

**OFFICE OF HEAD START
TRIBAL CONSULTATION
REPORT**

**October 19, 2017
Anchorage, Alaska**

Presented by

Ms. Ann Linehan, Acting Director
Office of Head Start

Introduction

As required by the U.S. Department of Health and Human Services' Tribal Consultation Policy and Section 640(l)(4) of the Improving Head Start for School Readiness Act of 2007, in 2017, the Office of Head Start (OHS) planned two Tribal Consultation sessions for the purpose of better meeting the needs of American Indian and Alaska Native (AIAN) children and families. There was also an October 2017 consultation in Alaska described in this report, as well as a November 2017 consultation as part of the Administration for Children and Families' Tribal Grantee Consultation in Washington, DC. The consultations take into consideration funding allocations, distribution formulas, and other issues affecting the delivery of Head Start services in Tribal geographic locations.

OHS is committed to consultation with Tribes during which elected officials and other authorized representatives of Tribal governments have the opportunity to provide meaningful and timely input on the development of policies or regulations, the interpretation of existing regulations, or other policies or procedures that affect Indian Tribes. OHS is committed to seeking input from AIAN governing bodies, leaders, and individuals designated by Tribal leaders and incorporating such input into its decision-making process related to all matters that significantly affect Tribes and Region XI (RXI) AIAN children and families.

The 2017 schedule follows:

March 14, 2017	Albuquerque, New Mexico
August 7, 2017	Airway Heights, Washington
October 19, 2017	Anchorage, Alaska
November 6, 2017	Washington, DC

OHS held a Tribal Consultation for Tribes in RXI on October 19, 2017, in Anchorage, Alaska, in conjunction with the Alaska Federation of Natives' 2017 Annual Convention. The following report reflects introductory remarks by OHS followed by testimony and recommendations of RXI AIAN leaders and representatives. (There are separate reports for each Tribal Consultation listed above.)

Participants

OHS presenters: Ms. Ann Linehan, Acting Director, OHS, and Ms. Angie Godfrey, Regional Program Manager, RXI AIAN, OHS

Additional OHS and national contractor staff participated in person. (See Appendix for a list.)

Tribal leaders and Tribal representatives participated in person. (See Appendix for a list.)

Introductory Remarks

Head Start Tribal Consultation Report
October 19, 2017, Anchorage, Alaska

Ms. Angie Godfrey, RXI AIAN Regional Program Manager, opened the Tribal Consultation and introduced herself. She welcomed participants to the consultation. She introduced Ms. Ann Linehan, the Acting Director of OHS.

Ms. Linehan welcomed Tribal leaders and other Tribal Consultation participants. She invited Tribal leaders to introduce themselves, followed by other attendees, and they did so. Ms. Linehan explained that OHS wanted to honor the purpose of the consultation, and so the consultation would move directly into testimony from Tribal leaders.

Testimony and Comments of RXI AIAN Participants—Tribal Leaders

A. Revised Head Start Program Performance Standards (HSPPS)

- *Kenaitze Indian Tribe*: The revised HSPPS have strengthened the program, but much work remains to be done. The Tribe wants to ensure that their core values are blended into their programming and the outcomes they seek. They request that each standard be adequately funded to ensure full implementation.
- *Kawerak, Inc.*:
 - Kawerak recommends that OHS "assess each standard and regulation for necessity and determine more appropriate means to ensure compliance."¹
 - The HSPPS, although reduced, continue to present a challenge for Tribal program compliance. For example, the HSPPS Final Rule refers to Head Start Act regulation 642(d)(2)(A), on reporting to the governing body and Policy Council, related to fiduciary information that must be provided monthly.² The Kawerak Board meets twice a year, and the Executive Committee meets during the interim period, for an average of two to four meetings annually. Most board members live in remote communities with limited Internet and personal computer access. The review requirements—for the Board of Directors to review each monthly financial report for the entire program budget, and every card transaction—is onerous. Additionally, Tribal turnover is high, and download capacities are limited. Kawerak is seeking alternate ways to meet this regulation.
 - The Program Director; Vice President of Education, Employment, and Supportive Services; Chief Financial Officer; and Accountant review their financial documents annually. They believe their process involves sufficient oversight of their expenditures.
 - In Alaska, they are facing challenges in meeting the new requirements in the HSPPS for employee background checks. They appreciate the extended amount of time given to meet these requirements. There are challenges associated with background checks not only in Alaska but nationally. There should be means to collect background check information at the national level.
- *Metlakatla Indian Community*: RXI AIAN programs, including theirs, are at a crossroads, and they face challenges including unfunded mandates and constrained budget realities.

¹ This quote comes from the written testimony submitted by Kawerak.

² 42 U.S.C. 9837. Improving Head Start for School Readiness Act of 2007, Sec. 642: Powers and Functions of Head Start Agencies. Retrieved from <https://eclkc.ohs.acf.hhs.gov/policy/head-start-act/sec-642-powers-functions-head-start-agencies>

Funding has not kept pace with inflation. The Metlakatla Indian Community cannot provide its current level of services without additional financial assistance from OHS to implement requirements of the Head Start Act and updated HSPPS.

B. Classroom Assessment Scoring System® (CLASS®)

- *Kenaitze Indian Tribe:*
 - For the last five years, two of their early childhood staff have worked with the Tribal Early Childhood Research Center as part of a research learning community model specific to the cultural appropriateness of CLASS® in Tribal programs. They are concerned that CLASS® has not been tested with AIAN children and families. RXI AIAN grantees should be exempted from CLASS® until it has been tested and shown to be reliable and valid for AIAN populations.
 - They suggest elimination of the arbitrary 10 percent criterion of the CLASS® evaluation system—that Head Start or Early Head Start agencies be subject to re-competition if they "have an average score across all classrooms observed that is in the lowest 10 percent on any of the three CLASS®: Pre-K domains from the most recent CLASS® observation among those currently being reviewed..."³
 - Low CLASS® threshold scores should be treated as noncompliance rather than a deficiency.
 - OHS should identify and use reviewers who are proficient in working with AIAN populations.
 - There should be additional funds to support purchasing CLASS® materials, attending training, and funding for training events.
 - A formal grievance procedure should be established for challenging CLASS® evaluations not conducted in culturally appropriate ways.
- *Metlakatla Indian Community:* While CLASS® was originally not mandatory, it is now a required part of the review process. CLASS® as an indicator for re-competition has been detrimental to Tribal programs. CLASS® is not culturally appropriate for Tribes. CLASS® scores may vary for an RXI AIAN grantee from one year to the next and may differ from one classroom to another for the same grantee. Many Tribal programs have received letters from OHS and been placed in the Designation Renewal System (DRS) due to low CLASS® scores. Most RXI AIAN programs struggle to retain qualified teaching staff, and high staff turnover affects CLASS® scores.
- *Kawerak:* They concur with the lack of cultural appropriateness of CLASS®.

C. Facilities and Transportation

- *Kenaitze Indian Tribe:* Facilities are expensive in Alaska and affected by seasonal changes. They need congressional support for facility purchases, long-term lease options, upgrades, and exceptional exterior play areas.

³ Head Start Program Performance Standards. 45 CFR § 1304.11 Basis for determining whether a Head Start agency will be subject to an open competition. <https://eclkc.ohs.acf.hhs.gov/policy/45-cfr-chap-xiii/1304-11-basis-determining-whether-head-start-agency-will-be-subject-open> or <https://www.federalregister.gov/documents/2016/09/06/2016-19748/head-start-performance-standards#secto-reference-1304.11%20>

- *Aleutian Pribilof Islands Association, Inc. (APIAI)*: APIAI is looking at building a new facility in Unalaska. They have been in a building they have outgrown, and they need a new facility that offers opportunities for best practices and a playground. The community is looking forward to a better location for the children.
- *Kenaitze Indian Tribe*: The Kenaitze Indian Tribe used to offer daily bus service, but funding that formerly covered those costs is no longer available. There is no public transportation system within their service area. Families served by their Head Start program could be traveling up to 100 miles round trip to take their child to and from the program. She had three children who couldn't attend Head Start because of lack of transportation. This is a strong need. They respectfully request funding for transportation.
- *Oneida Nation*: They need more funding for their buses. Suggestions on funding opportunities would be appreciated.
- *Oneida Nation*: One bus company has a monopoly on their area and can ask exorbitant prices as a result. The company is charging Oneida Nation a substantial amount to get children to and from school. Due to indirect costs and paying fringe benefits, Oneida needs more money. The cost of transportation is taking up a large portion of their budget.

D. Language and Culture

- *Kenaitze Indian Tribe*:
 - They seek to enhance their capacity to support a strong cultural component within their learning model. They are looking for opportunities for cultural immersion through a variety of resources specific to their beliefs and traditions, as well as funding and other technical resources to support targeted learning opportunities.
 - Language and culture should have a greater depth of focus within the Head Start and Early Head Start curricula.
 - Their Tribe's Education Committee and other working groups are working on adding language and cultural components to their Head Start program.
 - They appreciate the recognition OHS has placed on language development opportunities in their programs.
 - *Angie Godfrey, OHS*: Introduced Mr. Micker (Mike) Richardson, Director of the National AIAN Head Start Collaboration Office, who has worked closely with RXI AIAN programs on language.
- *Oneida Nation*: They need funding to hire a full-time language teacher for their program.
- *Oneida Nation*: In their assessment, parents are asking for more language and culture in their program. They have not been able to fund it over the last six years. It is something they are trying to address.
- *APIAI*:
 - AIAN people and others involved in RXI AIAN have talked about anecdotal evidence that cultural identity and practices keep AIAN communities strong and thriving. APIAI's model is weaving traditional knowledge with Western education and assisting their Tribal members and families in becoming self-sufficient. In recent years, empirical evidence has been emerging, mostly coming out of Canada, in support of the idea that knowing who you are and where you come from is important to self-sufficiency. They know that when children and families are practicing their Native language and participating in traditional practices,

including cooking and eating traditional foods, rates of suicide go down, as do rates of obesity among youth.

- We are requesting continued support from OHS for Qaqamiigux, their Head Start traditional foods preschool curriculum. They did not get any funding directly from Head Start for it, but it is a culturally relevant curriculum, and it includes nutritional lessons and use of traditional foods. The recipes meet the requirements of the Child and Adult Care Food Program. The curriculum was put together with experts in their region, linguists, and cultural mentors, and it integrates Unangam Tunuu, the Aleut language, into lessons and activities. Most of their Head Start lead teachers are not fluent speakers in the Native language; fewer than 50 people speak Unangam Tunuu fluently.
- Through their Cultural Heritage Department, APIAI has developed teams in their regions, and they have been teaching youth to become teachers of the language. They hold download camps—events where participants come together for intensive language learning—and workshops, and they bring their people into the community, including youth. Then the youth go back into the school districts. The youth are being paid to learn. This approach is very effective. They want to take their Head Start teachers and staff to one of the language download camps, but doing so takes a lot of resources. They are not on the road system in the Aleutian Pribilof Islands region, and plane tickets can cost more than \$1,000.
- They appreciate that Head Start has asked about language preservation. Funding for development of language teachers has benefits and is a huge challenge.

E. Teacher Qualifications and Compensation

- *Kenaitze Indian Tribe*: In Alaska, they must provide competitive wages to center-based teaching staff in order to retain them. All RXI AIAN programs should be funded adequately to pay and retain staff. They are competing with private preschools and care programs that can pay more. They are limited in the amount of time available for additional professional learning opportunities for their staff.
- *Kawerak*: The standards for teachers and teaching assistants in the current 45 Code of Federal Regulations Chapter 13 (Head Start Program Performance Standards) are creating immense challenges for their programs.⁴ They have been successfully educating their children for thousands of years without agencies setting requirements. It would be good for OHS to offer waivers for these requirements until funding increases to compensate these positions equitably.
- *Fairbanks Native Association*: Reauthorization legislation should consider amending teacher qualifications so that Tribes can directly certify language and culture teachers in their Head Start and Early Head Start programs.
- *Metlakatla Indian Community*: Metlakatla Indian Community supports requiring 50 percent of all Head Start teachers nationwide to obtain a bachelor's degree, per HSPPS 1302.91(2), but they believe that any new degree requirements should be directly tied to new funding.⁵ Due to Metlakatla's remote location and high cost of living, it is always difficult to retain staff. The public schools in their area recruit teachers from other states

⁴ <https://www.gpo.gov/fdsys/pkg/FR-2016-09-06/pdf/2016-19748.pdf>

⁵ <https://eclkc.ohs.acf.hhs.gov/policy/45-cfr-chap-xiii/1302-91-staff-qualifications-competency-requirements>

and offer higher wages and additional benefits. They need to pay teachers a fair wage in order not to lose them to the public schools. They need waivers and additional funding to recruit staff to meet the requirements in HSPPS 1302.91.

- *Metlakatla Indian Community*: They have 10 Early Head Start teachers who have completed all the requirements for Child Development Associate (CDA) Credential™ certifications except for online testing and onsite observations. They would appreciate if the online testing could be done on site at their facility, as travel for each teacher to another location for testing is extremely expensive.

F. Other Staff Qualifications and Compensation

- *Kawerak*: They concur with challenges mentioned by other Tribes related to regulations for limits placed on executive-level compensation for staff in large, multifaceted Tribal organizations who provide many services beyond Head Start; Board composition requirements as they relate to expertise requirements; and prescribed minimum qualifications of key organizational leadership positions.
- *Metlakatla Indian Community*: HSPPS 1302.91(d)(1), Family, health, and disabilities management, says, "A program must ensure staff responsible for management and oversight of family services, health services, and services to children with disabilities hired after November 7, 2016, have, at a minimum, a baccalaureate degree, preferably related to one of more of the disciplines they oversee."⁶ Because of the lack of qualified personnel, this requirement places an undue burden on the Metlakatla Indian Community. They require a waiver and additional funding to recruit staff who meet the requirements in HSPPS 1302.91(d)(1).

G. Support for Children with Disabilities and Other Special Needs

- *Kenaitze Indian Tribe*: They need additional funding to support children with special needs and disabilities.
- *Oneida Nation*: In Oneida Head Start, they have children with differences and issues in several areas, including language, non-categorical developmental delays, autism, and development impairment. The number of children identified with disabilities in Head Start has been significant.

H. Issues Related to Substance Use, the Opioid Epidemic, and Mental Health Services

- *Kenaitze Indian Tribe*: Like many states, Alaska is experiencing a heroin epidemic. The epidemic has negative impacts on personal health, prevalence of mental illness, homelessness, abject poverty, and child abuse and neglect. The Tribe currently puts forward a Dene philosophy of care, which supports a holistic approach to the care and well-being of families. Their approach includes wellness checks, nutritional assessments, vision and dental assessments, behavioral interventions, and other resources found within their Indian Health Service continuum, and yet gaps remain. Funding is stretched, and needs do not diminish.
- *Oneida Nation*:

⁶ <https://eclkc.ohs.acf.hhs.gov/policy/45-cfr-chap-xiii/1302-91-staff-qualifications-competency-requirements>

- They need funding for a security guard for their program. The opioid problem in their area has led to domestic violence, and so their program needs more security.
- Due to the opioid epidemic, many grandparents are raising the children in their programs. They need support for grandparent education and a grandparent support group.
- They need funding for training family care service workers so that they are equipped to deal with substance use, the opioid epidemic, and domestic violence.
- There should be a Native American credential. Family service credential training needs to include training in areas relevant to Tribal families. Many have present and also historical or generational trauma.
- With parents being incarcerated, homelessness, and other issues, they are finding that their children and grandparents are experiencing significant trauma. Their staff need training in trauma-informed care.
- They also need resources to support earlier screening for trauma so that problems can be addressed. The mental health referrals for children with trauma are not being made quickly enough due to lack of funding for a mental health professional.

I. Conversion of Slots and Program Funding

- *Oneida Nation*: They want to move eight to 10 slots to Early Head Start and use the remaining slots for home visitation. They would need additional funds for one full-time teacher. They have plans to make a gross motor activity room specifically for 3- to 5-year-olds. This effort is part of their strategy for reducing childhood obesity. They want to bring on a part-time employee to cover three sites plus home visits made by family service workers and home visitors.

J. Requests Based on the Government-to-Government Relationship of the Federal Government and Tribes

- *Kawerak*: In light of the right of Tribes under the Indian Self-Determination and Education Assistance Act (ISDEAA) to take on administrative responsibility for federally funded programs designed for their benefit, Kawerak would like the federal government to consider allowing Tribes to compact (self-govern) Head Start.
- *Metlakatla Indian Community*: She asked that OHS be flexible in enforcing requirements of the HSPPS and recognize the unique sovereign status of the Metlakatla Indian Community and Indian nations that administer Head Start and Early Head Start programs.

K. Additional Funding Needs

- *Oneida Nation*: They need more funding for their extended-day program.
- *Kenaitze Indian Tribe*: They recommend equitable, adequate, and noncompetitive funding for RXI AIAN programs.

L. Miscellaneous

- *Communications Regarding Issues Discussed at Tribal Consultations*

- *Kenaitze Indian Tribe*: OHS should provide Congress with meaningful, timely notice of concerns and recommendations raised by Tribes in consultations. OHS should also notify RXI AIAN programs when information has been submitted, and RXI AIAN and others should be informed of follow-up on issues brought up in consultation.
- *Technology Support*
 - *Kenaitze Indian Tribe*: The Tribe needs support in the area of technology. They embrace data collection, but mandated software systems are underfunded at this time.
- *Indirect Costs and Nonfederal Match*
 - *Kenaitze Indian Tribe*: Some of their programming is funded by agencies other than the U.S. Department of Health and Human Services (HHS), mainly because of HHS restrictions on recovering indirect costs. However, other funding is not ongoing. They ask that HHS support a sufficient reduction in the nonfederal share match waiver requirement. They further ask that HHS and OHS consider the hardship the indirect cap places on their program.
- *Administrative Costs Cap*
 - *Kawerak*: The 15 percent administrative cap presents challenges.
- *Duration of Services and Subsistence Activities*
 - *Kawerak*: The requirements in Head Start regulations that Early Head Start programs provide 1,380 annual hours of class time for all enrolled children by August 1, 2018, and Head Start programs provide 1,020 annual hours of class time by August 1, 2019, are intended to ensure quality instruction time, but they do not take into account the subsistence lifestyle of many Alaska Native families and communities.⁷ Subsistence activities provide not only time for families to meet their needs but also quality family time, with responsibilities shared among family members from elders to small children. Kawerak asks that AIAN programs be allowed to seek a waiver that allows each of their sites' parent committees to determine if longer hours are appropriate for their sites, and that additional funds be made available to those sites/programs that are moving to longer annual hours.
- *Poverty Guidelines, Eligibility, and Enrollment*
 - *Melissa Charlie, Fairbanks Native Association*: Federal poverty guidelines negatively impact enrollment at their Head Start. It is hard to recruit and enroll income-eligible children due to the extremely low federal poverty guidelines, which are not in alignment with the cost of living in Alaska.
- *Long-Term Sustainability of All Head Start Programs*
 - *Bernadine Atchison and Liisia Blizzard, Kenaitze Indian Tribe*: Due to OHS funding mechanisms, many RXI AIAN programs operate without the assurance of continued long-term support. The inability to strategically plan for vital services and programs adversely affects programming. Congress should continue to prioritize movement toward dedicated, long-term sustainability of all Head Start programs.

⁷ Head Start Program Performance Standards Final Rule. 81 FR 61293.

<https://www.federalregister.gov/documents/2016/09/06/2016-19748/head-start-performance-standards>

- *Obesity Screening*
 - N/A
- *Submission of Written Testimony*
 - *Kawerak, Inc.; Metlakatla Indian Community; and Kenaitze Indian Tribe* submitted written testimony.

Response to Tribal Leaders' Testimony from OHS

Ms. Linehan conferred with Tribal leaders and other consultation participants. Together, they decided to dedicate some time for OHS to respond to testimony of others in attendance at the consultation. Ms. Linehan said that while it is always important for OHS to hear about issues and challenges, it is also always heartening to hear about the strengths and achievements of RXI AIAN programs.

She and Ms. Godfrey provided additional information about several issues that had been discussed at the consultation.

- *Monthly Financial Reporting Requirements Under Revised HSPPS*
 - Ms. Linehan said that she understands how challenging it is for many grantees to convene monthly. She clarified that the board is not required to meet monthly, but they must be provided with monthly financial reports.
 - The system of checks and balances that Kawerak described sounded excellent. Kawerak could meet the requirement through monthly, bimonthly, or even quarterly reports. Another option would be to establish an advisory committee that would deal only with financial issues.
 - Ms. Linehan suggested Kawerak have the Program Officer or Chief Financial Officer call OHS and/or that she follow up with the Program Specialist.
- *CLASS[®]*
 - Ms. Linehan said that when the new administration came into office, they asked OHS to relay issues in the field, and CLASS[®] was one of the first things they mentioned. She noted that OHS's Tribal programs have two issues: the automatic placement of any grantee with an average CLASS[®] score within the lowest 10 percent on any of the CLASS[®] domains into DRS, and that people feel that CLASS[®] is not culturally relevant or appropriate to the learning needs and styles and language of Tribal children. This issue is on the radar and under review.
 - Ms. Godfrey noted that the most powerful voice in providing input and guidance around CLASS[®] has been that of the Head Start directors. OHS is also conducting AIAN Family and Child Experiences Survey (FACES) research for the first time, and Head Start directors were part of a steering committee providing guidance and leadership for that effort. People conducting CLASS[®] reviews for AIAN FACES research adapted the instrument and developed appropriate enhancements, and all reviewers were trained in a Head Start classroom.
 - Ms. Godfrey added that Ms. Janet Schultz, Senior Subject Matter Expert/Health Specialist with Danya International, is now leading the effort to recruit CLASS[®] reviewers who are AIAN and/or have worked in RXI AIAN programs.

- Ms. Linehan said that although there is no formal grievance process for CLASS[®], RXI AIAN programs can submit letters explaining issues in a CLASS[®] review and how it was not done according to protocol.
- *Facilities and Transportation*
 - Ms. Linehan said that OHS knows that many programs have had to give up on providing transportation because of the expense, and that some of the most vulnerable children cannot be served as a result.
 - Congress does not set aside funding for facilities or transportation. Through one-time funding, OHS has tried each year to support facilities and transportation needs. As Ms. Godfrey said, this year OHS awarded \$7 million to RXI AIAN programs in one-time funds. The total was more than half of the total for all the other Regions combined.
 - Ms. Linehan encouraged programs to continue applying for funds to support facilities and transportation, as well as other funding needs.
- *Language and Culture*
 - Ms. Linehan said that OHS took steps in the HSPPS to allow programs to include language and culture. She reiterated APIAI's point about how studies are now showing how important connections to language and culture are for positive health outcomes.
 - Some grantees have expressed a desire to be able to certify their own language or cultural teacher. OHS has said they may do so if they bring the teacher in as a third person in the classroom and pay for him or her out of Head Start funds. One option would be having the language or cultural teacher as a teaching assistant.
 - Ms. Godfrey recalled that in the training on the new HSPPS with all programs in December, OHS had explained that they were not asking grantees to fire anyone; they were just asking them to work with OHS. She encouraged Tribal Consultation participants to work with Tribal colleges and other institutions of higher learning. She noted that Mr. Richardson had done a lot of work with Tribes on finding resources related to language.
 - OHS fully supports inclusion of Tribal language in Head Start and Early Head Start programs and has produced a report on language revitalization.⁸ OHS wants to support RXI AIAN in hiring the staff they need to work with their children.
- *Communications and Reporting Regarding Issues Discussed at Tribal Consultations*
 - Ms. Godfrey explained that OHS creates a report on each Tribal Consultation and makes it available at the Early Childhood Learning and Knowledge Center (ECLKC), which Ms. Linehan noted is the public website of OHS.⁹
 - The draft report is sent to Ms. Godfrey within a couple of weeks of the consultation, and a few months later it is posted to the ECLKC.

⁸ U.S. Department of Health and Human Services, Administration for Children and Families, Office of Head Start, National Center on Cultural and Linguistic Responsiveness. (2016). *A report on Tribal language revitalization in Head Start and Early Head Start*. <https://eclkc.ohs.acf.hhs.gov/culture-language/report/tribal-language-revitalization-report>

⁹ Reports on Tribal Consultations can be found on the ECLKC website at <https://eclkc.ohs.acf.hhs.gov/state-collaboration/article/tribal-consultation-reports>.

- At the end of each year, OHS summarizes all of the Tribal Consultations, and their summary is included on the website of the Administration for Native Americans, which also creates a summary. OHS includes input from regional consultations as well.
 - Ms. Godfrey added that in some consultations she discusses initiatives and activities OHS has begun in response to issues brought up at past consultations. She described follow-up on issues brought up at past consultations, including a response to concerns about mental health and substance use issues. The response involved an initiative led by the National Center on Early Childhood Health and Wellness in collaboration with two professors at Georgetown University with experience working with Tribes. It involved 11 RXI AIAN programs.
- *Nonfederal Share/Match Requirements*
 - Ms. Linehan said that waivers are available to programs. She encouraged them to request waivers, if needed.
 - Ms. Linehan added that if a grantee gets to the middle of a budget period and realizes they cannot meet the match, they should ask for a second reduction. It is important to do so within the period in which the grantee will spend the money.
- *Duration Funding*
 - Ms. Linehan noted that some Tribal leaders had mentioned that they appreciated duration funding they had received. However, others had expressed concern about the part of the Head Start Program Performance Standards Final Rule that requires programs to have at least 50 percent of Head Start center-based funded enrollment at 1,020 annual hours by Aug. 1, 2019.
 - Another part of the regulation gives the HHS Secretary the authority to make a determination, based on availability of funding, to reduce that percentage.
 - Information will be forthcoming.
- *Federal Poverty Guidelines*
 - Ms. Linehan said OHS has heard from grantees that the federal poverty guidelines are presenting significant challenges in many places, including in RXI AIAN. Programs have expressed that the guidelines are so low that fewer children are eligible, yet many families over the poverty guidelines are living in poverty.
 - The guidelines are beyond the purview of OHS. In the last reauthorization, changing income guidelines was debated. Instead of changing the guidelines, Congress added language to the statute saying that for non-Tribal programs, if they are serving all children below the guidelines, they can serve other children up to 130 percent. Congress could take this issue up in reauthorization.

Testimony and Comments from Other RXI AIAN Representatives

A. Facilities

- *Cook Inlet Tribal Council (CITC)*: In-kind or nonfederal match often is used for the building in which the program operates.¹⁰ The new appraisal requirement in the last few years has been a major expense and unnecessary burden on Tribal programs.

¹⁰ Debra Call, Knik Tribal Council, explained that she serves on the CITC as the appointee from her Tribe. She gave her endorsement to Lisa Rieder, Chief Legal Officer of CITC, to make a statement for their Head Start program.

B. Language, Culture, and Mental Health

- *CITC*: CITC wants to make sure that Head Start academic standards don't undermine the crucial value Tribal programs can offer in terms of cultural programming to support the success of children and families, as well as programming to provide social and emotional strengths that can provide resilience and protective factors to counteract trauma their children face.

C. Request Based on the Government-to-Government Relationship of the Federal Government and Tribes

- *Cook Inlet Native Head Start*: They would like the federal government to establish 638 contracts and compacts in keeping with ISDEAA to afford control over federal programs that affect their members.

D. Administrative Cap and Nonfederal Match

- *CITC*: They urge HHS to be as flexible as possible both about the administrative cap and also about the in-kind and nonfederal match. Tribal entities don't have the access to nonfederal dollars that state and local entities do. They encourage OHS to consider a global waiver for all Tribal programs so they don't have to reapply annually.

E. Duration and Locally-Designed Program Option Variations

- *Kawerak*: They wanted to bring back to the organization any comments OHS has regarding duration and locally designed plans. In their organization, a subsistence lifestyle is very prominent, and programs in some of their communities are not a good fit for duration hours.
 - *Ann Linehan, OHS*: As a reminder, the regulation in the Head Start Program Performance Standards Final Rule requiring programs to have at least 50 percent of Head Start center-based funded enrollment at 1,020 annual hours by Aug. 1, 2019, also includes a section giving the HHS Secretary the authority, based on availability of funding, to reduce the percentage.¹¹ Also, 1302.24 in the HSPPS addresses locally-designed program development options.¹² If a program can demonstrate that a locally-designed option will support achievement of Head Start and Early Head Start goals and ensure that children make the progress they should be making, then OHS will be amenable to working with programs. Programs should come in with a strong design to show how they will provide comprehensive services to prepare children for success, whether they attend a public or tribally run kindergarten.
- *Kenaitze Indian Tribe*: May RXI AIAN programs count subsistence activities as part of the curriculum or hours?

¹¹ Head Start Performance Standards Final Rule. 81 FR 61293.

<https://www.federalregister.gov/documents/2016/09/06/2016-19748/head-start-performance-standards>

¹² <https://eclkc.ohs.acf.hhs.gov/policy/45-cfr-chap-xiii/1302-24-locally-designed-program-option-variations>

— *Ann Linehan, OHS*: Yes. For example, fishing camps could involve culture, language, and nutrition. Programs could propose many things, even as continuation of services. Thoughtful, well-planned creativity with staff support would work to justify the activities.

F. Collaboration within the Early Head Start-Child Care Partnership (EHS-CCP)

- *CITC*:
 - CITC really appreciates the collaboration with OHS and Child Care staff within their EHS-CCP grant, which has allowed them to provide 72 new slots for infants and toddlers in a high-need area.
 - Last year they had concerns about disconnection between program and finance staff. They would like to urge closer communication with the finance department and the flexibility to truly meld the two programs. They think Head Start has taken the lead in the partnership, and some of the benefits of partnering in the child care program have fallen by the wayside.
 - For example, they do not have much flexibility in relation to teacher requirements for people moving toward certification for their EHS-CCP program.
 - Also, under Head Start rules, they cannot charge a co-pay for parents, even for parents who could pay a co-pay in their EHS-CCP program.
 - CITC will follow up with OHS for clarification on this issue and will copy Program Specialist Trevondia Boykin on their follow-up email.

G. Compliance with New Office of Management and Budget (OMB) Guidelines

- *CITC*: Under the new OMB guidelines, for CITC to engage with a sole-source contractor, they must have prior approval of HHS. They appreciate the system HHS has set up to communicate, but they are concerned that they may not adequately fulfill the OMB requirement.

Conclusion

Ms. Godfrey thanked Tribal Consultation participants again for their attendance, especially the Tribal leaders. She thanked them for the written testimony they provided, and she also thanked Head Start directors for observing the consultation and for the amazing work they do. Ms. Linehan agreed, and she thanked participants as well. They remained in the room where the consultation was held to answer additional questions and address issues.

Tribal Consultation Participants
RXI AIAN Tribal Leaders and Representatives

Last Name	First Name	Title	Organization
Anderson	Susan	Board Member	Cook Inlet Native Head Start
Atchison	Bernadine	Vice-Chair	Kenaitze Indian Tribe
Baldwin	Debi	Child Development Technical Assistance Director	Rural Alaska Community Action Program, Inc. (RurAL CAP)
Black	Jessica	Board of Directors	Fairbanks Native Association
Bourdukofsky	Tara	Head Start Interim Division Coordinator	Aleutian Pribilof Islands Association, Inc.
Call	Debra	Vice President	Knik Tribal Council
Charlie	Melissa	Deputy Director	Fairbanks Native Association
Chinuhuk	Jamie	Head Start/Early Head Start Program Director	Metlakatla Indian Community
Durny	Andrea	Board of Directors	Fairbanks Native Association
Hasbrouck	Colleen	Early Childhood Education Director	Fairbanks Native Association
Hildebrand	Sharon	Board of Directors	Fairbanks Native Association
Ipalook	Harry T.		Native Village of Barrow
Laurent	Brian	Data Management Supervisor	Alaska Department of Education & Early Development
Obed	Sarah	Board of Directors	Fairbanks Native Association

Last Name	First Name	Title	Organization
Ramstad	Kristin	Child Development Division Director	RurAL CAP
Razo	Gregory	Board Member	Cook Inlet Native Head Start
Ridenour	Jill	Acting Child Development Director	Tanana Chiefs Conference
Rieger	Lisa	Chief Legal Officer	Cook Inlet Tribal Council
Shade	Anne	Child Development Department Director	Bristol Bay Native Association
Smith	Teresa	Early Childhood Center Administrator	Kenaitze Indian Tribe
Stern	Charlene	Board of Directors	Fairbanks Native Association
Timbers	Kirsten	Director—Board	Village of Solomon/Kawerak, Inc.
Trowbridge	Deb	Head Start Director	Kawerak
Delgado	Tsyoshaht	Area Manager	Oneida Nation
Webster	Jennifer	Councilwoman	Oneida Nation
Willey	Mary	Site Coordinator	Fairbanks Native Association

Federal Staff and National Contractors

Last Name	First Name	Position	Organization
Boykin	Trevondia	Program Specialist	Office of Head Start (OHS)
Godfrey	Angie	Regional Program Manager, Region XI	OHS
Linehan	Ann	Acting Director	OHS
Martinez	Racquel	Grantee Specialist, Training and Technical Assistance	ICF

Last Name	First Name	Position	Organization
Richardson	Micker (Mike)	Collaboration Director	Director of the National American Indian and Alaska Native Head Start Collaboration Office
Schultz	Janet	Senior Subject Matter Expert	Danya International