


INTER-TRIBAL COUNCIL OF NEVADA, INC.

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MEMO

Date: January 6, 2026
To: ITCN Executive Board
From: Deserea Quintana, ITCN Executive Director 
RE: Head Start Monitoring Review, Tribal Government Consultation, and Board Direction

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This memorandum is provided to support Board deliberation and action regarding the Office of Head Start (OHS) Focus Area Two (FA2) monitoring findings, the initiation of Tribal Government Consultation, and ITCN's institutional response as the tribal consortium Head Start grantee.

This memo clarifies the corrected consultation timeline, addresses a misunderstanding regarding available options, summarizes the current status of findings, and presents recommended Board actions to preserve tribal sovereignty, service continuity, and ITCN's long-term funding position.

Summary of Current Situation

In March 2024, OHS issued a Notice of Tribal Government Consultation and FA2 monitoring findings. 2024 OHS correspondence established expectations that identified findings be corrected through December 2024, consistent with 30-day correction requirements for deficiencies and 120-day correction requirements for Areas of Noncompliance.

OHS did not issue a determination of failure following December 2024. Instead, in December 2025, OHS initiated Tribal Government Consultation, beginning with consultation with the ITCN Board President/Chairman, Chairman Serrell Smokey (Washoe Tribe of Nevada & California), followed by a consultation meeting with the Executive Director.

Since the issuance of the FA2 findings, ITCN has:

- Corrected or mitigated cited findings
- Continued sustained fiscal recovery
- Completed extensive third-party fiscal and programmatic technical assistance
- Demonstrated active Board oversight and corrective governance

Several findings relied on outdated or incomplete information that has not yet been formally incorporated into the OHS record.

Clarification of Available Options Under Federal Law

It has been communicated that ITCN has only two options: voluntary relinquishment of the Head Start grant or loss of future funding eligibility. This is incorrect.

Federal law and OHS's own correspondence establish three authorized outcomes, not two.

Option 1 — Retain & Correct (Authorized and Preferred)

Federal regulations expressly provide that Tribal Government Consultation is intended to support corrective action and continued operation.

- **45 CFR §1304.14** provides that consultation is conducted to identify strategies for *improving program quality and resolving identified areas of noncompliance*.
- **45 CFR §1304.11** provides that if compliance is demonstrated upon reevaluation, the grantee retains its five-year grant non-competitively.
- The **March 2024 OHS letter** states that if reevaluation establishes full compliance, the recipient will receive its five-year grant without competition.

Under this option, ITCN:

- Corrects and documents findings
- Engages in consultation
- Retains the Head Start grant
- Preserves tribal sovereignty and service continuity

Option 2 — Voluntary Relinquishment (Contingent, Not Required)

Voluntary relinquishment is discretionary and considered only if correction is not feasible or if OHS refuses to acknowledge corrected documentation. It:

- Is not mandated by regulation
- Requires Board authorization
- Is typically used to avoid forced termination when compliance cannot be achieved

Option 3 — Termination / Loss of Eligibility (Not Applicable at This Time)

Loss of eligibility or a potential five-year bar applies when a grantee is found unwilling or unable to comply or is terminated for cause. ITCN has engaged with OHS, implemented corrective actions, provided documentation, and participated in consultation. This option is not triggered under current facts.