



ADMINISTRATION FOR
CHILDREN & FAMILIES

Office of Head Start | 330 C St., SW, 4th Floor, Washington DC 20201 | eclkc.ohs.acf.hhs.gov

March 22, 2024

Mr. Serrell Smokey, ITCN Executive Board President
Inter-Tribal Council Of Nevada, Inc.
10 State St
Reno, NV 89501-2232

Re: Grant No. 90CI010041

Dear Inter-Tribal Council Of Nevada, Inc.:

The U.S. Department of Health and Human Services (HHS) respects and honors tribal sovereignty, demonstrated by our continued dedication to the American Indian and Alaska Native (AIAN) Head Start program. Since 1965, HHS and tribes have shared the goal of ensuring children and families receive high-quality Head Start services. HHS is committed to engaging in government-to-government consultation to sustain the quality of Head Start programming on Native land.

HHS monitors all Head Start programs to make sure they are following the Head Start Program Performance Standards (HSPPS). Based on review, HHS has determined that Inter-Tribal Council Of Nevada, Inc. would benefit from additional support and technical assistance on one or more areas listed in the HSPPS under [45 CFR §1304.11](#).¹ Therefore, HHS is requesting to engage in government-to-government consultation with Inter-Tribal Council Of Nevada, Inc..

This letter explains how the determination was made and describes the tribal government consultation process.

Basis of Tribal Government Consultation Determination

Inter-Tribal Council Of Nevada, Inc. in Reno, NV, will enter into tribal government consultation because it has met the following conditions.

Fiscal Condition Outlined in [§1304.11\(g\)\(1\)](#)³

Going Concern

Based on the organization's audit for the period 09/30/2020 through 08/31/2021, HHS has determined that Inter-Tribal Council Of Nevada, Inc. is at risk of failing to continue functioning as a financially stable entity.

Tribal Government Consultation

HHS will continue to engage in government-to-government consultation with Inter-Tribal Council Of Nevada, Inc. to improve the quality of the Head Start program ([45 CFR §1304.14](#)).⁶ If the tribal government consultation process takes longer than expected, this grant may be extended to complete the consultation process. The improvement plan must be established and implemented within six months of your original notification.

HHS will reevaluate the performance of the Head Start agency. If HHS determines that Inter-Tribal Council Of Nevada, Inc. is still out of compliance, the recipient will be required to compete for continued funding.⁷

However, if the reevaluation establishes full compliance, the recipient will receive its five-year grant non-competitively.

If an open competition is required, only AIAN communities will be allowed to apply.⁸ The notice of funding opportunity will describe the application procedures in detail. It will also outline the criteria that will be used to evaluate applications.

If you have any questions about the Tribal Government consultation process or the designation determination, please contact your Regional Office.

Sincerely,

/Khari M. Garvin/

Khari M. Garvin
Director
Office of Head Start

Enclosure:

You must file a current Real Property Status Report Standard Form (SF) 429 with Attachment A in GrantSolutions to identify any leased or owned real property subject to a federal interest. Tangible Personal Property Report SF-428 and SF-428B, and SF-428S if needed, are required not later than 90 days after the close of the project period. Scan and upload completed copies of the SF-428 reports to the specified folders in the Grant Notes section of GrantSolutions. If you anticipate not being able to meet the above timeframe or requirements, notify your regional grants management officer via HSES Correspondence.

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1. 45 CFR Part 1304.11. <https://www.ecfr.gov/current/title-45/section-1304.11>
3. 1304.11(g)(1): <https://eclkc.ohs.acf.hhs.gov/policy/45-cfr-chap-xiii/1304-11-basis-determining-whether-head-start-agency-will-be-subject-open-competition>
6. 45 CFR Part 1304.14 <https://eclkc.ohs.acf.hhs.gov/policy/45-cfr-chap-xiii/1304-14-tribal-government-consultation-under-designation-renewal-system-when-indian-head-start-grant>
7. Outlined in section §1304.14 of the Head Start Program Performance Standards. <https://eclkc.ohs.acf.hhs.gov/policy/45-cfr-chap-xiii/part-1304-federal-administrative-procedures>
8. This will be subject to the "Prohibition Against Non-Indian Head Start Agency receiving a Grant for an Indian Head Start Program" clause as described at [Section 641\(e\)](#) of the Act