear the Office of Head Start to say that this is a problem, and we need to fix it.

The Office of Head Start has poured millions of dollars into beautiful facilities across Alaska, including our own, only to be hit by a COVID pandemic and wipe out over half of our staff in most programs in Alaska. Our building alone, we purchased it in 2007, we purchased it for 2.6 million. Since then, we have completed six phases of renovation, the most recent being this month.

So, we put a total of \$9.4 million into a facility to house 303 kids. All of this request was put in before the pandemic. We were in five different sites. We wanted to bring them all under one roof and serve all of our children in one roof, and we finally got to that point. But we're at a staffing crisis where we don't have the staff to bring in 303 kids.

So, moving forward, we're now looking at a program redesign. We are grateful for that opportunity, but we feel like we've lost a lot of great staff along the way. Also, we're going to have to look at slot reduction and a way to sustain the building that we purchased, that we renovated to fill with that many students.

Also, one of the policy changes that we're really grateful for is the housing that you have just mentioned. The cost of living in Alaska is really expensive right now. Today it's -3. By the end of the week, it's going to be -16 degrees. The average cost for a single one-bedroom apartment starts at about \$1,600. So, I feel that this is going to benefit a lot of our families in Fairbanks, with large families, multiple rooms just because the cost of living there is so expensive.

Another thing I wanted to mention coming out of the pandemic, the ratios are concerning to our teaching staff. We're dealing with more challenging behaviors. At times, our teachers do not feel safe in the classroom. We're having to add additional support, bus drivers, maintenance, other staff, support staff to be in the classrooms full-time to help our teaching staff.

We do serve the most vulnerable children. They're coming out of two years with no interaction. We have kids with IEPs, have a lot of traumas and the ratios just does not work for our programs. The current ratios do not work for our program right now.

Despite the challenges we have, our staff have been amazing to work with. We have a beautiful safe facility. We're working diligently to fill our enrollment, to fill our positions that we have posted. We are working on a program redesign to better support the students and retain staff, and so we are grateful for that opportunity. We're currently working on that.

I want to thank the Office of Head Start for supporting our FNA Head Start for so many years. I want to thank you both for coming to Alaska recently in October. I was personally glad to see you guys come up and visit programs in Alaska and see what they're faced with, and the challenges are. So, thank you very much.

Meaningful Consultation with Sovereign Nations

Testimony from Martha Garcia, Tribal Leader and School Board President of Ramah Navajo School Board and Co-Board Member Jake Gjermundson of Ramah Navajo

Martha Garcia: My name is Martha Garcia. I represent the Ramah Navajo School Board, and I'm currently the school board president. We are located in New Mexico, Western Central New Mexico, and we do have a direct funding with the Head Start office. That has worked out very well for us up to this point, because we're able to do the budget and the staffing, everything at our level without having to go through another agency, and that has worked out very well.

At this time, I would like to have my co-board member, Gjermundson Jake, do his testimony and then I'll add on to it at the end. Thank you for providing this opportunity, because it's very meaningful to have input from the tribal leaders as they see their program at their local level and what needs to be done. It shows that we work very closely with our staff and with our program to ensure that we try to provide the most quality education for the children that are coming into our programs.

Gjermundson Jake: Thank you, Martha. Good afternoon. My name is Gjermundson Jake. I am the Ramah Navajo School Board of Trustees member and I'm the liaison for the Ramah Navajo Head Start. Some of the pressing issues that we have discussing with the Office of Head Start here or the Ramah Navajo Head Start is that we have these issues regarding the salary wages that we've been discussing here.

One of the issues that we have is that due to salary issues, we have a lot of turnover on our staff that we end up losing staff. This year, we have faced one of those issues where we lost four staff members within this timeframe. We even have our administrative support staff doing the kitchen work. We have staff going back and forth trying to fill spaces like that.

The issues regarding the salaries and how the teachers are being paid, including also the support staff, it's really put a lot of stress on our Head Start, and we have been facing a lot of that at that level. Also, it was proposed that there was a salary wage increase, which we're not going to be able to see that within eight to seven years from now.

That's a very long time to see that type of progress taking place. Our department, our Head Start, is worried about that and stressed about trying to get that, see why it's so long. Why are we waiting so many years for that type of change to take place while we're really suffering today. Currently, we're having these issues and we're trying to get through every, I guess, every quarter or every half of the year.

It's very hard for the support staff and the teachers to get by and we really need the Office of Head Start to see those types of issues that we have. Waiting seven years, eight years, is this way too long. Some of my administrative staff will probably be retired by then, so it's hard to see that and see that type of progress and that it extends that far out.

Some of the things that we do, that we have here is that we also have a competition with other programs within our area, which is the Face Program. We have a competition that we have to do with that and having enrollments, we have enrollments, but then yet we have these other programs that we also have to compete alongside, which really puts a dent on our program with the Head Start program.

So, that's something that we have to look at too. A lot of these items that we have on our list, they really need the attention of Head Start to look at those too as well. I'm pretty sure the president here will also speak on to the funding formula, that needs to be reevaluated too, to be revisit the way that's set up, because it's not meeting what we're wanting it to do. That's something that my president here will probably speak on too as well. Thank you.

Martha Garcia: Thank you, again. Right now, what we're seeing in our enrollment, and that has been discussed here. If I'm hearing it right, the funding level that we are receiving, quite a few years back, we were at a 100% Head Start enrollment and it started to decrease. One of our administrators had said, "What's going on? Why are we having a decrease? It looks like people are not active anymore to produce children."

So, we were beating the bush to bring in kids as the enrollment has dropped. I think that's nationwide, where the number of family members are no longer in our community. It was like 10 or more children per family, but now it's down to five or less. That's why we see the decrease in enrollment.

But yet, when you look at the cost of living itself, that's not even enough to cover what we are paying our teachers and our staff there, and then on top of that, the inflation cost of providing education is even higher, especially after the pandemic. Everything that we have to pay for has increased, and so if I'm hearing right, even though we have a decrease enrollment, the current funding that we are receiving will now cover some of those areas where there's a decrease or increase in the cost, especially.

If that's what we're hearing, then we would concur with that and support that effort for the time being. But we still have to go back to Congress and let them know that in the Indian country that we need to have more funding for Head Start, because being in Head Start from the early age has really been successful for many of our children.

As I've stated, I have five children and they're all adults now. They all started in Head Start and they were able to go into the regular education, graduate from 12th grade, and now three of them graduated from college, and two are now in the process. So, it has helped them from being where they are.

My board member, my colleague here started in Head Start, and now he's a school board member. So, those are the success stories we have. But now we are faced with what do we do if we keep running into these challenges that looks more than what we can handle, and the only thing we can do is can we go to Congress and request for more funding for Head Start so that it just doesn't stay at the same level because of the cost of living, and as well, the inflation has increased.

The other thing that we're seeing at the Head Start level is every year it seems like we have more kids coming into the Head Start with a disability that needs more attention. We need to help them. We need to work with them a lot of time. They need a one-on-one type of service and staff members to be there to help them daily. That's what we're seeing, and that's the cost that's not really covered. We need to have that in order for them to get into elementary, kindergarten, whatever so they can be successful there. So, that's another thing that we're seeing within our Head Start program.

The other area is transportation. We are in a very rural area up in the high mountains. Right now, you wouldn't believe it. We had almost 10 inches of snow over this past week. Right now, the sun is out and everything it's getting really muddy. My daughter buried her car in the front yard of our front yard. That's how bad it is. I see a posting coming out from the school saying to please get your children out to the main yard so they can be picked up.

So, we have that kind of issue with transportation that we need to address and see what we can do to get the school children to school. On top of that, we are spread over 30 square miles in our school. We're not an urban area. We're in a very rural area, and we have to go to each child's home to pick them up every day. So, they are in school from let's say 8:30 until 3:30, but then they're on the bus for almost another hour. So, that's two hours again before they finally get home.

Therefore, those are some of the issues that we have, the challenges that we have out in our area. We'd like to see how we can work together to address this because that's what it's going to take, working together. We can't do it by ourselves, nor can you try to advocate and be in our shoes at times. But when we work together, we make things move, and that's what we would like to see happen.

I know that we have been very successful with the program as it was, but now with the new challenges that are coming, we need to also look into the future. What do we see? What lessons have we learned that

we can overcome? What can we do? So, those are things that we need to work together on because it impacts the education of our young children. Thank you.

Meaningful Consultation with Sovereign Nations

Testimony from Thomas Moquino, Tribal Councilman of Santa Domingo Pueblo

Thomas Moquino First off, I would like to thank Office of Head Start for this consultation. Before I go on, my name is Thomas Moquino Jr. from Santo Domingo Pueblo. Tribal council. I served as governor in 2018 and 2020. Also served as a tribal liaison for the Head Start program in our Pueblo.

As we saw the slides put up in front of us, the workforce that's going to be implemented soon or later on, the thing that I would like to make a statement on is the workforce. Sure, we do have great staff that works for our program, Head Start program. They're very intelligent, hardworking. But as we all know, in 2020, COVID hit us. From there everything went south. We had to close our Head Start school, and everybody had to go virtual for our kids to continue with their education. But still, COVID is still around. I hate to say that, but still it's affecting our program.

With that being said, our teachers have left the workforce or the staffing has gone down. Unfortunately it has to do with the wage, the salaries that they're getting. This been talked about throughout the conferences that I've attended here in the state of California, down in San Diego, there was a conference. In Portland, Spokane, Everett, Washington, and in the District of Columbia.

It's disheartening to hear our tribal leaders, our directors stating over and over again, hearing the same things that are affecting our Native tribes throughout Indian country. When is this going to stop? When are we going to see some improvements? When are we going to see some action being taken from not only from the Office of Head Start but also in Congress? I mean, there was this Trust responsibility that came out long time ago. We're still getting shortchanged, even to this day.

Like I said, we need the same quality of education outside of our tribal lands. Are there cities and towns throughout the states? Are they being affected too or is this only in Indian country? As tribal leaders our current lieutenant governor sitting beside me and my brother, we've all worked hard. We've all did our due diligence. Even our director, our coordinator, Mr. Coriz, all these things come into play. Like I said, I'm glad that we're all here and addressing these issues, concerns and problems that are out there.

So, let's all work together. We're here for just one cause, and that's for our kids' education. We get the funding, which is great. I appreciate that very much, the funding that we get, but it's still not enough to keep our school in operation. Fortunately, our tribe, our tribal council, we have to fund the Head Start program within our Pueblo. Even though we're not a gaming tribe. It's very hard to address these issues and problems that are occurring in our Head Start program.

The other thing is, like I said, COVID hit us real hard. As governor in 2020 it was disheartening to see our kids not go to school. It's still affecting our kids, our families. We do need healthcare workers. As we have seen on the screen as far as mental health. We need to address those issues and concerns for our tribal members. Please keep in mind that we have positions open for a mental health counselor or even a nurse, but the funding isn't there. So, that's one thing that one of our tribal leaders had said earlier.

The other thing is quality improvements. Yeah, like I said, we want the same quality improvements on the outside of our tribal lands. Our kids deserve to be enrolled into our schools on our tribal lands. It's sad to say that even some of our youngsters, our kids, because of parents' income, that's another thing that is a issue. We've talked about or we stressed as far as a waiver for income, when it comes to income so that our kids can have the education that's needed.

Head Start is working. It is working for our kids. We now have lawyers, doctors, professionals working for our tribe. So, it is working like I stated, and hopefully with the funding that we get, like I said, has to do the funding within the Pueblo, but with all these statements that we heard this just today, having to cut down the numbers, I just hope that the funding doesn't go back. Let's help out our teachers with the wages, salaries, with more mental health workers. Those are the things that's needed with the school programs. As a tribal leader, I'm here for my tribe, for my people. I'm pretty sure, like you tribal leaders, we want the same type of quality life, education, health for tribal members.

So, at this time I just want to say thank you for having this tribal consultation. Thank you very much

Meaningful Consultation with Sovereign Nations

Testimony from Stanley Cortiz, Program Manager of Head Start and Early Head Start program Santa Domingo Pueblo

Stanley Cortiz: Good afternoon everyone. My name is Stanley Coriz, and I am the program manager for the Santo Domingo Head Start and Early Head Start program. However, I've also served as a tribal official for our governor's office for several different terms. So, I'll go ahead and provide my testimony from that standpoint.

I must add that I am also a product of Head Start myself. I'm not going to share what year I graduated. However, Head Start does work. I like to put that in there every opportunity I get, whenever I get to provide a testimony, because it truly works. I started off as a parent volunteer 14 years ago. Throughout the 14 years I was fortunate enough to continue being educated in the different elements that comprise the Head Start, Early Head Start program from early childhood knowledge. I'm also a bus driver. Some days I'm a cook. Some days I'm rocking babies, changing diapers in our infant classrooms.

But just one more time, I just want to address that Head Start does work. I do appreciate Mr. Garvin and Todd for all that you do on behalf of Region 11 because I can only imagine the number of texts, messages, emails that you guys get. So, with that being said, and I also want to, for the record, state and appreciate this government to government meeting we're having right now and providing Santo Domingo with this opportunity.

So, my first comment that I would like to make on this NPRM is the timeframe of January 19th, and I'm only speaking on behalf of the Pueblos in New Mexico. Generally speaking, each year a governor gets reappointed. So, if you can imagine coming into office as a new governor and being told you have 19 days to figure out how do we respond. 19 days is not adequate. Culturally speaking, certain procedures don't go into place until after January 6th. So, I just wanted to share that.

So, just being mindful of the different tribal nations that are represented here in this very room, just being mindful of that, I think moving forward, is beneficial. Granted, Genevieve, and I didn't mind going into

our governor and lieutenant's office and basically dragging them out here, but we'll do our job as long as you guys continue to support us. Again, it's about the relationship that you have with AIAN programs.

So, with that being shared, if it's possible, I don't know if this is a big ask to have an extended period on that timeframe of January 19th, from our standpoint, and I did, I'm still working on it. It's a pretty thick document. I just wanted to bring that to everyone's attention. This is Genevieve's copy, by the way. As you can see, it's all highlighted. But there are some statements that I do want to really reemphasize as far as the importance of the wage parity.

In the state of New Mexico, our New Mexico State governor had appropriated funding for a \$3 increase for our teachers. However, Genevieve and I, when we applied for it, we were told that AIAN Head Start programs do not, we were not eligible. So, that's just in the state of New Mexico. So, if you can imagine the disheartening news that we had to share with our staff after we had told them we're going to go after this funding to support the wage parity of \$3, when ultimately we were given that feedback that we were not eligible.

Just like any other approach moving forward with AIAN programs, I've said this in previous tribal consultations, and I don't mind sounding like a broken record. We must not treat this proposed rulemaking as a cookie cutter approach because it is very unsettling to sit here and address the different dynamics of each tribal nation. Every tribal nation has different needs. They have different practices to their right.

And I think moving forward, we just need to figure out a way on how to widen that communication effort so that you can respect every tribal nation's testimony. I appreciate the acknowledgement that you made this morning. This is a very busy time for most of the tribal nations culturally and also professionally. Some of them are in the midst of transitioning. So, I just wanted to re-echo that.

If I may move on to the mental health component, and this is not to discount Mr. Garvin, but anytime we hear mental health, we went through that slight so fast. I basically looked up and saw mental health, and then I was writing notes, and I looked back up and we're already in QI, quality improvement, but this is an area that we all need to pay more attention to.

As Ms. Martha Garcia stated, we are getting more atypical children coming into our programs. We are the voices. We must be the voices for those children that cannot speak, literally and figuratively. We must come to the table and address their needs in addition to their families.

I'll give you an example. In Santo Domingo right now, unfortunately we've seen a recent trend of deaths in our communities, and it's impacting some of our children as young as two to three-year-olds in our Early Head Start program. If you all can imagine the impact that it has. As an adult, we can process. I can only imagine how that feels to a two or three-year-old child. How do we support that child through their new guardian? Through their new grandparent? Some of them have to be adopted into their extended families. How do we support the mental health of everyone that's involved in these types of situations and circumstances?

So, I think I'm going to also reeducate myself as it relates to Santo Domingo because this is an area that I feel we need to be a little bit more steadfast in figuring out what the potential outcome is. If we're looking at a turnaround time of seven years, a lot's going to happen within the seven years. So, I just want to re-

echo Councilman Moquino. A lot will happen in seven years, and we still need to time in addition to our children, we also need to support the mental health of our staff. As a bus driver myself, we do end up being put in the roles of a social service worker when a child gets on the bus and is in tears.

However, I have some positive feedback on that that I'll share with you all later. We are also mandated reporters, and a lot of times there's things that we have to ensure that we're prepared to do in this field that we are serving our communities in. So, again, just if you can indulge me with the mental health component so that, if we can get more time on that to comment on this NPRM.

Onto the last item, and I promise I wanted to keep this brief, the quality improvement. It just dawned on me. Can't we do this as sovereign nations adjusting the income when it comes to the housing? That was just a general question that just came to mind.

I did want some clarification on the addressing barriers to enrollment and attendance such as transportation. If we can get a little bit more clarification on that piece because every program's needs are different.

So, with that, as I mentioned earlier, I wanted to close off with a positive note. As I was sitting in the meeting earlier with tribal leadership in this very same room, I received a text message from a parent. I've got a hold myself because I've got to follow our Lieutenant Governor's message this morning about being strong. But how do you be strong when you receive a text message, a picture text message from a parent of one of our students? They didn't want to go to school this week because I wasn't driving the bus.

However, he just wanted to make sure that Lieutenant Governor, our tribal council, and our tribal officials had a good week. So, that's why we're sitting around this table. That's why we're sitting in this very room is because of them. And I just wanted to re-echo that message. And with that, in our own ways, we appreciate you.

Thank you.

Meaningful Consultation with Sovereign Nations

Testimony from Genevieve Jaramaillo-Padilla, Director of Head Start and Early Head Start program Santa Domingo Pueblo

Genevieve Jaramaillo-Padilla: My name is Genevieve Jaramaillo-Padilla. I am the Director of the Santo Domingo Early Childhood Center, which is an Early Head Start, Head Start program. I've been there eight years. Is today the 6th or the 5th? Five days and six hours. I've enjoyed every minute of my journey there.

I want to again thank Office of Head Start and I cannot not thank our Senior Grant Specialist, Donald Wyatt, who will take a phone call anytime of the day or the evening. I have to ensure that I'm not on speakerphone, but it probably doesn't matter because when I'm talking to him, he probably has the phone this far away from him. So, Donald, thank you for listening and bantering with me appropriately and helping us getting our program where it needs to be.

And of course, I thank our leadership who hold us every day, our lieutenant governor, our governor, and those who are back at home and our tribal officials who hold us in their prayer in the traditions of the Pueblo ways. So, I just want to reiterate some of the things that our leaders have shared. Just to reiterate that Head Start works. Head Start has a success rate in the Pueblo of 58-plus years with lawyers, bus drivers, teachers, nurses. So, it does work. We need to continue to advocate for Head Starts across AIAN Indian countries.

We are not a rich community. We are rich in other ways of inclusivity. We are a non-gaming tribe. So, every penny counts for what we get from Office of Head Start, and what we deserve is more. So, as you all know, maybe you fit in this category too. We too got a letter of under enrollment letter, red flagged with that. We are funded for 214 and had a year. On February 4th we're supposed to get that to full enrollment. If we don't, of course this isn't the letter, I'm sure it comes right out of the books. They will recapture, withhold and reduce our baseline funding. Those words in itself are very punitive.

As we talk about building bridges and taking down the barriers, some of the language that we use also needs to be taken down. Those are threatening words to our tribe, and those are more threatening to the child's picture that was sent to Stan this morning.

So, with that said, we did apply to revisit and how to reduce our numbers at a huge cost. For Native communities to say no to some kids is not in our nature, but it is still under review. It is still under review, and we are still working on that process. So, I'm requesting that as we work on that process, that there are not hoops to jump through and this back and forth, that we can make it easier as we redesign, and working together to better our communities.

In the meantime, I just want to say the first year of COVID, yes, we were impacted. And yes, we are still recovering. But the first year of COVID, we had 57 staff and 214 children. And at the end of the first year of COVID, we had 214 children. You can have 214 children if you're fully staffed. But as COVID continued and families had to drop and our teachers had to leave for better jobs, that left to jobs in food industry, driving trucks and other jobs that paid more money, or what I say, going across the street. Across the street is a public education institution where Stan was alluding to that our governor passed legislation for our teachers, and they deserve it too. And a three tier for our licensed teachers, 50,000, 60,000, 70,000.

During COVID. And a little bit before COVID, I had more than 50% of our staff going to school. Of those staff, six received bachelors. I lost six. Two received masters. I lost two. We cannot compete with public education, and we must invest in them. Not just our teachers, our bus drivers too. I almost lost Stan a couple of months ago to our local district who is giving a \$10,000 signup bonus to just drive buses and also can make at least 10,000 more than he was making. So, it's not just our teacher, it's for all of our staff.

Mental health, we cannot say this enough, our children are different after COVID. And so are we. I feel like we're living in a depressed world and trying to get out of it and constant reflection on how to take care of ourselves. So, because our children are different, we are looking at more support. We have children with disabilities. We have children with behaviors, and children who are literally depressed at the age of three and don't have outlets to do that.

So, in addition to the support of qualified mental health workers, we are looking at requesting lowering the classroom group size and ratio to support our teachers and to support our children. Mental health in our program, Stan was talking about changing diapers. We're doing everything. Sometimes we're going into a classroom just to give a teacher a five-minute breathing break, to go outside just to collect herself.

Our work, Mr. Coriz and I, doesn't start until 4:00, so I know focus area two is coming around. If you want to talk to us, it's 4:00 PM our time because we'll be moving around in the classrooms to support the mental health of our children and our staff.

Quality improvements. Quality improvements, as stated earlier, look different for every tribal nation. What looks good in one place does not mean it should be in another. Of course, we will always look and request for safe and healthy learning environments for both indoors and outdoors.

In environments for both indoors and outdoors. Again, quality improvement in smaller classroom sizes and increase the qualified teacher ratios, maybe in preschool 15 to three. And of course, quality improvement to us is don't turn our Head Start children away. So categorical eligibility for all native children. In addition, we see quality improvement as creating our own local design curriculums in language and culture and not to be assessed by a Western model, that I can't believe after eight years I'm still talking about CLASS, still assessing our children while we are understaffed, under-enrolled and still will come out to assess us. So again, looking at models that are more conducive to the tacit knowledge of what the tribes want their children to learn. We will always get our children ready for kindergarten.

We know that everything that you have shared, and we do believe Mr. Garvin, that you have been listening, especially this last couple of tribal consultations, that everything costs money, but there are consequences with those hard decisions that we have to make, both intentional consequences and unintentional consequences and hard to fathom turning slots away. But we know we have to make those decisions and we have to make them together. You've used the analogy of the bridge, building the bridges, and this morning DJ used the analogy of the Romans building a bridge so they can cross to ensuring that they can go conquer another place. We also used the bridge in the early sixties to fight for voting rights.

I'm also going to use the bridge of an analogy of my late father, who was a fisherman. And in northern New Mexico, there's a great place to go fishing, but you must cross a bridge. So it's a suspending bridge and you have to cross it because on the other side there's a better fishing hole. But as you cross it, you have to be confident, you have to trust, you have to trust your dad, you have to trust each other that you can get across that bridge, and you have to know that on the other side there is something good to happen. But meanwhile, if you stop in the middle of the bridge, it will swing. You may fall 20 feet down, but if you trust and move on, knowing that there will be something on the other side that is good.

The bridge is also like fencing, so there are little spikes in between and those spikes cut you. And what I'm saying here as we move across this bridge together with Office of Head Start, with Congress, and with each one of our programs, we do need to cross this bridge, but we will get cut and we will have hard conversations and we will have to banter and we will continue to respect each other and our tribal nations as we do so, I ask you to continue to work with us so we can continue to provide the comprehensive services that all Indian children deserve. Thank you!

Meaningful Consultation with Sovereign Nations

Testimony from Anisa Patch, Tribal Councilmember of the Colorado River Indian Tribes

Anisa Patch: Good afternoon, I am Anisa Patch, I come from the Colorado River Indian Tribes (CRIT) in Parker, Arizona representing the Mojave, the Hopi, the Navajo, and the Chemehuevi. I myself am Mojave and Hopi and I am glad to be here. I'm thankful that we are able to have a tribal consultation, one where we get to actually speak and be heard, not just be talked to. So, I appreciate all of those that have traveled here. The other leaders that made it important, stepped to come this way to hear because Head Start is an important program. I've supported Head Start for many, many years, being a graduate myself and before I was on Tribal council, I was a grant contract specialist, a fiscal specialist for 15 years, and many of those years involved Head Start, learning Head Start.

And what I say is almost getting a doctorate in Head Start. Learning all the rules, the program standards, learning the program, learning the fiscal responsibilities, starting at Head Start Grant, when we were so dysfunctional, I think we probably would've lost it if we didn't have the help of certain people at the head of the Office of Head Start. I think it was Patricia Banks at the time, some other people at that time that had helped us crawl out of that hole and become compliant. And now I feel like we're going backwards again. But thanks to Ron Ransom. I know he helps CRIT a lot and probably gets a lot of calls from us, but thank you for listening.

I think that our CRIT Head Start is unique with the four tribes itself. Though I find it hard to believe that we're American Indian, Alaskan Native program when most of our enrollment is only less than half is our Native American children and everybody else is the other nationalities that are there. So, when we were young, we were mostly Native Americans in our Native American program, celebrating our culture, incorporating culture into the programs, which I don't really see too much, too often because right now, we're going through this cultural, taking back the culture.

However, in the schools it seems to be a little bit slower to integrate that, but I do appreciate the Office of Head Start trying to look into innovative ways of helping our Native Americans here. We do have the rent that you are going to include, so it's good to factor in those. We're always trying to look for ways to up the points so that people can get enrolled, especially the Native Americans. I speak like that because in our area, for whatever reason, well that's not for whatever reason, it's a lot of reasons. We have a big housing problem and there's a lot of people with less housing.

So you have multi-generational homes, you have multi-generations in homes, or not even just that. There's everybody and everybody else's grandma in the household. Rent is very high in our area, but there's no buildings and when they are, they're taken up and there's no opportunity for us to grow, but we're growing anyway. Which means we need more money with the almost basically recession, with COVID and everything that has impacted us. The need for, I guess what people are saying, more money has come with more responsibly and more hindrances and barriers to education and opportunity.

What I'm talking about is the fact that we have families that are now impacted because our Tribal Council or our area has adopted a new minimum wage. So, when they go higher, we have to go higher too. But also, that involves the fringes and the health insurance and things like that that have been mandated upon us to pay has cost a lot of money. We pay almost a quarter of a million extra dollars in our Head Start grant and on top of the in-kind, that doesn't even get qualified under the Head Start grant, just to maintain

staff here. That is a lot of money on the tribe. I heard another gentleman here say that they're a non-Indian gaming tribe. I don't know how you're surviving without that. That's very tough because when we raise our minimum wages, a lot of our people live in low-income housing, they're in low income programs, but when we raise the minimum wage, that also raises the fact that they might not qualify for those benefits any longer.

That also means they might not qualify for enrollment into Head Start for their children. We keep talking about children here. This program is for children, but this program is really for a community, building a bigger and better community. That's what we're about and it's the biggest resource. I think Head Start is one of the most important programs next to the IHS community health representatives because they can get in the door and they can talk to everybody in the household, affect everybody, getting them to the right resources and goals so they can become a better community to build a better future for the children.

So, with that said, I look at earlier, we were talking in an earlier circle about historical patterns and our colleagues on the panel talked about being raised traditionally and culturally, but now we're colonized. So that's changed the historical patterns here, that has changed those things. But to reclaim that back, I understand that.

But a historical pattern that I have thought and have fought for a long time for the Head Start. I remember in 2011 I was just a grant specialist. I just stumbled upon one of these tribal consultations and I just grabbed the microphone and started talking because the same problems we had then are kind of the same problems we have now. And is that Head Start, a lot of our Native American families take their children to Head Start and the parents start as parent volunteers. They're encouraged. We couldn't go to a Head start without hearing, "You better volunteer, volunteer for Head Start." At that time in-kind was a big thing also. But no, they just wanted parent involvement. You have a lot of schools now where they just drop the kids off and they expect the schools to take care of the kids.

But not Head Start. You have to be involved. But with that, you had parents that volunteered as parent and then they became teacher aides. Some of them became bus drivers, a lot of them became teachers. We have had teachers there for over 30 plus years. We have a staff member that's been there for 56 years. She's got a necklace and five diamonds to prove it. She's been there probably since our Head Start was built and thank you to the Office of Head Start for our new Head Start that's going to be built. Finding those funds. But with that, here comes the Head Start Act of 2007, stating the educational requirements for our Head Start teachers and the staff. So then all our teachers had to enroll in school.

Well, like I said, a lot of those ladies had been there over 30 plus years. They were older, but they were still teachers. They were still valuable to us, but they said they were going to have to start terminating them because they didn't have the credentials. Some of them went back to their universities or to the schools that they got their CDAs or they got their bachelor's or what they got their associates at. Some of those schools were already closed. They no longer existed. They couldn't prove that they had those credentials, but still some of them were let go. Some of them fought hard. There was a period of time where we were able to do waivers. At that time, I was upset with my tribe because they didn't fight as hard as they should have because we were not the only Head Start in the nation that was facing the same problem with the same parent volunteers who transcended to teachers who became the historical pattern for our community.

Meaning they were the teachers that saw many generations of families. They've taught our kids, some even my age, my grandparents, that's when they started teaching. Then my parents' age, they saw our parents, they saw my age and the kids below us' age, and now it's their kids' time. I think that's very important because I didn't understand why the Office of Head Start or the federal government didn't understand what experiences, because the kids got the same amount of information. They were all based on evidence-based curriculum to take them to the next level. However, they were let go. But those teachers could tell you what was going on in the home. They knew Mr. Johnson and his wife, oh, they knew that they divorced and they're going through a hard time, this is why little Bobby's having trouble. This is why he's acting out. This is why this is that. Or so-and-so, historical pattern, the new pattern now is drugs and alcohol, even more prevalent with methamphetamines and now the new drugs that are being introduced to our people.

Not just parents who were doing it or recreational teenagers, it was everybody and their grandma was doing it, selling it. It was around the children all the time. Then you saw a new breed of children, addicted to alcohol, addicted to meth, addicted to other drugs, acting out, not acting right. You tell me those children were seen by these teachers and they knew what to do and I said, that's going to be your next challenge dealing with these kids. Or these kids with all the new allergies that can't even go outside and experience dust. That's all we live around.

Looking at that, I don't know if the Office of Head Start has transitioned with our teachers, with our people in that sense of the growth that needs to happen, but also the development that needs to happen because of those barriers that were put on our communities by outsiders.

I think that when we look at that, that's what the Office of Head start needs to look at. Yes, there's teachers and those wages are way below what they need to be. The bus drivers? Yeah, good luck finding a bus driver. The school districts will take them all. Now it's a fight between the school districts, between our teachers now. Where we used to have 183 kids and we're at less than half of that right now. The teachers are the same and they're enticing teachers to come back. But then once we hire one, the school district goes and says, "Oh, hey, we've got more money over here. We need you over here."

So, it's a no-win situation for us. The higher we raise our stuff, they raise theirs again and it's costing us a lot of extra money. We said, we'll pump it in ourselves, gave the director the green light, but it still hasn't happened. So, there's still children out there on waiting lists that could be in a classroom, but because of these new guidelines or low income, they're not in those classrooms. I think that's important too when I talk about community, because I'm still best friends with some of the kids I went to Head Start with. They're my community friends and stuff. But these kids are not growing up with the kids that they need to grow up with. They're growing up at home or at babysitters and not getting the development that they need to get what they would get in their classroom.

So, it's how to engage those families, I think it's very important that Office of Head Start does talk to us, does talk us individually. We all have individual needs, but those are our basic needs, is having that community in there built with the knowing what is actually needed. Of course, the wages, I understand the mental health breaks and I thought, well, when is the teacher going to get a break? They must watch the kids, but that's a good suggestion of having the management pop in there and give them a break. So thank you to whoever said that.

But I think those historical patterns are changing and we need to change with it. We've seen Covid. I've seen my tribal government adjust to Covid really well and protect themselves, but when Covid ended, they just dropped all those protocols and I'm like, wait, this is the new way of living. So, I thought that it was even true for our Head Start.

Thank you to all those that provide the education and the opportunity and can see behind the barriers and see behind what goes on in those homes to help those children. Because once they get into a traditional school district and they're not run by a Native American program or whatever, it's just another kid acting out, let's put them in detention, let's put them in the other classrooms and we'll move on. I hate for that to happen to all of our children in the future. We need to be looking years ahead, but I just want to leave it with that. That's kind of where we are, or where we've been at CRIT. Thank you.

Meaningful Consultation with Sovereign Nations

Testimony from Birdena Sanchez, Councilmen, Pueblo of Zuni, on behalf of Governor Arden Kucate.

Birdena Sanchez: My name is Birdena Sanchez. I'm one of the councilwoman for the Pueblo of Zuni, and I'm here on behalf of Governor Arden Kucate. First, I want to thank Mr. Garvin and the Office of Head Start for allowing us to give our input in this consultation. I do have some token points from the governor that I will read off. He indicates first, thank you for holding this consultation meeting. First and foremost, like all other Indian tribes across the country, the Pueblo of Zuni is experiencing a dramatic drop in the use of our native language, especially among the young. Our language is known as language isolate, which means that our community is the only community in the world who speaks it. Our language is tied to our culture, which must be preserved. Thus, our Head Start program must integrate the language at all levels.

Second, the Head Start program is experiencing a sharp decline in the enrollment. We are funded for 153 students based on the past enrollments of Zuni. Currently only 92 students are enrolled. Some of the decline can be attributed to the pandemic and to young families moving to urban areas. But a closer look by our staff reveals that Head Start income requirements prohibit a growing number of our families from participating in Head Start.

A household in the community of Zuni sometimes has multiple families in one household. So if you have multiple families in the household that are working, your income level goes up. Based on the income levels, this prevents our children from being eligible for Head Start. Related, the state of New Mexico has recently implemented a robust early childhood program, which is called Making It Work. It aligns with the state of New Mexico Early Childhood guidelines. The program has less income level guidelines or requirements, and thus is becoming competitive with Head Start. We want the same for our Head Start and therefore ask the federal government to allow us to align all the income requirements with the states or waive those requirements altogether. The income for the Head Start program requirements are too rigid and pose a serious barrier to lifting enrollment.

Third, the Head Start program has competitive comprehensive healthcare screening and procedures. While this is generally good, implementation of the procedures require some of our parents to travel at least 142 miles to Albuquerque or 70 miles to Grant, even though there is a healthcare facility, IHS within

our service unit. But because we don't have mental health facilities for our services, for our children in Zuni, this requirement has to have the parents go somewhere else.

Fourth, our Head Start teachers are severely underpaid. The last raise was given was 2%, which was not enough. This is based on the funding that they get. The raise hasn't kept up with inflation, which is unacceptable. Also, the Head Start teachers require to either have a bachelor's degree or be working towards one. Teachers struggle trying to keep a family going and trying to get that bachelor's degree that is required. Once the teachers obtain their degrees, they usually move on to a better paying job with the public school system. Within our area, our public school system is under the Pueblo of Zuni, and the salaries are over maybe at least 2000 or even more than what Head Start teachers began off with.

Fifth, the Head Start Act regulations and performance standards for personnel must allow an Indian tribe flexibility in handling employment matters. The Head Start program is a tribal program under the Pueblo of Zuni, which has its own regulations and policies for all employees. Sometimes the Head Start rules conflict with the Pueblo of Zuni rules, which creates imbalances in handling employment matters.

And with that, I'd like to ask the question on the health coverage and the personnel and family leave that Head Start is proposing in their new rules. How is that going to work with the tribal policies that we already have in place?

Sixth, the Head Start CLASS scoring system is not culturally appropriate and it's overly rigorous, especially when it comes to three things, the manual, the child's responses, and the role of the observer in the classroom. The scoring system does not validate differences in teaching styles by teachers, which brings down morale and is not fair to the teachers. This puts teachers in a position of going to work somewhere else.

And lastly, I want to thank you for the opportunity to share these issues that Zuni has. And I hope that we can all really work closely to really look at those changes that are being proposed and see if it's really adequate and to see if it's really going to work for tribal programs. Because as it's been said before, we are all different. We're not a cookie cutter pattern that's sitting here working with our kids. We all need to look at individual tribes on how these rulemakings are going to be working for us.

Meaningful Consultation with Sovereign Nations
Testimony from Rus Hepfer, Tribal Leader of Lower Elwha

Rus Hepfer: My settler name is Russ Hepfer. My friends call me Raz. And I am really, glad to be here. I'm the vice chairman of the Lower Elwha Klallam Tribe, Port Angeles, Washington is in my territory. We're directly south of Victoria, Vancouver Island, 17 miles of water. The crazy governments that put that imaginary international boundary split our tribes in half. In our treaty. It says, "You will not trade with anybody in Canada." Imagine that?

So, Elwha does not think, no disrespect to all the other leaders that said, thank you for this consultation. To Elwha, this is not consultation. Consultation is when either you or the president or even Sir Donald comes to our reservation. That is consultation. I am not a Head Start council person. My work is in the environment. My tribe took out two dams on our river where we were created. We are salmon people, so I

was heavily involved with that. But I'm proud to say that we aren't damned Indians anymore. We got our damn salmon back and we're damn proud of it. So, thank you.

But I'm here because we had a ceremonial fishing event that our kids attended. Little ones. Took the day off from Head Start. Sorry, don't know if that's legal or not, but we did it. But they're so darn cute, just stinking cute. And they were proud. Just little ones. So, I thought, man, maybe I need to switch fields or something here because my kids went through Head Start and they turned out okay. But also, I have a lot of work with Billy Frank Jr. He's an activist in Washington state, got arrested over a hundred times for fishing rights. And he was about education. A lot of folks don't know that. He'd go to Alaska. He came to California. He went all over advocating education. He even built a school for his community, so he wasn't only an activist, but he was an education person.

Some of the things I'm about to say here is, some of it negative, but I really want you folks to know that at Head Start that we do appreciate all your efforts and all the work that you do for Indian Country. I think that the director's training requirements to be a director are of a high standard. I understand it's Head Start, it's education. I think the training requirements for the teachers are quite high. And again, I understand it, but it should come with that same level of pay. But when you raise the pay of teachers, then you need to raise the overall organization. The program needs more funding.

I understand that Head Start can't go to lobby Congress. I can and I do, and I speak to Head Start and all the other programs that the tribe has, but you don't have to sit there and be silent. You can advocate without lobbying. Thank you, everybody that spoke about vacant positions, ours is buses. Why would you drive a Head Start bus for 18, 20 bucks an hour with a CDL when you can go drive a real truck and make some money? We're all facing that. We have a waiting list. And by the way, that 8%, that helped keep our loyal teachers with us because if it's just pay, they're not staying there for the pay. They're staying there for the kids. They love our kids. We only have 40 of them. So, we have a waiting list, vacant positions.

But mostly I see this screenshot here, public comment and accepted until January 19th. I heard earlier that tribes have 30 days from today to comment. But we can comment during the public comment, that's going to rub a lot of tribal leaders the wrong way, especially me. Because I am not public. I am not a stakeholder. I'm a sovereign nation and you better treat me like one. Now we're friends, we're in the same canoe. We need to work together, continue to work together to make it better, building bridges. I think that you should extend the tribal comment period to that date. It's just changing a few words.

And I heard of the earlier session we had on historical trauma, brought that to mind. We live it and some of us don't even know it from everything that's happened to us. Covid came around and I'm an elder myself, but a lot of our elder elders said, "well, we've been through this. We can get through this." In the northwest they gave us diseased blankets, wiped out. My tribe had 10,000 people at one time, 35 villages. Damn near wiped us out, so we've been through this type of trauma, and we are getting through it. Of course, here I am. Thank you for wearing your mask, sir. But I wanted to say that we can get through trauma. But I'm proud that our Head Start, when our kids go to kindergarten, they're ready. They're more ready than other students. They're there, they're ready and they want to learn. I had a few more things to say but I've seen my Head Start director.

I'm the Vice Chairman of my tribe. I've been there for 24 years, and I got scars from pulling arrows out of my back to prove that. Little Indian humor, sorry. But Lola is our director, Lola Moses. And in my tribe,

and I think in other Northwest tribes, the women are the real leaders and I'm proud to say that. My family's been in politics for three, four generations. It's always the women behind the man and I'm proud to say that they helped make me look better.

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Testimony from Denise Harvey, Tribal Council for the Confederate Tribes of Oregon

Denise Harvey: My name is Denise Harvey and I'm on the Tribal Council for the Confederate Tribes of Oregon. I am the tribal liaison for Head Start along with many other hats that us leaders wear. So I'd like to say we need more support for non-expulsion and suspension for behavioral health and other therapeutic interventions, which many of our tribal leaders today have talked about. To revisit the child rates for older grants, those rates are much lower than the new grants. Zero to five grants to have the flexibility to serve our community through population shifts rather than the separate grants from zero to three and three to five. Money for facilities we actually have, I don't know the exact total amount now, I know it's over a hundred and some kids, but we have a wait list. We've had a wait list for, I don't know, 10, 15 years.

So being able to serve and, I don't know, during COVID it seemed like a lot of our population has expanded, a lot of people had a lot of young children in the last few years, so we have a lot of babies. That's why we really pushed and expanded on our early childhood, because there was definitely a demand in the community for that. I would like to thank you for advocating for the annual COLA and all the flexibility during the pandemic. Then some of our accomplishments have been pretty good. We have 35% of our staff enrolled in higher education. We are currently fully staffed. I think there's just one for disability inclusion, special ed, and two for behavioral health. But those are people that are in our education and programs and that's what they're getting their degrees in.

Another thing I'd like to say in reference to what some of our other tribal leaders have said around here, I noticed I was curious on the 755,000 in the 650,000. And before you responded to that I was like, "Are we being put into the national numbers?" Because that's not right. We are tribal nations, sovereign nations, we have trust responsibilities that the federal government passed to us due to our treaties and our federal agreements. Those are agreements, not contracts, they don't expire. These were our promises that were made to us. Now you're putting us in a category with the entire nation. There's a trust responsibility you have. We all are different individual nations, and we all have different needs, concerns and practices. By our treaty or federal agreements we have, you have a responsibility to serve that to us. We shouldn't be caught up in the other rest of the issues of the entire nation. We need to be treated and looked at separately and differently for the people that we are. Thank you.

Meaningful Consultation with Sovereign Nations

Testimony from Gil Vigil, Executive Director/Tribal Leader of Tesuque Pueblo

Gil Vigil: Good afternoon again. I don't know if that was a good idea to give the mic though for the last statement. But I just want to thank all the tribal leaders that made their presentation and some of them are really new and young, even Lieutenant Governor's first time with Head Start. So, I'm going to age myself here, because I'm only 29. I started with Head Start even before Head Start was Head Start. That is because when Head Start was being proposed, there were some pilot projects. The pilot projects in New

Mexico were Acoma Pueblo, Kewa, Santo Domingo Pueblo and Tesuque. We were the pilot projects for Head Start.

And my mother became the first teacher aid for the Pueblo. She eventually got her degree and became the history teacher for Tesuque. But the irony of the thing is we already broke the rule because on the day Head Start required the children had to be three years old or potty-trained, my son was neither. But grandma was a teacher, so on our way we're going to have my son go to Head Start. So that's how he got his Head Start where I got started. I've been coming to these consultations for many years, but the issues and concerns are still the same, and have not changed very much. Your theme, building bridges. The problem is when the Head Start law was enacted, it became law. When legislation is passed and becomes law, the next step is promulgating rules.

And today we're talking about proposed amendments to that rule. I don't know how many years it has been since we did that. Because of many federal laws, that didn't happen for a long time. For example, the National and Child Welfare Act was passed, and it was never amended or changed until 2018. We had consultation throughout Indian country and made some recommendations to those rules and hopefully, it doesn't happen here like it happened there. They asked us to give our comments and yet when we gave our comments, they didn't agree with us, and they didn't include all of them. So, this time with these new proposed amendments to the Head start Act, I hope that's not going to be the case, that we're listened to. Like somebody said that we're not talked to, but that we're listened to, because of the Vice Chairman's comments about, "We are not programs, we are tribal nations, we are sovereign nations and we're going to be treated as such."

And having said that, this week President Biden is meeting with tribal leaders in Washington DC. I just thought about that, I wonder if Head start is on the agenda. I wonder if education and childcare is on the agenda. Hopefully that some of our tribal leaders will recognize if it's not that they make presentation on it also. When the Head Start Act was passed, and the rulemaking began, the rulemaking was probably done by administrators within the federal government. But were we there at the table when these rules were being made? Probably not, because that's probably not even heard of. Like I said, I've been coming to this consultation for many years. My first role with Head Start was because my son and my daughter went to Head Start then, I became the, what do you call it? The President for the Policy Council. And because Eight Northern was the grantee, I became President for the Policy council at Eight Northern and we had Eight programs.

Since then, the bigger Pueblos, Taos, Ohkay and Santa Clara became their own grantee, because they had numbers. Tesuque and the rest of them, Tesuque, Picuris, Nambe, San Ildefonso, they were still in Eight Northern. Milwaukee never had a Head Start, because they didn't have the numbers. They didn't have the numbers to even start a program, a Head Start program. So, of the four Pueblos that were left, Tesuque became its own grantee. But because of enrollment, again, Tesuque turned Head Start back to the federal government, because we couldn't meet enrollment. More recently, Nambe and San Ildefonso were the only centers that were left. Nambe decided to pull out last year, again because of enrollment. So my point is we lost the Head Start program, because of enrollment.

This is the way I normally start my presentation, Head Start works, but it's not for all kids because of the eligibility enrollment requirement. As a tribal leader and as tribal leaders, we're responsible for educating all our kids, but Head Start prohibits us from doing that. Like somebody said, if you don't have a casino

and you can't supplement the program, most Head Start programs fail to continue. Even with our Head Start program at Tesuque, we were supplemented with our casino money it was not enough. So, funding needs to be elevated to a point where it's going to be equitable for all.

Director, you made a statement this morning about Head Start being important and you're correct, it really is. But we have come a long way and I guess your thing, building bridges one tribal leader always asks, "Head Start too where?" And that's a good question. So, Head Start too where? So, I'm hoping and being optimistic that we're talking about building bridges. Some analogies were made by the director for Kewa about bridges. So, we're going to... Because like I said, when the first Head Start Act was implemented and rules were being made, we were not at the table. Now you're inviting us to be at the table to build these bridges, but again, bridges to where? So, this bridge must be in consultation with the tribes, the programs, and anybody else that needs to be at the table, so we can develop a program that's more appropriate.

Right now, it does not work. DJ this morning talked about change, and I think COVID impacted us a lot of ways. And so even with me at my programs at Eight Northern, we're looking at the impacts. So, my directive to my directors is look at our programs before COVID, look at what COVID did to our programs. How do we make changes to address those things that impacted us? How do we develop our programs for the future? I think that's what we're talking about here when we're talking about building bridges. And bridges with who? Because I think there are other programs, we certainly can use to help Head Start. For example, last week I was at a consultation for childcare. And the irony of the thing, childcare was talking the same thing we are here, collaboration, networking. I know a few years ago there was an attempt made in Dallas, Texas. Todd was probably not... where you are now, but there was a time when we talked about Childcare and Head Start collaborating, working together to address... Because sometimes they're addressing the same kids.

I stayed in Albuquerque. That morning I was coming down the elevator to go to the consultation. There was a lady on the elevator, and I asked her, "So what do you think about the consultation?" And she goes, "What consultation?" I said, "oh, you're not part of the consultation?" "Oh no, I'm here for BIE." And I said, "BIE, in what capacity? And she goes, "Early childcare." And I said, "You should have been in there listening to childcare consultation." So, then I sat down with them and then you know what they told me? "Well, that's what we've been trying to do. We want to collaborate and network with these programs." So I guess my point is, everybody's talking about collaborating, networking, but we're doing it in our own silos. We're not talking to each other. So hopefully, building bridges with those other entities, other programs that we can develop this relationship.

We had a home visitation grant and we created teams in our communities. We asked three questions in a community asset mapping. We asked three questions, what's working in your community? What's not working in your community? And how would you like to see your community in the future? Based on those three questions the first thing that came out was language loss, cultural loss, and then we had the isms like domestic violence, alcoholism, drug abuse, all those things that are happening that a lot of people have alluded to. So how do you address that? I think even earlier in our Tribal Leaders Forum that we had this afternoon talking about how we need to start at an early age in educating our children in our traditional cultural ways. Even those cultural parts back to one of the consultations when Ann Lenahan was director and she would say, "Oh no, here comes Gil, he's going to talk about standards. He's going to tell us too many rules, too many regulations."

Which is true because that was always my point. Head Start has got too many rules, too many standards that prohibit us from doing our work. And in fact, in one consultation I just told them, "Why don't you just give me the money, get out of my way and let me run my program the way I think it should be run?" And I think that should be the case. Tribes should be given the flexibility to run their programs, because it is their people and their children that they're working with. So, there's got to be more flexibility. We talked about the hazard; I was thinking about the environment. As for the pay and compensation, so Head Start requires teachers, like my mom who got her degree, but she stayed with the program, became the Head Start teacher. But requiring our staff to get their degrees, whatever it is, okay, well, still to make it a mission so they get their degrees, but because we don't compensate them probably, they go down a road because somebody else paying them better. So, the need for staff is always there. It's a double-edged sword, so we need to address that.

If we're going to want to keep our teachers, we have got to pay them the fair price that they're deserving of. Those are the things. Quality improvement, I agree with quality improvement, but why are we doing quality improvement? For whom? The program or for our people? It's got to be look at how we improve our program. DJ also said today about making changes because of what happened to us in COVID, how the impacts have made us change, we got to change with that so that we're doing a better job in the work that we're doing. I remind and I thank my Directors every month and I tell them we're doing a good job, but I know we can do better. I think this is where we're here also. We're doing a good job, but I think we can do better working together in addressing the issues that we talked about today. All the leaders with their testimonies, they're here because of their people, the children that they serve. Because we always say our children are our future.

And having said that, some of my governors that are at Eight Northern are all Head Start products. They went to Head Start and that's why I say Head Start works. Like for my own kids, they went to Head Start, they got their education, they went to college, but their kids are not eligible for Head Start now, because they're over income. So, we've got to fix that because that's the case with many of our communities. So with that, thank you for the opportunity again. And again, I want to thank all the tribal leaders that gave their testimony and certainly the Head Start staff that's here because they're the ones that are in the trenches every day doing the work for our kids. And at Eight Northern, we only have one center left, but I can attest and tell you our staff is a great staff, there's two of them I need more. So hopefully Todd, we can talk about that, get more staff because it's a fantastic program. And I can assure you all the tribes that have Head Start program are doing a great job. Thank you.

OHS Response

Transcript from Response of OHS Leadership

Director Khari Garvin: Thank you to all the tribal leaders who made comments today, I just want to say thank you for a few things. First of all, for your candor and your openness, that's always so helpful. These opportunities are tremendous learning opportunities for me and for the office. And the extent to which there can be open and candid dialogue in this way is always beneficial. So, thank you for that and thank you for the enlightenment. I took lots of notes, I think we all did, and I always do. But just wanted to reflect on a few of the themes I heard and then I wanted to directly comment on one if not two things just for the sake of clarity. But in terms of themes that I heard today, certainly wages and staffing and staff turnover can continue to be challenges for different reasons.

Another theme that I heard was a concern about the implementation period for what will become a final rule. So, we're projecting perhaps seven years or something like that. I heard concern that mental health support for programs continues to be a challenge, particularly coming out of COVID and with the needs growing and becoming more emergent. Coupled with that, a few mentioned that the staff/child ratios aren't the best right now for that reason as well. Eligibility and certainly for the program and certainly hearing and understanding and hearing it, emphasized the treaties that exist and the importance of enforcing those treaties and the terms of those treaties. Just frankly, the sovereignty of Tribal Nations and what that really means in terms of the relationship with the office of Head Start in particular, but with the government in general. Hearing clearly that there is no cookie cutter or a particular formula that defines one and all tribes. Every tribe has its unique history, has its unique culture, has its unique terms for treaties. And so that needs to be understood and appreciated as these dialogues continue.

I even wrote down the term, I can't remember who said it, but the importance of decolonizing some things and I appreciated that term. In a previous tribal consultation, there was also a term that stuck with me. It was brought up about CLASS and some assessment tools, but about the importance of indigenizing certain tools that are used and so I appreciate that as well. Thank you for that and I wanted to just reflect that back to make you aware that certainly we were listening and taking notes. Two points I want to make here, sir, when we spoke earlier this morning and you came and said to me, like what you said this afternoon, that some of the issues that are raised are issues that have been raised for years. This wasn't an exact quote, but you said something along the lines of how disappointing it will be if next year we come back and are talking about the same things, and I could not agree with you more. So again, thank you for that.

I think that, that really helps to define the pathway that needs to be taken to make sure that we can properly resolve the things that have been mentioned. So, two specific things I just want to address if I may, that I've heard brought up a couple of times that I want to make sure that we have clarity on. Both has to do with the NPRM, both of them. I want to make sure that we share the same understanding about these two aspects of the NPRM. The first is, I want to make sure that we understand that seven year or so projection. I want to make sure that we understand what that means. That means that many, not all, but many of the requirements of whatever becomes a final rule will not be effective until about seven years from now. That means that at that time, seven years from now, 2030, 2031, whatever that year is, that means that it will be a requirement for all programs at that time.

But in the interim, there's nothing that precludes or prevents any program for pursuing any of these prior to that date. So, in other words, if there was a restructuring or some sort of program change that a program wanted to make or redesign or whatever it is, that a program wanted to pursue to be able to pay staff a higher wage, that can happen sooner than seven years from now. You don't have to wait seven years for that to happen. I want to make sure that we understood that that was the first thing. And the second one, I know that sometimes, and this is my last point, and I will defer to my colleagues, is that I know that sometimes when we talk about the different regulations, sometimes we can conflate or use the same term to describe different parts of the regulatory framework for Head Start.

So, the thing I just wanted to make sure that we understood here, is that this NPRM, the notice of proposed rulemaking is a set of proposals to change parts of the Head Start performance standards, which is different from the Head Start Act. The Head Start Act is the actual law that Congress writes and then whoever's present at the time signs that into law. There's nothing that's being proposed here to change the

Act, that's Congress's domain. And I just want to make sure that we understood that. But these proposals are to change parts of the regulatory requirements, the actual performance standards and that was it. Thank you again for the opportunity to hear your rich feedback and I hope that we can continue to, not just to hear, but then to partner, to work together to solve many of the things that you all have raised. And with that, I'll give way to Heather and Todd.

Heather Wanderski: I just wanted to say thank you. I thank you so much. It is an honor to be here and to hear the testimony that you all provided today. I had an opportunity to attend many of the virtual ones as well as recently was able to make it last year to Spokane as well. And the information and the testimony that is provided certainly has an impact on our ongoing conversations that we have in the Office of Head Start and that work that we do and what we try to.

And I just want to make sure everyone is aware that we do hear you. That's why we come, and we listen and then we're able to take that information and it helps us to be able to continue to drive forward decisions that we make around operations and things just for the ongoing programs that we serve all across the nation.

So I just again, wanted to just say thank you. There wasn't anything that I wanted to comment on besides what Director Garvin already did, but again, just really appreciate the opportunity of being here and just want to say thank you for opening and for sharing all this wonderful information. Thank you.

Todd Lertjuntharangool: Thank you, Heather. And thank you again to all our tribal leaders that are in attendance who came and traveled to be here with us and share your input and your experiences.

I'm going to try to move quickly and maybe if we're lucky we won't go over our scheduled time, but I wanted to start with some of the topics that were brought up that where there might be a quicker solution to certainly for the team from Ramah Navajo, thank you again for being here, for sharing your experience.

One of the things that you mentioned was transportation, and specifically this time of year when I know I've been to Ramah and so I know it's a beautiful community, but you're right, it's mountainous and you're going to get snowfall there. One thing that you might consider too, I don't know if you've already done this, is some heavier duty buses. I know we have some programs that have really invested in some big four-by-four buses that are really meant for more rugged terrain. Better suspension systems are going to last a little longer on roads that are not paved. So, if that's a need, then I definitely encourage you to talk to your program specialist and maybe there could be, if not potential within your existing budget, some one-time funding that could go to help you and improve that situation. So, I hope you consider that.

And then Councilwoman Harvey left, but I certainly hear her words in terms of making sure that the information that we present is specific to Region XI. And so, I did want to, for the folks that are here, specify some enrollment figures for Region XI. And I apologize for not having the exact figures, but what I will say is that prior to COVID in 2020, our Tribal Head Start programs nationally were funded for around 21,000 children. Now that was Head Start and Early Head Start Inclusive. In 2023 we're funded for just a little over 19,000 and we're serving a little over 15,000 for our actual enrollment. So those are some figures that are little more specific to Region XI and I think hope paint a more accurate picture of where our Tribal programs are in 2023.

Another thing that I heard too was about teacher credentialing. One point to clarify is while we absolutely, I think, encourage higher education and people's continued education, I know that there's a national requirement for the Office of Head Start that 50% of our Head Start teachers nationally have a bachelor's degree. I just want to clarify that's a national requirement for Head Start. It's not an individual Head Start program requirement. The minimum credential for a Head Start teacher is an AA.

So, I certainly understand that our tribal grant recipients can set your own higher own credential requirements so long as you meet the minimum requirements. If you wanted to set a higher, then certainly I commend you for doing that, but you didn't necessarily need to as a requirement set it as a bachelor's degree.

Also, in regard to Zero to Five grants and flexibility, I did want to clarify for our programs that have a Head Start program and an Early Head Start program, the Head Start Act actually does include a provision for Tribal programs that does give the flexibility to move and allocate slots between the two programs based on fluctuations on populations in your community. Again, if you have those two programs.

If you only have a Head Start program, the act also does provide a route for you to still convert and create an early Head Start program in consultation with the Office of Head Start.

What it does not yet allow, which is a little bit odd, and I think a bit of just nomenclature, is the ability if you only have an Early Head start to then just create a Head Start. And so, I do want to thank Ms. Harvey who's not here, but I know she submitted written testimony, and her testimony is specifically around that it really doesn't make sense to not include that one flexibility if we're going back and forth. I want to appreciate the time she spent and in writing that input.

Another topic that I did want to discuss that is a heavier topic and certainly is I think more of an inquiry rather than a statement or determination is there are so many factors right now that are impacting our ability to connect children and families with these services and our landscape across Head Start has changed and folks talked a lot about some of those factors.

One thing I did want to note that is of concern to me and I think too that certainly has a potential impact on everybody in the room and everybody who works in Tribal Head Start, is our budget. I absolutely agree that these funds are needed. I absolutely agree that there's a need out there.

One particular challenge that we've had for the last couple of years actually comes down to unobligated funds. This isn't data that we necessarily advertise, I hope for obvious reasons, but for an example, in fiscal year 2022, we awarded a little over I think 320 million to tribal programs nationwide, and about 70 million of that was left unobligated at the end of the year. That represented about 22% of our annual appropriation. And FY21 it was 18% and FY20 it was 20%.

So more of an inquiry really is, I know that in the past couple of years we've tried to do some more intentional and focused things on fiscal, but with leaders in the room, I definitely would love any recommendations of how we can better support in this area, because one thing I don't want is for that pattern to continue because I'm sure, as you know, it raises other questions from other places. So, we really, really want to tackle that and be more aggressive with that in 2024 because again, we know that

the need is there, and we know that the funding that we do have is not sufficient to cover all the things that we talked about today.

So, with that, lieutenant governor, if we can close appropriately, with a prayer.

- Consultation Closed