



Council of the Cherokee Nation

Cherokee Nation Tribal
Council
17763 S. Muskogee Ave.
Tahlequah, OK 74464

Legislation Text

File #: 24-011, Version: 1

VERNA D. THOMPSON EARLY CHILDHOOD EDUCATION ACT OF 2021; 2024 AMENDMENTS

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. **The Council likewise finds that the operation of Child Development Centers through partnerships with the United States Department of Health and Human Services has had comparable positive impact since Cherokee Nation’s first CDC began operations in 1992.** 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. **The Council also finds it appropriate to identify opportunities for growth that benefit local public schools in the form of partnerships that may involve co-location of Cherokee Nation operated programs on the school property, which will expand access for all Cherokee families.** 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.

Finally, the Council takes legislative notice via a report from the Office of Principal Chief of November 14, 2022, that administrative consolidation of Head Start and Child Development Centers will assist the Principal Chief in meeting the purposes and policies of this act, including Section 4 §3(g) of this Act.

Section 3. Purpose

The purpose of this Act is to (1) authorize adequate funding over fiscal years 2022, 2023, **2024 and 2025** 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, **and (4) Seek opportunities for expansion or partnerships as a result of the biennial analysis provided by this Act, and (5) Seek opportunities to expand, repair and replace Cherokee Nation Child Development Centers consistent with the tribe's PL 102-477 Child Care Plan.**

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 **by December 31 following the close of the fiscal years under review**. 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 **\$80** million for fiscal years 2022, 2023 2024**and 2025**, 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 for-profit corporations in which Cherokee Nation is the sole or majority shareholder, and that are incorporated under Cherokee Nation law. Other sources of funding, such as grants, miscellaneous

sources and contributions, revenues of enterprises, taxes, and special and general fund sources, may be used to supplement 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
- 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 Thompson Act.”
- G. In the case of expansion of early childhood education and childcare programs the Principal Chief or his or her designee may find it appropriate to seek external partnerships resulting in co-location or MOUs where appropriate.**

Section 5. Consolidation of Head Start and Child Development Centers into a single Early Childhood Education Program

- A. The Principal Chief is authorized, at his or her discretion, commencing with fiscal year 2024, to consolidate the administration of Head Start and Child Development Centers in order to maximize early childhood education resources, achieve administrative efficiencies for said programs, provided early child education services are not reduced as measured by non-administrative staffing, children served or facilities in operation as a consequence of consolidation, provided further:
 - a. The Principal Chief provides 30 day notice to the Council of such authorized consolidation and said consolidation, including the requirement of non-reduction of service is memorialized in the next biennial report required by Section 4 §3 of this 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.