

An Act

Legislative Act 46-21

VERNA D. THOMPSON EARLY CHILDHOOD EDUCATION ACT OF 2021

BE IT ENACTED BY THE CHEROKEE NATION:

Section 1. Title and Codification

This legislative act shall be titled and codified as the “**Verna D. Thompson Early Childhood Education Act of 2021**” or alternatively the “**Verna D. Thompson Act.**”

Section 2. Findings

The Council of the Cherokee Nation finds that the provision of early childhood education to Cherokee citizens, across the Cherokee Nation reservation, is a critically important national interest. The Council finds that Cherokee Nation’s partnership with the federal Head Start program has improved the education, health and general welfare of thousands of Cherokee families across the reservation. Since the Cherokee Nation Head Start program commenced in 1978, the program has received the highest of ratings by United States Department of Health and Human Services evaluators. The Council finds that, notwithstanding the overall positive impact of the program, Cherokee Nation Head Start facilities are widely in need of repair or replacement and that a failure to remedy these deficiencies reduces the efficacy of the program. The Council finds it preferable that all existing Head Start facilities be replaced and that all sites be located in Cherokee Nation owned buildings on Cherokee Nation owned properties. Each site should utilize modern classroom design principles, and outdoor cultural engagement activities. The Council further finds that all Cherokee Nation early childhood education programs, including Head Start and Child Development Centers, warrant expansion over time based on strategic goals to provide or support early childhood education for as many Cherokee children as possible across the reservation. The Council finds that periodic study of the availability of child care and early childhood education services across the reservation will better inform Council and administration’s efforts to expand such services across the Cherokee Nation reservation. Finally, the Council concludes that Verna D. Thompson, having worked for Cherokee Nation for over 37 years and having ably directed the Head Start program since the 1980’s, has made a substantial and positive impact on thousands of Cherokee families such that, legislation stemming from these findings should bear her name.

Section 3. Purpose

The purpose of this Act is to (1) authorize adequate funding over fiscal years 2022, 2023 and 2024, to repair, or replace, all existing facilities at which Cherokee Nation Head Start programs currently operate; (2) request that the Principal Chief, through his designee, conduct an analysis of the availability of early childhood education across the reservation and make recommendations as to the manner in which to provide or support early childhood education for all Cherokee citizens within the reservation and (3) to honor the work in the area of early childhood education by Cherokee Nation Director of Head Start Verna D. Thompson. It shall be the policy of the Cherokee Nation to expand the provision of or support for early childhood education for every Cherokee Nation citizen living in the reservation to the greatest extent possible, with a particular focus on providing such provision or support to the workforce of Cherokee Nation and its entities.

Section 4. Substantive Provisions

§ 1. Definitions.

- A. Head Start:** Except where expressly referencing the federal Head Start program, “Head Start” shall refer to Cherokee Nation’s Head Start and Early Head Start programs in the Early Childhood Unit of the Education Department, or such successor programs or departments as shall be designated by Cherokee Nation.
- B. Child Development Centers:** Child care facilities operated by Cherokee Nation through its Human Services Department, or such successor programs or departments as shall be designated by Cherokee Nation.
- C. Early Childhood Education:** Early childhood education means any school or program for the provision of care and instruction to children prior to their entry into Kindergarten, including instructed geared towards cognitive, physical and social development.

§ 3. Early Childhood Education Analysis

- A.** Commencing with Fiscal Year 2022 the Principal Chief, through his designee, shall analyze the availability of early childhood education and other childcare services across the reservation and issue a report to the Speaker of the Council no later than September 30, 2022, said report to be reviewed and revised on a biennial basis thereafter. Said biennial report shall include:
 - a.** An estimate of the number of Cherokee citizens eligible for early childhood education, the estimated number receiving such education and the sources of said education.
 - b.** Statistics with respect to staffing of Cherokee Nation early childhood education programs, including but not limited to Head Start and Child Development

Centers.

- c. Information relating to any major facility infrastructure deficiencies in early childhood education programs, including Head Start and Child Development Centers.
- d. Progress on repair or replacement of facilities under this Act.
- e. Recommendations as to the expansion of Cherokee Nation early childhood education programs, or other support for early childhood education programs for Cherokee citizens, to make such programs as widely available across the reservation.
- f. Within the recommendations set forth in Section 3(A)(e), specific recommendations for the provision of or support of early childhood education to the workforce of Cherokee Nation and its entities.
- g. Determinations, if any, as to any executive branch reorganizations necessary to meet the purposes and policies of this Act.
- h. Said Biennial Report may be preceded by such interim reports as the Principal Chief shall direct on any the subjects set forth in this subsection, such interim reports to be included in said biennial report.

§ 4. Amounts Authorized;

- A. The Council Authorizes up to \$40 million for fiscal years 2022, 2023 and 2024, in total, to effectuate the purposes and policies of this Act, including the repair or replacement of all existing Head Start facilities and the purchase of land for such facilities as warranted.
- B. The funding source for amounts authorized under this Act is dividends received from those Governmental Revenue Entities in which Cherokee Nation is the sole or majority shareholder, and that are incorporated under Cherokee Nation law. Other sources of funding, such as federal funding, other grants, miscellaneous sources and contributions, revenues of enterprises, taxes, and special and general fund sources, may be used to supplement or supplant this funding in order to maximize the beneficial impact through a cohesive strategy to achieve the purposes and policies of this Act.
- C. In the case of replacement of Head Start facilities, such facilities may be dedicated Head Start facilities or be multi-use facilities for Head Start, other Cherokee Nation programs and/or services or public school programs with appropriate lease arrangements, provided such facilities are owned by the Cherokee Nation and constructed on Cherokee Nation owned land.

- D. All funds authorized under this Act are subject to the Council appropriations process.
- E. Head Start facilities in existence as of the date of this Act are attached as Appendix A.
- F. Hereafter any capital project for which at least one-quarter of funds are derived from funds authorized under this Act shall be designated as a project "Funded by the Verna D. Thompson Act."

Section 5. Provisions as cumulative

The provisions of this act shall be cumulative to existing law.


Section 6. Severability

The provisions of this act are severable and if any part of provision hereof shall be held void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this act.

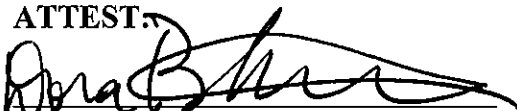
Section 7. Effective Date: Emergency Declared

It being immediately necessary for the welfare of the Cherokee Nation, the Council hereby declares that an emergency exists, by reason whereof this Act shall take effect immediately upon its approval and signatures.


Enacted by the Council of the Cherokee Nation on the 12th day of October, 2021.


Mike Shambaugh, Speaker
Council of the Cherokee Nation

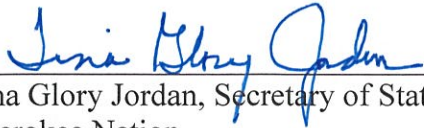
ATTEST:


Dora Patzkowski, Secretary
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 19th day of October, 2021.


Chuck Hoskin, Jr., Principal Chief
Cherokee Nation

ATTEST:



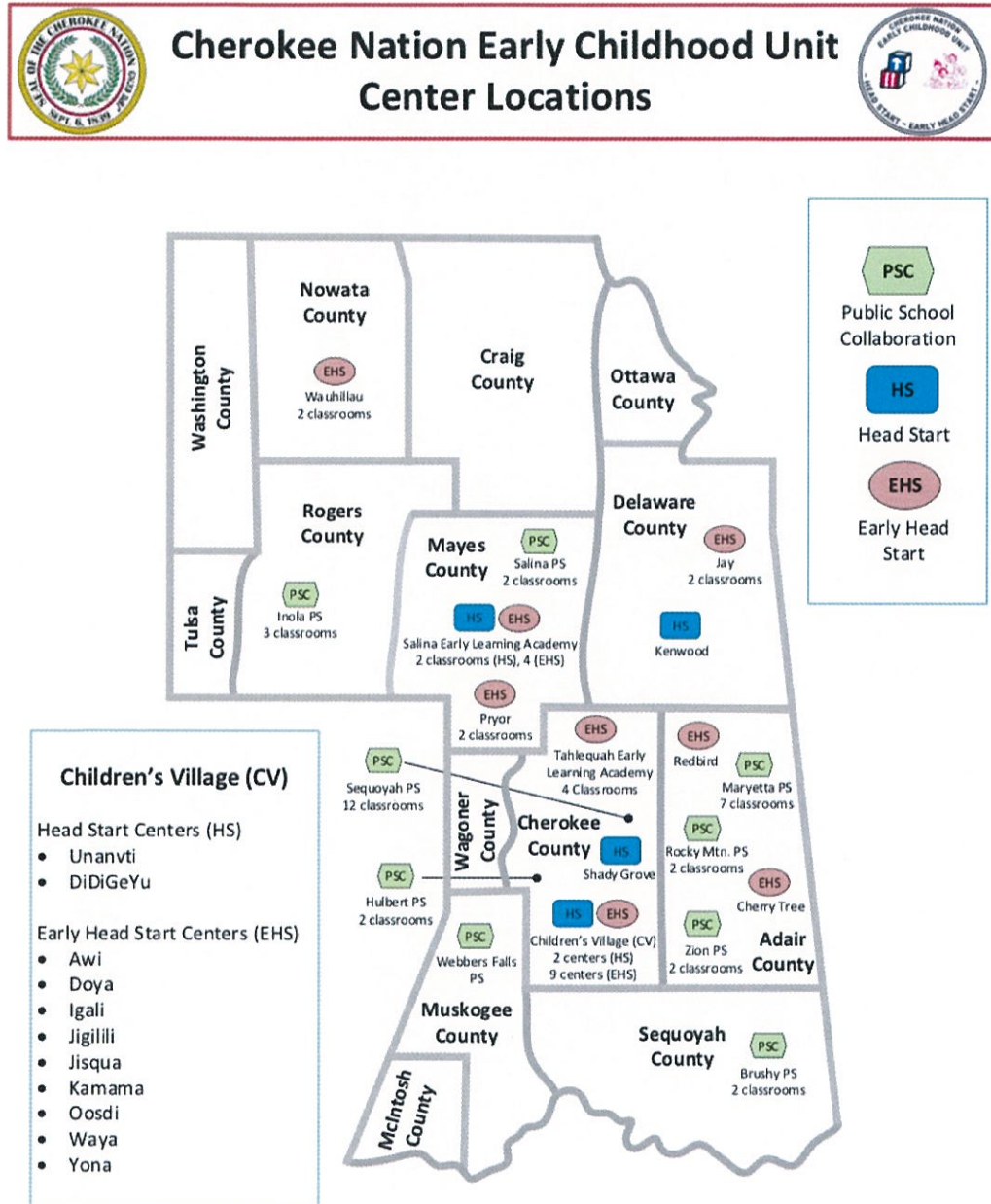
Tina Glory Jordan, Secretary of State
Cherokee Nation

YEAS AND NAYS AS RECORDED:

Rex Jordan	<u>Yea</u>	Melvina Shotpouch	<u>Yea</u>
Candessa Tehee	<u>Yea</u>	Victoria Vazquez	<u>Yea</u>
Wes Nofire	<u>Yea</u>	Dora Patzkowski	<u>Yea</u>
Mike Dobbins	<u>Yea</u>	Joe Deere	<u>Yea</u>
E. O. Smith	<u>Yea</u>	Keith Austin	<u>Yea</u>
Daryl Legg	<u>Yea</u>	Danny Callison	<u>Yea</u>
Joshua Sam	<u>Yea</u>	Julia Coates	<u>Yea</u>
Shawn Crittenden	<u>Yea</u>	Johnny Kidwell	<u>Yea</u>
Mike Shambaugh	<u>Yea</u>		

APPENDIX A: Cherokee Nation Early Childhood Unit Head Start Facilities

Source: *Cherokee Nation Early Childhood Unit Annual Report, 2020*,
<https://www.cherokee.org/media/rs2kznxd/cnecu-fact-booklet-annual-report-2020.pdf>



**ADMINISTRATIVE
CLEARANCE**

Dept/Program:

Signature/Initial

Date

Executive Director:

Signature/Initial

Date

**Treasurer (Required:
Grants/Contracts/Budgets):**

Signature/Initial

Date

Government Relations:

Signature/Initial

Date

Administration Approval:

Signature/Initial

Date

LEGISLATIVE CLEARANCE:

Legal & Legislative Coordinator:

Signature/Initial

Date

Standing Committee & Date:

**Cherokee Nation
Act/Resolution Proposal Form**

☒ Act

☐ Resolution

TITLE:

**VERNA D. THOMPSON EARLY CHILDHOOD
EDUCATION ACT OF 2021**

DEPARTMENT CONTACT: Chuck Hoskin Jr.

RESOLUTION PRESENTER: Taralee Montgomery

Rex Jordan, Victoria Vazquez, Dora Patzkowski,
Julia Coates, Daryl Legg, EO Smith, Candessa
Tehee, Joshua Sam, Keith Austin, Shawn
Crittenden

COUNCIL SPONSOR: _____

NARRATIVE:

The purpose of this Act is to (1) authorize adequate funding over fiscal years 2022, 2023 and 2024, to repair, or replace, all existing facilities at which Cherokee Nation Head Start programs currently operate; (2) request that the Principal Chief, through his designee, conduct an analysis of the availability of early childhood education across the reservation and make recommendations as to the manner in which to provide or support early childhood education for all Cherokee citizens within the reservation and (3) to honor the work in the area of early childhood education by Cherokee Nation Director of Head Start Verna D. Thompson. It shall be the policy of the Cherokee Nation to expand the provision of or support for early childhood education for every Cherokee Nation citizen living in the reservation to the greatest extent possible, with a particular focus on providing such provision or support to the workforce of Cherokee Nation and its entities.

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