



June 15, 2010

**TO:** Yvette Sanchez Fuentes  
Director, Office of Head Start  
Administration for Children and Families

**FROM:** /Lori S. Pilcher/  
Assistant Inspector General for Grants, Internal Activities,  
and Information Technology Audits

**SUBJECT:** Results of Limited Scope Review of Sisseton-Wahpeton Oyate Head Start  
Program (A-07-09-03134)

The attached final report provides the results of our limited scope review of the Sisseton-Wahpeton Oyate Head Start Program. This review was requested by the Administration for Children and Families, Office of Head Start, as part of its overall assessment of Head Start grantees that have applied for additional funding under the American Recovery and Reinvestment Act of 2009.

Section 8L of the Inspector General Act, 5 U.S.C. App., requires that the Office of Inspector General (OIG) post its publicly available reports on the OIG Web site. Accordingly, this report will be posted at <http://oig.hhs.gov>.

Please send us your final management decision, including any action plan, as appropriate, within 60 days. If you have any questions or comments about this report, please do not hesitate to contact me at (202) 619-1175 or through email at [Lori.Pilcher@oig.hhs.gov](mailto:Lori.Pilcher@oig.hhs.gov). Please refer to report number A-07-09-03134 in all correspondence.

Attachment

Department of Health & Human Services

**OFFICE OF  
INSPECTOR GENERAL**

**RESULTS OF LIMITED  
SCOPE REVIEW OF  
SISSETON-WAHPETON OYATE  
HEAD START PROGRAM**



Daniel R. Levinson  
Inspector General

June 2010  
A-07-09-03134

# ***Office of Inspector General***

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## **EXECUTIVE SUMMARY**

### **BACKGROUND**

Pursuant to the Improving Head Start for School Readiness Act of 2007, P.L. No. 110-134, Head Start is a national program that promotes school readiness by enhancing the social and cognitive development of children through the provision of educational, health, nutritional, social, and other services to enrolled children and families. Within the U.S. Department of Health & Human Services, the Administration for Children and Families (ACF), Office of Head Start (OHS), administers the Head Start program. The Head Start program provides grants to local public and private non-profit and for-profit agencies to provide comprehensive child development services to economically disadvantaged children and families.

Under the American Recovery and Reinvestment Act of 2009, P.L. No. 111-5 (Recovery Act), enacted February 17, 2009, ACF received \$1 billion, including nearly \$354 million to help improve staff compensation and training, upgrade Head Start Centers and classrooms, increase hours of operation, and enhance transportation services. An additional \$356 million was allocated to award all Head Start grantees a nearly five percent cost-of-living increase and to bolster training and technical assistance activities.

The Lake Traverse Reservation is home of the Sisseton-Wahpeton Oyate (SWO) bands of the eastern Dakota (Sioux); these are two of the seven major bands commonly referred to as the Great Sioux Nation. SWO has operated a Head Start program for 15 years. The program currently provides services to 194 infants, toddlers, and preschool-aged children at locations in Agency Village and Enemy Swim, South Dakota. At the time of our fieldwork, SWO employed 62 staff members at these Head Start facilities.

The SWO Head Start program is funded primarily through Federal Government grants. During program year 2009 (October 1, 2008, through September 30, 2009), ACF directly provided grant funds to SWO totaling \$1,719,413.

On July 16, 2009, ACF also awarded Recovery Act grant funds to SWO for the budget period July 1, 2009, through September 30, 2009, totaling \$107,733 for cost-of-living increases and quality improvement.

In April 2009, ACF issued a report on the results of the triennial review it conducted at SWO in December 2008. This report identified 11 areas of noncompliance; several of these areas had multiple concerns. In June 2009, ACF requested that we perform a limited scope review of SWO's Head Start program to determine whether it complied with applicable Federal and State requirements. In our review, we addressed 13 concerns in which SWO's Head Start program was not in compliance with applicable Federal requirements.

### **OBJECTIVE**

The objective of our limited scope review was to determine whether SWO had corrected the concerns identified by ACF during its triennial review in December 2008.

## **SUMMARY OF FINDINGS**

SWO implemented adequate corrective actions with respect to 5 of the 13 concerns identified by ACF during its triennial review in December 2008. However, 6 of the 13 concerns remained uncorrected by the end of our fieldwork. (We did not review 2 of the 13 concerns ACF identified because ACF agreed to review these 2 concerns separately.)

SWO implemented adequate corrective actions with respect to five concerns identified by ACF during its triennial review in December 2008. Specifically, we determined that SWO:

- provided proper authorized documentation to support payroll checks;
- provided documentation that its Head Start program met the income-eligibility guidelines for families;
- provided documentation that ensured that all required information was included in the Community Assessment;
- provided documentation to ensure that it was in compliance with in-kind donations regarding the leasing of buildings; and
- submitted its audit report in a timely manner.

SWO did not implement adequate corrective actions with respect to six other concerns identified by ACF during its triennial review in December 2008. Specifically, we determined that SWO:

- did not ensure that its accounting policies and procedures manual was updated and current;
- did not ensure that required background checks were documented for all employees;
- did not maintain an efficient and effective recordkeeping system for employee records;
- did not develop and implement a systematic, ongoing process of program planning;
- did not ensure that all employees completed initial health examinations to include screenings for tuberculosis; and
- did not ensure that mental health services were provided on a regularly scheduled basis with on-site consultation.

## **RECOMMENDATION**

In determining whether SWO should be awarded additional Head Start and Recovery Act funding, we recommend that ACF consider the information presented in this report.

## **AUDITEE COMMENTS**

In written comments on our draft report, SWO did not directly agree or disagree with our findings, but stated that its Head Start program “has strengthened partnerships in the community and began to correct the concerns mentioned in the [draft] report.” SWO’s written comments also provided more detailed information on corrective actions that SWO said it has either begun to implement or is planning to implement.

SWO’s comments are included in their entirety as the appendix.

## **OFFICE OF INSPECTOR GENERAL RESPONSE**

Nothing in SWO’s written comments caused us to change either our findings or our recommendation to ACF. Therefore we maintain that those findings and the recommendation, as stated in our draft report, remain valid.

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## **INTRODUCTION**

### **BACKGROUND**

#### **Federal Head Start Program**

Pursuant to the Improving Head Start for School Readiness Act of 2007, P.L. No. 110-134, Head Start is a national program that promotes school readiness by enhancing the social and cognitive development of children through the provision of educational, health, nutritional, social, and other services to enrolled children and families. Within the U.S. Department of Health & Human Services, the Administration for Children and Families (ACF), Office of Head Start (OHS), administers the Head Start program.

The Head Start program provides grants to local public and private non-profit and for-profit agencies to provide comprehensive child development services to economically disadvantaged children and families, with a special focus on helping preschoolers develop the early reading and math skills needed to be successful in school. Head Start programs engage parents in their children's learning and emphasize parental involvement in the administration of local Head Start programs.

Under the American Recovery and Reinvestment Act of 2009, P.L. No. 111-5 (Recovery Act), enacted February 17, 2009, ACF received \$1 billion, including nearly \$354 million to help improve staff compensation and training, upgrade Head Start centers and classrooms, increase hours of operation and enhance transportation services. An additional \$356 million was allocated to award all Head Start grantees a nearly five percent cost-of-living increase and to bolster training and technical assistance activities.

#### **Sisseton-Wahpeton Oyate of the Lake Traverse Reservation**

The Lake Traverse Reservation is home of the Sisseton Wahpeton Oyate (SWO) bands of the eastern Dakota (Sioux); these are two of the seven major bands commonly referred to as the Great Sioux Nation. The Tribe has operated a Head Start program for 15 years, which currently provides services to 194 infants, toddlers, and preschool-aged children at locations in Agency Village and Enemy Swim, South Dakota. At the time of our fieldwork, SWO employed 62 staff members at these three Head Start facilities.

The SWO Head Start program is funded primarily through Federal Government grants. During program year 2009 (October 1, 2008, through September 30, 2009), ACF directly provided grant funds to SWO totaling \$1,719,413.

On July 16, 2009, ACF also awarded Recovery Act grant funds to the SWO for the budget period July 1, 2009, through September 30, 2009, totaling \$107,733 for cost-of-living increases and quality improvement.



## **Federal Regulations for Head Start Grantees**

Pursuant to 45 CFR § 74.21, grantees are required to maintain financial management systems that contain written procedures for determining the reasonableness, allocability, and allowability of costs. Grantees must maintain accounting records that are supported by source documentation and must maintain financial systems that provide for accurate and complete reporting of grant-related financial data.

In April 2009, ACF issued a report on the results of the triennial review it conducted at SWO in December 2008. This report identified 11 areas of noncompliance; several of these areas had multiple concerns. In June 2009, ACF requested that we perform a limited scope review of SWO's Head Start program to determine whether it complied with applicable Federal and State requirements. In our review, we addressed 13 concerns in which SWO's Head Start program was not in compliance with applicable Federal requirements.

## **OBJECTIVE, SCOPE AND METHODOLOGY**

### **Objective**

The objective of our limited scope review was to determine whether SWO had corrected the concerns identified by ACF during its triennial review in December 2008.

### **Scope**

Because we performed this limited scope review based on a request from ACF, we did not perform an overall assessment of SWO's internal control structure. Rather, we reviewed only the internal controls that pertained directly to our objectives. Accordingly, we do not express an opinion on SWO's overall system of internal accounting controls. Our review period was October 1, 2007, through September 30, 2009.

After coordinating with ACF, we limited our review to some of the concerns identified by ACF during its triennial review in December 2008. ACF's report identified 13 concerns grouped into 11 areas of noncompliance that remained unresolved at the completion of ACF's review. We reviewed 11 of the 13 concerns identified by ACF. We did not review 2 concerns related to Head Start equipment, toys, materials, and furniture because ACF staff agreed to address these areas separately.

We performed our fieldwork at SWO's Tribal and Head Start offices in Agency Village, South Dakota, during the month of September 2009.

### **Methodology**

To accomplish our objectives, we:

- reviewed relevant Federal laws, regulations, and guidance;

- met with ACF staff to obtain information and obtained agreement that, of the 13 concerns identified in ACF's triennial report, ACF staff would address the 2 concerns related to Head Start equipment, toys, materials, and furniture;
- reviewed the findings contained in ACF's April 2009 report on the results of the triennial review it conducted at SWO in December 2008;
- interviewed SWO's accounting staff and Head Start program officials;
- reviewed SWO's fiscal procedures related to accounting documentation and preparation of financial reports;
- obtained Federal grant award information to determine SWO's Federal funding;
- reviewed SWO's audited financial statements for fiscal years (FY) 2005 through 2008;
- reviewed unaudited financial records for SWO's Head Start program for FY 2009;
- reviewed minutes of Tribal Council meetings and Head Start Policy Council meetings; and
- discussed the results of our review with SWO officials on February 11, 2010.

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objective.

### **FINDINGS AND RECOMMENDATION**

SWO implemented adequate corrective actions with respect to 5 of the 13 concerns identified by ACF during its triennial review in December 2008. However, 6 of the 13 concerns remained uncorrected by the end of our fieldwork. (We did not review 2 of the 13 concerns ACF identified because ACF agreed to review these 2 concerns separately.)

SWO implemented adequate corrective actions with respect to five concerns identified by ACF during its triennial review in December 2008. Specifically, we determined that SWO:

- provided proper authorized documentation to support payroll checks;
- provided documentation that its Head Start program met the income-eligibility guidelines for families;

- provided documentation that ensured that all required information was included in the Community Assessment;
- provided documentation to ensure that it was in compliance with in-kind donations regarding the leasing of buildings; and
- submitted its audit report in a timely manner.

SWO did not implement adequate corrective actions with respect to six other concerns identified by ACF during its triennial review in December 2008. Specifically, we determined that SWO:

- did not ensure that its accounting policies and procedures manual was updated and current;
- did not ensure that required background checks were documented for all employees;
- did not maintain an efficient and effective recordkeeping system for employee records;
- did not develop and implement a systematic, ongoing process of program planning;
- did not ensure that all employees completed initial health examinations to include screenings for tuberculosis; and
- did not ensure that mental health services were provided on a regularly scheduled basis with on-site consultation.

## **UNCORRECTED CONCERNS**

### **Accounting Policies and Procedures Manual Not Updated**

According to the April 2009 report of ACF's triennial review in December 2008, SWO's accounting policies and procedures manual was not updated and current.

45 CFR § 74.21(b)(6) states that grantees must maintain "[w]ritten procedures for determining the reasonableness, allocability and allowability of costs in accordance with the provisions of the applicable Federal cost principles and the terms and conditions of the award."

Contrary to these Federal regulations, SWO did not ensure that its written accounting policies and procedures were updated to reflect the procedures of the new accounting system. Specifically, SWO did not develop or implement policies and procedures (1) related to the administration of the grant awards, (2) for apportioning and documenting shared costs, and (3) for ensuring that administrative costs charged to the Head Start grant did not exceed 15 percent. Additionally, SWO did not have written policies and procedures in place that addressed the specific reporting requirements of the Recovery Act.

SWO had not updated its written accounting policies and procedures in over 4 years; the last update was in January 2005. SWO officials stated that the organization is currently working on

updating its accounting policies and procedures manual; the budget portion is in draft form and work has begun on the cash receipts portion.

### **Missing Background Check Documentation**

According to the April 2009 report of ACF's triennial review in December 2008, SWO did not ensure that required background checks were documented for all employees.

45 CFR § 1301.31(b)(1) states: "Before an employee is hired, grantee or delegate agencies must conduct: .... (iii) A State or national criminal record check, as required by State law or administrative requirement. If it is not feasible to obtain a criminal record check prior to hiring, an employee must not be considered permanent until such a check has been completed."

Contrary to these Federal regulations, personnel records for 13 of 62 employees were missing required background check documentation.

### **Insufficient Recordkeeping Systems for Staff Members and Children**

According to the April 2009 report of ACF's triennial review in December 2008, SWO did not maintain an efficient and effective recordkeeping system for employee records.

45 CFR § 1304.51(g) states: "*Record-keeping systems.* Grantee and delegate agencies must establish and maintain efficient and effective record-keeping systems to provide accurate and timely information regarding children, families, and staff and must ensure appropriate confidentiality of this information." (Italics in original.)

Contrary to these Federal regulations, SWO did not maintain efficient and effective recordkeeping systems for enrolled children, their families, and SWO Head Start staff. For example, we found that only 49 of 62 Head Start employees had official personnel files in the Human Resource Department. We also found that only 20 of 30 children's files that we judgmentally selected contained documentation of education services being received.

### **Program Planning Process Not Documented**

According to the April 2009 report of ACF's triennial review in December 2008, SWO did not ensure that its program planning process included consultation with its Policy Council when developing goals; nor did it address the findings of either the Community Assessment or the Self Assessment. ACF's review of SWO's program goals found that, while SWO had multi-year and short-term goals, there were no goals or objectives addressing the findings of the Community Assessment or the Self Assessment.

45 CFR § 1304.51(a)(1) states:

Grantee and delegate agencies must develop and implement a systematic, ongoing process of program planning that includes consultation with the program's governing body, policy groups, and program staff, and with other community organizations that serve Early Head Start and Head Start or other low-income

families with young children. Program planning must include: ....  
(ii) The formulation of both multi-year (long-range) program goals and short-term program and financial objectives that address the findings of the Community Assessment, are consistent with the philosophy of Early Head Start and Head Start, and reflect the findings of the program's annual self-assessment....

Our review of the minutes for the SWO Head Start Policy Council meetings provided no evidence that the Policy Council had discussed the program planning process concerning Community and Self Assessments for 2009. A SWO official stated that the Policy Council had discussed Community and Self Assessments for 2009, but these discussions were not documented in the minutes.

### **Health Examinations Not Completed**

According to the April 2009 report of ACF's triennial review in December 2008, SWO did not ensure that all employees completed initial health examinations to include screenings for tuberculosis.

45 CFR § 1304.52(k)(1) states:

Grantee and delegate agencies must assure that each staff member has an initial health examination (that includes screening for tuberculosis) and a periodic re-examination (as recommended by their health care provider or as mandated by State, Tribal, or local laws) so as to assure that they do not, because of communicable diseases, pose a significant risk to the health or safety of others in the Early Head Start or Head Start program that cannot be eliminated or reduced by reasonable accommodation. This requirement must be implemented consistent with the requirements of the Americans with Disabilities Act and section 504 of the Rehabilitation Act.

Contrary to these Federal regulations, employee records for 14 of 62 Head Start employees did not contain evidence that the required initial health examinations, that included screenings for tuberculosis, had been completed. Moreover, employee records for 13 other Head Start employees provided evidence that they had tuberculosis screenings performed, but those records did not contain evidence that the health examinations had been completed.

### **Mental Health Services Not Provided**

According to the April 2009 report of ACF's triennial review in December 2008, SWO did not ensure that mental health services were provided on a regularly scheduled basis with on-site consultation involving a mental health professional, program staff, and parents.

45 CFR § 1304.24(a)(3) states: "Mental health program services must include a regular schedule of on-site mental health consultation involving the mental health professional, program staff, and parents on how to: .... (iii) Assist in providing special help for children with atypical behavior or development...."

Contrary to these Federal regulations, mental health services were not being provided on a regularly scheduled basis with on-site consultation by a mental health consultant. A consultant agreement for the 4-month period from August 1, 2009, through November 30, 2009, has been proposed, but as of the end of our fieldwork this agreement had not been signed by both parties.

## **RECOMMENDATION**

In determining whether SWO should be awarded additional Head Start and Recovery Act funding, we recommend that ACF consider the information presented in this report.

## **AUDITEE COMMENTS**

In written comments on our draft report, SWO did not directly agree or disagree with our findings, but stated that its Head Start program “has strengthened partnerships in the community and began to correct the concerns mentioned in the [draft] report.” SWO’s written comments also provided more detailed information on corrective actions that SWO said it has either begun to implement or is planning to implement.

SWO’s comments are included in their entirety as the appendix.

## **OFFICE OF INSPECTOR GENERAL RESPONSE**

Nothing in SWO’s written comments caused us to change either our findings or our recommendation to ACF. Therefore we maintain that those findings and the recommendation, as stated in our draft report, remain valid.

# **APPENDIX**

**APPENDIX: AUDITEE COMMENTS**



**Sisseton-Wahpeton Oyate**

LAKE TRAVERSE RESERVATION  
P.O. Box 509  
100 Veterans Memorial Drive  
Agency Village, South Dakota 57262-0509  
Phone: (605) 698-3911

March 22, 2010

Report Number: A-07-09-03134

Mr. Patrick J. Cogley  
Regional Inspector General  
Office of Audit Services  
Region VII East 12<sup>th</sup> Street  
Room 0429  
Kansas City, MO 64106



Dear Mr. Cogley:

Thank you for allowing the Sisseton Wahpeton Oyate the opportunity to respond to the draft report. Enclosed you will find our written comments in regard to the six uncorrected concerns of the Triennial Review conducted in December of 2008.

It is the intention of the Sisseton Wahpeton Oyate of the Lake Traverse Reservation to correct these concerns as efficiently as possible. Since the time of the review, the program has strengthened partnerships in the community and began to correct the concerns mentioned in the report. It is our hope that together the programs and leadership of the Sisseton Wahpeton Oyate will be successful in correcting all concerns to ensure success and compliance of the program. Head Start is a valued program to the community and most importantly the children and their families we serve.

If you have any questions regarding the written comments please do not hesitate to call Renetta Goeson the Head Start Director at (605)698-3103, if the question is financial in nature please feel free to call Greg Benidt at (605)698-3911 extension 114.

Sincerely,

A handwritten signature in blue ink, reading "Michael I. Selvage, Sr.", is written over a faint circular stamp.

Michael I. Selvage, Sr.  
Tribal Chairman  
Sisseton Wahpeton Oyate



## **Plan of Action for Uncorrected Concerns**

### **Accounting Policies and Procedures Manual Not Updated**

Currently the Accounting Policies and Procedures Manual is being updated, the deadline for completion is November 30, 2010. The accounting policies and procedures will include the following in accordance with 45 CFR § 74.21(b) (6):

- Policies and procedures that address the accounting systems.
- Administration of grant awards.
- Apportioning and documenting shared costs.
- Ensures that administrative costs charged to the Head Start grant do not exceed 15 percent.
- Specific reporting of the Recovery Act.

### **Missing Background Check Documentation**

Personnel Policies will be amended to reflect and comply with 45 CFR § 1301.31(b) (1). The Human Resource Department will ensure that a minimum of a Tribal background check and State Screening will be completed and submitted with the application for employment at Head Start.

During the application screening process, individuals without the background checks will not be considered for employment. Upon hire, further background investigation will be completed including the State of South Dakota and Federal background checks.

Please Note:

Currently all full time employees have a completed background check in their personnel file.

The federal background checks are conducted for a fee of \$75 by the Personnel Security Consultants of Albuquerque, N.M. It takes approximately 30 days for the program to receive a report back from the company.

The State of South Dakota will complete a background check for \$25. The time frame for completion is approximately 30 days for completion.

### **Insufficient Recordkeeping Systems for Staff Members and Children**

The Human Resource Department has been working to improve their record keeping systems. Head Start will be providing training for the Human Resource Department and Head Start Staff on record keeping and reporting on May 24, 2010.

The first day of school was on September 8, 2009. Although there are some returning children, some of the children are newly enrolled and would not have educational data

included in their central file until the assessments were completed and filed in October. Since the visit took place in September this may be the reason the information was reported as missing.

The program has purchased and utilizes Child Plus © Program and the Creative Curriculum.Net ©, since these programs are on-line some of the data pertaining to the children's education, such as observations and progress reports are entered into their on-line files. Once they are entered, paper copies of children's developmental progress are filed into the central file system in October, March and mid May of each year.

Therefore, we do not agree with the report statement that the children's files were missing documentation of education services being received, these items were still in the process of completion.

#### **Program Planning Process Not Documented**

The Policy Council Minutes reflect motions to approve the Community Assessment and Self Assessment. However, they do not reflect the discussions that would indicate they are involved in the plans of action regarding the findings and implications. Policy Council members keep personal notes of discussions, but these discussions will not appear in the official minutes.

We feel that the procedures for taking minutes can be changed for Policy Council to reflect the discussions taking place. On April 8, 2010 training will be provided to Policy Council. Topics of the training will include, Roberts Rules of Order, taking meeting minutes and an overview of the roles and responsibilities of the Policy Council and Tribal Council.

We do not agree that this is a non-compliance issue; the minutes reflect Policy Council's approval of the self assessment and community assessment. However, we have a plan of action to correct the lack of documentation in the minute taking process.

#### **Health Examinations Not Completed**

At the time of the visit there was some staff that did not complete the medical exam or the tuberculosis screening. These staff members had appointments scheduled to complete the required exams, however, due to scheduling difficulties they were unable to complete them before the site visit.

Some staff prefers to see their regular doctor for their Health Exams, due to the fact that these doctors are most familiar with their health history. Since the date of the review, all staff has received the necessary exams and screening.

In addition, the Indian Health Service has agreed to set aside two days for the Head Start and Early Head Start Staff to complete the required health examination and tuberculosis screening, these screenings will take place before the first day of school.

The Sisseton Wahpeton Oyate Personnel Policies state that employee physicals must be completed within 90 days. Therefore, all new staff must provide documentation of medical exams and tuberculosis screening, if this requirement is not met, they will not be considered for permanent employment at Head Start or Early Head Start after their 90 day probationary period.

**Mental Health Services Not Provided**

In the rural community of the Lake Traverse Reservation, it is difficult to secure the services of a licensed mental health professional that meets the requirements of the Head Start Act. We are currently working with the public school system and Indian Health Service to provide regularly scheduled, on-site consultation involving a mental health professional.

Indian Health Service has recently recruited and employed a Child Psychiatrist, who has agreed to assist the program in meeting the needs of the children, families and staff. Since he has recently been hired, we are in the beginning stages of our partnership.