

**Written Testimony of  
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National Indian Head Start Directors Association<sup>1</sup>  
On Indian Head Start Programs and the  
Reauthorization of the Head Start Act  
Before the  
Senate Committee on Indian Affairs  
September 25, 2003**

***The Miracle of Indian Head Start***

**Introduction.** Chairman Campbell, Vice Chairman Inouye and Members of the Committee, thank you for this opportunity to submit testimony on behalf of the National Indian Head Start Directors Association (NIHSDA) with regard to the reauthorization of the Head Start Act.

**The Miracle of Indian Head Start.** Head Start is one of the truly great Federal success stories in Indian Country. Although I will describe in my testimony a number of ways that NIHSDA recommends improving this great program, these recommendations are made in light of the extraordinary contributions that Head Start has made to Indian communities, families, and most importantly children. Indeed, it is this very success that leads NIHSDA to oppose radical changes to this program, including turning over its administration to state governments. The old saw “if it ain’t broke, don’t fix it,” is apt here. The Head Start model of integrating a wide range of services, including education, health and family support, is very similar to traditional Indian community values and, for that reason, is very successful. We urge the Committee to support expansion of Head Start, not its reorganization.

In the week prior to this hearing, NIHSDA sent out a brief email asking Indian Head Start programs to share particular challenges they face or obstacles they have overcome in their work. We were overwhelmed by the thoughtful responses we received, which demonstrate the miraculous work of Head Start in Indian communities, often in the face of extraordinary difficulties and limited resources. We urge this Committee to take time to review these statements, which I have attached to this testimony for inclusion in the hearing record.

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**Role of NIHSDA.** The National Indian Head Start Directors Association is the national voice for American Indian-Alaska Native (AI-AN) Programs within the Head Start Bureau, as well as within the National Head Start Association and other early childhood development associations. NIHSDA membership includes a majority of all AI-AN Head Start programs. NIHSDA is committed to supporting the cultural uniqueness and diversity of American Indian-Alaska Native Head Start communities by providing professional support, statistical information, training and technical assistance services in advocating for young Indian children and families and by promoting quality comprehensive early child development and family centered services for American Indian and Alaska Native people in the United States.

**Head Start in Indian Country – Basic Statistics.** Of the 575 federally recognized Tribal entities, 216 (38%) participate in Head Start/Early Head Start Programs, with a funded enrollment of 23,837 children. This number represent approximately 2.9% of the total number of children nationwide served by Head Start. These programs employ approximately 5,933 individuals. 3,146 of these employees are either former or current Head Start/Early Head Start parents. There are another 32,474 volunteers, 19,836 of which are parents, working in the American Indian-Alaska Native Head Start programs.

**Recommended Improvements to the Head Start Act.** NIHSDA makes the following recommendations for improvements to the Head Start Act. These recommendations are intended to help Indian Head Start programs to better serve their communities and to better tailor their programs to the unique circumstances of tribal cultures.

- **Increasing the Set-Aside for Indian Head Start.** Currently, by administrative fiat, Indian Head Start programs receive a 2.9% set-aside of Head Start funds. This set-aside is critical to assuring the stability of funding to Indian programs, but it is not sufficient to address the extraordinary range of unique challenges faced by tribes throughout the United States. NIHSDA supports a statutorily mandated increase in the set-aside for Indian Head Start to 4%. More than any other change, this would give our programs much of the resources necessary to make truly significant progress in addressing the difficult circumstances that confront many of our communities, including such items as maintaining adequate staff salaries, etc. Other specific funding needs, not all of which would be covered by the set-aside, include:
  - **Increased funding for transportation services.** The cost of providing transportation services, maintaining and meeting health and safety requirements, and providing for upkeep and replacements is an enormous disbursement for

Indian grantees. Head Start funding for transportation does not adequately consider the geographic isolation of many rural Tribal communities.

- ▶ **Increased funding to support effective professional development.** The quality of Indian Head Start services is directly related to the quality of personnel managing the programs. Additional financial support would enable expanded professional development and recruitment of a sufficient number of staff to administer adequately the content service areas of the program.
- ▶ **Training and Technical Assistance.** There are not enough funds allocated for training and technical assistance(T/TA). Currently, there is a 2% set-aside for T/TA. NIHSDA supports a 3% set aside for T/TA. In Head Start, Tribal grantees represent 1/3 of all deficient grantees. AI-AN programs are behind in reaching federal mandates for teacher training because of accessibility to higher education institutions. The programs are spread across a vast geographical distance, and many do not have the training resources in their communities to meet the federal mandates. More training and technical assistance money must go to Tribal Head Start/Early Head Start programs for the above reasons. Programs are behind in these mandates primarily because American Indian-Alaska Native programs have never been adequately funded. Tribal programs should continue to receive their own T/TA dollars with additional funds awarded to a national T/TA system to support continued networking and development across all Tribal grantees. Great things happen when Tribal programs can come together under one T/TA umbrella, to learn new ideas and to be exposed to nation-wide resources – one system should not be advocated over the other since both are really needed.
- ▶ **Increased funding for upgrading Head Start Facilities to maintain quality standards.** Tribal Head Start grantees have experienced difficulty over the years in acquiring adequate and environmentally safe facilities. There is a great need for the renovation of existing facilities, as well as a need for the construction of new facilities, in order to meet the model Tribal Head Start Health and Safety Code.

- **Expansion of Early Head Start programs including an Early Head Start Indian Set-Aside.** Indian Head Start grantees could better serve their communities if the Head Start legislation permitted seamless services for serving the birth to age five populations. In order to accomplish this, we advocate the expansion of the Early Head Start program in Indian country, which serves children from birth to age three. Currently, there are approximately 20 applications from Indian Head Start programs that have not been funded for Early Head Start. A preliminary review of the programs nationwide that have been funded indicates that Indian programs may have received less than their proportionate share of funding on a nationwide basis. We urge the establishment of an Early Head Start Indian Set-Aside. The Indian set-aside requirement for Head Start described above has provided the foundation for stable Indian Head Start programs. A similar set-aside for Early Head Start programs in Indian Country would be similarly beneficial.
- **Flexibility in Eligibility Criteria.** NIHSDA recommends that tribes be given greater flexibility to establish the criteria for eligibility for their Indian Head Start programs. This is not an effort to provide universal coverage, but is intended to ensure that each Tribe can tailor its program to the unique cultural and economic circumstances of its community. We ask that the Head Start reauthorization include a provision that specifically states that a tribal government can adopt its own eligibility criteria with preference to serving Indian children within their service area. (Currently, there is no preference language for serving Indian children). In the alternative, we ask that the WIC criterion, which permits eligibility for 185% of income, be applied to Indian programs to allow Tribes maximum flexibility. You should know that in recent years, some Tribes have improved their economic circumstances. However, the Native families in those communities, whose incomes may have risen just enough to make them over-income, often still suffer from generational dysfunctions that are only addressed by the comprehensive character of the Tribe's Indian Head Start program. Existing eligibility requirements continue to act as a barrier to serving children who could benefit from comprehensive early childhood programs. We believe eligibility requirements are unreasonably low and inconsistent with other federal programs. Furthermore, eligibility criteria do not take into consideration traditional lifestyles in which families provide economic support to extended family members, nor do they account for regional differences in the cost of living. In order to represent more accurately the needs of low

income families, Tribal Head Start grantees must have the authority to establish eligibility criteria based upon the locally determined needs of their membership residing within their jurisdictional boundaries.

- **Maintenance of a Separate Indian Head Start Region within the Head Start Bureau.** Currently, the Indian Head Start program is administered as a separate region within the Head Start Bureau. Some policymakers have suggested merging Indian Head Start with another region to form one new region. NIHSDA objects to this as unworkable and requests that the Head Start Act specifically provide for a separate region for Indian Head Start. In addition, NIHSDA supports the continued separate provision of technical assistance for Indian Head Start. The unique needs of Indian programs require the support of individuals and organizations that have knowledge and expertise working with tribal grantees. State and local programs do not have the capacity to develop and support such expertise. The current structure allows Tribal Head Start grantees direct access to the Federal policy makers within the National Office of the Administration for Children and Families (Head Start Bureau). The American Indian-Alaska Native Program Branch has also developed knowledge and experience which enables it to respond more effectively to tribal programs as well as to explain, advocate and articulate the issues, within the Federal government.
- **Formal Consultation Requirements for the Department of Health and Human Services.** Despite numerous laws, executive orders and policies committing the Federal government to consult with Tribes, NIHSDA does not believe that HHS has done an adequate job in this regard. NIHSDA asks that the Head Start Act be amended to mandate a minimum of six day-long consultations a year between HHS and Tribes on Head Start. Tribal Head Start Consultations must provide Tribes and Tribal Head Start grantees a forum that will allow greater opportunity for significant participation in the administration and operation of Head Start programs, and greater opportunity to express their issues and concerns with existing or developing federal policies, regulations and other related directives that affect services in Tribal communities. We would like to note that many of the radical proposals for reorganizing Head Start have come from Federal officials who have not consulted adequately with tribes.<sup>2</sup>

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<sup>2</sup> **The Federal Government has a Trust Responsibility to Indian Peoples.** The Constitution of the United States, treaties, federal statutes, Executive orders, Supreme Court

- **Enhanced but Flexible Degree Requirements for Staff with Expanded Distance Learning Opportunities.** NIHSDA supports increased degree requirements for Head Start staff, but due to the unique circumstances of Indian Country, including the remote location of many reservations, we urge flexibility in the application of those requirements to Indian Country. Currently, only 19% of Indian Head Start teachers have AA degrees in Early Childhood Education. Even fewer have BA degrees. NIHSDA recommends that, in addition to providing a period for new hires to enter and complete a degree program (see H.R. 2210, Section 112), that there also be a provision for the Secretary to waive requirements in specific situations at the recommendation of an Indian Head Start program. However, many of these barriers could be addressed through distance learning. NIHSDA supports expanded distance learning opportunities for Tribes as one way to address the difficulties in meeting degree requirements. We support maintaining adequate funding for Tribally controlled colleges and universities with additional funding specifically for distance learning. As an organization, NIHSDA believes greatly in the value of well-educated teachers, but this does not always mean a formal degree. For example, often an elder, who may have no formal education, is the best instructor for teaching traditional matters.
- **Culturally and Linguistically Appropriate Testing.** Indian Tribes have distinct and well-preserved cultural and linguistic identities. If testing is to be effective, it must take into account these cultural and linguistic differences. We urge that these differences be acknowledged and provided for in the Head Start Act reauthorization. Specifically, we ask for an evaluation of the National Reporting System in light of Tribal Cultural and

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doctrine and other agreements define the Federal government's trust obligation to protect the interests of Indian peoples. They also set forth Federal recognition of Indian tribes as sovereign nations with inherent powers for self-governance. The Federal government has committed to dealing with Tribal governments on a government-to-government basis, which manifests itself in many ways including direct and meaningful consultation between federal agencies and federally recognized tribes on legislation, regulatory policy and other actions that may significantly impact Tribal communities.

In this regard, Federal agencies should consult directly with Tribal governments prior to the implementation of any policy changes that may appreciably affect Tribal governments, their people, their land and their resources. Presidential Executive Order 13084 (May 14, 1998), *Consultation and Coordination with Indian Tribal Governments*, directs federal agencies to be guided in their duties by principles of respect for Indian Tribal self-government and sovereignty, for Tribal treaty rights and other rights, and for the responsibilities which arise from their unique federal trust relationship.

Linguistic Values. While the goals of this system are laudable -- to measure children's language and literacy skills in order to track child outcomes and progress in educational achievement – culturally skewed assessments will hurt both schools and kids. We are concerned that the emphasis on promoting children's language and literacy does not account for the preservation and protection of Native American languages and cultures and that the current proposed assessment tools are not culturally or linguistically appropriate for Tribal children.

- **Preservation of Language and Promotion of Culturally Relevant Programs and Research.** NIHSDA acknowledges the importance of learning English, but we also know first hand the importance of reinforcing the language and culture of a child's home environment, not only as a matter of cultural preservation, but also as a matter of academic excellence. We request that the Head Start reauthorization include a provision encouraging programs that are culturally relevant, supporting the use of home languages by children enrolled in the Indian Head Start Programs, and expanding research into the education of our constituencies. The Native American Languages Act (Public Law 101-477) made it official federal policy to “preserve, protect, and promote the rights and freedom of Native Americans to use, practice and develop” their languages. We believe the Administration's proposal, along with existing Head Start Program Performance Standards and outcome measures, do not take into consideration Public Law 101-477. As a result, these standards serve to undermine the importance of Native languages and culture, as well as the importance of young children to learn in their first language.
- **Greater Flexibility in Cost Sharing.** Tribal communities affirm their responsibility to provide a share of in-kind or cash match to support Head Start programs. However, it is a constant challenge for impoverished Tribes, with a small volunteer pool, limited “third party” in-kind contributions in their remote locations, and low-value facilities (which have limited depreciation or use allowance matching value) to meet the cost-sharing requirements of the law. NIHSDA asks for increased flexibility to be incorporated into this requirement. Also, in the event a grantee has difficulty meeting the non-federal share requirements, the Secretary of DHHS seldom approves a waiver for a reduced match requirement as authorized in the Head Start Act. When the non-federal share is not earned, Tribes are required to pay back to the federal government with Tribal funds that portion which is not earned. Greater flexibility is needed for Tribal grantees in meeting their non-federal match.

- **Undertaking of Culturally Appropriate/Relevant Research and Evaluation.**

American Indian and Alaska Natives have been left out of the Federal research agenda by not being included in major research activities that will have a major impact on the organization, structure and measurement of success of Indian Head Start programs. The Head Start Bureau must target funds to support culturally appropriate research and program evaluations related to Tribal communities in addition to the inclusion of these groups in major research activities on Head Start. We are also awaiting the outcome of a survey of Indian Head Start facilities for structural problems. We expect many problems to be identified, but must also emphasize that even structurally sound buildings are all too often functionally inadequate. These studies must be completed so that Tribes and the Congress can proceed with remedial action.

**Conclusion.** On behalf of NIHSDA, I would like to thank the Committee for holding this hearing and listening to the views expressed today. NIHSDA stands ready to work with the Committee to assure that the Head Start Act reauthorization reflects the needs and concerns of Indian Head Start programs. We take seriously, as we know you do, our obligations to the children and families of Native communities. Thank you once again for the opportunity to submit this testimony.