

Tribal Request for Information Rollout

Glenna Davis: Hello, and welcome everyone to the OHS tribal request for information, also known as RFI informational webinar. It is now my pleasure to turn the floor over to our Deputy Director, Captain Tala Hooban. Tala, the floor is yours.

Tala Hooban: Thank you, Glenna. Good afternoon. Good morning, everyone. Thank you for joining the webinar today. My name is Tala Hooban, and I'm the deputy director for the Office of Head Start, if you do not know me. It is always an honor for us to engage with tribal nations, especially when we're talking about the ways in which we can enhance our services to children and families in tribal communities. The Biden-Harris administration has demonstrated a commitment to strengthening relationships with tribal nations, with a deep respect for the nation-to-nation relationship.

I am so pleased and honored to be here today along with my Office of Head Start colleagues – that you can see here on the screen and many others that worked behind the scenes – to discuss the recently published formal Tribal Request for Information, which you will hear throughout this webinar referred to as RFI, request for information.

Here at the Office of Head Start, we see the RFI as an opportunity to build upon our previous conversations with tribal nations, while delving deeper into the Head Start topics that you have shared need more focused attention. Within this RFI, we have identified 12 topics that we're seeking comments on, while also welcoming feedback to any aspect of Head Start.

We have heard your call to be better partners. And we are happy to announce this RFI will have a six-month public comment period, which was hopefully allowing more time for these important conversations. Again, this is a wonderful opportunity for meaningful dialogue between our governments, and I'm really looking forward to it.

Today is the first of many discussions we will have over the next 180 days about the ways we can better support tribal nations in implementing Head Start programs. With that, I would like to take a moment and invite my Head Start colleagues that are with us to introduce themselves. Jess, I'm going to pass it over to you.

Jessica Bialecki: Thanks so much, Tala, and I'm so excited to be here with all of you today. My name is Jess Bialecki. I'm the director of the Policy and Planning Division here at the Office of Head Start. And with that, I will turn it to Todd.

Todd Lertjuntharangool: Thanks, Jess, and good afternoon and good morning to our folks joining us from the western half of the country. I'm Todd Lertjuntharangool. I'm the regional program manager for the Office of Head Start. Glad to be on with you and glad to see a lot of familiar names in the attendees list. Passing it back to Tala.

Tala: Thank you, guys. Next slide, please. Let's briefly look at the agenda for today. We will start by introducing the Tribal RFI and then reviewing some of the RFI content areas. We will go over the different ways to provide feedback on the RFI, and we will share a timeline of engagement activities throughout this process. Next slide.

In adherence to the Administration for Children and Families Tribal Consultation Policy, the Office of Head Start seeks your expertise to inform on many aspects of programming.

Personally, it's always an honor for me to connect with tribal nations. Last month in Albuquerque, I had a chance to engage with a lot of you, and it was – definitely filled my cup. You share the amazing ways you're integrating culture and language in your programs. And we got to see some Head Start children doing a traditional dance and song. It was very, very emotional. I heard your challenges in retaining qualified teachers and maintaining operations with a plethora of facility challenges. Sharing your strengths and your challenges really does make a difference.

Again, with this RFI, I personally look forward to diving deeper into these rich content areas. And now, I'm going to pass it on to Jess.

Jessica: Thanks, Tala. An RFI is a formal process to gather public comments on policy and program options. It's typically published in the Federal Register, which is the centralized publication system for the federal government. The focus of this RFI, as Tala said, is specifically on American Indian and Alaska Native Head Start programs.

As Tala mentioned, the Administration for Children and Families and the Office of Head Start are committed to continuously strengthening our nation-to-nation relationship. There have been some really important concerns raised about the implementation of Head Start in tribal communities, and we want to take this opportunity of the RFI to really think about the issues that you've raised and how they're reflected in our current Head Start requirements.

On this next slide, we're going to briefly go over the key differences between the NPRM, Notice of Proposed Rulemaking, and this Tribal RFI. We thought it'd be helpful since we are introducing this Tribal RFI following the recent NPRM, Notice of Proposed Rulemaking. We wanted to walk a little bit through the differences between the two processes.

Start by talking a little bit about what we mean by rulemaking. When ACF, the Administration for Children and Families, wants to make changes to our regulations, we issue a Notice of Proposed Rulemaking, the NPRM, which is a public notice of proposed changes to federal regulations. Following a comment period, ACF reviews those public comments and releases, typically, a final rule.

As many of you recall, last November, the Office of Head Start released an NPRM called the Notice of Proposed Rulemaking on Supporting the Head Start Workforce and Consistent Quality Programming. That had a 60-day comment period that ended January 19 of this year. For this NPRM, we solicited feedback on proposed changes from the general public to support decision making for a final rule.

Following this NPRM, we are carefully reviewing all public comments to develop that final rule, which we anticipate releasing, as you can see, in 2024. In terms of distinctions between that NPRM and this Tribal RFI, the audience for this Tribal RFI is specifically for AIAN tribal leaders, Head Start administrators, staff, families, and other relevant stakeholders within the American Indian Alaska Native Head Start community.

The Tribal RFI will have a 180-day comment period that will end September 16, 2024, and the Tribal RFI can inform future rulemaking. It is not informing the final rule that will come after – we anticipate coming after the NPRM, but it can shape future rulemaking as well as other aspects of Head Start program operations, which we'll walk through on the coming slides.

Before we dig in, I want to point out the Frequently Used Acronyms text box on the right of this screen. We know that there are a lot of acronyms. Please make a note to us in the chat box if you need clarification on any of these or on anything we discussed today.

Upon the closing of the Tribal RFI comment period, we'll begin reviewing those comments, and we will review every comment. We may use this information to develop guidance documents. Guidance documents such as public instruction, PI, and information memoranda, IM, explain procedures and methods for operationalizing our program policies. They add details to program regulations or policy guide requirements, or they convey to grantees program guidance information on actions they are expected to take or required to take.

We may also use the information that we gather from this RFI to inform potential regulation in the future. We need to mention here that any changes to future regulations will have to follow rulemaking procedures. This RFI, as I mentioned, can also inform training and technical assistance needs, helping us to better understand the guidance, resources, and training that might be needed to better support Head Start implementation in AIAN programs.

You'll hear this from us many times throughout this presentation. The Office of Head Start views the Tribal RFI as an opportunity for us to learn from you, not only about the challenges you face in your Head Start programs, but also your successes. We've heard from you that having examples and best practices from other AIAN programs is helpful to you in your own implementation.

We hope to learn more about the approaches you're taking so that we can find opportunities to lift those up and share them across AIAN Head Start. This is an opportunity for us to work together and assess where we are today in AIAN Head Start and identify opportunities for moving forward. Next slide.

We're excited to share this QR code. If you scan this QR code, you will find the Tribal RFI, and Stacy is also dropping the link in the chat, on the Federal Register. This is where you can leave your public comment. And later in the presentation, we will also share the Tribal RFI resource page that is set up on the ECLKC website.

And again, this was published in the Federal Register on March 18th. And will remain open for 180 days ending September 16, 2024. All right, next slide. What's included. On the screen, you'll see all of the Tribal RFI topical areas we are seeking comment on, which include eligibility program options, quality environments, child health and safety, tribal language preservation, maintenance, revitalization, and restoration.

Next slide. Family and community engagement, facilities, fiscal operations ... I'm sorry I missed ... I skipped over some ... workforce, training and technical assistance, partnerships and state systems, as I mentioned, facilities and fiscal operations, and early childhood systems, as well as

– and I want to point this out in section M – any other Head Start topic you want to provide feedback on.

Next we're going to actually provide a high-level overview of the content and topical areas for each of those sections. First, eligibility. Now, at the time of RFI publication, we have heard from tribal leaders and program administrators that current eligibility requirements in statute and in regulation were not providing sufficient flexibility to tribes to determine who may receive Head Start services, and that this lack of flexibility was counter to tribal sovereignty and cultural values.

As I'm sure you have heard, on March 23, President Biden signed the Further Consolidated Appropriations Act for FY 2024 into law. And this law contains new provisions that revise eligibility for American Indian and Alaska Native or Tribal Head Start as well as Migrant and Seasonal Head Start programs. You've likely seen the letter from Director Garvin describing these provisions on March 28, as well as the press release that we issued on March 29. This allows AIAN Head Start programs the flexibility to serve children, regardless of family income, using your selection criteria to prioritize families for enrollment.

It's important to know, as we said in the letter and the press release, that these new policies are effective immediately. However, no child who's currently served in a tribal program should have their enrollment disrupted to accommodate new enrollees who may qualify based on these new provisions. While we work to provide guidance on implementing these new provisions, please know that you can still use the RFI and specifically the eligibility section, even though it references outdated regulations now that are superseded by the new legislative language. But you can still use it as a way to submit public comment on these changes. We want to know what supports, guidance, or training and technical assistance do you need to implement this change.

Next slide. The next section is on program options. As you know, recipients can design a program structure that works for the community that you're serving, whether that's through a center-based, home-based, family child care, or an approved locally designated option, or LDO.

The Office of Head Start is aware that unique cultural practices are often embedded into AIAN Head Start program design, which makes LDOs particularly useful for some tribal communities. And we want to hear from you on this. As an example, question related to the topic of LDOs and program options, we want to know, are there successful LDOs or program design choices that are being utilized to meet the needs of tribal children, families, and staff?

Because if yes, and we know it's yes, we hope to learn from those programs, share best practices, and tailor our training and technical assistance to support these successful program designs. To give more access to other AIAN programs who might be interested in that type of option but didn't know how to construct it.

Excellent. Our next one, quality environments. As you know, programs are required to implement developmentally appropriate research based early childhood curricula that are based on scientifically valid research and aligned with the Head Start Early Learning Outcomes Framework, the ELOF. We have heard from tribal leaders and program administrators that the requirements for a research-based curriculum may inhibit them from implementing truly

culturally grounded curricula even with the allowances for significant adaptation. As you think about this incredibly important topic, consider responding to a question like, do the requirements around curricula adequately reflect Indigenous culture and language? And if not, how can they be improved?

And again, as I'm going through this, I know that there's a number of topics. We're covering a lot of ground here. As you have questions, please feel free to put them in the question and answer function so that we can respond either now or later to make sure all of your questions are answered.

Child health and safety. Programs must provide services to promote health, behavioral health, and safety for children and families. To support healthy environments, each program must establish and maintain a health services advisory committee, HSAC. We know that tribal programs may have challenges, creating these HSACs as most of our tribal programs are in rural or remote areas. And those local health providers who should represent a wide variety of local social services agencies may not be available or easily accessible in these communities.

Now, I think we all know child health and safety is paramount. We really want to hear from you on this topic to think through how we can improve health and safety in our programs, given some of those challenges that have been shared with developing and maintaining the health services advisory committees.

Oh, and sorry. Just go back a little. Sorry. Go back to that slide. One thing I meant to add here is one question in particular we're interested in is, should we coordinate with the Indian Health Services? How can our training materials better support AIAN Head Start programs with establishing and maintaining HSAC?

Thanks. An incredibly important section. Tribal language preservation, maintenance, revitalization, and restoration. We know that programs that serve AIAN children are permitted to integrate efforts to preserve, revitalize, restore, or maintain the tribal language for those children. And I would say are permitted, and this is a very important part of the program.

Such language preservation efforts may include full immersion in the tribal language for the majority of hours in the classroom. Given that, we also understand that tribal teaching methods for non-written language are different from written language and can be especially beneficial for young children who are not yet writing.

As such, the role of elders in AIAN programs is particularly important for tribal culture and language preservation and revitalization. As you respond to this topic, you might consider responding to questions such as, how can our Head Start Program Performance Standards, the HSPPS, better support tribes in integrating cultural and native languages? And are there any standards that may impede that integration? Should the standards be updated or amended? How can our regulations and policies be improved so that tribal, elder, and community leaders, who are so important in this work, are able to participate in language preservation? And what are best practices? Again, going back to wanting to hear about what is working, best practices or supports needed for programs to increase language and cultural integration.

With that, I think you've heard my voice long enough. I will turn it over to Todd.

Todd: Thank you so much, Jess. And yes, we switch slides. I get to start on family and community engagement.

As most of you know, family engagement and involvement is really the cornerstone of the Head Start model and the Head Start program, and as such, so much of our Head Start Act and our program performance standards really are built around family and community engagement. The Office of Head Start also recognizes that historical trauma that tribes have faced and more recent disproportional trauma that was experienced during the COVID pandemic have resulted in significant losses across tribal communities.

Because of this, we now look at family engagement as being more important now than ever before. We certainly want to hear from you on this topic with both ideas and questions. Some of the questions you can consider prompting your thinking include things like, what are some of the barriers to engaging with parents and families? I think that hearing from programs, as we recover again from the pandemic, we understand that there's still increasing challenges with things like getting family volunteers to come in, other areas of community engagement.

We would love to hear some of the barriers that programs are experiencing. Additionally, we encourage you to think about things like, is the Head Start program Performance Standards clear and culturally appropriate for engaging parents and families? And also, how can TTA materials and resources be improved for engaging with parents and families?

Before we switch slides to one thing I'll note, and I've said this several times before, but I think it's certainly a fact worth celebrating with our tribal programs is, just under half of our workforce in Tribal Head Start is made up of current or past parents of Head Start children. I know that's another area where our tribal programs really excel, but also how family engagement really impacts the continuity of services in tribal communities. It's just something I wanted to mention before we switch slides over to the next area, but we can go ahead and transition to the next slide.

Thank you. Like many in early childhood education and other fields, Head Start programs have reported difficulties in recruiting and retaining staff. In 2023, the Office of Head Start issued guidance on restructuring budgets to increase wages and benefits while also reducing enrollment slots within Head Start programs. Most recently, the Office of Head Start released an NPRM with new proposed requirements to support and stabilize the Head Start workforce, including proposed requirements for wages and benefits and enhanced supports for staff health and wellness.

The Office of Head Start also provides training and technical assistance to support programs in and around workforce and teacher education. However, these standards may be difficult to meet as a tribal elder or native language speaker. And they may not meet the current teacher requirements as outlined currently in the Head Start Program Performance Standards.

We've heard consistently from tribal leaders and program administrators that current education requirements prevent them from hiring staff, including those who are elders or who would aid in passing on culture and language that prepare children to thrive as members of their tribes. Thus, the Office of Head Start is seeking comment on how Head Start regulations could be improved to support AIAN Head Start programs in the workforce, wages and benefits,

as well as tribal variations in degree variability that impact teacher qualifications. Really targeted at the workforce and what changes could be made to program performance standards to better support implementing true tribal programs. We can jump to the next slide.

Here we're going to talk a little bit about training and technical assistance. As many folks are aware, there are four national OHS funded TTA centers that provide support to programs.

One of those being the Center for Early Child Development, Teaching and Learning, Health and Behavioral Health and Safety, Parent and Family Community Engagement, and Program Management and Fiscal Operations, commonly referred to as PMFO. There are also regionally based TTA providers, such as those in Region 11, who work collaboratively with their TTA provider to assist programs based on specific priority areas that are co-developed with our Head Start programs and Head Start directors.

These collaborations are key to shaping TTA opportunities that align with program priorities. Thus, we are seeking public comment on existing TTA resources and materials and available funding for TTA that are helpful for AIAN programs. And I also want to, while we're on the slide, make a note and thank the National Indian Head Start Directorial Association, because I know they've submitted over the years several very helpful letters to the Office of Head Start around training and technical assistance and some of the challenges that have been experienced, as well as recommendations for improvement. Thank you to the initial association.

We can, I think, jump to the next slide. And here we're going to talk a little bit about partnerships in state systems. Folks are aware that AIAN programs operate in 26 states across the country with their own policies and relationships within tribal communities. Office of Head Start utilizes our Head Start collaboration offices to strengthen existing partnerships with school systems that lead to developmentally appropriate alignment of curricular assessment and instruction in early Head Start and Head Start and across the early grades of schools where Head Start children will enter.

The National American Indian Alaska Native Head Start Collaboration Office identifies potential collaborators and communicates the needs for Head Start children and families. I think a lot of folks are very familiar with Mr. Mike Richardson, who is our National Collaboration Office Director, and also an invaluable resource to us here at the Office of Head Start.

In this area, the Office of Head Start would like to seek public comment on if existing supports for interfacing with Head Start systems and national programs work or need improvement for AIAN programs. We definitely want to maximize the benefit that Head Start programs are receiving through those collaboration offices. And I'll say too, you know, I think the biggest challenge with our collaboration office for me is that I only have one Mike Richardson. Look forward to hearing comments, questions on how we can really maximize the benefit of that particular resource. I think we can go ahead and jump to the next slide.

And here, I know Jess mentioned this a little bit in her opening. We're going to talk a little about facilities. This is one of the highest discussed topics from tribal leaders during consultation over the past several years. We know that AIAN Head Start programs have reported the need for facility improvements that include both major renovation, minor renovation, as well as needs for new construction.

In 2020, some folks may remember that the Office of Head Start issued a report, which was the Report to Congress on AIAN Head Start Facilities, which reported that 9% of facilities were in poor condition and in need of major renovations across most areas that could potentially be decommissioned.

That report also identified 27% were listed as fair, with multiple areas needing major or minor renovation. 33% were listed as average, which is fully operational, but could use a few minor renovations. 24% were identified as in good condition, which means they were fully operational with the regular maintenance schedule, and only 7 were identified as excellent, which we defined as like new facility.

However, these barriers for reoccurring funding opportunities to renovate or construct, facilities have still been present, and we've heard about them. Currently, both Head Start and the Child Care Development Fund or CCDF funds can be used by tribes to construct and/or improve facilities for early care and education services. The Office of Head Start this time is seeking public comment on all suggested improvements for current regulations, processes, and TTA supports that are available to AIAN programs in the area of facilities.

I think we can go ahead and jump to the next slide. Thank you. And this slide is going to cover fiscal operations. The Head Start Act has requirements for administration and grants management, such as including the 15% administrative cost limitation and the 20% nonfederal match requirement. Folks are also probably aware that there are waivers that are accepted if development and administrative costs exceed 15% of total approved costs.

And additionally, federal financial assistance to a recipient will not exceed 80% of the approved total program costs. A recipient must contribute 20% as nonfederal match each budget period. And if a program is struggling to meet that requirement of the nonfederal share match, they can apply for a waiver with the Regional Office.

The Office of Head Start is seeking public comment on existing requirements, regulations, and TTA supports for fiscal management and oversight to efficiently support AIAN programs. We certainly want to hear how that can be improved, what areas we should be targeting, and what additional resources may better support our tribal programs.

We can jump to the next slide. Thank you. And we'll be covering early childhood systems. Coordination across early childhood development programs is essential for supporting children and their families. Tribes have reported difficulties in coordinating and integrating across early childhood systems, such as Head Start, the Child Care Development Fund, the Maternal Infant and Early Childhood Home Visiting Program, due to separate funding sources, standards, regulations, and governance structures.

Tribal Early Learning Initiative is a partnership between ACF and tribes, developed to aid in coordination, integration, and to break down barriers. The Office of Head Start is seeking public comment on if the provisions within the Head Start Program Performance Standards inhibit and/or promote coordination or integrated integration across systems for AIAN programs, and we can jump to the next slide.

Thank you. And here, as a title of the slide occurs, we just want to make sure that there ... While we know that maybe other topics that were not addressed are present within the RFI, which could be meaningful for future changes, we would still like to hear feedback and proposed solutions on regulation and processes that AIAN programs may find result in barriers or additional challenges.

With that, I am going to hand it back to my Deputy Director, Captain Tala Hooban, to close us out. Thank you.

Tala: Thanks, Todd. Thanks, Jess. We want to be able to provide you some guidance on submitting your comments so that we can fully address your feedback and the Head Start components that your feedback might apply to. When you are submitting your comments on regulations.gov, GOV, at a minimum, please include the agency, which is ACF, as well as the docket number, which is included here on the slide.

If possible, please include the RFI section you're referring to and any other relevant references from the RFI. You can also submit your feedback to this email address, aianheadstart@acf.hhs.gov. Please note that all comments will be posted publicly, so do not include any information that you would not like to be shared with the public.

You have the option of submitting comments anonymously, if you prefer, by indicating NA in the relevant field. As a reminder to tribal leaders in particular, if you give a testimony at the tribal consultation, you do not need to provide that comment twice. It will be included as part of the public comment on regulations.gov. All right, next slide.

Sorry about that. We are nearing the end of the presentation so let us go through the timeline. We wanted to give you a sense of timeline for the tribal RFI activities. The Tribal RFI and supporting materials have been published, as we've mentioned, on March 18th. We plan on having two virtual listening sessions. One on May 22nd. Tribal leaders and administrators will be the target audience for that one. The second will be on June 10th, which is targeted to Head Start staff and families. Please be on the lookout for registration information for both sessions. We'll also be offering an in-person tribal consultation this summer. More information about this will be coming soon. And of course, we are accepting written comments now through September 16, 2024, through [federalregister.gov](https://www.federalregister.gov) or via email. Next slide.

We are nearing the end of the presentation and have covered a lot of information. Does anyone have any questions other than those that have been shared in the Q&A?

All right, not seeing anyone. Cool. Raising hands or coming off? I don't see any comments. If you scan this QR code on the screen, you will find the tribal RFI Resource page on the E-C-L-K-C website. Here you'll find the link to the tribal RFI, all of our RFI resources, as well as any opportunities to engage, and we will drop that in the chat. It already beat me to it and. No other questions. Oh, what meeting would PC attend? Darlene, did you want to ask that out loud?

Sarah Bloom: And then, and just to clarify, this is Sarah Bloom. Hello, everyone. PC, I assume, standing for Policy Council. Let's see. If we take a look at the Tribal RFI resource page, it looks like we still haven't yet put out the registration links for the listening sessions as Tala listed,

there's going to be one in May and one in June. And when those registration blasts go out, we'll specify which folks should attend which sessions. But the hope is that, definitely that policy council members attend and lend their voice in this process.

Jessica: Yeah, just jumping in on that. Thanks, Sarah. I think the first one on May 22nd, the target audience is tribal leaders and administrators, and the second on June 10th for Head Start staff and families. But we want to make sure that everybody has access to the opportunity to listen and share feedback during those listening sessions.

Tala: Thanks, Sarah. Thanks, Jess. Any other questions? There are multiple ways to reach us. If you have any questions, you can always go through the Regional Office under Todd's leadership. And if you have specific questions about the RFI, definitely use the new resource mailbox that we have shared throughout the presentation. Thank you. We want to really thank you for spending time with us today. And we hope to hear from each of you very soon. Have a great Tuesday, everyone.