

Tribal Advisory Committee | Minutes

Project:	HB 2055 – Tribal Early Learning Hub	Meeting Date:	4/09/2024
Facilitator:	Sandy Henry & Sonya Moody-Jurado	Meeting Time:	9AM-1PM
Minutes / Time:	Dorianne Houser	Meeting Location:	Virtual / In-person

AGENDA ITEMS + NOTES:

Open & Welcoming

Sandy Henry, Chair, Cow Creek Tribe Rep; Sonya Moody-Jurado, Vice-Chair, Committee Member, Siletz Tribe Representative

Roll Call

Sonya Moody-Jurado, Vice-Chair, Committee Member, Siletz Tribe Representative

Sandra (Sandy) Henry, Committee Chair, Cow Creek Tribe Representative (In-Person)

Sonya Moody-Jurado, Vice-Chair, Siletz Tribe Representative (In-person)

Julie Siestreem, Committee Member, Coos, Lower Umpqua, Siuslaw Tribe Representative

Diane Teeman, Committee Member, Burns-Paiute Tribe Representative (Virtual)

Michael Cherry, Committee Member, Grand Ronde Tribe Representative

Angela Fasana, Committee Member, Grand Ronde Tribe Representative (Virtual)

Alyssa Severson, Committee Member, Coquille Tribe Representative

Jennifer Jackson, Committee Member, Klamath Tribe Representative (In-Person)

Melissa Montero, Committee Member, Klamath Tribe Representative (In-Person)

Lloyd Commander, Committee Member, Umatilla Tribe Representative (virtual)

Valerie Switzler, Committee Member, Warm Springs Tribe Representative (virtual)

Jemiah Wassman, Committee Member, Coos, Lower Umpqua, Siuslaw Tribe Representative (virtual)

Becky Cantrell, Coquille Education Programs Manager-In person

Jaime Crane, Umatilla Tribe Education Director-In person

DELC Team present:

Alyssa Chatterjee, DELC Director
Paulina Whitehat, Tribal Affairs Director
Dana Castano, OTELA Liaison
Dori Houser, Tribal Affairs Coordinator
Crys O'Grady, Legal Affairs Manager
Kate Denison, Government Affairs Manager

Notes:

- Quorum Confirmed (At least 1 rep from 5/9 tribes) **Yes**

High Level only. Please see the recording for a more in-depth discussion.

OTELA Updates

Dana Castano, OTELA Liaison
SOW

- @Dana-Shared out last year's SOW, updating these years. Want to make sure everyone can share feedback before we continue the procurement process. Extending and continuing flexibility for allowable expenses.
- @Sandy-Administrative cost is 15%-do we feel there is flexibility there if we have a federally approved indirect cost?
- @Dana-There are now state funds. We will need to change our policy.
- @Alyssa-We need to honor the Federal rate that has been negotiated if we have a tribal early learning fund. We will make sure that that gets built in. We would also like to be able to factor in an average of indirect fund rates. Looking at redesigning funding formulas to account for your higher indirect rate without reducing the level of service.
- @Val-Concerns around timeframes of contracts
- @Dana-Will be incorporating language-will not need to have the back and forth about language. If anyone has anything to add, or language, or updates, let me know and we can get this off to procurement.
- @Alyssa- Would you like a summary concerning what has changed?
- @Val-Boiler plate grant agreements-Sec 8- is the problem. It's where the waiver of sovereign immunity is.
- @Sandy-Is there any way to get ahead of this with DOJ? To say, "section 8 is not going to work for tribes."
- @Crys-Working on all agencies on this. We have permission to remove the waiver of sovereignty from the amended agreement, for now. And moving forward DOJ will be amended across the board. Section 8 will be removed from this agreement.

SPARK

Dana Castano, OTELA Liaison

@Dana SPARK is our Quality Rating Improvement System. This function is changing so there is a group that is doing that work. There is a Grand Ronde tribal member included in the listening sessions. What options are there for TAC to be involved. If and how you would like to. Could be one on one, or subject matter expert could come to TAC meeting. TAC needs the opportunity to be involved on how this is written. Any ideas? Ex: Badges instead of points

@Sandy-Do you have parents in this group?

@Alyssa-Yes

@Sandy-is there a Tribal Badge?

@Alyssa-I don't believe there has been discussion on that. This is important as we think about the Tribal Early Learning Plan.

@Jennifer-Lets back up, this is a question that should go to the tribe. Reach out and ask if they would like a formal consultation on this.

@Crys-There is also a financial incentive for SPARK participation.

@Sandy-We recruit on our own enrollment

@Jennifer-Klamath does as well

@Alyssa-Will will reach out to Ash for a recap of what has been done and to tribes concerning the need for consultation.

Tribal Hub Statute Review (working draft document)

Dana Castano, OTELA Liaison, DELC

Crys O'Grady, Legal Affairs Manager

Kate Denison, Government Affairs Manager

- Look at the current statute.
- Discuss changes, additions, visions.
- Framework for Tribal Early Learning Plan.
- Allowable uses.
- Who will serve.
- Who is eligible.
- What will eventually come out of this group.
- OTELA, if we go that route.

@Crys-As a state agency DELC can request legislative concepts from the governor. We must submit a preliminary review by the end of month to DOJ. Something that we might want to turn into a bill next session. This must be submitted after initial review by the end of July for introduction in the 2025 session. We just need a basic framework by the end of April.

@Alyssa-As we continue with consultation with tribes, right now this is a just a broad overview. Capturing what are the things you would like to be codified in terms of a plan, purpose of TAC, where there might be flexibility.

@Dana-Reference ORS 417.831, HB 2055(2021), HB 4033(2022)

@Sandy-What specifically made us a public body?

@Crys-TAC is written as advisory to Early Learning Council. Gives recommendations. That is what makes meetings subject to public meetings laws.

@Alyssa-show slides from March meeting. Refresh side by side. (informal discussion document-Draft)

@Dana-Hybrid Model-Discussion-Revise statute to make Tribal Advisory Committee the Oregon Tribal Early Learning Alliance (OTELA) Remove advisory to the ELC. OTELA advises DELC/monitors implementation of Tribal Early Learning Plan. Revise statute. Remove the creation of Tribal Early Learning Hub, replace with Tribal Early Learning Plan and Tribal Early Learning Fund. Allowable uses: including but not limited to language and culture preservation. Professional development. ECE program staff compensation.

@Alyssa-De-link from ELC, which removes public meeting requirements. You would then be advisory to DELC.

@Alyssa-I want to emphasize that DELC is still in consultation with some tribes. We will move forward as directed.

@Dana-Deep dive-OTELA advisory body membership; Allowable uses.

@Dana-Jemiah Joins-All 9 tribes present

@TAC-Continue deep dive conversation

@Val-Language-It has been up to directors. They decide what best "western" research models to use. As we venture into language revitalization for tribes, this provides an alternative if we can be partners. I appreciate this being kept in mind as we discuss this.

@TAC continue deep dive-DELC OTA responsibilities.

@Sonya-PD, Val has brought up that is nonexistent in our hubs. Getting culturally appropriate professional development and language. Would the funds for PD stay within the OTA? Or would those go to the tribe, as set aside funds to do our own PD.

@Alyssa- We can design this however you all want. There could be funds held by DELC for contracting PD. OTELA could request what they need. Would go through the procurement process. Could also be an allowable use of funds, so that you could contract on your own. We can figure out how to structure it.

@Sonya-I would like to see some set-asides stay with DELC. This is a piece we worried about losing with the hub model.

@Sandy-Pause-Check in with all tribes who are present and virtual about this point.

@Alyssa-*response to tribe's concerns lets capture that there is the availability for the tribes, that if they participate in other programs, that they can access culturally relevant trainings, and not have to continue following the standard expectation for all grantees. Preschool promise.

@Dana-Will add to crosswalk document (working draft document)

@Dianne- Ex: I am asked by HeadStart to come do training for them-related to state funding-in past they have reached out individual community members. Not in keeping with how tribes want this. Is this related to non-tribal schools?

@Alyssa- We will go back and look at what requirements are in place for our grantees. In terms of engagement. We can make sure that we are not driving head start on this. Is this a federal requirement, state requirement, or interpretation issue. Thank you for the flag.

@Sonya-Going back- Set aside is preferable, so that we have a place we can go as well as working with other tribes. DELC retains percentage for TA/PD

@Sandy-Possibility of facilities included?

@Alyssa-Lets keep this open as ideas of other things that can be included-Add infrastructure. "Other needs as requested."

Legislative Crosswalk-Cross reference ODE/DELIC requests/Changes

@Sandy-We are looking at what the current legislation is, and what our desires are for it to be. (working draft document)

@TAC deeper dive review of current legislation

@Sandy-Point review. We started discussing a hybrid model because folks were not getting what they needed out of their current hubs. We were looking for PD/TA. Then we would lose Government to Government with DELIC. As OTELA hybrid, we would retain that. The alliance would provide support as well as g2g level.

@Jennifer-Why can we not be our own cluster? Why do we have to be a sub-committee?

@Alyssa and Sandy-OTELA will be in the weeds, and sub-committee will be elevating matters to the G2G. Formal consultation would occur with sub-committee. Sub-committee members will be tribal approved with authority. OTELA is not as highly regulated and be more about informing.

@Jennifer-that seems like just adding another layer.

@Sandy-I need guidance, but I don't think we can just go into the G2G cluster as reps of early learning.

@Alyssa- I don't think we would codify the sub-committee in statute. We could but that was not discussed with the education cluster.

@Dana- who created the clusters in G2G?

@Sonya-The governor's office under SB 770. Its not just education. It has HHS etc.

@Sandy-as tribal reps in that G2G meeting, things get done. Ex: HECC learned in the last one that the State of Oregon was taxing the tribal student grant program. They are doing something at the state level. It was immediate. The OTELLA doesn't have that same type Government to Government power.

@Sonya-The TAC does not speak for the tribes. It takes it to another level.

@Alyssa-What needs to be codified for the OTELA

@Crys: Purpose, Services, Membership, all others as described. This is what is needed (loosely) in the legislative concept. Keep rulemaking authority in for more codification.

@Sandy-Lets look at the same thing as far as the sub-committee.

1. It maintains G2G relationship.
2. Will elevate issues to DELIC
 - a. Sub-Committee would be working more with Alyssa-G2G
 - b. OTELA would work more closely with OTA
3. Some sharing of activities and ideas. This happens already with the cluster. These are things that need to be elevated and possibly come out of the alliance. Sub Committee is where the actions will be taken.
4. Sub Committee will do the work of what comes out of OTELA. OTELA will basically be vetting the issues for elevation.

@Alyssa-is there language in SB770 regarding the authority of the cluster, that you all would want to look at for OTELA? As to elevate the advisory body, depending on the authority given by tribes?

@Sandy- I feel like that gets back to the original concern of having to have 20-25 members that not all were authorized. All different levels of representation.

@Dana-Is the AI/AN advisory structure working well for the tribes? It has community members. Do you want to keep that?

@Sonya-Its important. I believe communities need to have a place and a voice. I envision OTELA needing to hear from the community what DELC is doing. The voices that are coming from those on the ground of early learning. This is also going to be a tribal decision.

@Angela-I support everything Sonya said. But it works well because we have Aprils team. If we were to lose the tribal relations in DELC, then I would not be as confident in that process. We need to have an office that we can work with.

@Alyssa-We can ask DOJ can we name OTA to get durability. It provides protection under statute.

@TAC agrees this is important

@Val-We don't want it to be too broad

@Alyssa-Possibly to include Providers, AI/AN, educators, community members, other agencies.

@Dana-We haven't defined the early learning plan. Do we want to?

@Alyssa-Looking at the ODE plan may be a good starting point.

@TAC-Review and Discussion

@Crys-You could amend "educational needs, to include "and care." Also, to support and elevate cultural curriculum and resources in early learning programs.

@TAC discussion

@Dana-captured purpose (draft) of plan." Including but not limited to support and elevate cultural curriculum and access to recourses in early learning programs and services, increase access for tribal children, increase number of tribal providers and educators, prepare children for successful transition in K-12 system, support children experiencing disability, empower parents and caregivers."

@Dana when we talk about the purpose of the fund is supporting the plan.

@Alyssa-Yes, we will need to work with DOJ-we have the broad brush of allowable uses, how do we name a potential set aside for OTA etc. We can make sure the wording supports all the activities in the plan.

@Alyssa-Point out the benefits of language and culture.

@Alyssa-We want to make the term is what the Tribal Advisory Committee is recommending, not what we are suggesting.

@TAC-change to culturally appropriate, best practices. No problem with this wording.

@Crys-You can also add "and care" as well. Educational does always encompass things such as cradleboard. Care can.

@Dana-We have a basic framework.

Next steps

- DELC to take these concepts and put it in the correct form and get feedback from DOJ. They may be clarification questions.
- DELC have some tribal consultations continuing. Will represent the work of the TAC. Why this is preferred approach. Will bring back to TAC
- DELC to prepare a timeline for reference.

Adjourned

Next meeting May 15, 2024 @ 3:pm