



**STATE OF WASHINGTON**  
**DEPARTMENT OF EARLY LEARNING**  
*PO BOX 40970, Olympia, Washington 98504-0970*  
*(360) 725-4665 • FAX (360) 413-3482*

## **STATE CENTENNIAL ACCORD PLANS**

### Programs:

- Home Visiting
- Early Support for Infant & Toddlers (ESIT)
- Childcare Working Connections Subsidies (WCCC)
- ECEAP
- Head Start
- WaKIDS
- IDEA Special Education Part B & Part C

### Funding Distribution:

- Home Visiting – based on assessed communities' needs and capacities
- ESIT – based on individual child's assessed needs
- WCCC – based on family incomes ( $\geq$  175% poverty)
- ECEAP – based on family income ( $\geq$  110% poverty), special needs, geographic location
- Head Start – based on family income ( $\geq$  110% poverty), as well as Tribal Head Start
- WaKIDS – based on state funded All Day K and school's option to participate
- IDEA – based on individual child's eligibility

### Definitions:

- Home Visiting – Federally defined evidence-based/promising practices home visiting programs
- ESIT – Special education services for children with/suspected of disabilities birth –age 3.
- WCCC Subsidies – Child care subsidies for families  $\leq$  175% poverty level.
- ECEAP – Early Childhood Education & Assistance Program – State preschool program for at risk 3-4 year olds.
- Head Start – Federal preschool program for at risk birth(Early Head Start) – 4 year olds.
- WaKIDS – Washington Kindergarten Inventory of Developing Skills – State kindergarten inventory involving kindergarten teachers, family and early learning providers.

### Consultation Process & Procedures:

- See attached – Consultation Protocol

### Dispute Resolution Process:

- See attached - Communication Protocol



Tribal Leaders Congress  
On Education



Washington State Department of  
**Early Learning**

## Consultation Protocol

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*Between Federally Recognized Tribes and the Department of Early Learning*

### **Purpose**

The Tribes and the Department of Early Learning (DEL) are committed to achieving agreement whenever possible regarding issues of mutual concern. The Tribes and DEL share a common interest in the early childhood development and education of Native Children.

The Tribes and DEL recognize that The Centennial Accord and New Millennium Agreement establish a framework to support the development of strong government-to-government relationships between the federally recognized Indian Tribes and state agencies. A key component of both of these agreements is the shared commitment to create a framework within which individual Tribes and DEL can actively consult regarding issues of mutual concern.

DEL recognizes that each federally recognized Indian tribe is a government with responsibilities to provide services to tribal members and other members of the tribal community and that each government has unique interests and concerns that should be addressed in any government-to-government consultation.

In order to facilitate strong government-to-government consultation, the parties have entered into this Consultation Protocol.

### **General Provisions**

Tribes have traditionally practiced early learning with Tribal children as a part of Tribal ways. Culturally relevant performance strategies by DEL and Tribes can only contribute to successful early learning and beyond.

Consultation encompasses an enhanced form of communication which emphasizes trust, respect and shared responsibility. It is an open and free exchange of information and opinion among parties, which leads to mutual understanding and comprehension. Consultation is integral to a deliberative process which results in effective collaboration and informed decision-making. Consultation includes formal government-to-government meetings called to provide an opportunity for an exchange of information and opinion prior to DEL decisions regarding programs that may be of particular concern to the Tribes.

DEL is committed to working with Tribal partners on issues of mutual concern including:

- New policy development
- Proposed change to policy that has an impact to Tribes
- Parent education and support
- Child care resource & referral services
- DEL Parent Advisory Group
- Seeds to Success (Quality Rating and Improvement System)
- Child care licensing policy
- Child care subsidies
- Negotiated rule making
- Collective bargaining for family home child care providers
- Early Childhood Education and Assistance Program (ECEAP)
- Head Start State Collaboration Office
- Infant and toddler quality initiatives
- Washington Kindergarten Inventory of Developing Skills (WaKIDS)—Kindergarten assessment process
- Washington State Early Learning and Development Benchmarks review
- P-3 partnerships
- Early intervention

Nothing in this policy is meant to discourage early and/or informal information sharing and other communications on topics that facilitate intergovernmental relationships. Ideally, regular ongoing communications will simply evolve into more formal consultation as necessary, shifting back to a less formal style once consultation on a particular action or topic is complete.

Either the Tribal government or DEL may initiate a formal consultation on an issue of concern by sending a written request for consultation detailing the issue of concern and requesting government to government consultation to the highest level of DEL or the Tribal government. For DEL, the request should be directed to the Director. For the Tribal Government, the request should be directed to the Tribal Chair.

When DEL or a Tribe initiates consultation, the requesting party must send written notice outlining the activities or circumstances surrounding the basis for the request. The notice shall provide a proposed meeting date and location. The parties shall confer and the consultation process as outlined in this document shall commence under the consultation process timelines.

While the parties agree that the notification time frames set out are intended to become the standard practice for initiation of consultation by DEL, the parties acknowledge that from time to time, it may not be possible for DEL or the Tribe to initiate the consultation and meet other deadlines associated with the issues requiring such consultation. In such an event, DEL or the Tribe will make its best effort to provide as much notice as possible to the Tribes or DEL as well

as making information about the issues available to the Tribes or DEL as soon as practicable. However, at no time would DEL or the Tribes make a decision on behalf of the other party.

DEL will maintain a current distribution list of Tribal Chairs, relying upon the contact information on file with the Governor's Office of Indian Affairs. To ensure DEL can provide appropriate notice to persons in addition to the Tribal Chair, each tribe participating in a consultation will provide DEL with the contact information for the Tribal representatives participating in the consultation. DEL will include the Governor's Chief of Staff throughout consultation regarding the process and actions to be taken.

The Tribes and DEL recognize that there may be a need to have persons with specialized expertise involved in the consultation process. The parties agree that following a formal request for consultation, the Tribes and DEL will participate in a roundtable meeting prior to the formal consultation meeting. The purpose of the roundtable meeting will be for specialized staff from the Tribes and DEL to meet and review technical information and report back to their respective entities in advance of the consultation meeting.

Should the roundtable meeting resolve some or all of the issues subject to the written consultation, a written report of the resolution will be distributed by DEL staff within fourteen (14) calendar days to the Tribal Chair or Designee and to the DEL director or designee. Any remaining issues will be addressed in the formal consultation meeting.

#### The Formal Consultation Process:

- Either the Tribe or DEL will initiate consultation.
- All notices and other documentation shall be sent certified mail return receipt.
- The Tribes and DEL will continue to share data throughout the consultation process.
- A roundtable meeting will be held within fourteen (14) calendar days upon receipt of the request for consultation. Each party shall prepare and deliver a report to each other within fourteen (14) calendar days of this meeting.
- The consultation meeting will be held within forty-five (45) calendar days of receipt of the roundtable report.
- Both the Tribes and DEL will prepare and share a written report from the consultation meeting within fourteen calendar (14) days of the consultation meeting.
- The Tribes and DEL will have twenty (20) calendar days in which to comment on each other's reports and share additional information.
- Within forty-five (45) calendar days from the date of consultation meeting, DEL will disseminate a final report to the Tribal Chair outlining the results of the consultation, including issues mutually resolved and any issues where consensus was not achieved.
- The parties may memorialize agreements reached as a result of the consultation through a written MOU/MOA.

Both the Tribes and DEL affirm that in order to meet these time frames, communication can be effectuated through email at the request of the Tribal Chair. Any email would be addressed to the Tribal Chair and copied to any Tribal Designee. DEL may also designate a person in addition to the Director to receive Tribal emails concerning a pending consultation.

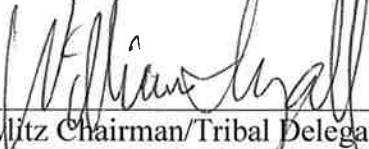
We, the undersigned have read and agree with the Consultation Protocol on this 22<sup>nd</sup> day of September, 2010.

By   
Department of Early Learning

By   
Chehalis Chairman/Tribal Delegate

By   
Colville Tribal Delegate

By \_\_\_\_\_  
Coeur D'Alene Chairman/Tribal Delegate

By   
Cowlitz Chairman/Tribal Delegate


By   
Hoh Chairman/Tribal Delegate

By   
Jamestown S'Klallam Chairman/Tribal Delegate

By \_\_\_\_\_  
Kalispel Chairman/Tribal Delegate

By   
Lower Elwha Klallam Chairman/Tribal Delegate

By   
Lummi Chairman/Tribal Delegate

By   
Makah Chairman/Tribal Delegate

By \_\_\_\_\_  
Muckleshoot Chairman/Tribal Delegate

By McCoy Dalton  
Nez Perce Chairman/Tribal Delegate

By Josephine Ayall  
Nisqually Chairman/Tribal Delegate

By Robert Holly  
Nooksack Chairman/Tribal Delegate

By John  
Port Gamble S'Klallam Chairman/Tribal Delegate

By \_\_\_\_\_  
Puyallup Chairman/Tribal Delegate

By Bonita Cleveland  
Quileute Chairman/Tribal Delegate

By J.  
Quinault Chairman/Tribal Delegate

By [Signature]  
Samish Chairman/Tribal Delegate

By Janice W. Mahoe  
Sauk-Suiattle Chairman/Tribal Delegate

By Charles R. Nelson  
Shoalwater Bay Chairman/Tribal Delegate

By Ally Sealus  
Skokomish Chairman/Tribal Delegate

By Wana M. Repion  
Snoqualmie Chairman/Tribal Delegate

By Gregg J. Abraham  
Spokane Chairman/Tribal Delegate

By David J. ...  
Squaxin Island Chairman/Tribal Delegate

By Ally ...  
Stillaguamish Chairman/Tribal Delegate

By Leonard ...  
Suquamish Chairman/Tribal Delegate

By Brian Cladcooby  
Swinomish Chairman/Tribal Delegate

By Melvin R. Sheldon Jr  
Tulalip Chairman/Tribal Delegate

By \_\_\_\_\_  
Umatilla Chairman/Tribal Delegate

By Joseph ...  
Upper Skagit Chairman/Tribal Delegate

By \_\_\_\_\_  
Warm Springs Chairman/Tribal Delegate

By \_\_\_\_\_  
Yakama Chairman/Tribal Delegate



Tribal Leaders Congress  
On Education



Washington State Department of  
**Early Learning**

## Communication Protocol

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### *Between Federally Recognized Tribes and the Department of Early Learning*

#### **Purpose**

To assist the Department of Early Learning (DEL) and staff when communicating with Tribal Governments

#### **Procedures**

DEL shall get input from federally recognized Tribes as policies are being modified or developed when it impacts Indian children and/or when other stakeholders are asked for input.

DEL will transmit formal correspondence to tribal governments with cover letters for review and comment at a reasonable time in advance of decision making concerning policy, regulations, or standards that could affect Native Children and their families. In its correspondence, DEL will ensure the tribal governments are informed of any time constraints DEL is laboring under concerning the policy, regulations or standards at issue. DEL will in all cases seek to provide the tribal governments with a reasonable time to express their concerns regarding proposed policy, regulations or standards.

The type of formal correspondence to be provided to tribal governments may include but not be limited to:

- Submission of contracts and contract amendments that relate to programs which impact Native children and their families
- Consultation requests and announcements
- Prior notice of changes in policy or standards as it relates to DEL programs that do monitoring or site visits such as licensing or ECEAP
- Announcement in advance of public meetings regarding policy, partnership, or budget, whether open or closed, which could impact Native Children
- When seeking required, formal input on the creation or modification of Early Learning policy

*Notification does NOT imply permission. Each Tribe has its own unique process for granting permission.*

DEL will transmit announcements for the following as soon as available:

- Substantive changes to Grants

*September 17, 2010*



- RFPs for contracts which will impact programs

Formal correspondence will be addressed in the following matter: Honorable Chairman, Chairwoman, President, with a salutation of Dear Tribal Chairman, Chairwoman President.

With copies to:

- Tribal Appointee to Early Learning Advisory Council
- Tribal designated contact person upon request of Tribe
- Tribal delegates to the DEL initiatives
- The Director of DEL or to the Director's designated Tribal Liaison
- Director, Governor's Office of Indian Affairs
- Chief of Staff, Governor's Office

DEL will maintain a current distribution list of Tribal Chairs, relying upon the contact information on file with the Governor's Office of Indian Affairs. To ensure DEL can provide appropriate notice to persons in addition to the Tribal Chair, each tribe will provide DEL with an updated contact list at the annual meeting.

The DEL Director, or his/her designee, will follow these communication and meeting guidelines:

- Attend the annual meeting with federally recognized Tribes and the State on Education.
- Attend Tribal Leaders' Congress on Education (TLC) meetings with DEL headquarter staff: Quarterly
- Ensure interactive communication between the Tribes and DEL for:
  - Contracts
  - Visits concerning statewide programs
  - Compliance matters concerning statewide programs

DEL Service Area Managers will follow these communication and meeting guidelines:

- Maintain regular communications with the Tribes in their region.
- Attend one or more quarterly meetings with the TLC
- Meet at least two times each year with the Tribes in their region, or more frequently upon request.
- Attend statewide meetings between Tribes and DEL, including the annual meeting with Federally recognized Tribes and DEL, when possible.

Interactions with other department/agencies/committees regarding early learning:

The Department of Social and Health Services, Department of Health, Office of Indian Policy and Indian Policy Advisory Committee all have overlap regarding responsibilities for children; these departments and committees will be encouraged to attend all major meetings between Tribal Governments and DEL.

*September 17, 2010*

We, the undersigned have read and agree with the Communication Protocol on this 22 day of September, 2010.

By \_\_\_\_\_  
Department of Early Learning

By \_\_\_\_\_  
Chehalis Tribal Delegate

By \_\_\_\_\_  
Colville Tribal Delegate

By \_\_\_\_\_  
Coeur D'Alene Tribal Delegate

By \_\_\_\_\_  
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Lummi Tribal Delegate

By \_\_\_\_\_  
Makah Tribal Delegate

*September 17, 2010*

By \_\_\_\_\_  
Muckelshoot Tribal Delegate

By \_\_\_\_\_  
Nez Perce Tribal Delegate

By \_\_\_\_\_  
Nisqually Tribal Delegate

By \_\_\_\_\_  
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By \_\_\_\_\_  
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Quinault Tribal Delegate

By \_\_\_\_\_  
Samish Tribal Delegate

By \_\_\_\_\_  
Sauk-Suiattle Tribal Delegate

By \_\_\_\_\_  
Shoalwater Bay Tribal Delegate

*September 17, 2010*

By \_\_\_\_\_  
Skokomish Tribal Delegate

By \_\_\_\_\_  
Snoqualimie Tribal Delegate

By \_\_\_\_\_  
Spokane Tribal Delegate

By \_\_\_\_\_  
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By \_\_\_\_\_  
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*September 17, 2010*