

Tribal Head Start Program Governance and Head Start Eligibility



National Indian Head Start Directors Association Conference
June 15 - 18, 2026
Costa Mesa, CA

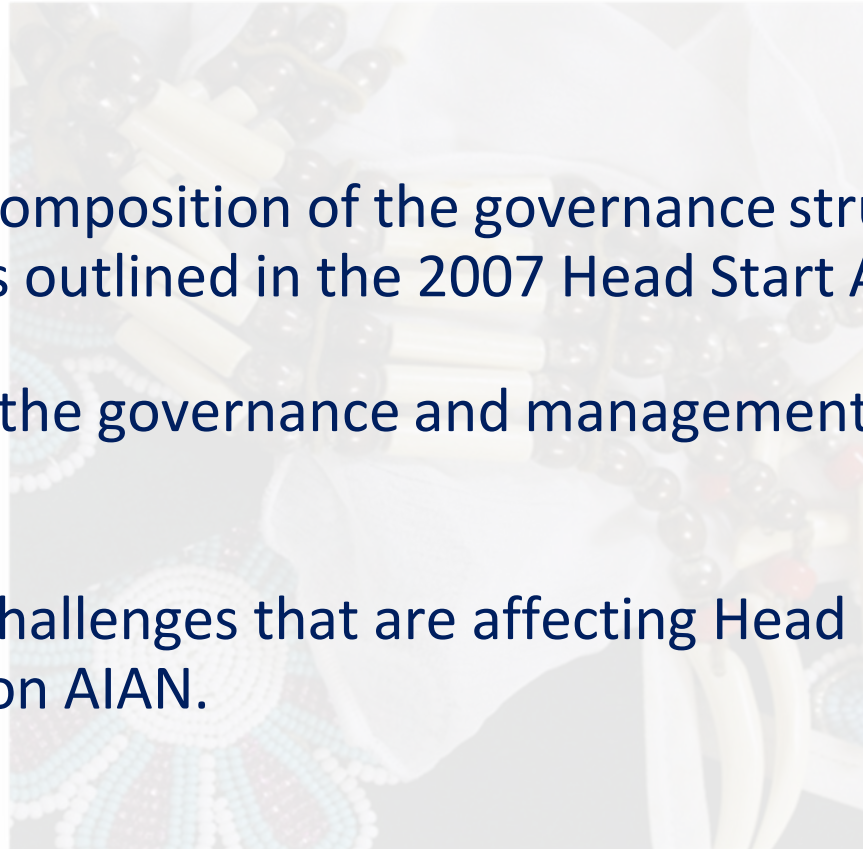


Head Start Regional TTA Network

Session Objectives

Participants will:

- Understand the composition of the governance structure and the roles and responsibilities as outlined in the 2007 Head Start Act.
- Understand how the governance and management entities work collaboratively.
- Understand the challenges that are affecting Head Start programs in Region AIAN.

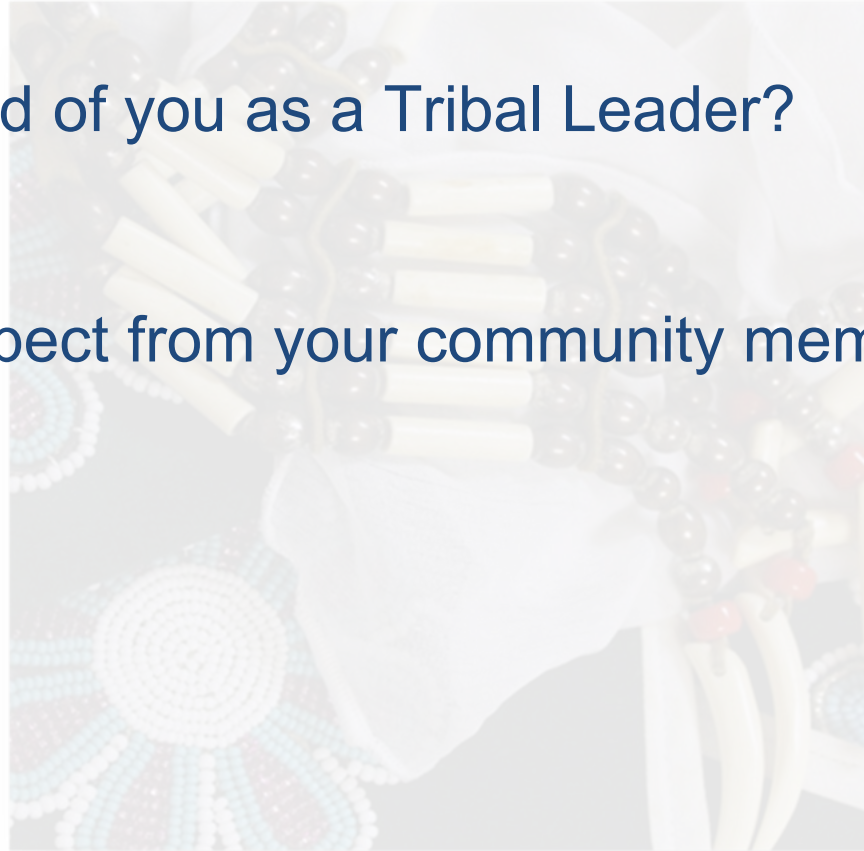


Head Start Regional TTA Network

Leadership Questions

What is expected of you as a Tribal Leader?

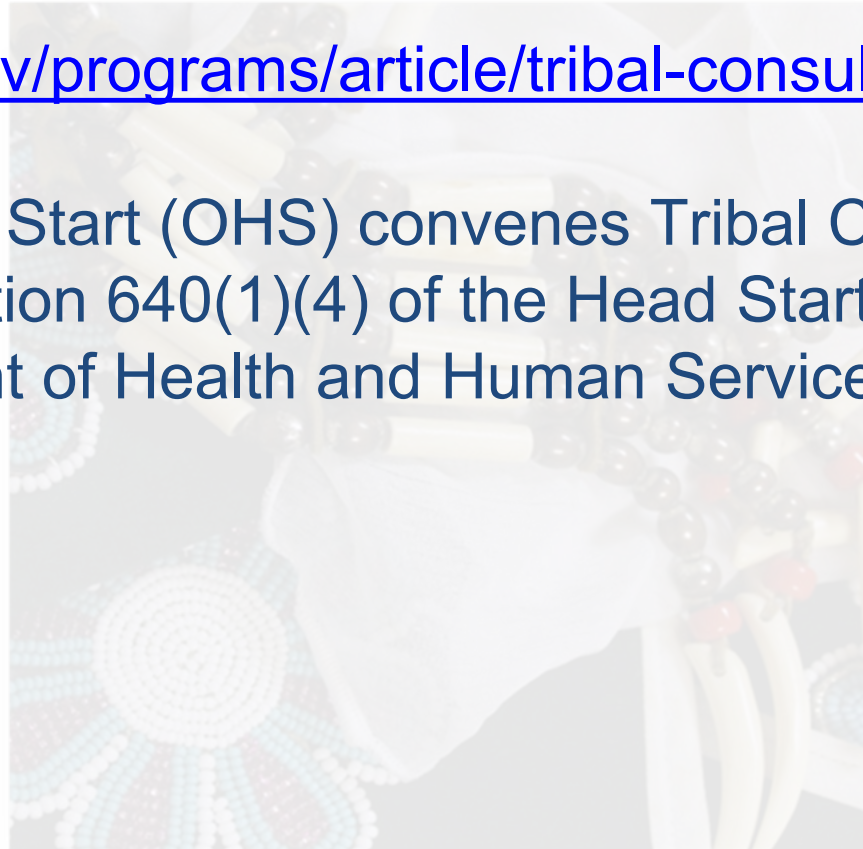
What do you expect from your community members?



Tribal Consultation

<https://headstart.gov/programs/article/tribal-consultation-sessions>

The Office of Head Start (OHS) convenes Tribal Consultation sessions as required by Section 640(1)(4) of the Head Start Act and in conformity with the Department of Health and Human Services Tribal Consultation Policy.



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Programs



[Home](#) > [Programs](#) > [American Indian and Alaska Native Programs](#)

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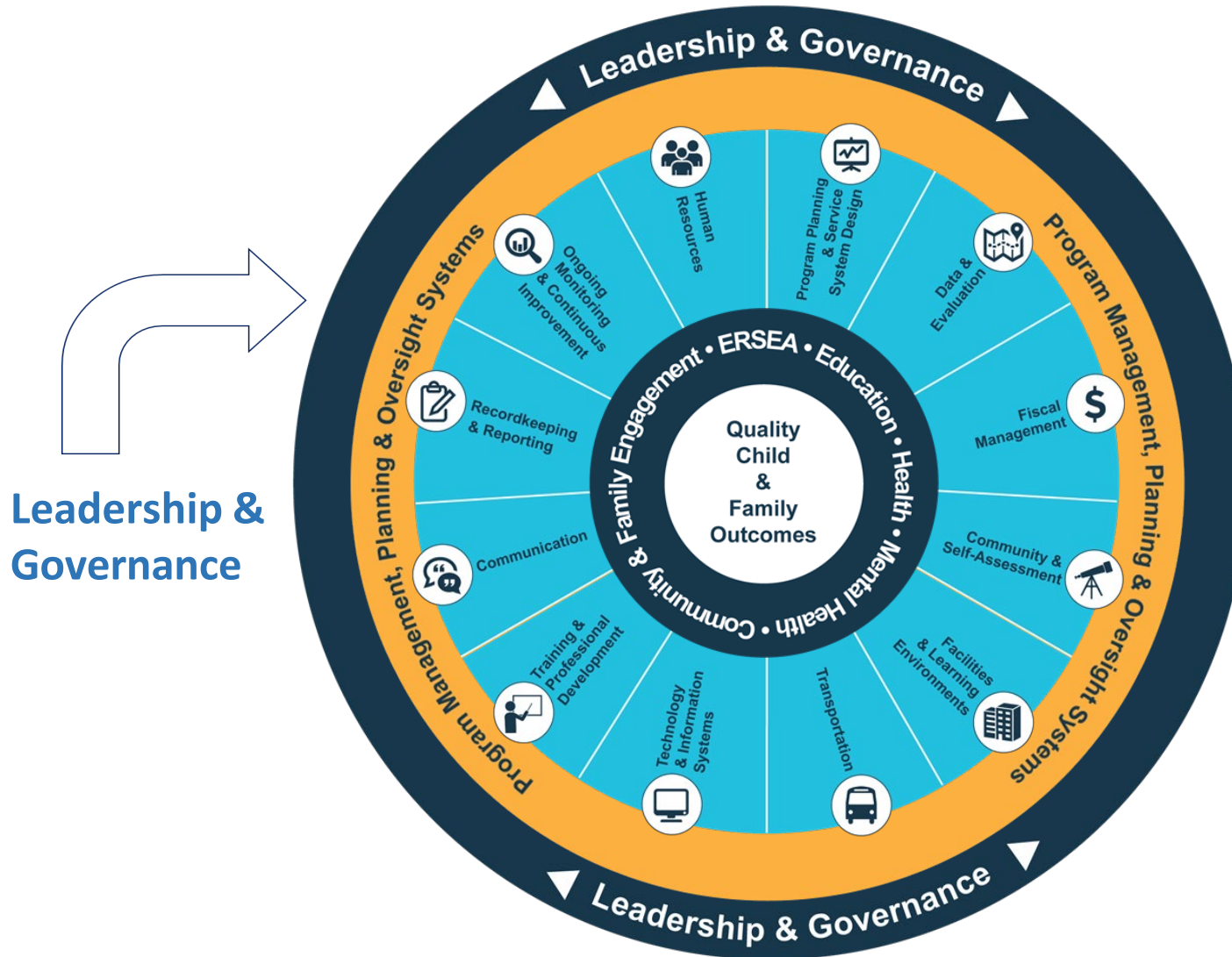
American Indian and Alaska Native Programs

American Indian and Alaska Native (AIAN) Head Start programs launched in the summer of 1965. Recent reporting shows that Head Start programs serve around 28,000 children of AIAN heritage, both in AIAN and non-tribal programs. The Office of Head Start (OHS) honors the rich cultural heritage of our AIAN children, families, and communities. Based on the needs of local communities, Head Start programs offer traditional language and cultural practices to provide high-quality services to young children and their families.



Head Start Regional TTA Network

Head Start Management Systems Wheel



Leadership & Governance



Head Start Regional TTA Network

Systems Are Linked



Head Start Regional TTA Network

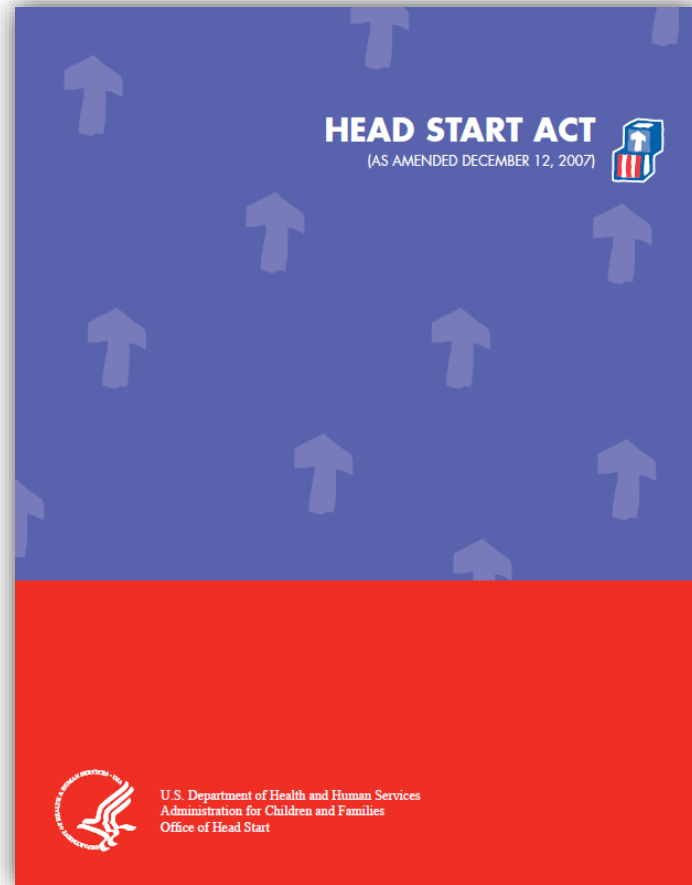
These materials were developed for OHS/Region XI Training and Technical Assistance Network under Contract No 140D0425C0027 by ICF.

Systems Are Linked

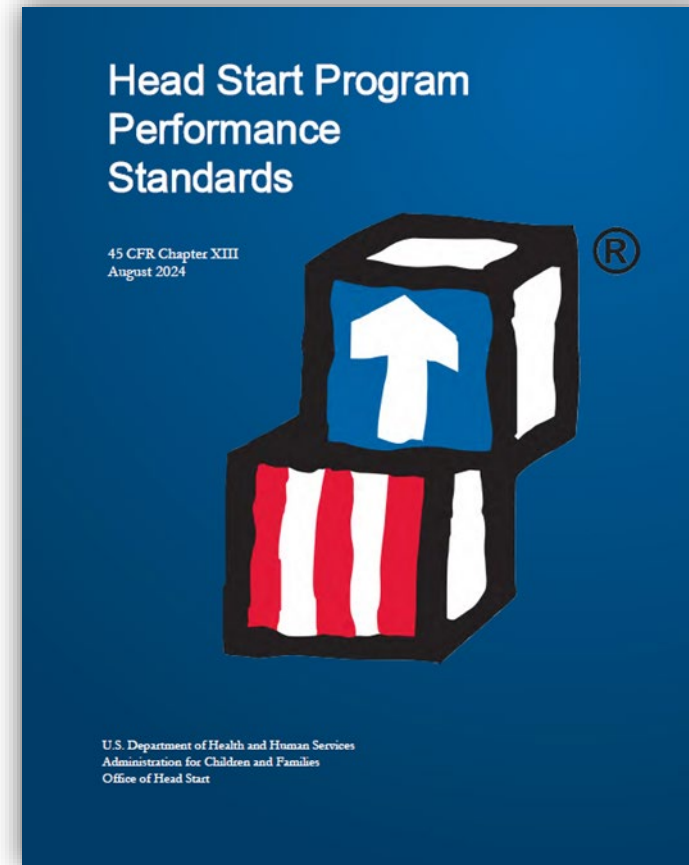


Head Start Regional TTA Network

Legislative and Regulatory Requirements



[Head Start Act | HeadStart.gov](https://www.headstart.gov)



[Head Start Program Performance Standards | HeadStart.gov](https://www.headstart.gov)



Head Start Regional TTA Network

Program Governance

Head Start Program Performance Standards

§1301.1 – Purpose

§1301.2 – Governing body

§1301.3 – Policy council and policy committee

§1301.4 – Parent committees

§1301.5 – Training

§1301.6 – Impasse Procedures



Head Start Act

Sec. 635. Short title.

Sec. 636. Statement of purpose.

Sec. 637. Definitions.

Sec. 638. Financial assistance for Head Start programs.

Sec. 639. Authorization of appropriations.

Sec. 640. Allotment of funds; limitations on assistance.

Sec. 641. Designation of Head Start agencies.

Sec. 641A. Standards: monitoring of Head Start agencies and programs.

Sec. 642. Powers and functions of Head Start agencies.

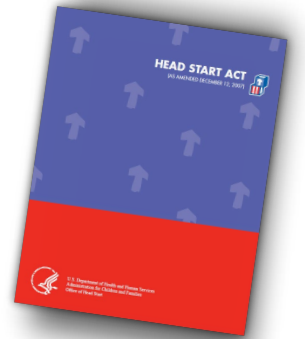
Sec. 642A. Head start transition and alignment with K–12 education.

Sec. 642B. Early childhood education, coordination, and improvement.

Sec. 643. Submission of plans.

Sec. 644. Administrative requirements and standards.

Sec. 645. Participation in Head Start programs



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Standard Terms and Conditions

Federal awards are subject to legally binding requirements called terms and conditions (T&Cs).

By acceptance of awards for this program, the recipient agrees to comply with the requirements included in both the Standard and Supplemental Terms and Conditions for this program.

This Includes:

- HS Act
- HSPPS
- Uniform Administrative Requirements, Cost Principles, and Audit Requirements
- Financial Reporting
- Program Reporting (PIR)
- Property Reporting



§1301.1 – Purpose

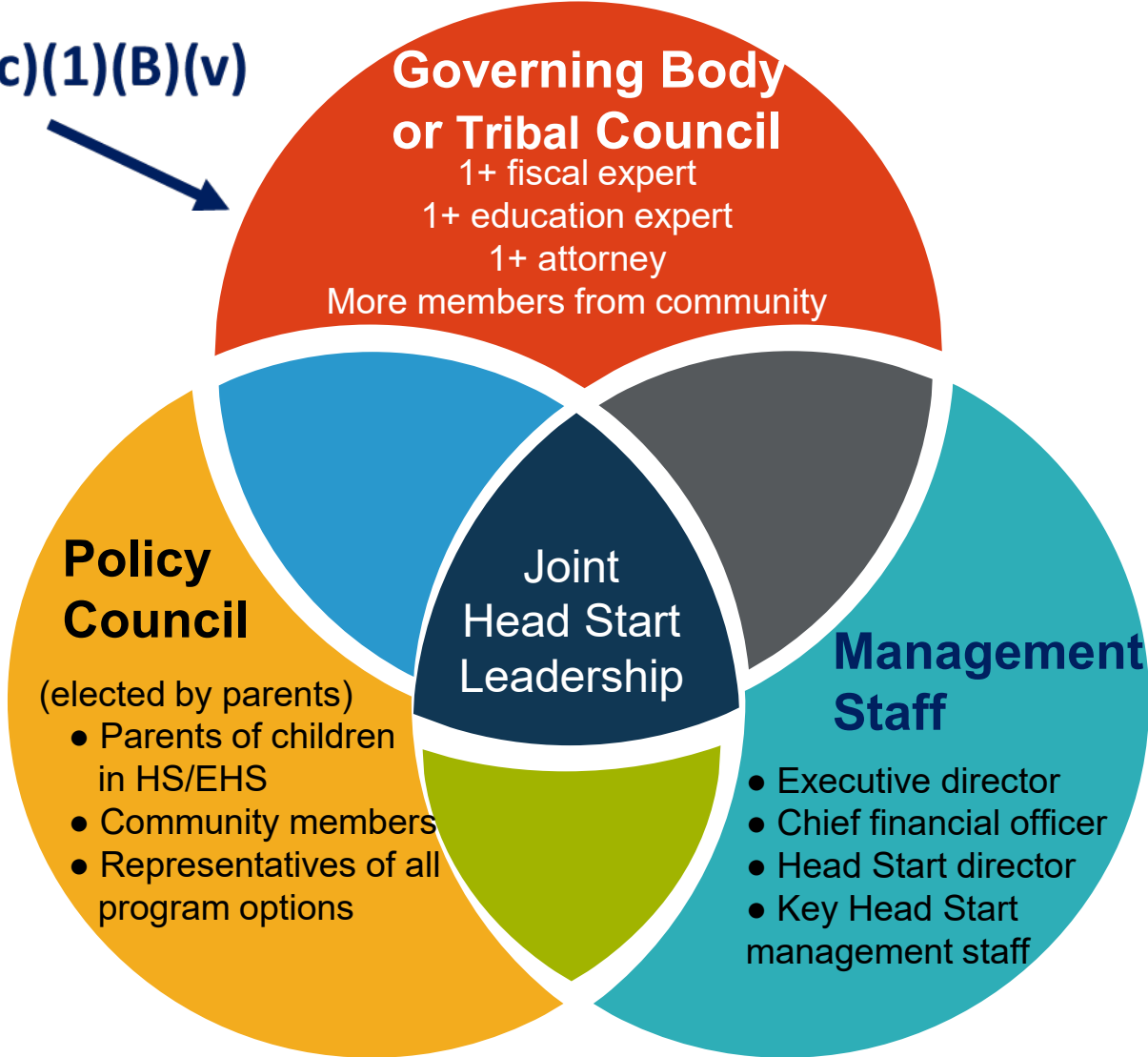


MUST establish a governance structure comprised of:

1. Governing Body
2. Policy Council
3. Delegate level, Policy Committee
4. Parent Committee

Head Start Leadership Composition

Sec. 642(c)(1)(B)(v)



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§ 1301.3(d) Term for Policy Council Representative



- A member will serve for one year.
- Must stand for re-election.
- By-laws must include how many one-year terms, not to exceed five terms.
- Successor Policy Council/committee must be seated before the existing can be dissolved.

§1301.4 Parent Committees

- Comprised exclusively of parents of currently enrolled children.
- Established at the center level for center-based and at the local program level for other program options.
- Parents of currently enrolled children understand the process for elections to the policy council or policy committee and other leadership opportunities.



Head Start Program Leadership



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Program Leadership Responsibilities



Head Start
aZ

Head Start Program Leadership Responsibilities

Adopt practices to ensure active, independent, and informed governance:

- Fully participate in the development, planning, and evaluation of the Head Start program governing body bylaws
- Create procedures for accessing and collecting information
- Develop written standards of conduct
- Establish Policy Council bylaws and election procedures
- Establish advisory committees as deemed necessary

Select delegate agencies and the service areas for such agencies

Establish procedures and criteria for recruitment, selection, and enrollment

Approve and submit to the governing body:

- Activities that involve parents and ensure responsive services
- Program recruitment, selection, and enrollment priorities
- Funding applications and amendments
- Budget planning
- Policy Council bylaws and election procedures
- Head Start program personnel policies and decisions
- Recommendations on delegates and service areas

Receive and use operational reports



Review:

- Funding applications and amendments
- Results and follow-up activities from federal monitoring

Review and approve:

- Major policies and procedures
- Progress on implementing the Head Start grant
- Personnel policies regarding the hiring, evaluation, termination, and compensation of agency employees
- Financial management, accounting, and reporting policies
- Major expenditures and operating budget
- Selection of auditor and actions to correct audit findings

Receive and use operational reports

Operational Reports:

- HHS secretary communication
- Financial statement
- Program information summaries
- Data on school readiness goals
- Enrollment
- USDA
- Financial audit
- Self-assessment
- Community assessment
- Program Information Report (PIR)

Key responsibilities:

- Develop and implement policies and procedures
- Provide training and technical assistance to governing body/Tribal Council, Policy Council, staff, and volunteers
- Provide ongoing supervision of staff and budget to ensure compliance and continuity of care
- Oversee continuous quality improvement
- Oversee management and protection of program data
- Maintain an automated accounting and recordkeeping system
- Monitor goals, objectives, and regulatory compliance
- Engage in the establishment and management of parent committees
- Generate and share operational reports with Policy Council, governing body/Tribal Council, and HHS (as appropriate)



ADMINISTRATION FOR
CHILDREN & FAMILIES



NATIONAL CENTER ON
Program Management and Fiscal Operations

pmfo@ecetta.info • <https://eclkc.ohs.acf.hhs.gov/nepmfo> • Tel: 888-874-5469



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Governing Body Responsibilities

Adopt practices to ensure active, independent, and informed governance:

- Governing body bylaws
- Create procedures for accessing and collecting information
- Develop written standards of conduct, including conflicts of interest and complaints
- Establish procedures for selecting Policy Council members
- Advisory committees as deemed necessary

Legal and Fiscal Oversight, including the safeguarding of federal funds

Select:

- Delegate agencies and the service areas for such agencies

Establish:

- Procedures and criteria for recruitment, selection, and enrollment

Review:

- Funding applications and amendments
- Results and follow-up activities from federal monitoring

Review and Approve:

- Major policies and procedures
- Progress on implementing the Head Start grant
- Personnel policies regarding the hiring, evaluation, termination, and compensation of agency employees
- Financial management, accounting, and reporting policies
- Major expenditures and operating budget
- Selection of auditor and actions to correct findings

Receive and use operational reports



Policy Council Responsibilities

Policy Council Program Direction

Approve and submit to the governing body:

- Activities that involve parents and ensure responsive services
- Program recruitment, selection, and enrollment priorities
- Funding applications and amendments
- Budget planning
- Policy Council bylaws and election procedures
- Head Start program personnel policies and decisions
- Recommendations on delegates and service areas

Receive and use operational reports



Management Staff Responsibilities

Management Staff Day-to-Day Operations

Key Responsibilities:

- Develop and implement policies and procedures
- Provide training and technical assistance to the governing body/Tribal Council, Policy Council, staff, and volunteers
- Provide ongoing supervision of staff and budget to ensure compliance and continuity of care
- Oversee continuous quality improvement
- Oversee management and protection of program data
- Maintain an automated accounting and recordkeeping system
- Monitor goals, objectives, and regulatory compliance
- Engage in the establishment and management of parent committees
- Generate and share operational reports with Policy Council, governing body/Tribal Council, and HHS (as appropriate)



Head Start Program Leadership Responsibilities

**Collaborative Decision-Making
and Taking Action:**
1301.6 Impasse procedures



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Essential Governance Processes: Reporting

- Communications from the Health and Human Services Secretary [*as needed*]
- Monthly financial statements, including credit card expenditures [*monthly*]
- Monthly program information summaries (i.e.. Enrollment, USDA) [*monthly*]
- On-going monitoring results [*monthly*]
- Data on school readiness goals [*minimum of 3x/year*]
- Enrollment reports [*monthly*]
- Self-assessment [*annually*]
- *Community assessment
- Program Information Report (PIR) [*annually*]
- Annual Report [*annually*]



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§ 1301.3(c) Reimbursement

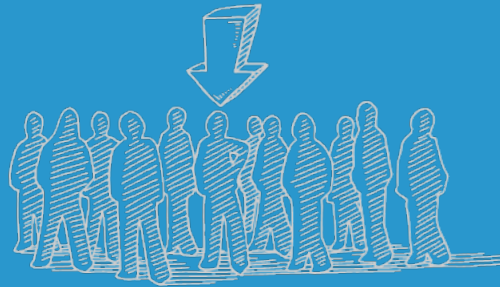
A program **must** enable low-income members to participate fully in their Policy Council or Policy Committee responsibilities by providing, if necessary, reimbursements for reasonable expenses incurred by the low-income members.



Keep In Mind....



While Head Start program leadership is an inclusive process, the ultimate responsibility lies with the governing body/Tribal Council



Eligibility Rule



E Eligibility

R Recruitment

S Selection

E Enrollment

A Attendance



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§1302.12(m) Training on Eligibility

Training: Management and Staff

Within 90 days of hiring new staff



§1302.12(m) Training on Eligibility *cont.*

Training: Tribal Council/Policy Council

Within 180 days of a new term



§1302.12(I) Policy & Procedure Requirement



Program policies and procedures on violating eligibility determination regulations. A program must establish policies and procedures that describe **all actions taken against staff who intentionally violate** federal and program eligibility determination regulations and who enroll pregnant women and children who are not eligible to receive Early Head Start or Head Start services.



§ 1302.12(b)-(c) Eligibility

A program looks at eligibility based upon:

(b) Age

(c) Income or TANF/Homeless/Foster Care

Following the passage of the Further Consolidated Appropriations Act, 2024 (Public Law 118-47) on March 23, 2024, all families in an AI/AN Head Start program's service area with age-eligible children or pregnant women are eligible for Head Start services, regardless of income.

Programs must still adhere to age eligibility requirements (45 CFR §1302.12(b)).



§1302.12 Determining, Verifying, and Documenting Eligibility

(b) Age requirements.

(1) For Early Head Start, except when the child is transitioning to Head Start Preschool, a child must be an infant or a toddler younger than three years old.

(2) For Head Start Preschool, a child must:

(i) Be at least three years old or, turn three years old by the date used to determine eligibility for public school in the community in which the Head Start Preschool program is located; and,

(ii) Be no older than the age required to attend school.

(e) Additional allowances for Indian tribes.

(1) Notwithstanding paragraph (c) of this section, a Tribal program may determine any pregnant women or children in the approved service area to be eligible for services regardless of income, if they meet the requirements of paragraph (b) of this section.



§1302.12(i) Verifying Eligibility

- AI/AN programs are no longer required to verify eligibility based on income or maintain income eligibility records (45 CFR §1302.12(i),(k)). However, if an AI/AN program chooses to use income as a criteria for prioritizing children to enroll in Head Start, the program must have a method for documenting income.
- Because AI/AN programs are no longer required to verify eligibility based on income or maintain income eligibility records (45 CFR §1302.12(i),(k)), they do not need to develop or use a revised eligibility verification form to collect income information. They do, however, still need to verify a child's age eligibility (45 CFR §1302.12(b)).



Determining, Verifying & Documenting Eligibility

Interview • Verify • Record



Conduct an in-person, or phone, interview with each family



Verify information as required [age, income (if still used for eligibility)]



Create an eligibility determination record for each enrolled participant according to 1302(i) [if using income for eligibility]

§ 1302.14 Selection Criteria

(a) Selection criteria

(2) An Indian tribe that operates a Head Start program must annually establish selection criteria that weigh the prioritization of selection of participants, based on community needs identified in the community needs assessment as described in § 1302.11(b), and may, at its discretion, give priority to children in families for which a child, a family member, or a member of the same household, is a member of an Indian Tribe, and would benefit from the Head Start program.

(6) A program may consider the enrollment of children of staff members as part of the selection criteria in paragraph (a)(1) of this section.



§1302.12 (k) Records – What to Keep?

A program must keep eligibility determination records for each participant and ongoing training records for program staff.

A program may keep these records electronically.

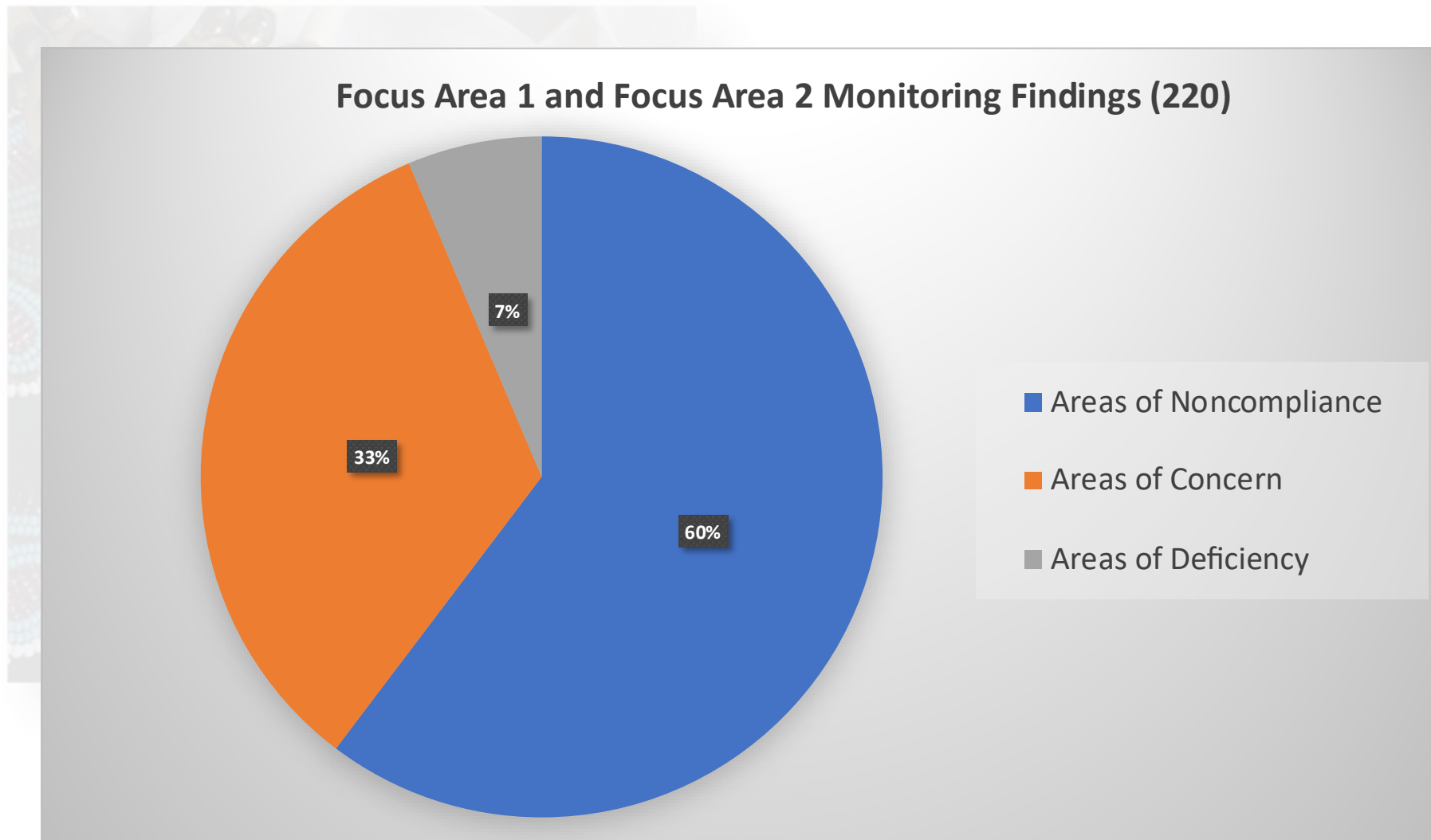


Let's Look at the Data



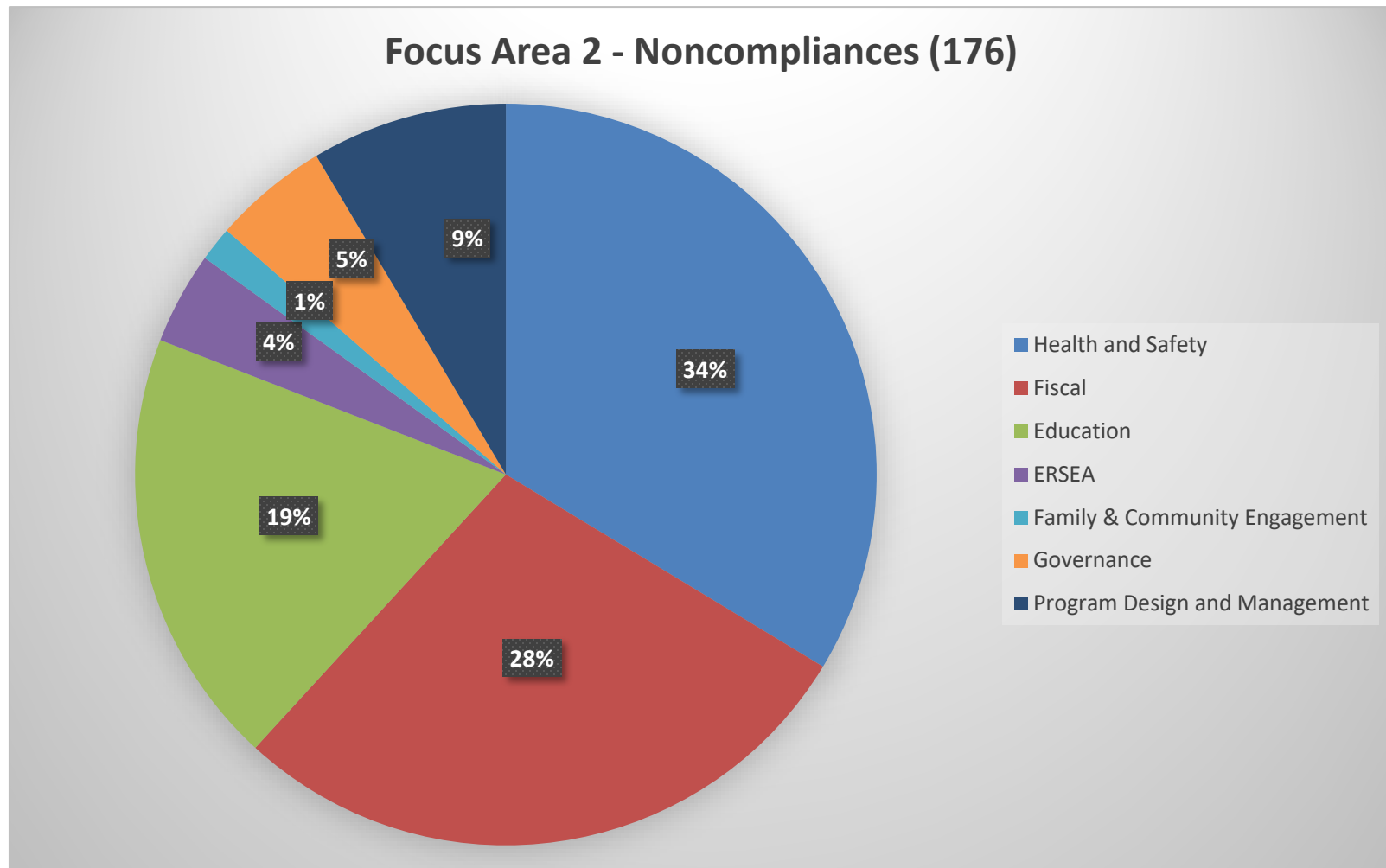
AIAN Head Start Monitoring Findings 2025

Focus Area 1 and Focus Area 2	
Total Findings	220
Areas of Noncompliance	199
Areas of Concern	110
Areas of Deficiency	21
	330



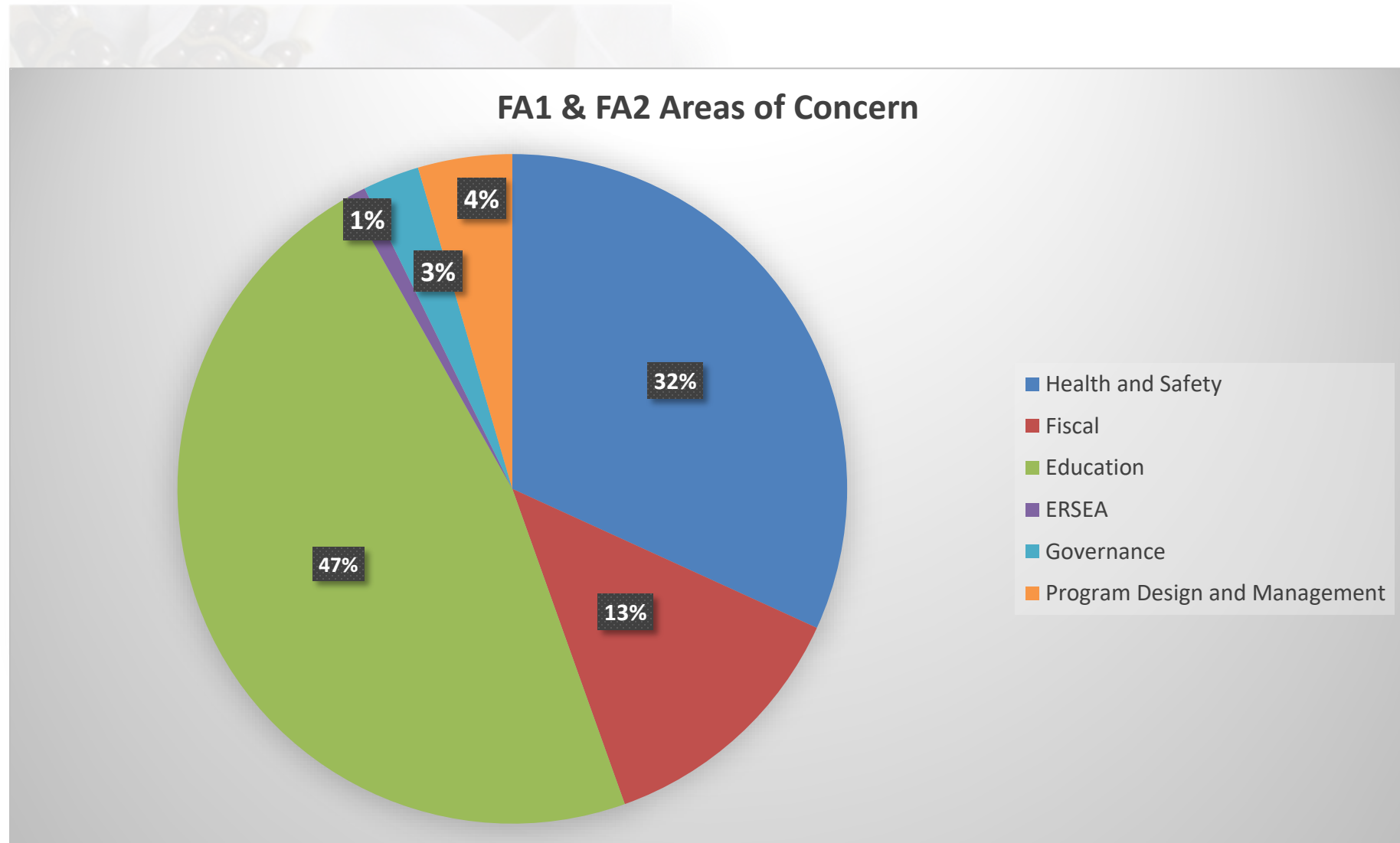
AIAN Head Start Monitoring Findings 2025

Content Area	Number of Findings
Health and Safety	67
Fiscal	56
Education	38
ERSEA	8
Family & Community Engagement	3
Governance	10
Program Design and Management	17



AIAN Head Start Monitoring Findings 2025

Content Area	Number of Findings
Health and Safety	35
Fiscal	14
Education	52
ERSEA	1
Governance	3
Program Design and Management	5

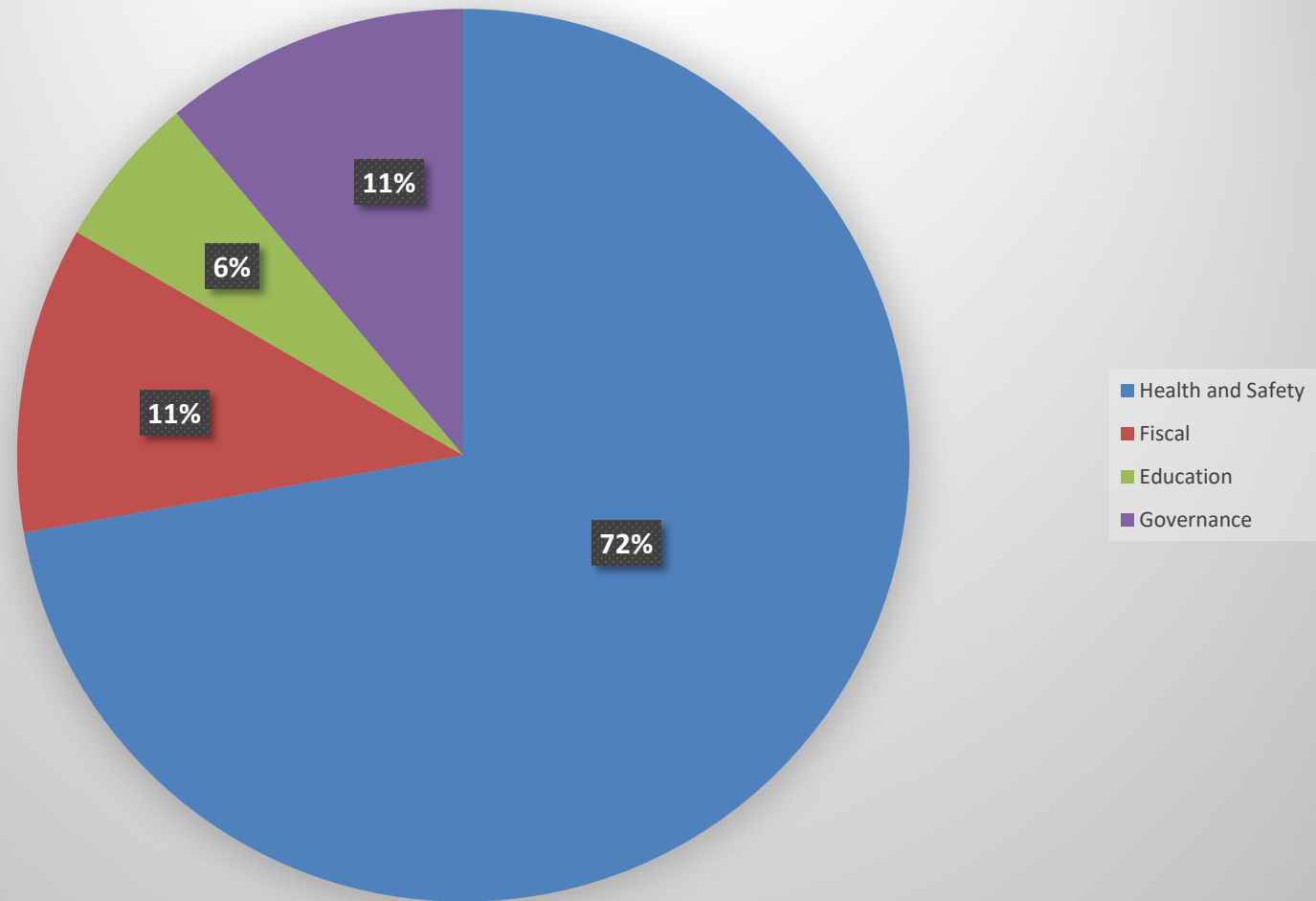


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AIAN Head Start Monitoring Findings 2025

Content Area	Number of Findings
Health and Safety	35
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Focus Area 2 - Deficiencies (18)

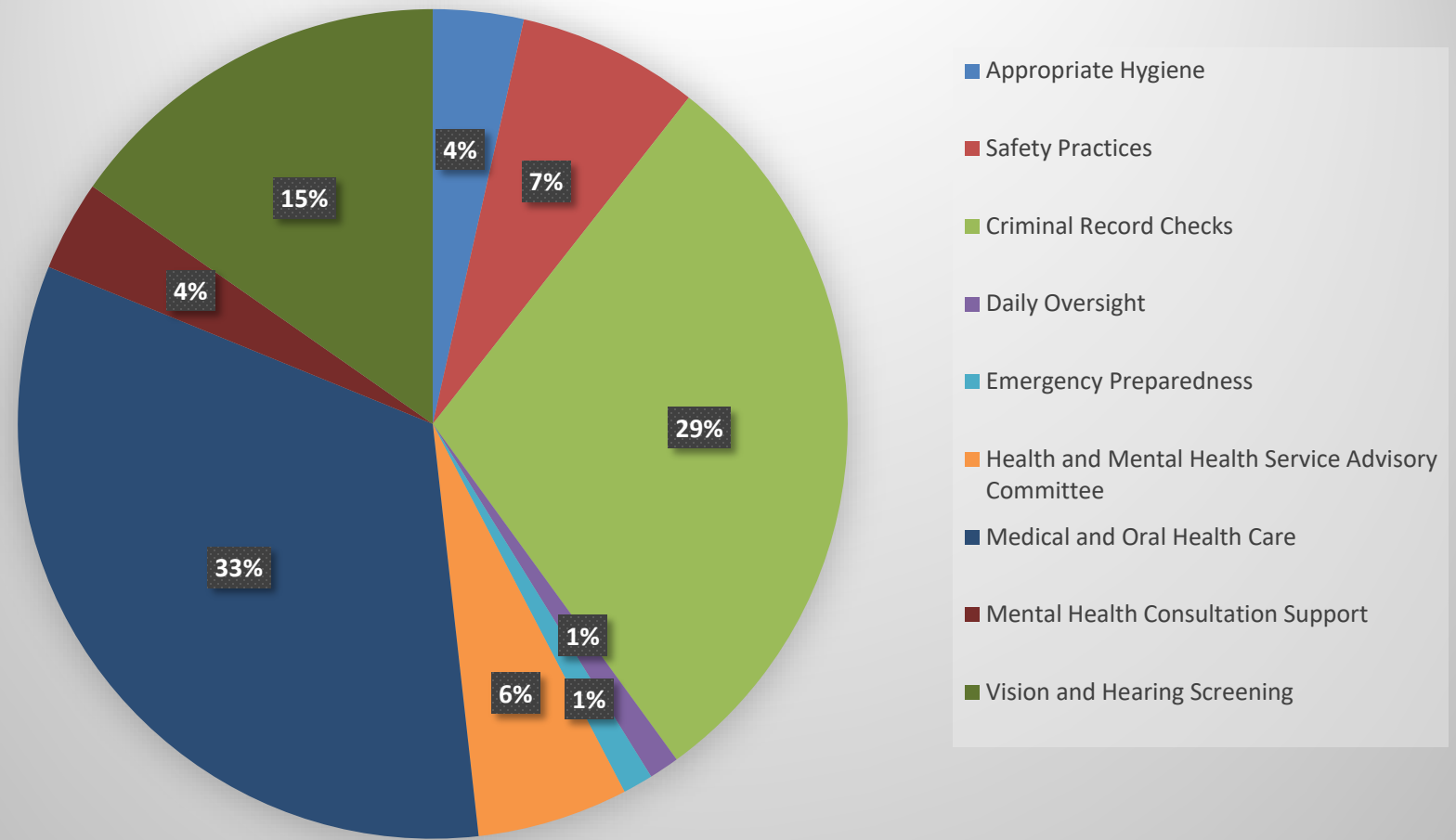


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AIAN Head Start Monitoring Findings 2025

Health Topic	Number of Findings
Appropriate Hygiene	3
Safety Practices	6
Criminal Record Checks	25
Daily Oversight	1
Emergency Preparedness	1
Health and Mental Health Service Advisory Committee	5
Medical and Oral Health Care	28
Mental Health Consultation Support	3
Vision and Hearing Screening	13

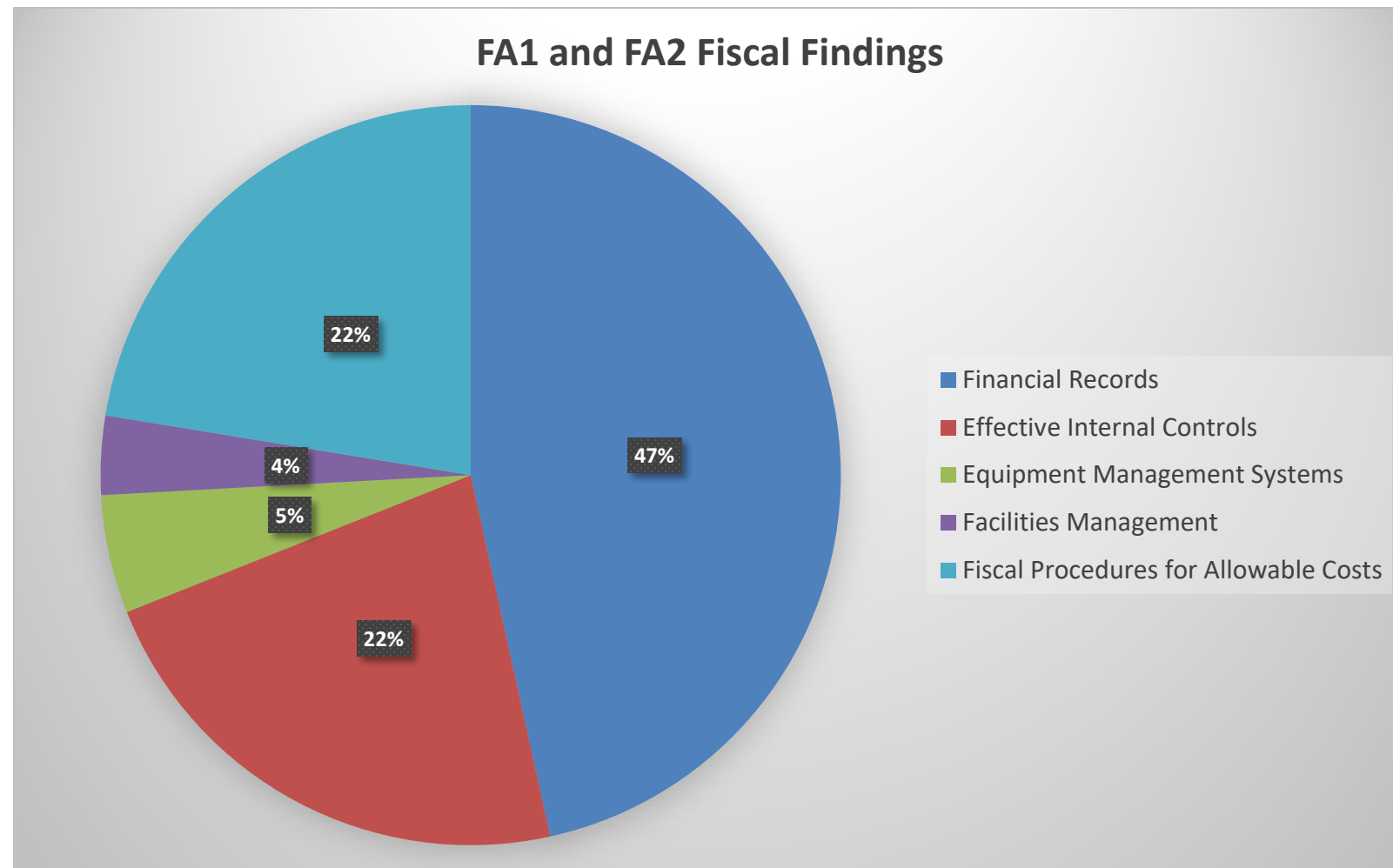
FA1 and FA2 Health Findings



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AIAN Head Start Monitoring Findings 2025

Fiscal Findings	
Topic Area	Number of Findings
Financial Records	27
Effective Internal Controls	13
Equipment Management Systems	3
Facilities Management	2
Fiscal Procedures for Allowable Costs	13



What are some strategies to address the challenges?



Questions or Comments?





Thank you!

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Manager
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Glossary of Terms

Term	Definition
Area of Concern (AOC) 	<p>An area in which the agency needs to improve performance. This status is considered additional feedback and should be discussed with the agency’s Regional Office for possible technical assistance.</p>
Area of Noncompliance (ANC) 	<p>An area in which the agency is out of compliance with Federal requirements (including but not limited to the Head Start Act or one or more of the regulations) in one or more areas of performance. This status requires a written timeline of correction and possible technical assistance or guidance from the agency’s program specialist. If not corrected within the specified timeline, this status becomes a deficiency.</p>
Deficiency 	<p>As defined in the Head Start Act, the term “deficiency” means:</p> <p>(A) a systemic or substantial material failure of an agency in an area of performance that the Secretary determines involves:</p> <ul style="list-style-type: none"> (i) a threat to the health, safety, or civil rights of children or staff; (ii) a denial to parents of the exercise of their full roles and responsibilities related to program operations; (iii) a failure to comply with standards related to early childhood development and health services, family and community partnerships, or program design and management; (iv) the misuse of funds received under this subchapter; (v) loss of legal status (as determined by the Secretary) or financial viability, loss of permits, debarment from receiving Federal grants or contracts, or the improper use of Federal funds; or (vi) failure to meet any other Federal or State requirement that the agency has shown an unwillingness or inability to correct, after notice from the Secretary, within the period specified; <p>(B) systemic or material failure of the governing body of an agency to fully exercise its legal and fiduciary responsibilities; or</p> <p>(C) an unresolved area of noncompliance.</p>
Strong Practice 	<p>An activity or strategy that shows promise for long term sustainable impact. A Strong Practice has an objective basis for claiming effectiveness, potential for replication, and is shareable among other organizations.</p>

Head Start Program Leadership Responsibilities

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