



Tribal Consultation Action Plan

April 2025 to April 2026

The Department of Children and Families (DCF) and the Federally recognized Tribal Nations headquartered in Wisconsin held a consultation meeting on April 16, 2025. This action plan is the result of that consultation meeting. The action plan is a set of mutually agreeable short- and long-term strategies to address issues of interest to Tribal Nations. DCF and the Tribal Nations agree to collaborate on these strategies and provide staff support as required to successfully achieve these outcomes by April 2026.

<p>2025 -01: Child Care Please note, this item is a continuation of Item: 2 Child Care from the 2024-2025 Tribal Consultation Action Plan (link below)</p>	<p><i>Responsible Party:</i> DCF Division of Early Care and Education <i>In collaboration with:</i> WI DOA, Tribal Leaders and Directors</p>
<p><i>Requested Action:</i></p> <p>At the 2025 Tribal Consultation meeting, DCF provided updates and agreement for continued collaboration with tribal leaders and tribal nations on two child care items from the 2024 Tribal Consultation Action Plan.</p> <p>01.01 – Fingerprinting: DCF continued their commitment to partner with Tribal Nations in exploring ways to make child care and Head Start fingerprinting more accessible for tribal community members, including the following action steps:</p> <ul style="list-style-type: none"> 01.01.a - WI DOA, in partnership with DCF and WI DOJ, requests to meet with Tribal IT leaders to discuss TAP kiosk data and accessibility. 01.01.b - DCF will explore whether other machines operated by Tribal Nations or the surrounding community could be an option for fingerprinting. 01.01.c - DCF will continue to meet with other state agencies to research alternative options that could support increasing access to fingerprinting. <p>01.02 – “Full-Faith and Credit” for Tribal Self-Regulated Certification and Licensing for Providers: DCF agreed to work to advance statutory change in relation to full-faith and credit for tribal self-regulated certification and licensing for providers. Tribal leaders committed to working with DCF on advocacy.</p> <ul style="list-style-type: none"> • Related to the continuation of this action item, please also see action item 2025-03, below in this document. <p>For the full background regarding these action items, please see:</p> <ul style="list-style-type: none"> • Item 2 on the 2024 Tribal Consultation Action Plan: https://dcf.wisconsin.gov/files/tribal/pdf/24-25-tribal-consl-act-plan.pdf • Background Checks https://dcf.wisconsin.gov/files/tribal/pdf/tribal-background-checks.pdf • Full Faith and Credit https://dcf.wisconsin.gov/files/tribal/pdf/full-faith-credit.pdf 	

Outcome:

01.01.a and 01.01.b – Fingerprinting

Wisconsin DCF, DOA, and DOJ have continued to meet regarding this action item. Please see the attached one pager for additional information and considerations.

01.01.c – Fingerprinting

While the contract with Fieldprint is a Wisconsin DOA managed and maintained contract, Wisconsin DOJ is consulted for feedback during the contract negotiation process. Wisconsin DOJ has offered to bring up and make sure the expansion of fingerprinting locations is discussed during the next round of contract negotiations with Fieldprint. Please also see the attached one pager for additional information and considerations.

01.02. – Full Faith and Credit

Following the 2025 DCF Tribal Consultation Meeting, the DCF Tribal Liaison and a team of DCF staff from the Division of Early Care and Education and the Office of Legal Counsel collaborated on the policy development and legal analysis for a proposed bill draft. DCF worked with the Legislative Reference Bureau on the draft legislation. DCF also met with Senator Patrick Testin and Representative Jeff Mursau who agreed to sponsor the proposed bill. DCF also met with our respective committee chairpersons, Representative Snyder and Senator James with the expectation that the bill would be assigned to DCF’s committees in each chamber of the legislature. DCF also reached out to committee members, offering to provide additional information and answer any questions or concerns raised by the bill.

[AB-710](#) – Wisconsin Shares payments to tribal regulated child care providers was introduced in the assembly on 12/3/25 and referred to the Committee on Education. A public hearing was held on 12/17/25. The bill was not scheduled for Executive session in its assigned committee.

[SB-710](#) – Wisconsin Shares payments to tribal regulated child care providers was introduced on 12/2/25 in the senate and referred to the Committee on Mental Health, Substance Abuse Prevention, Children and Families. A public hearing was held on 1/13/26. On 1/22/26 the bill was scheduled for an Executive session and passage was unanimously recommended (5-0). SB-710 did not get referred to floor session for a vote prior to the senate gaveling out in February 2026.

Resources:

01.01 – Fingerprinting: please see the attached 1 pager for more information and recommendations.

2025-02: Information Sharing	<p><i>Responsible Party:</i> DCF Tribal Liaison</p> <p><i>In collaboration with:</i> DCF Divisions & Tribal Nations</p>
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Requested Action:

Throughout the 2025 Tribal Consultation meeting, tribal leaders requested information across several topics. DCF agreed to provide information and resources on the following:

02.01.a - Barred offenses lists for foster care - tribal leaders were asked to identify which barred offenses were concerning/problematic.

02.01.b - Barred offenses lists for foster care - tribal leaders were asked to identify which barred offenses were concerning/problematic.

02.02 - 161 resource that was created in collaboration with the ICW Directors after the 2023 tribal consultation meeting.

02.03 - Information on rehabilitation reviews from previous tribal consultation meetings.

Outcome:

02.01.a and 02.01.b – Barred Offenses Lists

Please see below for links to the requested information regarding barred offenses. In addition to the requested barred offenses for child care and foster care, DCF also provided the barred offenses list for the Kinship Care Program. DCF has also provided the links and lists at the Tribal Kinship Care Coordinator meetings, Tribal IM-TANF Association, and Intertribal Child Welfare Committee meetings and requested that participants to inform us of any that were concerning or problematic. DCF has not received any feedback regarding the barred offenses lists to date.

02.02 – 161 Agreement Resource

After the 2023 DCF Tribal Consultation meeting, the Division of Safety and Permanence collaborated with the Intertribal Child Welfare (ICW) Committee members to create a document that provided additional information regarding 161 agreements. This resource was finalized and shared with the ICW Committee members. Please note: This document has been maintained in an editable format so that each Tribal Nation can ensure the document reflects their unique 161 agreement or priorities.

02.03 – Rehabilitation Reviews

Between 2012 and 2019, rehabilitation reviews have been a topic of discussion five times at DCF Tribal Consultation meetings. DCF has created a summary (attached) of each of the items, discussions, information, and resources regarding rehabilitation reviews. DCF OLC also created a document that provides additional information regarding the state process available to Tribal Nations for Rehabilitation Review.

Resources:

02.01.a and 02.01.b - Barred Offenses Lists:

- Foster Care: <https://dcf.wisconsin.gov/files/publications/pdf/5407.pdf>
- Child Care: <https://dcf.wisconsin.gov/files/publications/pdf/5206.pdf>
- Kinship Care: <https://dcf.wisconsin.gov/files/cwportal/kc/kc-barred-offenses-updated-oct2022.pdf>

02.02 – 161 Agreement Resource: attached.

02.03 Rehabilitation Review Summary: please see attachments for more information regarding past rehabilitation review items from prior DCF Tribal Consultation meetings and the state process available to Tribal Nations.

2025-03: Barred Offenses and Full Faith and Credit

Responsible Party:
Division of Early Care and Education
In collaboration with:
DCF Office of Legal Counsel

Requested Action:

At the 2025 Tribal Consultation meeting, there was a discussion about whether tribes would have to follow the state barred offenses list if we are able to move to recognizing tribally regulated child care providers under full-faith and credit. DCF was not sure if tribes would have to continue to follow the state barred offenses list or if they could follow their own barred offenses list. DCF requested time to research this question.

Outcome:

After the 2025 Tribal Consultation meeting, the DCF Tribal Liaison consulted with the DCF Office of Legal Counsel regarding the question that was presented. While DCF cannot provide legal advice, its understanding is that child care providers regulated by a tribe are not required to follow state background check policies, including the state barred crimes list. However, if a state contributes CCDF funds to a tribe, the state may choose to require compliance with state standards.

Under federal law, both tribes and states must meet the background check requirements established in the Child Care and Development Block Grant Act (CCDBG) and Child Care Development Fund (CCDF). Tribal Nations have flexibility to propose alternative approaches that are culturally or financially appropriate for their communities, provided those alternatives are approved by the federal government.

For purposes of full faith and credit and access to Wisconsin Shares for tribally-regulated child care providers, DCF's preference is to defer to the regulating Tribal Nation's background check requirements, provided those requirements comply with CCDBG and CCDF, which are the funding sources used by the department for Wisconsin Shares payments.

Resources:

For more information on CCDF/CCDBG background check requirements see:

- 45 CFR § 98.43
- 45 CFR § 98.80(d)
- 45 CFR § 98.83(d)(3)
- 42 USC § 9858f

2025-04: Safe Haven

Responsible Party:

DCF Division of Safety and Permanence

In collaboration with:

Children's Court Improvement Program

Requested Action:

During the 2025 Tribal Consultation meeting, tribal leaders requested

04.01 - Data on the number of infants relinquished under Safe Haven.

04.01.a - There was also an interest in whether there has been an increase in the number of infants relinquished under Safe Haven since Roe v Wade was overturned in June 2022.

04.02 - Related to this request, tribal leaders also requested an update on conversations with representatives from the State of California regarding the judicial process for notifying tribes that is used in Safe Haven cases.

DCF agreed to provide the data requested. DCF will work with the Children’s Court Improvement Program (CCIP) to understand the State of CA judicial process for notifying tribes in safe haven cases and identify any potential solutions for WI in accordance with current Wisconsin statutes.

Outcome:

04.01 – Safe Haven Data

There have been 108 newborns in the Safe Haven program for the years 2020-2024. There is slight variance of yearly totals over this timeframe.

During this five-year timeframe, 28 counties (39%) had a Safe Haven newborn relinquished in this timeframe. The counts were highest in Milwaukee County, with 32% of all the total newborns in this timeframe. The increases in 2022 and 2023 were largely driven by three larger counties who saw increases in Safe Haven relinquishments during these years.

04.01.a – Safe Haven Data in relation to the overturning of Roe v. Wade

The data provided by DCF includes some year-to-year variation but does not appear to show a trend directly coinciding with the Supreme Court decision. The reasons an individual may choose infant relinquishment can be complex. DCF does not collect data regarding the reasons a parent may have decided to relinquish an infant. Due to the complexity of this decision, we are not able to attribute the data to any specific reason.

04.02 – Update on California Judicial Process

DCF was able to locate contacts within the California Department of Social Services and the California Court System to inquire about the judicial process for notifying tribes in Safe Haven cases and learned that there is no judicial process of this nature currently in place. From the information provided, there was a proposal introduced for a judicial process; however, that proposal did not pass and is currently not in place. At this time, DCF is not aware of any additional states that have implemented a solution that would address the conflict between ICWA and Safe Haven.

Resources:

The requested data regarding Safe Haven is attached.

2025-05: Coordination & Collaboration in preparation for any potential Head Start transition

Responsible Party:

DCF Division of Early Care and Education

In collaboration with:

Tribal Nations & DCF Communications Team

Requested Action:

During the 2025 Tribal Consultation meeting, there was a conversation about the future of the Head Start Program and federal funding. DCF provided an overview of the conversations they were having to identify how to best move forward in the event federal Head Start funding is reduced or eliminated.

Item 2025.05.01 - DCF would like to have collective and individualized conversations with tribes to discuss emergency preparedness planning as it relates to the impact of the loss of federal funds or any transitions away from Head Start programs.

Item 2025.05.02 - DCF identified that personal impact stories will also likely influence decisions regarding Head Start at the federal level. DCF offered to partner with tribes to ensure impact stories from their communities were represented.

Outcome:

05.01 – Collective Conversations re: Head Start

Given the change of events with regard to the federal budget and federal Head Start funding no longer being threatened, DCF began to pivot to creating a new space for the department to engage in collective conversations with Tribal Head Start programs. In the process of creating this collaborative space, the 2025 federal shutdown began to impact federal Head Start funding for some tribes. As a result, DCF began another series of pivots to meet the needs of our partners in the moment.

On April 2, 2026, DCF hosted a Tribal Head Start Convening. At this convening Tribal Head Start partners advised DCF they would be interested in meeting at least three times each year, and they would like the meetings to provide a safe space for collaboration, updates, questions, idea sharing, and future proofing specifically for Tribal Head Start programs. We also discussed options that included inviting additional federal or state partners on an as-needed basis. We will plan to meet again in the fall of 2026, after the start of the school year.

05.02 – Personal Impact Stories

Following the tribal consultation meeting, two individuals from tribal communities volunteered to share their personal Head Start stories. In June of 2025, DCF's Visual Communications Designer worked with each volunteer to develop short videos as part of a larger project aimed to underscore how Head Start has personally impacted individuals and families in Wisconsin, and how the proposed elimination of the program would negatively impact our communities. The videos that were created can be found below.

Resources:

Links to Head Start personal impact stories:

- <https://youtu.be/evHzZ5mcaD8>
- https://youtu.be/ddX_vD69BXk