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# **CHILD CARE AND DEVELOPMENT FUND**

**for**

**TRIBE: \_\_\_\_\_**

**FFY 2020-2022**

This Plan describes the Child Care and Development Fund (CCDF) program to be administered by the Tribal Lead Agency for the period 10/1/2019 – 9/30/2022. As provided for in the applicable statutes



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and regulations, the Tribal Lead Agency has the flexibility to modify this program at any time, including amending the options selected or described herein.

For purposes of simplicity and clarity, the specific provisions printed herein of applicable laws and regulations are sometimes paraphrases of, or excerpts and incomplete quotations from, the full text. The Tribal Lead Agency acknowledges its responsibility to adhere to them regardless of these modifications.



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## **Introduction and How to Approach Plan Development**

The Child Care and Development Fund (CCDF) program provides resources to State, Territory, and Tribal Lead Agencies that enable low-income parents to work or pursue education and training so that they can better support their families and promote the learning and development of their children. The CCDF program also provides funding to enhance the quality of child care for all children. On November 19, 2014, the Child Care and Development Block Grant (CCDBG) Act of 2014 was signed into law (Pub. L. 113-186). The law reauthorizes and significantly revises the purposes of the CCDF program and requirements for States and Territories, but Congress left discretion to the Department of Health and Human Services (HHS) to determine how new provisions would apply to Tribes.

In September 2016, the CCDF Final Rule was released which outlined the regulatory requirements for the CCDF program based on the CCDBG Act of 2014. The CCDF requirements strengthen the requirements to protect the health and safety of children in child care; help parents make informed consumer choices and access information to support child development; provide equal access to stable child care for low-income children; and enhance the quality of child care and the early childhood workforce. Tribal flexibility includes tiered requirements based on the size of their FY 2016 CCDF allocation: tribes with small, medium, and large allocations.

The CCDF Final Rule exempts *tribes with small allocations* (less than \$250,000 in FY 2016) from the majority of the CCDF requirements, allowing those Tribes more flexibility in how to spend their CCDF funds and to focus those funds on health and safety and quality activities. *Tribes with small allocations* must spend their CCDF funds in alignment with the goals and purposes of CCDF and comply with the health and safety, monitoring, background checks, and quality spending requirements. To align with these limited CCDF requirements, *Tribes with small allocations* will complete an abbreviated CCDF Plan. This approach balances increased flexibility with accountability and allows *Tribes with small allocations* to spend their CCDF funds in ways that would most benefit their communities.

The CCDF Plan developed by Tribal Lead Agencies is the primary mechanism that the Administration for Children and Families (ACF) uses to determine Tribal Lead Agency compliance with the requirements of the law and the Final Rule. This CCDF Plan preprint consists of two parts aligned with the flexibility Tribes have based on the size of their CCDF allocation.

Part I (*For Tribes with small, medium, and large allocations*):

- 1) Define CCDF Leadership and Coordination with Relevant Systems;
- 2) Establish Standards and Monitoring Processes to Ensure the Health and Safety of Child Care Settings;
- 3) Supporting Continuous Quality Improvement; and



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4) *Tribes with small allocations*: Direct Services.

Part II (*For Tribes with medium and large allocations only*):

- 5) Provide Stable Child Care Financial Assistance to Families;
- 6) Ensure Equal Access to High Quality Child Care for Low-Income Children; and
- 7) Promote Family Engagement through Outreach and Consumer Education.

These sections reflect key functions of an integrated system of child care for low-income working families. The intention is that Tribal Lead Agencies and the federal government will be able to use this information to track and assess progress, determine the need for technical assistance (TA), and determine compliance with specific requirements and deadlines.

**Plan Amendments: Tribal Lead Agencies are required to request approval from the Office of Child Care (OCC) whenever a “substantial” change in the Tribal Lead Agency’s approved CCDF Plan occurs.** Please refer to the ACF Program Instruction regarding CCDF Approval of Plan Amendments CCDF-ACF-PI-2009-01 for specific details and timelines specific to the Plan amendment process.

Please note that all requirements not fully implemented by the Final Rule deadline are subject to compliance actions, such as corrective action plans and/or penalties in accordance with CCDF regulations.

Tribal Lead Agencies are encouraged to access additional guidance for their CCDF Plans through:

- [Tribal Child Care And Development Fund: Guide for New Administrators](#)
- [CCDF Final Rule: Overview for American Indian and Alaska Native Grantees](#)
- [Child Care And Development Fund Final Rule Tribal Fact Sheet](#)

Additional questions should be directed to the OCC Regional Office.

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## 1 Define CCDF Leadership and Coordination with Relevant Systems

This section provides information on how the CCDF program is administered, including the designated Tribal Lead Agency and the administrative structure. It also addresses who was consulted in the development of the Tribal CCDF Plan and how the Tribal Lead Agency plans to coordinate CCDF services with other entities.

### 1.1 Tribal CCDF Applicant

1.1.1. Tribal Applicant – Official name of Tribe as listed in the Federal Register or Tribal Consortium.

a. Tribe or Tribal Consortium Information:

Name of the Federally Recognized Tribe (or Tribal Consortium): \_\_\_\_\_

Name of Tribal Chair/President/Leader: \_\_\_\_\_

Title: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Telephone Number: (\_\_\_\_\_)\_\_\_\_\_-\_\_\_\_\_- Ext: \_\_\_\_\_

Email Address: \_\_\_\_\_

1.1.2 Are you a Tribal Consortium?

No (Skip to Section 1.2)

Yes.

Provide a comprehensive list of the participating member Tribes/Alaska Native Villages and include current demonstrations from the consortium's participating Tribes indicating that the consortium has the authority to seek funding on their behalf. Examples of demonstrations include a Tribal Resolution, a letter signed by the current Tribal Leader, or another official document from the Tribal/Village government (98.80(c)(1-4); 98.81(b)(8)(i)).

For Alaska Native Regional Nonprofit Corporations, the list and demonstrations are for purposes of Discretionary Funds only.

a. The list is provided as Attachment #: \_\_\_\_\_

b. The demonstrations are provided as Attachment #: \_\_\_\_\_

**If there is any change in the consortium membership, the Tribal Lead Agency must notify OCC through an amendment to the Plan.** Any consortium member Tribe seeking to apply for its own CCDF grant funds must first withdraw from the Tribal consortium and contact OCC to initiate a



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separate application for its own funds. OCC must receive the application on or before July 1 prior to the year in which the Tribe is seeking CCDF funds.

**A Tribal Consortium must describe how it coordinates services on behalf of each of its participating member Tribes/Villages.** Summarize how the consortium is coordinating services (including direct services) on behalf of each participating member (98.81(b)(8)(ii); 98.83(c)(1)).

- c. Describe, including how child care services are provided to each member of a Tribe/Village:

\_\_\_\_\_

## **1.2 Designated Tribal Lead Agency**

The Tribe or Tribal Consortium will designate an agency to represent the Tribe/consortium as the Tribal Lead Agency. This designated agency agrees to administer the Tribal CCDF program in accordance with applicable Federal laws and regulations and the provisions of this Plan, including the attached assurances and certifications (658D; 658E(c)(1)); 98.83(a)).

The Tribal Lead Agency can be a department or sub-agency such as the CCDF Department, Human Services Department, Workforce Development Department, etc., and in some cases, the Tribe will administer the CCDF program.

**Note: An amendment to the CCDF Tribal Plan is required in the event of a change in the designated Tribal Lead Agency.**

- 1.2.1 Which agency has been designated by the Tribe or Tribal Consortium to administer the CCDF program?

- a. Name of Tribal Lead Agency: \_\_\_\_\_  
b. Web Address for Tribal Lead Agency (if any): \_\_\_\_\_

- 1.2.2 Who is the Tribal CCDF Administrator?

Identify the CCDF Administrator designated by the Tribal Lead Agency, the day-to-day contact, or the person responsible for administering the Tribal CCDF program. If there is more than one designated contact with shared responsibility for administering the CCDF program, please identify the co-administrator/assistant administrator and include contact information.

- a. Contact Information for the Tribal CCDF Administrator:

Name of Tribal CCDF Administrator: \_\_\_\_\_  
Title: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Physical Address (if different than mailing address): \_\_\_\_\_  
Phone Number: (\_\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_ Ext: \_\_\_\_\_





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Email Address: \_\_\_\_\_

b. Contact Information for Tribal CCDF Co-Administrator/Assistant Administrator (if applicable):

Name of Tribal CCDF Co-Administrator/Assistant Administrator: \_\_\_\_\_

Title: \_\_\_\_\_

Mailing Address (if different from above): \_\_\_\_\_

Physical Address (if different than mailing address): \_\_\_\_\_

Phone Number: (\_\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_ Ext: \_\_\_\_\_

Email Address: \_\_\_\_\_

### 1.3 Administration through Contracts or Agreements

The Tribal Lead Agency has broad authority to administer the CCDF program through contracts or agreements with other governmental, non-governmental, or other public or private local agencies. The Tribal Lead Agency remains the single point of contact and retains overall responsibility for the administration of the CCDF program (658D(b)(1)(A); 98.11(a)(3); 98.16(d)(1)). Examples of such agreements could include:

- A written agreement with another Tribal department to operate Tribal child care centers or to conduct training and monitoring, etc.
- A contract with the local child care resource and referral agency to operate the Tribe's child care program (including determining family eligibility and issuing payments to child care providers or providing high quality activities).

1.3.1 Will the Tribal Lead Agency **directly** administer and operate the CCDF program (98.16(d)(1)?

This question does not apply to the demonstrations referenced in Section 1.1.2 between a consortium and its participating/constituent member Tribes/Villages.

Yes, the Tribal Lead Agency will directly administer and operate **all** aspects of the CCDF program.

No, the Tribal Lead Agency **will not** directly administer and implement all aspects of the CCDF program.

a. List the names of those entities that will administer/operate aspects of the CCDF program and describe which aspects of the CCDF program they will administer/operate.  
List and describe: \_\_\_\_\_

1. What processes will the Tribal Lead Agency use to monitor administrative and implementation responsibilities performed by other agencies? Describe: \_\_\_\_\_

2. *Optional: Include copies of the contracts or agreement as Attachment #:* \_\_\_\_\_

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#### 1.4 Consultation in the Development of the Tribal CCDF Plan

**In the development of the Tribal CCDF Plan, the Tribal Lead Agency is required to consult with representatives of general purpose local/Tribal government (658D(b)(2); 98.10(c); 98.14(b)).** Tribal Lead Agencies are also required to conduct a public hearing to provide an opportunity to comment on the provision of the child care services under the CCDF Plan (98.14(c)). For the purposes of developing this Plan, consultation involves meeting with, or obtaining input from, appropriate representatives of the Tribal community.

- 1.4.1 Describe how the Tribal Lead Agency consulted with representatives of general purpose local/Tribal governments and any other entities in the development of this plan. Describe: \_\_\_\_\_
- 1.4.2 Tribal Lead Agencies are required to conduct a public hearing to provide those interested with an opportunity to comment on the provision of child care services under the CCDF Plan (658D(b)(1)(C); 98.14(c)(1-3); 98.16(f)).

**The Tribal Lead Agency must conduct at least one public hearing prior to the submission of the Tribal CCDF Plan, but no earlier than January 1, 2019. The Tribal Lead Agency must provide a notice of the hearing throughout the Tribe's service area.** This notice must be provided no later than 20 days prior to the date of the hearing. Tribal Lead Agencies must make the contents of the Plan available to the public in advance of the hearing.

Describe the Tribal Lead Agency's public hearing process:

- a. Date(s) of public hearing notice(s) (at least 20 calendar days prior to the public hearing): \_\_\_\_\_
- b. Date(s) of public hearing(s) (no earlier than January 1, 2019): \_\_\_\_\_
- c. Location(s) of the public hearing(s): \_\_\_\_\_
- d. How was the public notified of the public hearing? Check all that apply.
- Parent Newsletter
  - Tribal/Local Media
  - Internet. Provide website(s): \_\_\_\_\_
  - Social Media (e.g., Facebook, Twitter, etc.)
  - Posting on community bulletin board or some other message board
  - Other. Describe: \_\_\_\_\_
- e. How was the content of the Plan made available throughout the service area prior to the public hearing? Check all that apply.
- Tribal Offices (including CCDF offices)



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Internet. Provide website(s): \_\_\_\_\_

Email

Other. Describe: \_\_\_\_\_

1.4.3 ***Tribes with small allocations*** are not required to make the final CCDF Plan or any subsequent Plans available to the public but have the flexibility to describe if applicable.

***Tribes with large and medium allocations*** should post their Plan and Plan amendments on a website, to the extent practicable.

Describe how the Tribal Lead Agency makes the final CCDF Plan and any subsequent Plan Amendments available to the public to the extent practicable: \_\_\_\_\_

**1.5 Indian Child and Indian Reservation or Service Area**

Identify which Indian child(ren) will be counted in your child count (98.81(b)(2)(i)).

1.5.1 Indian Child

Programs and activities are to be carried out for the benefit of Indian children.

While Tribal Lead Agencies have some flexibility in defining “Indian Child,” the definition must be limited to children from federally recognized Indian Tribes, consistent with the Child Care and Development Block Grant Act’s definition of Indian Tribe (98.2).

This could include children who are Tribal members, whose membership is pending, who are eligible for membership, and/or are children/descendants of members. This could also include adopted children, foster children, and step-children, etc.

The Tribal Lead Agency defines an “Indian child” as: \_\_\_\_\_

1.5.2 Indian Reservation or Service Area

Programs and activities are to be carried out for the benefit of Indian children living on or near the Indian reservation or service area. The service area must be within a reasonably close geographic proximity to the borders of a Tribe’s reservation (with the exception of Tribes in Alaska, California, and Oklahoma). Tribes that do not have reservations must establish service areas within reasonably close geographic proximity to the area where the Tribe’s population resides.

There is an expectation that the Tribal Lead Agency will be able to provide services to families throughout the service area. ACF will not approve an entire State as a Tribe’s service area. Tribes can limit services within the reservation boundaries or go beyond the reservation boundaries.

If a Tribal Lead Agency establishes a different service area for CCDF purposes, it must be within a reasonably close geographic proximity to the borders of the Tribe’s reservation or existing service area (6580(c)(2)(B); 98.80(e); 98.81(b)(2)(ii); 98.81(b)(3)(ii); 98.83(b)).

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For example: “permanent residence is within the reservation boundaries; however, the participant is temporarily attending school outside of the reservation area,” or “resides within 20 miles of the reservation boundaries,” etc.

- a. The Tribal Lead Agency defines the Reservation/Service Area as: \_\_\_\_\_
- b. *Optional: In addition to the description above, a clearly labeled map of the service area is attached. Attachment#: \_\_\_\_\_*

## 1.6 Child Count

For the purposes of determining a Tribe/Tribal Organization’s annual CCDF funding level, **the Tribal Lead Agency is required to conduct and submit a triennial child count of children under age 13**, as defined in 98.81(b)(2)(i). The Child Count Declaration will be submitted every 3 years with the triennial Plan, except for in the case of the FY 2020–FY 2022 Plan. For the FY 2020–FY 2022 Plan period, the child count must be submitted by July 1, 2019. For new Tribal Lead Agencies entering outside of the Plan cycle, the child count will be submitted with their Plan.

The Tribal child count will be effective October 1, 2019–September 30, 2022 and valid for 3 years. If the consortia gains or loses one of its member organizations, then the adjustments will be made accordingly.

The Tribal Lead Agency may not count any children who are included in the child count of another CCDF Tribal Lead Agency. **The Tribal Lead Agency is required to confer with all other CCDF Tribal Lead Agencies that have overlapping or neighboring service areas** (98.61(c); 98.62(c); 98.80(b(1); 98.81 (b)(4)).

The child count submitted is not reflective of the number of children who receive direct services. Instead, the child count gives the number of potentially eligible children who meet the Tribal Lead Agency’s definition of Indian Child and reside in the designated service area.

- 1.6.1 Is the service area (as defined in 1.5.2) adjacent to, or overlapping with, the service area(s) of any other Tribal Lead Agencies?

No

Yes.

Identify those other Tribal Lead Agencies with neighboring or overlapping service areas.  
Describe: \_\_\_\_\_

Describe your Tribal Lead Agency’s process for ensuring unduplicated child counts:  
\_\_\_\_\_

- 1.6.2 Complete and attach the “Child Count Declaration” at **Appendix #1**.

A Tribal consortium must submit an individual Child Count Declaration for each participating Tribe signed by an individual authorized to act for the Tribe; and a summary listing the name of each



participating Tribe, each participating Tribe’s individual child count; and the total child count for the entire consortium.

- A “Child Count Declaration” is attached at **Appendix #1**.

### **1.7 Coordination of Services**

**The Tribal Lead Agency is required to coordinate services with other Tribal, Federal, State, and/or local child care and early childhood development programs with agencies responsible for public health, employment services/workforce development, public education, and Temporary Assistance for Needy Families, etc. (658D(b)(1)(D); 98.14(a)(1)(i-xiv); 98.14(a)(4); 98.16(e)).**

Tribal Lead Agencies must demonstrate in the Plan how the Tribe encourages partnerships among its agencies, other public agencies, other Tribes and Tribal organizations, private entities, and community-based organizations, to leverage existing service delivery systems and to increase the supply and quality of child care and development services.

- 1.7.1 Describe how the Tribal Lead Agency coordinates the delivery of CCDF services with the following state, and if applicable, Tribal agencies or entities and the results of those coordination efforts (e.g., shared goals/purposes for coordination and the process for coordinating). Check and describe all that apply.

- Public health, including the agency responsible for immunizations. Describe: \_\_\_\_\_
- Employment services/workforce development. Describe: \_\_\_\_\_
- Public education. Describe: \_\_\_\_\_
- Temporary Assistance for Needy Families. Describe: \_\_\_\_\_
- Child care licensing. Describe: \_\_\_\_\_
- Head Start. Describe: \_\_\_\_\_
- State Advisory Council on Early Childhood Education and Care or similar coordinating body. Describe: \_\_\_\_\_
- Statewide after-school network or other coordinating entity for out-of-school time care (if applicable). Describe: \_\_\_\_\_
- Emergency management and response: Describe: \_\_\_\_\_
- Child and Adult Care Food Program (CACFP) and other relevant nutrition programs: Describe: \_\_\_\_\_
- McKinney-Vento state coordinators for homeless education and other agencies providing services for children experiencing homelessness and, to the extent practicable, local McKinney-Vento liaisons: Describe: \_\_\_\_\_



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- Agencies responsible for Medicaid and the State Children’s Health Insurance Program:  
Describe: \_\_\_\_\_
- Mental Health Services: Describe: \_\_\_\_\_
- Child care resource and referral agencies, child care consumer education organizations, and providers of early childhood education training and professional development: Describe: \_\_\_\_\_
- Other agencies or entities with which the Tribal Lead Agency coordinated: Describe: \_\_\_\_\_

1.7.2 In determining the Tribal community’s child care needs, **Tribal Lead Agencies must include underserved populations** such as infants and toddlers, families experiencing homelessness, children with special needs, and children in need of non-traditional hours of care?

a. Which underserved populations are included in determining the Tribal community’s child care needs? Check all that apply.

- Infants and toddlers
- Families experiencing homelessness
- Children with special needs
- Children in need of non-traditional hours of care
- Other. Describe: \_\_\_\_\_

b. What methods were used to determine the child care needs underserved populations? Check all that apply.

- Conduct a needs assessment. Describe: \_\_\_\_\_
- Survey community members. Describe: \_\_\_\_\_
- Survey providers. Describe: \_\_\_\_\_
- Other. Describe: \_\_\_\_\_

**1.8 Program Integrity and Accountability**

The Tribal Lead Agency, as the single point of contact for the administration of the Tribal CCDF program, is responsible for ensuring that policies and procedures are in place to monitor programs and services, ensure compliance with rules of the program, and provide oversight in the expenditure of all funds, including identifying improper payments and fraud prevention and recovery (98.11(b); 98.60(i); 98.66; 98.67; 98.68).

1.8.1 **Tribal Lead Agencies are required to describe effective internal controls to identify improper payments.**



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- a. How does the Tribal Lead Agency prevent and identify improper payments? Check all that apply.
- Train staff on CCDF policies and regulations.
  - Conduct supervisory staff reviews or quality assurance reviews.
  - Share data with other programs (e.g., State CCDF, Tribal or State TANF, Head Start, Child and Adult Care Food Program (CACFP), other Tribal offices.
  - Run system reports that flag errors.
  - Review enrollment documents, attendance or billing records.
  - Review provider records.
  - Ongoing monitoring and assessment of policy implementation.
  - Other. Describe: \_\_\_\_\_
- b. The Tribal Lead Agency is required to recover improper payments that are the result of fraud. How does the Tribal Lead Agency investigate and collect improper payments resulting from fraud? Check all that apply.
- Coordinate with, and refer to other Tribal, State, or federal agencies (e.g., Tribal Council, law enforcement)
  - Require recovery if the improper payment exceeds a specific dollar amount. Identify the minimum dollar amount: \$ \_\_\_\_\_
  - Recover through repayment plans
  - Reduce payments in subsequent months
  - Recover through payroll deductions (for CCDF clients/providers/staff employed by the Tribe)
  - Other. Describe: \_\_\_\_\_
- c. *The Tribal Lead Agency has the flexibility to recover improper payments that are the result of unintentional errors/program violations.* Does the Tribal Lead Agency choose to investigate and collect improper payments resulting from unintentional errors/program violations?
- No
  - Yes. How will the Tribal Lead Agency investigate and collect improper payments resulting from unintentional errors/program violations? Check all that apply.
    - Coordinate with, and refer to other Tribal, State, or Federal agencies (e.g., Tribal Council, law enforcement)

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- Require recovery if the improper payment exceeds a specific dollar amount.  
Identify the minimum dollar amount: \$ \_\_\_\_\_
- Recover through repayment plans
- Reduce payments in subsequent months
- Recover through payroll deductions (for CCDF clients/providers/staff employed by the Tribe)
- Other. Describe: \_\_\_\_\_





## **2 Establish Standards and Monitoring Processes to Ensure the Health and Safety of Child Care Settings**

Health and safety requirements apply to all Tribes regardless of allocation size and apply to all child care providers who receive CCDF funds, including providers who only receive quality funds.

**All Tribal Lead Agencies must certify that there are in effect health and safety requirements applicable to providers serving CCDF children.** These health and safety requirements must be appropriate to the provider setting (i.e., center based care, including Tribally operated centers, or home based care) and age of the children served, must include specific topics and training on those topics, and are subject to monitoring and enforcement procedures to ensure that providers are complying with the requirements.

This section covers health and safety, criminal background check, and disaster preparedness requirements, including:

- Health and safety standards (98.41(a))
- Health and safety training (98.44(b))
- Monitoring and enforcement procedures to ensure that child care providers comply with health and safety requirements (98.16(n))
- Exemptions made for relative care providers (98.16(l))
- Group size limits; child/staff ratios; and required qualifications for caregivers, teachers, and directors (98.16(m))
- Criminal background check requirements (98.16(o))
- Disaster preparedness and response (98.16(aa))

### **2.1 Health and Safety Standards and Requirements for CCDF Providers**

**Tribal Lead Agencies are required to establish health and safety standards for all types of child care programs (i.e., center based care, including Tribally operated centers, or home based care) serving children receiving CCDF assistance relating to the topics listed below, as appropriate to the provider setting and age of the children served (98.41(a)).** This requirement is applicable to all child care providers receiving CCDF funds, including those providers who are receiving only CCDF quality dollars through the Tribal Lead Agency. The only exception to this requirement is for providers who are caring for their own relatives: Tribal Lead Agencies have the option to exempt relative care providers from the health and safety requirements (defined in CCDF regulations as grandparents, great-grandparents, siblings if living in a separate residence, aunts, and uncles (98.42(c))). This exemption applies only if the individual cares for relative children only.



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For each category of care offered, indicate the standards that apply. For instance:

- If the Tribal Lead Agency has developed its own standards (even if those standards were adapted from other sources, such as *Caring for Our Children: Basics* and/or *Minimum Health and Safety Standards: A Guide for American Indian and Alaskan Native Child Care and Development Fund Grantees* or state licensing standards), check “Tribal Standards.”
- If the Tribal Lead Agency requires providers to meet standards established by a state agency (such as state licensing or state department of education), check “State Standards.”
- If the Tribal Lead Agency requires providers to meet standards from more than one source (for example, state licensing standards for off-reservation providers and Tribally developed standards for providers on the reservation), check “Tribal Standards,” “State Standards,” and “Other Standards or Combination of Standards” and describe which standards apply to which providers.
- If the Tribal Lead Agency requires providers to meet standards from a source not listed in the table in columns (a), (b), and (c) (such as Indian Health Service, the Child and Adult Care Food Program, *Caring for Our Children Basics*, *Caring for Our Children 3rd Edition*, etc.), then check “Other Standards or Combination of Standards” and describe the standards and the source(s) of the standards.
- If the Tribal Lead Agency does not support the child care for any of the types of providers, then check “This type of care is not provided.”

2.1.1 If the Tribal Lead Agency uses a combination of standards, or uses other standards not noted, please describe in the table below.

<b>Table 2.1.1 Health and Safety Standards Used by the Tribal Lead Agency</b>					
<b>Provider Categories</b>	<b>Tribal Standards</b>	<b>State Standards</b>	<b>Head Start/ Early Head Start Standards</b>	<b>Other Standards or Combination of Standards (e.g., Tribal standards <i>and</i> State standards)</b>	<b>The Tribal Lead Agency does not provide this type of care</b>
Center-based Care (e.g., Tribally operated centers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Describe: _____	<input type="checkbox"/>
Family Child Care	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Describe: _____	<input type="checkbox"/>
In-Home Care (in the child’s home)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Describe: _____	<input type="checkbox"/>

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- 2.1.2 To certify, describe how the following health and safety standards for programs serving children receiving CCDF assistance are defined and established on the required topics (98.16(l)).

***Note: This question is different from the health and safety training requirements, which are addressed in question 2.1.5.***

For each of the required health and safety topics, Tribal Lead Agencies must provide their definition and any variations based on category of care (i.e., center based care, including Tribally operated centers, or home based care) and the ages of children served.

For example, Tribal Lead Agencies need to ensure that providers follow their safe sleep practices for each age group in a center-based program. This means that Tribal Lead Agencies need to set standards around infant sleep practices (e.g., activities that prevent sudden infant death syndrome) and ensure that providers who cared for infants were trained on and met these standards. Likewise, Tribal Lead Agencies would set different safe sleep standards for children of different ages (e.g., no safe sleep practices for school-aged children) and ensure that providers who cared for children of other ages were aware of and met those standards.

a. Prevention (including immunizations) and control of infectious diseases

1. Provide a brief summary of how this standard is defined, including any variations based on category of care or ages of the children served: \_\_\_\_\_
2. Are relatives exempt from this requirement?  
 No  
 Yes. Describe (i.e., which relatives, all or part of requirement): \_\_\_\_\_

b. Prevention of sudden infant death syndrome and the use of safe sleep practices

1. Provide a brief summary of how this standard is defined, including any variations based on category of care or ages of children served: \_\_\_\_\_
2. Are relatives exempt from this requirement?  
 No  
 Yes. Describe (i.e., which relatives, all or part of requirement): \_\_\_\_\_

c. Administration of medication, consistent with standards for parental control

1. Provide a brief summary of how this standard is defined, including any variations based on category of care or ages of children served: \_\_\_\_\_
2. Are relatives exempt from this requirement?  
 No  
 Yes. Describe (i.e., which relatives, all or part of requirement): \_\_\_\_\_



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- d. Prevention of and response to emergencies due to food and allergic reactions
1. Provide a brief summary of how this standard is defined, including any variations based on category of care or ages of children served: \_\_\_\_\_
  2. Are relatives exempt from this requirement?  
 No  
 Yes. Describe (i.e., which relatives, all or part of requirement): \_\_\_\_\_
- e. Safety of building and physical premises, including the identification of and protection from hazards that can cause bodily injury, such as electrical hazards, bodies of water, and vehicular traffic
1. Provide a brief summary of how this standard is defined, including any variations based on category of care or ages of children served: \_\_\_\_\_
  2. Are relatives exempt from this requirement?  
 No  
 Yes. Describe (i.e., which relatives, all or part of requirement): \_\_\_\_\_
- f. Prevention of shaken baby syndrome, abusive head trauma, and child maltreatment
1. Provide a brief summary of how this standard is defined, including any variations based on category of care or ages of children served: \_\_\_\_\_
  2. Are relatives exempt from this requirement?  
 No  
 Yes. Describe (i.e., which relatives, all or part of requirement): \_\_\_\_\_
- g. Emergency preparedness and response planning resulting from a natural disaster or a human-caused event (such as violence at a child care facility), within the meaning of those terms under section 602(a)(1-2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5195a(a)(1-2)).
1. Provide a brief summary of how this standard is defined, including any variations based on category of care or ages of children served: \_\_\_\_\_
  2. Are relatives exempt from this requirement?  
 No  
 Yes. Describe (i.e., which relatives, all or part of requirement): \_\_\_\_\_
- h. Handling and storage of hazardous materials and the appropriate disposal of biocontaminants



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1. Provide a brief summary of how this standard is defined, including any variations based on category of care or ages of children served: \_\_\_\_\_
  2. Are relatives exempt from this requirement?  
 No  
 Yes. Describe (i.e., which relatives, all or part of requirement): \_\_\_\_\_
  - i. Precautions in transporting children (if applicable)
    1. Provide a brief summary of how this standard is defined, including any variations based on category of care or ages of children served: \_\_\_\_\_
    2. Are relatives exempt from this requirement?  
 No  
 Yes. Describe (i.e., which relatives, all or part of requirement): \_\_\_\_\_
  - j. Pediatric first aid and cardiopulmonary (CPR)
    1. Provide a brief summary of how this standard is defined, including any variations based on category of care or ages of children served: \_\_\_\_\_
    2. Are relatives exempt from this requirement?  
 No  
 Yes. Describe (i.e., which relatives, all or part of requirement): \_\_\_\_\_
  - k. Recognition and reporting of child abuse and neglect
    1. Provide a brief summary of how this standard is defined, including any variations based on category of care or ages of children served: \_\_\_\_\_
    2. Are relatives exempt from this requirement?  
 No  
 Yes. Describe (i.e., which relatives, all or part of requirement): \_\_\_\_\_
- 2.1.3 *The Tribal Lead Agency may also establish standards on optional health and safety topics that reflect the needs of the community served by the Tribal Lead Agency. These optional standards can include those related to nutrition, access to physical activity, caring for children with special needs, and any other topic determined to be relevant by the Tribal Lead Agency (98.41(a)(1)(xii)).*
- Does the Tribal Lead Agency include optional standards in addition to the required health and safety topics in their health and safety standards?
- No



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Yes. If yes, please complete the following questions a-d, as appropriate, on optional health and safety standards.

a. Nutrition

1. Summarize how this standard is defined, including any variations based on category of care or ages of children served: \_\_\_\_\_

2. Are relatives exempt from this requirement?

No

Yes. Describe (i.e., which relatives, all or part of requirement): \_\_\_\_\_

b. Access to physical activity

1. Summarize how this standard is defined, including any variations based on category of care or ages of children served: \_\_\_\_\_

2. Are relatives exempt from this requirement?

No

Yes. Describe (i.e., which relatives, all or part of requirement): \_\_\_\_\_

c. Caring for children with special needs

1. Summarize how this standard is defined, including any variations based on category of care or ages of children served: \_\_\_\_\_

2. Are relatives exempt from this requirement?

No

Yes. Describe (i.e., which relatives, all or part of requirement): \_\_\_\_\_

d. Any other areas determined necessary to promote child development or to protect children's health and safety

1. Summarize how this standard is defined, including any variations based on category of care or ages of children served: \_\_\_\_\_

2. Are relatives exempt from this requirement?

No

Yes. Describe (i.e., which relatives, all or part of requirement): \_\_\_\_\_

2.1.4 Standards on Child/Staff Ratios, Group Sizes, and Qualifications for CCDF Providers

**Tribal Lead Agencies are required to establish child care standards for providers receiving CCDF funds regarding appropriate child to staff ratios (by age range of child), group size limits for specific age populations, and the required qualifications for providers based on the type of child**

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**care setting (i.e., center based care, including Tribally operated centers, or home based care).**

This requirement applies to providers who are only receiving quality CCDF dollars (658E(c)(2)(H); 98.16(m); 98.41(d)).

Tribal Lead Agencies have flexibility in defining standards and provider types that are reflective of the culture and language and that meet the needs of the children and families served.

- a. Describe standards on child/staff ratios, group sizes, and qualifications for CCDF providers.

<b>Table 2.1.4 Standards on Child/Staff Ratios, Group Sizes, and Qualifications for CCDF Providers</b>		
<b>Center-based Child Care Providers</b>		
Infant	Define age range (infant): Ratio: Group Size: Teacher/Caregiver Qualifications:	
Toddler	Define age range (toddler): Ratio: Group Size: Teacher/Caregiver Qualifications:	
Preschool	Define age range (preschool): Ratio: Group Size: Teacher/Caregiver Qualifications:	
School Age	Define age range (school age): Ratio: Group Size: Teacher/Caregiver Qualifications:	
<b>Family Child Care Providers</b>		
Infant	Define age range (infant): Ratio: Group Size: Teacher/Caregiver Qualifications:	Describe any exemptions for relative providers: _____
Toddler	Define age range (toddler): Ratio: Group Size: Teacher/Caregiver Qualifications:	Describe any exemptions for relative providers: _____



<b>Table 2.1.4 Standards on Child/Staff Ratios, Group Sizes, and Qualifications for CCDF Providers</b>		
Preschool	Define age range (preschool): Ratio: Group Size: Teacher/Caregiver Qualifications:	Describe any exemptions for relative providers: _____
School Age	Define age range (school age): Ratio: Group Size: Teacher/Caregiver Qualifications:	Describe any exemptions for relative providers: _____
<b>In-home Child Care Providers</b>		
Infant	Define age range (infant): Ratio: Group Size: Teacher/Caregiver Qualifications:	Describe any exemptions for relative providers: _____
Toddler	Define age range (toddler): Ratio: Group Size: Teacher/Caregiver Qualifications:	Describe any exemptions for relative providers: _____
Preschool	Define age range (preschool): Ratio: Group Size: Teacher/Caregiver Qualifications:	Describe any exemptions for relative providers: _____
School Age	Define age range (school age): Ratio: Group Size: Teacher/Caregiver Qualifications:	Describe any exemptions for relative providers: _____

- b. Describe how the standard on child/staff ratio, group sizes, and qualifications for providers differ in mixed age groups, if applicable:

2.1.5 Health and Safety Training for CCDF Providers on Required Topics

**Tribal Lead Agencies are required to have minimum *pre-service and/or orientation training requirements* (to be completed within 3 months) for caregivers, teachers and directors, as appropriate to the provider setting and the age of children served, that address the health and safety requirements described in 2.1.2 and 2.1.3, as well as child development.**





**Tribal Lead Agencies must also meet *ongoing training requirements* on the health and safety topics for caregivers, teachers, and directors of children receiving CCDF funds (658E(c)(2)(1)(i); 98.44(b)(1)(iii)).** The Tribal Lead Agency must describe its requirements for pre-service/orientation training and ongoing training.

Tribal Lead Agencies have flexibility in determining the number of training hours to require, but may consult *Caring for Our Children: Basics* and/or *Minimum Health and Safety Standards: A Guide for American Indian and Alaskan Native Child Care and Development Fund Grantees* for best practices and recommended guidelines to address these training requirements.

a. Pre-Service and/or Orientation Training Requirements

1. Provide the required minimum number of pre-service and/or orientation training hours on health and safety topics set by the Tribal Lead Agency for caregivers, teachers, and directors required for the following:

i. Center-based Child Care Providers: \_\_\_\_\_

ii. Family Child Care Homes: \_\_\_\_\_

iii. In-home Care: \_\_\_\_\_

iv. Describe if any Relative Providers are exempt from any of these requirements:  
\_\_\_\_\_

v. Describe any differences in requirements for directors compared to caregivers and teachers: \_\_\_\_\_

2. Are pre-service and/or orientation training for each of the following topics required *before* caregivers, teachers, and directors are allowed to care for children unsupervised? If no, provide the length of time that child care providers have to complete trainings after being hired (must be 3 months or fewer).

	<b>Yes</b>	<b>No, and provide the length of time providers have to complete trainings</b>
i. Prevention and control of infectious diseases (including immunizations)	<input type="checkbox"/>	<input type="checkbox"/> Describe: _____
ii. Prevention of sudden infant death syndrome and the use of safe-sleep practices	<input type="checkbox"/>	<input type="checkbox"/> Describe: _____
iii. Administration of medication, consistent with standards for parental consent	<input type="checkbox"/>	<input type="checkbox"/> Describe: _____



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- iv. Prevention and response to emergencies due to food and allergic reactions   Describe: \_\_\_\_\_
- v. Building and physical premises safety, including the identification of and protections from hazards, bodies of water, and vehicular traffic   Describe: \_\_\_\_\_
- vi. Prevention of shaken baby syndrome, abusive head trauma, and child maltreatment   Describe: \_\_\_\_\_
- vii. Emergency preparedness and response planning for emergencies resulting from a natural disaster or a human-caused event   Describe: \_\_\_\_\_
- viii. Handling and storage of hazardous materials and the appropriate disposal of bio contaminants   Describe: \_\_\_\_\_
- ix. Appropriate precautions in transporting children (if applicable)   Describe: \_\_\_\_\_
- x. Pediatric first aid and CPR   Describe: \_\_\_\_\_
- xi. Recognition and reporting of child abuse and neglect   Describe: \_\_\_\_\_
- xii. Child development   Describe: \_\_\_\_\_
- xiii. Describe other requirements:
- xiv. Describe any differences in requirements for directors compared to caregivers and teachers: \_\_\_\_\_

**b. Ongoing Training Requirements**

Provide the minimum number of annual training hours the Tribal Lead Agency requires for caregivers, teachers, and directors to stay up-to-date on new health and safety recommendations or to maintain healthy and safe environments for children for:

1. Center-based Child Care Providers: \_\_\_\_\_
2. Family Child Care Homes: \_\_\_\_\_
3. In-home Care: \_\_\_\_\_
4. Describe if any Relative Providers are exempt from any of these requirements: \_\_\_\_\_
5. Describe any differences in requirements for directors compared to caregivers and teachers: \_\_\_\_\_

**2.2 Monitoring and Enforcement Policies and Practices for CCDF Providers**

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### 2.2.1 Enforcement of Health and Safety Requirements

**Tribal Lead Agencies must certify that procedures are in effect to ensure that child care providers caring for children receiving CCDF services comply with all applicable Tribal and/or State/local health, safety and fire standards, including those described in 98.41 and 98.42(a).**

This may include, but is not limited to, any systems used to ensure that providers met health and safety requirements, any documentation required to be maintained by child care providers, and any other monitoring procedures to ensure compliance. Tribal Lead Agencies are subject to the provision at 98.42(b)(2) to require inspections of child care providers and facilities that receive CCDF funds.

*Tribal Lead Agencies may propose an alternative approach to meet the annual inspection requirements.* In its justification, the Tribal Lead Agency must describe how the alternative approach is appropriately comprehensive and protects the health and safety of children in care.

- a. Describe how the Tribal Lead Agency proposes to monitor its CCDF providers for compliance with health and safety requirements: \_\_\_\_\_
- b. If monitoring and inspection is conducted by an entity or agency other than the Tribe, such as the state licensing agency or the Indian Health Service, please indicate who conducts the visits and how the Tribe obtains the results of the monitoring.
  1. Center-based Child Care Providers: \_\_\_\_\_
  2. Family Child Care Providers: \_\_\_\_\_
  3. In-home CCDF Providers: \_\_\_\_\_
- c. Does the Tribe's approach meet the inspection requirements at 98.42(b)(2)?
  - Yes
  - No. Describe how the alternative approach is appropriately comprehensive and protects the health and safety of children in care: \_\_\_\_\_

### 2.2.2 Monitoring Inspectors

**Tribal Lead Agencies must have policies and practices that ensure that individuals who are hired as inspectors are qualified to inspect child care providers and facilities and have received health and safety training appropriate to the provider setting and age of the children served.** Training shall include, but is not limited to, those requirements described in 98.41(a)(1) and all aspects of the requirements detailed in Section 2.1.2 (658E(c)(2)(K)(i)(I); 98.42(b)(1)).

Describe how the Tribal Lead Agency ensures that inspectors are qualified to inspect child care facilities and providers and that those inspectors have received training on health and safety requirements that are appropriate to the age of the children in care and the type of provider setting (98.42(b)(1)): \_\_\_\_\_



- 2.2.3 **The Tribal Lead Agencies must have policies and practices that require the ratio of inspectors to child care providers and facilities to be maintained at a level sufficient to conduct effective inspections of child care providers and facilities on a timely basis in accordance with Tribal, Federal, State, and local laws (658E(c)(2)(K)(i)(III); 98.42(b)(3)).**

Describe the Tribal Lead Agency policies and practices regarding the ratio of inspectors to child care providers (i.e., number of inspectors per number of child care providers) and facilities in the Tribal Lead Agency and include how the ratio is sufficient to conduct effective inspections on a timely basis: \_\_\_\_\_

- 2.2.4 *Tribal Lead Agencies have the option to exempt relatives (defined in CCDF regulations as grandparents, great-grandparents, siblings if living in a separate residence, aunts, and uncles (98.42(c)) from inspection requirements. This exception only applies if the individual cares for relative children only.*

Does the Tribal Lead Agency exempt relatives from the inspection requirements listed in 2.1.2?

- Yes, relatives are exempt from all inspection requirements. If the Tribal Lead Agency exempts relatives from all inspection requirements, describe how the Tribal Lead Agency ensures the health and safety of children in relative care: \_\_\_\_\_
- Yes, relatives are exempt from some inspection requirements. If the Tribal Lead Agency exempts relatives from some inspection requirements, describe which inspection requirements do not apply to relative providers (including which relatives may be exempt) and how the Tribal Lead Agency ensures the health and safety of children in relative care: \_\_\_\_\_
- No, relatives are not exempt from inspection requirements.

### 2.3 Criminal Background Checks

**Tribal Lead Agencies are required to have in effect policies and procedures to conduct criminal background checks for all child care staff members (including prospective staff members) of all child care programs that are 1) licensed, regulated, or registered under Tribal law; and, 2) all other providers eligible to deliver CCDF services (e.g., license-exempt CCDF eligible providers) (98.43(a)(1)(i)).**

Background check requirements apply to any staff member who is employed by a child care provider for compensation, including contract employees and self-employed individuals, whose activities involve the care or supervision of children or who have unsupervised access to children (98.43(2)).

For family child care in homes, this requirement includes the caregiver and any other adults residing in the family child care home who are age 18 or older (98.43(a)(2)(ii)(C)). This



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requirement does not apply to individuals who are related to all children for whom child care services are provided (98.43(a)(2)(i)(A)).

Under the CCDF rule, a criminal background check includes specific components (98.43(b)) that are outlined in Table 2.3 below.

*Tribal Lead Agencies are encouraged (but not required) to check registries maintained by the Tribe (rather than a State).*

In some instances, a Tribal Lead Agency may use its CCDF funds to support direct services delivered by a child care provider whose staff have already met the State’s background check requirements consistent with the CCDF rule (because that provider is licensed by the State and/or receives CCDF funding from the state). In such instances, it is not necessary for the Tribal Lead Agency to require additional or duplicative background checks.

<b>Table 2.3 Criminal Background Check Requirements</b>			
<b>Required Components (Unless the Tribe Has an Approved Alternative Approach)</b>	<b>National</b>	<b>Current State of Residence</b>	<b>State Where Lived Within Last Five Years</b>
1. FBI fingerprint check	X		
2. National Crime Information Center (NCIC) National Sex Offender Registry (NSOR)	X		
3. State criminal registry or repository		X Fingerprints required	X
4. State sex offender registry or repository		X	X
5. State child abuse and neglect registry and database		X	X

**2.3.1 Background Check Components (98.43(b))**

Describe the components of background checks that apply to staff of child care providers eligible to deliver CCDF services funded by the Tribal Lead Agency:

**a. FBI Criminal Fingerprint Search\***

- Yes, the checks include this component
- No, the checks do not include this component

**b. National Crime Information Center (NCIC) National Sex Offender Registry (NSOR) Search\***

- Yes, the checks include this component
- No, the checks do not include this component

**c. State Criminal Registry or Repository Check Requirement (in the State where the individual currently resides and in any other State where the individual has resided in the past 5 years)\***

- Yes, the checks include this component

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- No, the checks do not include this component
- d. State Sex Offender Registry or Repository Check Requirement (in the State where the individual currently resides and in any other State where the individual has resided in the past 5 years)\*
- Yes, the checks include this component
- No, the checks do not include this component
- e. State Child Abuse and Neglect Registry Check Requirements (in the State where the individual currently resides and in any other State where the individual has resided in the past 5 years)\*
- Yes, the checks include this component
- No, the checks do not include this component
- f. *Tribal Registry or Repository Check (optional)*
- Yes, the checks include this component. Describe: \_\_\_\_\_
- No, the checks do not include this component
- g. *Checks by Third Party Public or Private Entity--such as vendor (optional)*
- Yes, the checks include this component. Describe: \_\_\_\_\_
- No, the checks do not include this component
- h. *Any Other Component Not Listed Above (optional). Describe: \_\_\_\_\_*
- Yes, the checks include this component. Describe: \_\_\_\_\_
- No, the checks do not include this component

**\*Required component. If a Tribal Lead Agencies' checks do not include this component, the Tribal Lead Agency must provide a justification for an alternative approach in 2.3.2.**

- 2.3.2 Alternative Approach for Background Checks. Tribal Lead Agencies are subject to the background check requirements for CCDF providers. However, *Tribal Lead Agencies may propose and provide a justification for an alternative approach for background checks.* The alternative approach is subject to ACF approval, and ACF will not approve approaches with blanket exemptions or waivers that bypass the intent of protecting children's safety.

Does the Tribe have an alternative approach for background checks?

- No, the Tribal Lead Agency does not have an alternative approach for background checks; it conducts all background check requirements at 45 CFR 98.43.
- Yes, the Tribal Lead Agency has an alternative approach for background checks.
- a. Describe which background check requirement(s) at 45 CFR 98.43 that the Tribal Lead Agency does not conduct, and the reason: \_\_\_\_\_
- b. Describe the Tribe's alternative approach, including how it is appropriately comprehensive and protects the health and safety of children: \_\_\_\_\_

- 2.3.3 Disqualifying crimes. **Child care staff members cannot be employed by a child care provider**

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receiving CCDF subsidy funds if they refuse a background check, make materially false statements in connection with the background check, or are registered or required to be registered on the state or National Sex Offender Registry. Potential staff members also cannot be employed by a provider receiving CCDF funds if they have been convicted of: a felony consisting of murder, child abuse or neglect, crimes against children, spousal abuse, crimes involving rape or sexual assault, kidnapping, arson, physical assault or battery, or—subject to an individual review (at the Tribal Lead Agencies' option)—a drug-related offense committed during the preceding 5 years; a violent misdemeanor committed as an adult against a child, including the following crimes—child abuse, child endangerment, or sexual assault; or a misdemeanor involving child pornography (98.43(c)(1)).

Note: The Tribal Lead Agency may not publicly release the results of individual background checks. It may release aggregated data by crime as long as the data do not include personally identifiable information (98.43(e)(2)(iii)).

Does the Tribal Lead Agency disqualify child care staff members based on their conviction for other crimes not specifically listed in 98.43(c)(i)?

No

Yes. Describe other disqualifying crimes and provide citation: \_\_\_\_\_

- 2.3.4 Appeals. **The Tribal Lead Agency must have a process for a child care provider/staff member to appeal the results of his or her background check to challenge the accuracy or completeness of the criminal background report**, as detailed in 98.43(e)(3).

Describe how the Tribal Lead Agency provides opportunities for applicants to appeal the results of background checks: \_\_\_\_\_

- 2.3.5 Fees. **The Tribal Lead Agency may not charge fees that exceed the actual costs of processing applications and administering a criminal background check** (98.43(f)).

Describe how the Tribal Lead Agency ensures that fees charged for completing the background checks do not exceed the actual cost of processing and administration. Tribal Lead Agencies can report that no fees are charged if applicable (98.43(f)): \_\_\_\_\_

- 2.3.6 Relatives. *Federal rules do not require background checks for relative providers who receive CCDF* (98.43(a)(2)(i)(A)); therefore, Tribes have the flexibility to decide which background check requirements relative providers must meet.

This exception only applies to grandparents, great grandparents, siblings (living in a separate residence), aunts, or uncles, and only applies if the individual cares only for relative children.

Does the Tribal Lead Agency exempt relatives from background checks?

No, relatives are not exempt from background check requirements.

Yes, relatives are exempt from all background check requirements.

Yes, relatives are exempt from some background check requirements. If the Tribal Lead Agency exempts relatives from some background check requirements, describe which background check requirements apply to relative providers: \_\_\_\_\_



## **2.4 Disaster Preparedness and Response Plan**

**Tribal Lead Agencies are required to establish a Child Care Disaster Plan for the Tribal Service Area (658E(c)(2)(U)).** They must describe how they will address the needs of children—including the need for safe child care, before, during, and after a state of emergency declared by the Governor or Tribal Chief Executive or a major disaster or emergency (as defined by Section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5122).

- 2.4.1 Describe how the Child Care Disaster Plan was developed in collaboration with the appropriate stakeholders, including other programs within the Tribal Lead Agency’s governance structure:  
\_\_\_\_\_
- 2.4.2 Describe how the Child Care Disaster Plan includes the Tribal Lead Agency’s guidelines for the continuation of child care subsidies and child care services, which may include the provision of emergency and temporary child care services during a disaster and temporary operating standards for child care after a disaster: \_\_\_\_\_
- 2.4.3 Describe Tribal Lead Agency procedures for the coordination of post-disaster recovery of child care services: \_\_\_\_\_
- 2.4.4 Describe how the Tribal Lead Agency ensures that providers who receive CCDF funds have the following procedures in place: evacuation; relocation; shelter-in-place; lockdown; communications with and reunification of families; continuity of operations; and accommodations for infants and toddlers, children with disabilities, and children with chronic medical conditions (98.41(a)(1)(vii)): \_\_\_\_\_
- 2.4.5 Describe how the Tribal Lead Agency requires child care staff and volunteers emergency preparedness training and practice drill procedures for providers who receive CCDF funds: \_\_\_\_\_
- 2.4.6 Describe if the Tribal Lead Agency exempts relative providers from any disaster preparedness and response requirements: \_\_\_\_\_





### 3 Supporting Continuous Quality Improvement

All Tribes are subject to an increasing quality set-aside starting at 4% in FY 2017 to 9% by FY 2022. **Tribes must spend quality funds on at least one of 10 allowable quality activities, such as training and professional development, early learning and development, quality evaluation, and other measurable quality activities** including culturally responsive activities such as language immersion (3.1.1(a) through (j) below).

#### 3.1 Quality Improvement Goals and Activities

In completing this section, the Tribal Lead Agency should only describe activities funded either entirely, or in part, with CCDF dollars. All Tribal Lead Agencies must spend a percentage of their total CCDF expenditures on quality improvement activities.

Quality Spending	FY 2020	FY 2021	FY2022
Quality Set-Aside (All)	8%	8%	9%
Infant-Toddler (Medium and Large)	3%	3%	3%
Total Quality (Small)	8%	8%	9%
Total Quality (Medium and Large)	11%	11%	12%

3.1.1 Describe the Tribal Lead Agency’s overall plan or approach for improving quality in child care during this plan cycle: \_\_\_\_\_

3.1.2 Identify the quality improvement activities in which the Tribal Lead Agency is investing during this plan cycle, checking the specific quality activities in a-k the Tribal Lead Agency will conduct (98.41; 98.83). Tribal Lead Agencies can, and are encouraged, to incorporate culturally responsive practices into their quality improvement activities.

a. Supporting the training and professional development of the child care workforce. Check all that apply:

- Required health and safety training topics as described in 2.1.3
- Implementing developmentally appropriate, culturally and linguistically responsive instruction
- Family engagement
- Access to physical activity
- Indigenous nutrition and foods



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- Promotion of child development
- Language and literacy
- Developing or providing training to providers about the local Indigenous Nations and community
- Developing or providing training to providers about Indigenous early learners and epistemologies
- Caring for children with special health or developmental needs
- Fiscal management for providers
- Administration and program management for providers
- Curriculum development and instruction
- Child care as a business
- Supporting (through funding, scholarships, etc.) the career development pathways of the child care workforce through:
  - Credit towards required training hours
  - Certificate (including those incorporating Indigenous studies and Indian education for providers)
  - Credential
  - Degree (including those incorporating Indigenous studies and Indian education for providers)
- Other: \_\_\_\_\_

*Optional: Describe any of the activities checked above: \_\_\_\_\_*

- b. Improving on the development or implementation of early learning and developmental guidelines (658E(c)(2)(T); 658G(b)(2)).

Early learning guidelines are intended to support teachers, caregivers, and directors, to learn what children should know and be able to do at different developmental stages in order to experience school success. Early learning guidelines often provide examples of activities that can be used to develop curriculum but are not intended to serve as curriculum. Check all that apply:

- Supporting use of the State's early learning guidelines
- Developing or implementing your own Tribally specific guidelines
- Adapting a State's guidelines to reflect your Tribal Nation's language and culturally specific early learning and development goals/benchmarks

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- Providing trainings for staff on child development and early learning guidelines
- Participating in the development or revision of the State's early learning guidelines
- Other. Describe: \_\_\_\_\_

*Optional: Describe any of the activities checked above: \_\_\_\_\_*

- c. Developing, implementing, or enhancing a quality rating and improvement system (QRIS) for child care providers and services (658G(b)(3)).

A QRIS is a systemic approach to assess, improve, and communicate the level of quality in early and school-age care and education programs. Similar to rating systems for restaurants and hotels, QRIS award quality ratings to early and school-age care and education programs that meet a set of defined program standards.

By participating in their State or Tribe's QRIS, early and school-age care providers embark on a path of continuous quality improvement. Even providers that have met the standards of the lowest QRIS levels have achieved a level of quality that is beyond the minimum requirements to operate. Check all that apply:

- Participating in a State QRIS
- Implementing a Tribal QRIS or similar rating system
- Developing a Tribal QRIS or similar rating system
- Collaborating with other Tribes to implement a QRIS or similar rating system
- Other. Describe: \_\_\_\_\_

*Optional: Describe any of the activities checked above: \_\_\_\_\_*

- d. Improving the supply and quality of child care services for infants and toddlers. Check all that apply:

- Offering Nontraditional hours
- Coordinating with Early Head Start or Early Head Start-Child Care Partnerships
- Coordinating with home visiting
- Providing training and professional development to enhance child care providers' abilities to provide developmentally appropriate services for infants and toddler
- Providing coaching, mentoring, and/or technical assistance on this age group's unique needs from networks of qualified infant-toddler specialists
- Coordinating with early intervention specialists who provide services for infants and toddlers with disabilities
- Developing infant and toddler components within the early learning and developmental guidelines/standards, etc.

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- Improving the ability of parents to access transparent and easy-to-understand consumer information about high-quality infant and toddler care that includes information on infant and toddler language, social-emotional, and both early literacy and numeracy cognitive development
- Indigenous language and culturally responsive practices for infants and toddlers
- Other. Describe: \_\_\_\_\_

*Optional: Describe any of the activities checked above: \_\_\_\_\_*

- e. Establishing or expanding a system of child care resource and referral (CCR&R) services, assisting parents with finding and choosing a child care provider; collecting and analyzing child care provider supply and demand data; and providing training and support to providers (658E(c)(3)(B)(iii); 658G(b)(5)). Check all that apply:

- Using a State CCR&R
- Operating a CCR&R
- Partnering with other Tribes to offer CCR&R services
- Incorporating CCR&R services into program services
- Other. Describe: \_\_\_\_\_

*Optional: Describe any of the activities checked above: \_\_\_\_\_*

- f. Supporting compliance with requirements for licensing, inspection, monitoring, training, and health and safety. Check all that apply:

- Provide health and safety materials/equipment
- Grants/mini-grants for health and safety equipment/materials
- Classroom materials and resources
- Financial assistance in meeting licensing requirements
- Conduct monitoring visits of child care providers
- Other. Describe: \_\_\_\_\_

*Optional: Describe any of the activities checked above: \_\_\_\_\_*

- g. Evaluating the quality of child care programs, including how programs positively impact children. Check all that apply:

- Purchasing quality assessment tools
- Implementing surveys to collect stakeholder input
- Contracting with outside evaluator to assess child care program quality

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Conducting internal training so that staff members are able to conduct quality evaluations (i.e., using an environmental rating scale)

Other. Describe: \_\_\_\_\_

*Optional: Describe any of the activities checked above: \_\_\_\_\_*

**h. Supporting providers in the voluntary pursuit of accreditation.**

Tribes can use quality funds to support child care providers in the voluntary pursuit of accreditation by a national accrediting body with demonstrated, valid and reliable program standards of high quality. Accreditation is one way to differentiate the quality of child care providers. In order to gain accreditation, child care centers and family child care homes must meet certain quality standards outlined by accrediting organizations. Check all that apply:

Using accreditation guidelines as a quality measure

Funding any aspect of national accreditation (for example, accreditation from the National Association for the Education of Young Children or the National Association for Family Child Care, or accreditation developed by a Tribal Association)

Paying annual accreditation fees

Other. Describe: \_\_\_\_\_

*Optional: Describe any of the activities checked above: \_\_\_\_\_*

**i. Supporting the development or adoption of high-quality program standards related to health, mental health, nutrition, physical activity, and physical development. Check all that apply:**

Using Head Start Performance Standards

Using Stepping Stones to Caring for Our Children

Using Caring for Our Children Basics

Using Minimum Health and Safety Standards: A Guide for American Indian and Alaska Native Grantees

Using a combination of the above listed standards. Describe: \_\_\_\_\_

Other. Describe: \_\_\_\_\_

*Optional: Describe any of the activities checked above: \_\_\_\_\_*

**j. Other activities determined by the Tribal Lead Agency to improve the quality of child care services and which measurement of outcomes is possible related to improved provider preparedness, child safety, child well-being, or kindergarten entry. Check all that apply:**

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1.  Culturally Relevant Activities

- Incorporating Tribal language into child care settings
- Partnering with language and culture departments to build curricula
- Modifying curriculum to reflect Tribal culture
- Serving traditional Native foods in child care programs
- Offering culturally based training opportunities for parents and providers
- Providing information and training to non-Native providers about working with Native children and families
- Implementing immersion classrooms or language nests
- Training teachers to learn how to implement language and culture in the classroom
- Other. Describe: \_\_\_\_\_

*Optional: Describe any of the activities checked above: \_\_\_\_\_*

2.  Consumer Education for Parents and Providers

- Written materials, including newsletters, brochures, checklists, etc., on child care topics
- Local/Tribal media
- Social media, such as Facebook, Twitter, Instagram
- Counseling from Resource and Referral Agencies, including information about other early childhood and social/human services programs for which families and providers may also qualify
- Internet, including electronic media, publications, and webcasts on child care topics
- Postings on community bulletin boards
- Other. Describe: \_\_\_\_\_

*Optional: Describe any of the activities checked above: \_\_\_\_\_*

3.  Describe any other quality activities, besides the activities checked above, that the Tribal Lead Agency intends to implement during this Plan period: \_\_\_\_\_

3.1.2 How did the Tribal Lead Agency identify the goals and activities to improve quality as described in 3.1.1? For example, did the Tribal Lead Agency conduct provider surveys or assessments that identified the need for quality improvements? Check all that apply:

- Surveys to parents, providers, and Tribal leadership. Describe: \_\_\_\_\_

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- Community assessments. Describe: \_\_\_\_\_
- Self-assessments. Describe: \_\_\_\_\_
- Parent, Family, Community or Tribal meetings. Describe: \_\_\_\_\_
- Other. Describe: \_\_\_\_\_

3.1.3 How does the Tribal Lead Agency evaluate progress toward meeting the overall child care quality improvement goals and activities described in 3.1.1 (658G(d)(3))?

- Follow-up surveys to parents, providers, and Tribal leadership. Describe: \_\_\_\_\_
- Ongoing community assessments. Describe: \_\_\_\_\_
- Self-assessments/program evaluation. Describe: \_\_\_\_\_
- Parent, Family, Community or Tribal meeting sign in sheets/attendance logs. Describe: \_\_\_\_\_
- Other. Describe: \_\_\_\_\_

**3.2 Supporting Training and Professional Development of the Child Care Workforce with CCDF Quality Funds**

**The Tribal Lead Agency must develop training and professional development requirements (documented in Section 2.1.5), including pre-service or orientation training (to be completed within three months) and ongoing requirements designed to enable child care providers to promote the social, emotional, physical, and cognitive development of children and to improve the knowledge and skills of the child care workforce.** Such requirements shall be applicable to child care providers caring for children receiving CCDF funds across the entire age span, from birth through age 12 (658E(c)(2)(G)). Ongoing training and professional development should be accessible and appropriate to the setting and age of the children served (98.44(b)(2)).

3.2.1 Identify how the Tribal Lead Agency's training and professional development requirements are appropriate, to the extent practicable, for child care providers who care for:

- Infants and toddlers. Describe: \_\_\_\_\_
- Preschoolers. Describe: \_\_\_\_\_
- School-age children. Describe: \_\_\_\_\_
- Children who are Indigenous-language learners. Describe: \_\_\_\_\_
- Children with developmental delays and disabilities. Describe: \_\_\_\_\_

a. Do Tribal CCDF providers participate in the State's training and professional development system? For example, Tribal CCDF providers might participate in trainings offered by the local child care resource and referral agencies or state-funded training organizations.

- Yes. Describe: \_\_\_\_\_



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No. Check all that apply.

The Tribal Lead Agency does not have sufficient information about the State's training and professional development opportunities to share with Tribal CCDF providers.

The State's training and professional development opportunities are not appropriate for providers caring for Native children.

The State's training and professional development opportunities are not accessible to Tribal CCDF providers.

The State's training and professional development opportunities are not affordable for Tribal CCDF providers.

Other. Describe: \_\_\_\_\_

Unknown

b. Has the Tribal Lead Agency been contacted by the State for input on how to make the State's trainings and professional development opportunities more culturally relevant for Native American children?

Yes. Describe: \_\_\_\_\_

No





#### **4 Tribes with Small Allocations Only – Direct Services**

*Tribes with small allocations* have the option to offer direct services. *Tribes with small allocations* can determine their own eligibility requirements. *Tribes with small allocations* who provide direct services must provide OCC with an overview of their direct services requirements as part of its abbreviated CCDF Plan.

##### **4.1 Indicate if this *Tribe with a small allocation* will offer direct child care services. Check the appropriate box below:**

No, as a *Tribe with a small allocation* we will not be offering direct child care services. **Stop here and go to the appendices.**

Yes, *Tribe with a small allocation* we will offer direct child care services. Complete the questions below.

a. How does the Tribal Lead Agency provide Direct child care services? Check all that apply:

Certificates/Vouchers

Tribally Operated Center

Grants or Contracts

b. Describe eligibility criteria, such as child's age, family income and size, reason for care (e.g., work, job training, education), and priorities for vulnerable populations: \_\_\_\_\_

c. Describe how parents can apply for child care services: \_\_\_\_\_

d. Tribal Lead Agencies that have an eligibility criteria based on family income must have and periodically revise a sliding fee scale for CCDF families' contributions that varies based on income and the size of the family.

1. Attach copy of the sliding fee scale (Enter Attachment #: \_\_\_\_\_)

2. What is the sliding fee effective date: \_\_\_\_\_

e. Does the Tribal Lead Agency waive family contributions/co-payments for any families?

No

Yes, describe \_\_\_\_\_

f. Attach the Tribal Lead Agencies payment rates (Enter Attachment # \_\_\_\_\_)

***Tribes with Small Allocations Stop Here***

**Go Directly to the Appendices**



## **5 Provide Stable Child Care Financial Assistance to Families (*Tribes with Medium and Large Allocations*)**

### **5.1 Eligible Children and Families**

***Tribes with large and medium allocations must include the basis for determining family eligibility through one of two options:***

***Traditional Eligibility:*** Tribal Lead Agencies must determine eligibility for services pursuant to the criteria found in 98.20(a) and 98.81(b)(1)(ii). When eligibility is determined, children must: (1) be under age 13; (2)(a) reside with a family whose income does not exceed 85 percent of the Grantee Median Income (GMI) for a family of the same size; and (2)(b) be from families whose assets do not exceed \$1,000,000 (as certified by such family member); and (3)(a) reside with a parent(s) who are working or attending a job training or educational program; or (3)(b) receive, or need to receive, protective services (658P(4); 98.20(a)).

***Categorical Eligibility:*** If the Tribe's median income is below 85 percent of the State Median Income, the Tribal Lead Agency has the option to consider any Indian child in the Tribe's service area to be eligible to receive CCDF funds, regardless of a family's income, work, or training status, provided that the provision for services still goes to those with the highest need (98.81(b)(1)(i)). Tribal Lead Agencies who use Categorical Eligibility may create opportunities to align CCDF programs with other Tribal early childhood programs, including Tribal home visiting, Early Head Start, and Head Start. This provision also allows Tribes to support Early Head Start-Child Care Partnership grants.

Tribal Lead Agencies who elect to use categorical eligibility will receive the same funding allocation as if they had chosen to use traditional eligibility thresholds. Additional funds will not be allocated. Additionally, Tribal Lead Agencies should take all CCDF Final Rule provisions into account when determining whether they will use categorical eligibility, such as the quality expenditure requirements, health and safety standards, and enforcement and criminal background checks.

#### **5.1.1 Eligibility Criteria Related to the Child's Age**

- a. The Tribal CCDF program serves children aged from \_\_\_\_\_ (weeks/months/years) through \_\_\_\_\_ (weeks/months/years). (may not equal or exceed age 13).

Note: Eligible children who reach the maximum age within the 12-month eligibility period shall continue to receive CCDF services until their current 12-month eligibility expires. Tribal Lead Agencies who opt to use Categorical Eligibility must still meet all other CCDF requirements around stable financial assistance and equal access, including age eligibility.

- b. Does the Tribal Lead Agency allow CCDF-funded child care for children age 13 and above but below age 19 years who are physically and/or mentally incapable of self-care (658P(3); 98.20(a)(1)(ii))?



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No

Yes

1. The upper age is \_\_\_\_\_ (may not equal or exceed age 19)

2. Define “physical or mental incapacity”: \_\_\_\_\_

c. Does the Tribal Lead Agency allow CCDF-funded child care for children age 13 and older but below age 19 years who are under court supervision (98.20(a)(1)(ii))?

No

Yes, and the upper age is \_\_\_\_\_ (may not equal or exceed age 19).

**5.1.2 Categorical Eligibility**

Does the Tribal Lead Agency implement categorical eligibility?

No. **Skip to Section 5.1.3**

Yes

a. Demonstrate that the Tribal Median Income (TMI) is below 85 percent of the State Median Income (SMI).

For a family size of 3:

1. 100% of State Median Income (SMI), \$\_\_\_\_\_/month

2. 85% of State Median Income (SMI), \$\_\_\_\_\_/month

3. 100% of Tribal Median Income (TMI), \$\_\_\_\_\_/month (must be less than 85% SMI)

b. Document the TMI and SMI data sources. Tribal Lead Agencies may use Tribally collected income data, but Census data is preferred. The data should be the most recent median income (TMI or SMI) data available.

1. Source of data and date of Tribal Median Income (e.g., American Community Survey, 2017): \_\_\_\_\_

2. Source of data, date of State Median Income, and name of State: \_\_\_\_\_

3. Attachment # or web address:

**Skip to Section 5.2**

**5.1.3 Eligibility Criteria Based on Reason for Care**

In order to be eligible to receive CCDF services, children must reside with a parent or parents(s) who are working, attending a job training or educational program, receive or need to receive protective services or are engaged in a job search activity.

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Tribal Lead Agencies have broad flexibility in defining “working,” “attending a job training program,” and “attending an educational program.” The definitions provided below should include any allowable activities, including travel time and study time. For example, a definition of “working” could include working for a salary or wages, self-employment, drug or alcohol rehabilitation, subsistence activities, job search, and/or volunteering, as well as the travel time to and from the activity. Definitions should also address any limitations, such as minimum hours required, or maximum hours allowed.

a. How does the Tribal Lead Agency define “working, job training, education and attending a job training or educational program” for the purposes of CCDF eligibility at the time of determination? Provide the definitions below:

1. “Working”: \_\_\_\_\_

2. “Job training”: \_\_\_\_\_

3. “Education”: \_\_\_\_\_

4. “Attending job training or education program” (e.g., number of hours, travel time): \_\_\_\_\_

b. Does the Tribal Lead Agency allow parents to qualify for CCDF assistance for education and/or training participation alone (without additional minimum work requirements)?

Yes

No. Describe the additional work requirements: \_\_\_\_\_

c. Does the Tribal Lead Agency consider engaging in job search or seeking employment an eligible activity at initial eligibility determination (at application) and at the 12-month eligibility re-determination (must provide a minimum of 3 months)?

No

Yes. Describe the policy or procedure: \_\_\_\_\_

**5.1.4 Eligibility Based on Protective Services and Membership in Vulnerable Populations**

Tribal Lead Agencies have the flexibility to define protective services beyond formal child welfare or foster care cases, including other vulnerable children such as children experiencing homelessness.

If the Tribal Lead Agency provides CCDF-funded child care to children in foster care whose foster care parents are not working or in education/training activities, these children are considered to be in protective services and must be included in this definition for CCDF purposes.

a. Does the Tribal Lead Agency provide child care to children who receive, or need to receive, protective services?

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No. **Skip to 5.1.5**

Yes.

1. Define “protective services” for the purposes of eligibility: \_\_\_\_\_
2. Are children in foster care considered to be in protective services?
  - No
  - Yes, and foster care is included under the Tribal Lead Agency’s definition of protective services in 5.1.4(a) above. (This means that, for CCDF purposes, the Tribal Lead Agency considers these children to be served under the protective services eligibility category).
3. Does the Tribal Lead Agency waive the income eligibility requirements for cases in which children receive, or need to receive, protective services on a case-by-case basis (658E(c)(5))?
  - No
  - Yes
4. Does the Tribal Lead Agency provide respite child care to custodial parents of children in protective services?
  - No
  - Yes, and respite care is included under the Tribal Lead Agency’s definition of protective services in 5.1.5(a) above.
5. Does the Tribal Lead Agency waive the asset limit on a case-by-case basis for families defined as receiving, or in need of, protective services?
  - No
  - Yes. Describe policy or procedure: \_\_\_\_\_

5.1.5 Eligibility Criteria Based on Family Income

- a. For the purposes of eligibility determination, Tribal Lead Agencies have flexibility in defining “income.” This flexibility allows for the exclusion or deduction of certain types of income from calculations of total family incomes.

How does the Tribal Lead Agency define “income” for the purposes of eligibility? \_\_\_\_\_

- b. **Tribal Lead Agencies must establish CCDF family income eligibility limits.** Those limits cannot exceed 85 percent of the Grantee Median Income (GMI). A Tribal Lead Agency has the flexibility to use either State Median Income or Tribal Median Income as its GMI. Check the appropriate box below to indicate which option the Tribal Lead Agency has selected:

State Median Income (SMI) for a family of the same size.

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Source (e.g., U.S. Census Bureau, etc.): \_\_\_\_\_

State: \_\_\_\_\_

Year: \_\_\_\_\_

- Tribal Median Income (TMI) for a family of the same size residing in the area served by the Tribal Lead Agency.

Source: (e.g., Tribal community assessment, etc.): \_\_\_\_\_

Year: \_\_\_\_\_

*Tribal Lead Agencies may use Tribally collected income data, but ACF strongly recommend that Tribal Lead Agencies use Census data. For either option, the data should be the most recent SMI or TMI data available.*

- c. **Tribal Lead Agencies must establish CCDF income eligibility levels.** Complete Table 5.1.5(c) for the Tribal Lead Agency's CCDF income eligibility levels.

Column (a) lists the current GMI for each family size.

Column (b) lists 85 percent of the current GMI for each family size (by law, this is the maximum allowable income for CCDF eligibility).

1. Has the Tribal Lead Agency chosen to set income eligibility limits below 85 percent of the current GMI?

No. **Do not complete columns (c)-(f).**

Yes. **Complete columns (c)-(f).**

Columns (c) and (d) show the Tribal Lead Agency's maximum income eligibility level for each family size at the time a family applies for CCDF services. Tribal Lead Agencies have the option of setting income eligibility limits below 85 percent of the current GMI.

Columns (e) and (f) list the Tribal Lead Agency's graduated phase-out or maximum "exit" income levels. If the Tribal Lead Agency sets income eligibility limits below 85 percent of the current GMI, it is subject to the graduated phase-out requirement described below. Tribal Lead Agencies that set their initial income eligibility levels at 85 percent of the current GMI are not subject to the graduated phase-out requirement (98.21(b)).

- Tribal Lead Agencies that establish initial family income eligibility below 85 percent of GMI must provide graduated phase-out by implementing two-tiered eligibility thresholds, with the second tier of eligibility (used at the time of eligibility re-determination) set at 85 percent of SMI for a family of the same size, or an amount lower than 85 percent of SMI, but above the Tribal Lead Agency's initial eligibility threshold. If the Tribal Lead Agency uses an amount lower than 85 percent of GMI, it must take into account the typical household budget for a low-income family, and

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provide justification that the eligibility threshold (1) is sufficient to accommodate increases in family income that promote and support family economic stability; and (2) reasonably allows a family to continue accessing child care services without unnecessary disruption (98.21(b)).

The income limit in column (e) cannot exceed the amount shown in column (b).

Table 5.1.5(c) : Tribal CCDF Income Eligibility Levels						
	(a)	(b)	(c)	(d)	(e)	(f)
Family Size	100% of Grantee Median Income (GMI)	85% of GMI	(IF APPLICABLE) Maximum Income Level if lower than 85% Current GMI		(IF APPLICABLE) Maximum Phase-Out/Maximum "Exit" Income Level (cannot exceed 85% GMI)	
	\$/month	\$/month [Multiply (a) by 0.85]	\$/month	% of GMI [Divide (c) by (a), multiply by 100]	\$/month	% of GMI [Divide (e) by (a), multiply by 100]
1*						
2						
3						
4						
5						
6						
7						
8						

\*Note: On a case-by-case basis, Tribal Lead Agencies may consider a child in foster care to be a "family of one" for purposes of determining CCDF income eligibility.

- d. During the eligibility determination or redetermination process, **the Tribal Lead Agency must consider fluctuations in family income.** Tribal Lead Agencies have the flexibility to consider irregular fluctuations in income when determining and re-determining eligibility. This is particularly important for families who rely on work that is unpredictable or seasonal in nature, such as agriculture, construction work, or subsistence activities such as hunting and fishing. Families may experience a temporary spike in income due to working increased hours over a short period, yet those earnings are not representative of the family's income over the course of a year.



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How does the Tribal Lead Agency take income fluctuations into account when re-determining eligibility? Check all that apply.

- Averaging income annually
- Disregarding temporary, short-term income increases
- Other. Describe: \_\_\_\_\_

e. Tribal Lead Agencies are required to ensure that children receiving CCDF funds do not have family assets that exceed \$1,000,000, as certified by a family member (98.20(a)(2)(ii)). Tribal Lead Agencies can meet this requirement through family self-certification, either in the application, interview process, or through another method as determined by the Tribal Lead Agency.

Describe how the family member certifies that family assets do not exceed \$1,000,000: \_\_\_\_\_

5.1.6 The Tribal Lead Agency has flexibility in establishing additional eligibility criteria. Additional criteria could include, for example, Tribal applicants first applying with the State CCDF program; higher income limits in one part of the Tribal service area.

a. Does the Tribal Lead Agency establish additional eligibility criteria (98.16(g)(5), 98.20(b))?

- No
- Yes. Describe: \_\_\_\_\_

b. If additional eligibility criteria include different income eligibility limits, please attach additional income eligibility tables and indicate attachment(s) #: \_\_\_\_\_

**5.2 Application and Eligibility Determination/Redetermination Process**

5.2.1 Tribal Lead Agencies must inform parents of eligible children and the general public of the process by which they can apply for Tribal CCDF assistance (658E(c)(2)(E)(i)(1)).

How are parents informed of the availability of child care assistance under Tribal CCDF? Check all that apply.

- |  |  |
|--|--|
| <input type="checkbox"/> Tribal Lead Agency                        | <input type="checkbox"/> Other Tribal offices                |
| <input type="checkbox"/> Child care providers                      | <input type="checkbox"/> Other governmental offices          |
| <input type="checkbox"/> Child care resource and referral agencies | <input type="checkbox"/> Community outreach events           |
| <input type="checkbox"/> Public and/or Tribal schools              | <input type="checkbox"/> Radio and/or television             |
| <input type="checkbox"/> Early Head Start/Head Start programs      | <input type="checkbox"/> Social media                        |
| <input type="checkbox"/> Health Clinics                            | <input type="checkbox"/> Internet. Provide website(s): _____ |
| <input type="checkbox"/> TANF offices                              | <input type="checkbox"/> Other. Describe: _____              |





5.2.2 How can parents apply for child care services? Check all that apply.

- In-person interview or orientation
- Phone
- Mail
- At the child care provider's site
- Electronically via online application or email (provide website): \_\_\_\_\_
- Other. Describe: \_\_\_\_\_

5.2.3 **Tribal Lead Agencies are required to have procedures for documenting and verifying that children and families receiving CCDF funds meet eligibility criteria at the time of eligibility determination and redetermination (98.68(c)).** Check the information that the Tribal Lead Agency documents and verifies and describe, at a minimum, what information is required and how often. Check all that apply.

- Child's age: \_\_\_\_\_
- Work: \_\_\_\_\_
- Job training or education program: \_\_\_\_\_
- Family income: \_\_\_\_\_
- Household composition: \_\_\_\_\_
- Applicant identity: \_\_\_\_\_
- Applicant's relationship to the child: \_\_\_\_\_
- Applicant's residence: \_\_\_\_\_
- Other: \_\_\_\_\_

5.2.4 Which strategies, if any, will the Tribal Lead Agency use to ensure the timeliness of eligibility determinations upon receipt of applications? Check all that apply.

- Time limit for making eligibility determinations. Describe length of time: \_\_\_\_\_
- Track and monitor the eligibility determination process
- Other. Describe: \_\_\_\_\_
- None

5.2.5 12-Month Eligibility

**Tribal Lead Agencies are required to establish a minimum 12-month eligibility and redetermination period, regardless of changes in family's eligibility, in age, including turning 13 years old during the 12-month eligibility period; and in residency within a Tribal service area (658E(c)(2)(N)(i) and (ii)); 45 C.F.R § 98.21(a)(1)).**



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Tribal Lead Agencies must provide a minimum 12-month eligibility and redetermination period as long as the family's income does not exceed the federal threshold of 85 percent of the grantee median income. The Tribal Lead Agency may not terminate assistance prior to the end of the 12-month period if a family experiences temporary changes in participation in work, training, or educational activities (658E(c)(2)(N)(i) and (ii)).

a. Describe the Tribal Lead Agency's policies and procedures in implementing the minimum 12-month eligibility and redetermination requirements: \_\_\_\_\_

b. Describe the Tribal Lead Agency's definition of a "temporary changes in activity". Check all that apply.

- Time-limited absence from work for an employed parent due to such reasons as the need to care for a family member or an illness
- Interruption in work for a seasonal worker
- Student holidays or breaks for a parent participating in a training or educational program
- Reduction in work, training, or education hours, as long as the parent is still working or attending a training or educational program
- Other cessation of work or attendance at a training or educational program that does not exceed three months or a longer period of time established by the Tribal Lead Agency
- Changes in residency within the State, Territory, or Tribal service area
- A child turning 13 years old during the 12-month eligibility period
- Other. Describe: \_\_\_\_\_

**5.2.6 *Option to discontinue assistance during the 12-month eligibility period.***

A Tribal Lead Agency has the option to discontinue assistance during the 12-month eligibility period due to a parent's non-temporary loss of work or cessation of attendance at a job training or educational program; however, it must provide at least three months of continued assistance at the same level after such loss or cessation. At the end of the minimum three-month period of continued assistance, if the parent has engaged in a qualifying work, training, or educational program activity with an income below 85 percent of SMI, assistance cannot be terminated, and the child must continue receiving assistance until the next scheduled redetermination or, at the Tribal Lead Agency option, for an additional minimum 12-month eligibility period (98.21 (a)).

- a. Does the Tribal Lead Agency choose to discontinue assistance during the 12-month eligibility period due to a parent's non-temporary loss or cessation of eligible activity, and offer a minimum three-month period to allow parents to engage in a job search and to resume participation in an eligible activity?



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Yes. Describe the Tribal Lead Agency's policies and procedures for discontinuing assistance due to a parent's non-temporary change and the length of the job search period:

No. The Tribal Lead Agency does not discontinue assistance during the 12-month eligibility period due to a parent's non-temporary change.

b. *The Tribal Lead Agency may discontinue assistance prior to the next 12-month redetermination in the following limited circumstances. Check all that apply.*

Excessive unexplained absences (after multiple attempts to contact family, including the prior notification of a possible discontinuation of assistance.).

A change in residency outside of the Tribal service area.

Substantiated fraud or intentional program violations that invalidate prior determinations of eligibility. Describe the violations that lead to discontinuing assistance: \_\_\_\_\_

5.2.7 Change reporting during the 12-month eligibility period

Families are required to report to the Tribal Lead Agency at any time during the 12-month eligibility period if the family's income exceeds 85 percent of the GMI, taking into account irregular fluctuations in income (98.21(e)(1)).

**Any additional reporting requirements during the 12-month eligibility period must be limited to items that impact a family's eligibility (e.g., that impact the Tribal Lead Agency's ability to contact the family or pay the child care providers) and shall not require an office visit.** In addition, the Tribal Lead Agency must offer a range of notification options to accommodate families.

**Tribal Lead Agencies are required to have procedures and policies in place to ensure that parents (especially parents in families receiving assistance under the TANF program) are not required to unduly disrupt their employment, education, or job training activities to comply with the Tribal Lead Agency's or designated local entity's requirements for the redetermination of eligibility for assistance (658E(c)(2)(N)(ii); 98.21(d))**

Does the Tribal Lead Agency require families to report other changes?

a. Does the Tribal Lead Agency require families to report other changes (e.g., change of address, change in need for child care, change in child care provider)?

No

Yes. Describe \_\_\_\_\_

b. Describe how the Tribal Lead Agency ensures that reporting changes are not burdensome and avoid an impact on continued eligibility between redeterminations (e.g., reporting changes by mail, email, online forms, or in-person; extended submission hours; etc.): \_\_\_\_\_

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5.2.8 Certify by describing the Tribal Lead Agency’s procedures for ensuring that parents have unlimited access to their children whenever their children are in the care of a provider who receives CCDF funds (658E(c)(2)(B); 98.16(t)): \_\_\_\_\_

5.2.9 **Tribal Lead Agencies are required to inform parents who receive TANF benefits about the exception to the individual penalties associated with the work requirement for any single custodial parent who has a demonstrated inability to obtain needed child care for a child younger than age 6 (98.16(v); 98.33(f)).**

The TANF agency, not the Tribal CCDF Tribal Lead Agency, is responsible for establishing the following criteria or definitions. These criteria or definitions are offered in this Plan as a matter of public record. This question is for informational purposes.

The Tribal Lead Agency may choose to coordinate with either the Tribal TANF agency or agencies within the service area, the State TANF agency, or both. The definitions provided should be gathered from the TANF agency that is most relevant and works more closely with the Tribal Lead Agency.

a. Identify the TANF agency that established these criteria or definitions:

State TANF Agency: \_\_\_\_\_

Tribal TANF Agency: \_\_\_\_\_

b. Provide the following criteria or definitions established by the TANF Agency:

1. “Appropriate child care”: \_\_\_\_\_

2. “Reasonable distance”: \_\_\_\_\_

3. “Unsuitability of informal child care”: \_\_\_\_\_

4. “Affordable child care arrangements”: \_\_\_\_\_

c. How are parents who receive TANF benefits informed about the exception to individual penalties associated with the TANF work requirements? Briefly describe the process:

In writing. Describe: \_\_\_\_\_

Verbally. Describe: \_\_\_\_\_

### 5.3 Improving Access for Vulnerable Children and Families

**Tribal Lead Agencies are required to give priority for child care assistance to “children with special needs” and children experiencing homelessness (658E(c)(3)(B); 98.46(a)).** The prioritization of CCDF assistance services is not limited to eligibility determination (e.g., prioritize for enrollment, serve without placing vulnerable populations on waiting lists, waive co-payments, pay higher rates for access to higher quality care, use grants or contracts to reserve slots for priority populations).

5.3.1 Children with Special Needs



Tribal Lead Agencies have flexibility in how they define “children with special needs.” The definition of “children with special needs” may include children with physical or mental disabilities or children who are considered part of “vulnerable populations” (e.g., families with very low incomes, children at risk of receiving protective services, children with teen parents, etc.).

- a) Describe how the Tribal Lead Agency defines “children with special needs”: \_\_\_\_\_
- b) Describe how the Tribal Lead Agency will give priority for child care services to children with special needs: \_\_\_\_\_

### 5.3.2 Services for Children Experiencing Homelessness

As defined in Section 725 of Subtitle VII-B of the McKinney-Vento Act (42 U.S.C. 11434a; 98.2), children experiencing homelessness are those who lack a fixed, regular, and adequate nighttime residence, and include children who are:

- Sharing the housing of others due to a housing, economic hardship, or similar reason
- Living in hotels, motels, trailer parks, or campgrounds due to the lack of alternative adequate accommodations
- Living in emergency or transitional shelters
- Abandoned in hospitals
- Living in a primary nighttime residence that is public or not designed for human beings
- Living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings
- Migrant children

#### **Tribal Lead Agencies are required to expend CCDF funds to:**

- Permit the enrollment (after an initial eligibility determination) of children experiencing homelessness while required documentation is obtained allowing a grace period
  - Provide training and technical assistance to child care providers and the appropriate Tribal Lead Agency (or designated entity) staff in identifying and serving children experiencing homelessness
  - Conduct specific outreach to families experiencing homelessness (658E(c)(3)(B)(i); 98.51)
- a. Describe how the Tribal Lead Agency improves access to child care for children and families experiencing homelessness (e.g., adding new providers near homeless shelters, etc.): \_\_\_\_\_
  - b. Describe how services are prioritized for children experiencing homelessness: \_\_\_\_\_
  - c. Describe how the Tribal Lead Agency conducts outreach to children experiencing homelessness and their families: \_\_\_\_\_
  - d. Tribal Lead Agencies must establish a grace period that allows children experiencing homelessness and children in foster care to receive CCDF assistance while providing their



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families with a reasonable time to take any necessary actions to comply with immunization and other health and safety requirements. The length of such a grace period shall be established in consultation with the State, Territorial, or Tribal health agency (658E(c)(2)(I)(i)(I); 98.41(a)(1)(i)(C)).

1. Describe the grace period and how it was established: \_\_\_\_\_
2. Describe how the length of the grace period was established in consultation with Tribal health agencies for children experiencing homelessness and children in foster care: \_\_\_\_\_

5.3.3 Does the Tribal Lead Agency have additional priority rules or categories?

- No
- Yes. Define the additional priority rules: \_\_\_\_\_

5.3.4 Building the Supply of Child Care

**Tribal Lead Agencies are required to develop and implement strategies to increase the supply of child care services and to improve the quality of care for children who are typically underserved.**

These populations include children in underserved areas, infants and toddlers, children with disabilities, and children who receive care during non-traditional areas (see [https://www.acf.hhs.gov/sites/default/files/occ/ccdf\\_acf\\_im\\_2015\\_02.pdf](https://www.acf.hhs.gov/sites/default/files/occ/ccdf_acf_im_2015_02.pdf) for additional guidance).

Describe the strategies being implemented by the Tribal Lead Agency to increase the supply and improve the quality of child care services for each of the following groups of children.

- a. Children in underserved areas. Describe: \_\_\_\_\_
- b. Infants and toddlers. Describe: \_\_\_\_\_
- c. Children with disabilities. Describe: \_\_\_\_\_
- d. Children who receive care during nontraditional hours. Describe: \_\_\_\_\_

**5.4 Family Contribution to Payments**

**Tribal Lead Agencies that have eligibility criteria based on family income must establish and periodically revise a sliding-fee scale that varies based on income and the size of the family to determine each family's contribution (i.e., co-payment) that is not a barrier to families receiving CCDF funds (658E(c)(5)).**

5.4.1 Family Contribution to Payment

In addition to income and size of the family, the Tribal Lead Agency may use other factors when determining family contributions/co-payments. Tribal Lead Agencies, however, may not use cost of care or amount of subsidy payment in determining copayments (98.45(k)(2)).

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- a. Attach a copy of the sliding fee scale (Enter Attachment #: \_\_\_\_\_)
- b. What is the effective date of the sliding-fee scale(s)? \_\_\_\_\_
- c. Will the attached sliding fee scale be used in all parts of the service area?
- Yes.
- No. Attach other sliding fee scale(s) Attachment(s) #\_\_\_\_\_. Effective date: \_\_\_\_\_
- d. How will the family's contribution be calculated, and to whom will it be applied? Check all that apply.
- The fee is a dollar amount and:
- The fee is per child, with the same fee for each child.
  - The fee is per child and is discounted for two or more children.
  - The fee is per child up to a maximum per family.
  - No additional fee is charged after certain number of children.
  - The fee is per family.
  - The contribution schedule varies because it is set locally/regionally. Describe: \_\_\_\_\_
  - Other. Describe: \_\_\_\_\_
- The fee is a percent of income and:
- The fee is per child, with the same percentage applied for each child.
  - The fee is per child, and a discounted percentage is applied for two or more children.
  - The fee is per child up to a maximum per family.
  - No additional percentage is charged after certain number of children.
  - The fee is per family.
  - The contribution schedule varies because it is set locally/regionally (as indicated in 5.4.1(c)). Describe: \_\_\_\_\_
  - Other. Describe: \_\_\_\_\_
- e. Does the Tribal Lead Agency use other factors in addition to income and family size to determine each family's co-payment (658E(c)(3)(B))? Reminder: Tribal Lead Agencies may not use cost of care or amount of subsidy payment in determining copayments (98.45(k)(2)).
- No
- Yes, check and describe those additional factors below:

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- Number of hours the child is in care. Describe: \_\_\_\_\_
- Lower co-payments for a higher quality of care, as defined by the Tribal Lead Agency. Describe: \_\_\_\_\_
- Other. Describe: \_\_\_\_\_

f. How will the Tribal Lead Agency ensure that the family contribution/co-payment is affordable and is not a barrier to families receiving CCDF funds? Check all that apply.

- Limit the maximum co-payment per family. Describe: \_\_\_\_\_
- Limit the combined amount of co-payment for all children to a percentage of family income. List the percentage of the co-payment limit and describe: \_\_\_\_\_
- Minimize the abrupt termination of assistance before a family can afford the full cost of care (“the cliff effect”) as part of the graduated phase-out of assistance. Describe: \_\_\_\_\_
- Other. Describe: \_\_\_\_\_

g. *The Tribal Lead Agency may waive contributions/co-payments from families whose incomes are at or below the poverty level for a family of the same size; for families who are receiving or needing to receive protective services, as determined for purposes of CCDF eligibility; or who meet other criteria established by the Tribal Lead Agency (98.45(k)(4)).*

Does the Tribal Lead Agency waive family contributions/co-payments? Check all that apply.

- Yes, the Tribal Lead Agency waives family contributions/co-payments for families with an income at or below the poverty level for families of the same size.
- Yes, the Tribal Lead Agency waives family contributions/co-payments for families who are receiving or needing to receive protective services, as determined by the Tribal Lead Agency for purposes of CCDF eligibility.
- Yes, the Tribal Lead Agency waives family contributions/co-payments for other criteria established by the Tribal Lead Agency (e.g., families experiencing homelessness, migrant workers, and victims of human trafficking, families receiving TANF, etc.). Describe the criteria: \_\_\_\_\_
- No, the Tribal Lead Agency does not waive family contributions/co-payments.

h. Does the Tribal Lead Agency allow providers to charge families additional amounts above the required co-payment in instances where the provider’s price exceeds the subsidy payment (98.45(b)(5))?

- No
- Yes. If yes: Describe the policy and/or procedure: \_\_\_\_\_





## **6 Ensure Equal Access to High Quality Child Care for Low-Income Children (Tribes with Medium and Large Allocations)**

### **6.1 Description of Direct Child Care Services**

CCDF direct services may be provided through a subsidy program where the Tribal Lead Agency offers certificates for parents to use in any approved child care setting; through a Tribal CCDF-Operated Center; or through grants or contracts that allocate slots with a provider who offers child care services. The Final Rule established three categories of care:

- In-home child care: care provided in the child's home
- Family child care: care provided in a private residence other than the child's residence
- Center-based child care: group care provided in a facility outside of the child's or provider's home

**Tribes with large allocations are required to operate a certificate program that permits parents to choose care from all three categories of care.**

#### **6.1.1 Child Care Services (658E(c)(2)(A); 658E(c)(3)(A)-(B); 658P(6)-(7); 98.16(i)(1); 98.30; 98.50)**

- a. The Tribal Lead Agency allows parents to choose from the following categories of care. Choose all that apply (**Tribes with large allocations must offer all three categories of care below**):

- Center-based child care, including a Tribally operated center
- Family child care home
- In-home child care

- b. If the Tribal Lead Agency allows for in-home care (i.e., care provided in the child's own home) as described in 98.16(i)(2), does the Tribal Lead Agency limit the use of in-home care in any way?

- No
- Yes. What limits does the Tribal Lead Agency set? Check all that apply.
  - Restricted based on minimum number of children in the care of the provider due to the Fair Labor Standards Act (minimum wage) requirement. Describe: \_\_\_\_\_
  - Restricted based on provider meeting a minimum age requirement (a relative provider must be at least 18 years of age based on the definition of eligible child care provider (98.2)). Describe: \_\_\_\_\_
  - Restricted based on hours of care (a certain number of hours, non- traditional work hours, etc.). Describe: \_\_\_\_\_



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- Restricted to care by relatives only. Describe: \_\_\_\_\_
- Restricted to care for children with special needs or medical conditions. Describe: \_\_\_\_\_
- Restricted to in-home providers that meet additional health and safety requirements beyond those required by CCDF. Describe: \_\_\_\_\_
- Other. Describe: \_\_\_\_\_

c. How does the Tribal Lead Agency fund its direct child care services? Choose all that apply

- Certificates
- Grants or Contracts with approved child care providers
- CCDF funded Tribally operated center

Does the Tribal Lead Agency provide child care services exclusively through Tribally operated centers?

- Yes (*option available only to Tribes with medium allocations*). **Continue to Section 7**
- No. Continue to next question.

d. Does the Tribal Lead Agency use grants or contracts for child care slots to increase the supply and/or improve the quality of child care programs (658E(c)(2)(M))?

- No
- Yes. Grant or contract-funded slots are used to increase the supply and/or improve the quality of the following types of child care programs through:
  - Providers offering native language education or a culturally-based curriculum
  - Providers serving specific populations (such as children with disabilities, infants and toddlers, school-age children, children experiencing homelessness, and children in isolated geographic areas)
  - Providers serving children needing care during non-traditional hours
  - Providers meeting or exceeding higher quality standards, such as programs with higher Quality Rating and Improvement System (QRIS) ratings or nationally accredited programs
  - Providers offering bonuses, higher pay, or other financial incentives to teaching staff for reaching higher levels of education and/or qualifications

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Other. Describe: \_\_\_\_\_

6.1.3 How are parents informed of the option to choose from the full range of child care provider categories – centers, family child care homes, in-home providers, and other provider types as applicable (658E(c)(2)(A)(i); 658P (2); 658Q)? Check all that apply.

Certificate that also include information about the choice of providers, including high quality providers

Consumer education materials on choosing child care

Verbal communication at the time of application

Community outreach, workshops, or other in-person activities

Other. Describe: \_\_\_\_\_

## 6.2 Assessing Child Care Market Rates

The regulations at 98.83(d)(1)(iv) exempt all Tribal Lead Agencies from the requirement to use a market rate survey or alternative methodology to set provider payment rates because many Tribal service areas are in rural, isolated areas, making such a requirement difficult.

While they are exempt from the market rate survey requirement, **Tribal Lead Agencies must set sufficient base payment rates to provide equal access to the full range of child care services and set rates that cover the costs of providing higher quality care.** At a minimum, *Tribes with large allocations* must operate certificate programs and are required to show how payment rates are adequate, including a description of how payment rates are established and support the health, safety, quality, staffing requirements, along with the cost of providing higher quality care, and, where applicable, support cultural and linguistic appropriateness.

*Tribal Lead Agencies, at their option, may still conduct a market rate survey or an alternative methodology approach or use the State's methodologies to set payment rates.* If using an alternative methodology, a Tribal Lead Agency may use child care resource and referral data to assess child care costs in its service area. See <https://www.acf.hhs.gov/occ/resource/ccdf-acf-pi-2018-01> for additional alternative methodology guidance.

6.2.1 How did the Tribal Lead Agency assess the cost of care? Please indicate if any of the following sources of information were used in assessing the cost of care or price of care within the service area. Choose all that apply:

State Market Rate Survey. State(s): \_\_\_\_\_ Date(s) completed: \_\_\_\_\_

State Alternative Methodology. State(s): \_\_\_\_\_ Date(s) completed: \_\_\_\_\_

Child Care Resource and Referral Data. Describe: \_\_\_\_\_

Tribal Market Rate Survey: Date completed: \_\_\_\_\_



Alternative Methodology. Date completed: \_\_\_\_\_

Other. Describe: \_\_\_\_\_

### **6.3 Setting Payment Rates for Child Care Services**

**Tribal Lead Agencies are required to establish payment rates for child care services that ensure eligible families have equal access to child care services comparable to those services provided to families not eligible to receive CCDF services (658E(c)(4); 98.16(r); 98.45(a); 98.45(b)(1)-(2); (98.45(b)(7)-(8).**

6.3.1 Describe how the Tribal Lead Agency establishes payment rates: \_\_\_\_\_

6.3.2 Tribal Lead Agencies are required to set base payment rates *at least* at a level sufficient to cover the costs to provider of the health, safety, quality and staffing requirements included in the Act and the final rule.

Describe how the Tribal Lead Agency's base payment rates enable providers to meet the health, safety, quality, and staffing requirements under CCDF: \_\_\_\_\_

6.3.3 Describe how the Tribal Lead Agency's base payment rates support quality and meet the needs of the Tribal communities they serve (e.g., where applicable, cultural and linguistic appropriateness): \_\_\_\_\_

6.3.4 The payment rates should reflect the variety of care offered in your program (for example, different rates based on the child's age, the category of care, hours of care offered, etc.). Tribal Lead Agencies are reminded that payment rates cannot be based on a family's eligibility such as receiving TANF or participation in education or training. Include all payment rates and definition of service areas in the attached payment rates.

a. The Tribal Lead Agency's payment rates are provided in Attachment #: \_\_\_\_\_

b. The effective date of those payment rates is: \_\_\_\_\_ (Include tiered/differential rates on the payment rate attachment(s).)

6.3.5 Tribal Lead Agencies can choose to establish tiered rates, differential rates, or add-ons to their base rates. This allows them to increase payments for targeted needs (i.e., a higher rate for children with special needs as an incentive and to cover additional costs).

**Tribal Lead Agencies must set payment rates that ensure eligible families have the same access to care as families not eligible for subsidies.** They may set the rates based on what providers charge for care, but also must take into account the cost of care to providers. Providers usually set their prices based on a number of factors impacted by the cost of providing care, such as: staff salaries and benefits, training and professional development, curricula and supplies, group size and child/staff ratios, enrollment levels, facility size, and other costs. Taking those factors into account means that Tribal Lead Agencies may set different rates for different kinds of care;



for example, payment rates for infants may be higher than rates for school-age care because it costs providers more to offer infant care given more restricted child/staff ratios.

In addition, Tribal Lead Agencies can choose to set tiered payment rates or create rate add-ons (sometimes called “differential rates”) to their regular rates to increase payments for targeted needs. For example, a Tribal Lead Agency could encourage more care during non-traditional hours by paying providers who work evenings a 15 percent add-on over the regular payment rate. An example of tiered rates is paying family child care providers who earn a CDA five percent more than the regular rate and paying those that earn accreditation 10 percent more. Tiered rates and add-ons are often used to encourage and support care for specific populations (such as children with special needs, infants and toddlers, school-age children, children in rural areas, or children experiencing homelessness) and to encourage providers to increase or sustain their program quality.

Does the Tribal Lead Agency provide any type of tiered payment or differential (add-on) rates 658E(c)(4)(C)(ii)?

No

Yes

Describe each of the tiered rates the Tribal Lead Agency has chosen to implement. Check all that apply.

Differential rate for non-traditional hours

Differential rate for children with special needs, as defined by the Tribal Lead Agency

Differential rate for infants and toddlers

Differential rate for school-age programs

Differential rate for higher quality, as defined by the Tribal Lead Agency

Other differential rates or tiered rates. Describe: \_\_\_\_\_

6.3.6 How does the Tribal Lead Agency ensure that payment rates are sufficient to ensure equal access? Equal access would offer children receiving CCDF subsidies access to the same services (type of care, quality of care) as children not receiving CCDF. To certify, check all that apply and provide a description of the rationale that the Tribal Lead Agency used to determine equal access (658E(c)(4)(A)).

Feedback from parents, including parent surveys or parent complaints. Describe: \_\_\_\_\_

Feedback from providers, including provider surveys or provider complaints.

Using tiered rates/differential rates (as described in 6.3.5) to increase access for high needs populations.



Payment rates are set at the 75th percentile or higher of the most recent State or Tribal market rate survey.

Other. Describe: \_\_\_\_\_

#### **6.4 Payment Practices and Timeliness of Payments to Providers**

**The Tribal Lead Agency must establish payment practices that apply to all CCDF child care providers in the Tribe's service area that include ensuring the timeliness of payments** by either (1) paying prospectively prior to the delivery of services or (2) paying within no more than 21 calendar days of the receipt of a complete invoice for services. To the extent practicable, the Tribal Lead Agency must also support the fixed costs of providing child care services by delinking provider payments from a child's occasional absences by (1) paying based on a child's enrollment rather than attendance, (2) providing full payment if a child attends at least 85 percent of the authorized time, (3) providing full payment if a child is absent for five or fewer days in a month, or (4) using an alternative approach for which the Tribal Lead Agency provides a justification in its Plan (658E(c)(2)(S)(ii); 98.45(l)(2)).

**Tribal Lead Agencies are also required to use CCDF payment practices that reflect generally accepted payment practices of child care providers who serve children who do not receive CCDF-funded assistance.** Unless the Tribal Lead Agency is able to demonstrate that the following policies are not generally accepted in its service area or among particular categories or types of providers, Tribal Lead Agencies must (1) pay providers based on established part-time or full-time rates rather than paying for hours of service or smaller increments of time and (2) pay for reasonable, mandatory registration fees that the provider charges to private-paying parents (658E(c)(2)(S); 98.45(l)(3)).

In addition, there are other generally accepted payment practices that are required. **Tribal Lead Agencies are required to ensure that child care providers receive payment for any services in accordance with a payment agreement or an authorization for services, ensure that child care providers receive prompt notice of changes to a family's eligibility status that could impact payment, and establish timely appeal and resolution processes for any payment inaccuracies and disputes** (98.45(l)(4)-(6); 658E(c)(2)(S)(ii)).

6.4.1 The Tribal Lead Agency must ensure the timeliness of payments by either option below. Check which option you are implementing:

Paying providers prior to the delivery of child care services. Describe the policy or procedure: \_\_\_\_\_

Paying providers within no more than 21 calendar days of the time a complete invoice for services has been received from the provider. Describe the policy or procedure: \_\_\_\_\_

6.4.2 **To the extent practicable, the Tribal Lead Agency must support the fixed costs of providing child care services by delinking provider payments from a child's occasional absences.** Tribal Lead Agencies that do not choose one of the three options listed below have the flexibility to use an alternative approach but must provide justification that the alternative approach is as thorough as



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the three options provided. (For example, a Tribal Lead Agency may choose to allow for additional excused and/or unexcused absences above the level of 85 percent or allow for more than five absences and still provide for the full payment. They also may choose an alternative time period for measuring absences such as using multiple months instead of just one month).

The Tribal Lead Agency must support the fixed costs of providing child care services by delinking provider payments from a child's occasional absences. Check the option below that the Tribal Lead Agency is implementing:

- Paying providers based on a child's enrollment rather than paying based on attendance.
- Providing full payment to providers if the child attends at least 85% of the authorized time.
- Providing full payment to providers if the child is absent for five or fewer days in a month.
- Use of an alternative approach for which the Tribal Lead Agency provides justification in its plan. Describe the alternative approach and justification that this approach is not weaker than the three options listed above: \_\_\_\_\_

6.4.3 The Tribal Lead Agency's payment practices must reflect generally accepted payment practices of child care providers who serve children who do not receive CCDF subsidies. Describe the policy or procedure for the following two practices or evidence that such practices are not generally accepted in its service area (658E(c)(2)(S); 98.45(I)(3)).

- Paying on a part-time or full-time basis (rather than paying hourly or for smaller increments of time). Describe the policy or procedure or describe why this practice is not generally accepted: \_\_\_\_\_
- Paying for reasonable mandatory registration fees that the provider charges to private paying parents (this requirement does not include other fees such as activity or transportation fees). Describe the policy or procedure or describe why this practice is not generally accepted: \_\_\_\_\_

6.4.4 The Tribal Lead Agency ensures that providers are paid in accordance with a written payment agreement or an authorization for services that include, at a minimum, information regarding provider payment policies, including rates, schedules, any fees charged to the providers, and dispute-resolution process. Describe the policy or procedure: \_\_\_\_\_

6.4.5 The Tribal Lead Agency ensures prompt notice to providers regarding any changes to the family's eligibility status that could impact payments, and such a notice is sent no later than the day that the Tribal Lead Agency becomes aware that such a change will occur. Describe the policy or procedure: \_\_\_\_\_

6.4.6 The Tribal Lead Agency ensures it has a timely appeal and resolution process for payment inaccuracies and disputes. Describe the policy or procedure: \_\_\_\_\_

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## **7 Promote Family Engagement through Outreach and Consumer Education Children (*for Tribes with Medium and Large Allocations*)**

**Tribal Lead Agencies are required to support parents in making informed choices about the services that best suit their needs.** Tribal Lead Agencies may provide information to parents through the child care assistance system, partner agencies, and other methods of their choosing.

In this section, Tribal Lead Agencies will address how information on accessing high-quality child care and other financial assistance supports is made available to eligible families. In addition, Tribal Lead Agencies will describe how information on developmental screenings and best practices concerning children’s development including their social-emotional development, is shared. Tribal Lead Agencies have the option to share this information through a consumer education website targeting parents receiving CCDF assistance, the general public, and when appropriate, child care providers. Tribal Lead Agencies will also describe the process for parental in this section. Finally, this section addresses the consumer statement that is provided to parents supported with CCDF funds.

### **7.1 Parental Complaint Process**

**The Tribal Lead Agency must certify that the Tribe maintains a record of substantiated parental complaints and makes information regarding such complaints available to the public on request (658E(c)(2)(C); 98.15(b)(3)).**

**Tribal Lead Agencies must provide a detailed description of the reporting process for parents to submit complaints about child care providers,** including the following information:

- The process for substantiating complaints
- The manner in which the Tribal Lead Agency maintains a record of substantiated parental complaints
- Ways that the Tribal Lead Agency makes information on such parental complaints available to the public on request (98.16(j); 98.32(b)(c)(d))





- 7.1.1 Describe the Tribal Lead Agency's reporting process through which parents can submit complaints about child care providers, including a link if it is a Web-based process: \_\_\_\_\_
- 7.1.2 Describe the Tribal Lead Agency's process and timeline for screening, substantiating and responding to complaints regarding CCDF providers, including whether the process includes monitoring: \_\_\_\_\_
- 7.1.3 Certify by describing how the Tribal Lead Agency maintains a record of substantiated parental complaints: \_\_\_\_\_
- 7.1.4 Certify by describing how the Tribal Lead Agency makes information about substantiated parental complaints available to the public upon request: \_\_\_\_\_

## **7.2 Consumer Education for Parents, Providers, and the Public**

- 7.2.1 **Tribal Lead Agencies are required to provide information to parents, the general public, and when applicable, child care providers** through a method of their choice, which is consumer-friendly and easily accessible (658E(c)(2)(E)(i)(III)). The available information must include provider-specific information, monitoring and inspection reports about the provider, and the quality of each provider (if such information is available about the provider) (658E(c)(2)(D); 98.33(a)). The information should also provide access to an annual service area report on deaths, serious injuries, and the number of substantiated cases of child abuse that have occurred in child care settings. To assist families with any additional questions, the information should provide contact information to local child care resource and referral organizations and any other agencies that can assist families in better understanding the information.

Note: Tribal Lead Agencies who only operated Tribally operated centers may enter "NA" for c-g.

- a. Describe how the Tribal Lead Agency ensures that its information is consumer-friendly and easily accessible: \_\_\_\_\_
- b. Describe how the Tribal Lead Agency informs parents, providers, and the public on how it conducts monitoring and inspections of child care providers: \_\_\_\_\_
- c. Describe how the Tribal Lead Agency informs parents, providers, and the public on the policies and procedures related to criminal background checks for provider/staff members of child care providers and the offenses that prevent individuals from being employed by a child care provider or receiving CCDF funds: \_\_\_\_\_
- d. Describe how the Tribal Lead Agency lists all licensed providers and, at the discretion of the Tribal Lead Agency, all providers eligible to deliver CCDF services, identified as either licensed or license-exempt. Providers caring for children to whom they are related do not need to be included: \_\_\_\_\_



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- e. In addition to the licensed child care providers that are required to be included in the list of all licensed providers, which additional providers are included in the Tribal Lead Agency's list?

Check all that apply:

- License-exempt center-based CCDF providers
- License-exempt family child care CCDF providers
- License-exempt non-CCDF providers
- Relative CCDF child care providers
- Other. Describe: \_\_\_\_\_

- f. **Tribal Lead Agencies must also identify specific quality information about each child care provider for whom they have quality information.** Tribal Lead Agencies may determine the type of quality information provided. How does the Tribal Lead Agency report quality ratings or other quality information included with provider-specific information?

- National accreditation
- Enhanced licensing system
- Meeting Head Start/Early Head Start Program Performance Standards.
- Meeting prekindergarten quality requirements
- School-age standards, where applicable
- Quality rating and improvement system managed by Tribal Lead Agency
- Quality rating and improvement system managed by the State
- Other. Describe: \_\_\_\_\_

- g. For what types of providers are quality ratings or other indicators of quality available?

- Licensed CCDF providers. Describe the quality information:
- Licensed non-CCDF providers. Describe the quality information:
- License-exempt center-based CCDF providers. Describe the quality information:
- License-exempt family child care CCDF providers. Describe the quality information:
- License-exempt non-CCDF providers. Describe the quality information:
- Relative child care providers. Describe the quality information:
- Other. Describe: \_\_\_\_\_

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**7.2.2 Tribal Lead Agencies are required to make monitoring and inspection reports available about each licensed provider and about each non-relative provider eligible to provide CCDF services.**

These reports must include results of required annual monitoring visits and visits due to major substantiated complaints about a provider's failure to comply with health and safety requirements and child care policies. The reports must be in plain language (i.e., communication your audience can understand the first time they read it), as defined by the Tribal Lead Agency, and be timely to ensure that the results of the reports are available and easily understood by parents when they are deciding on a child care provider. Tribal Lead Agencies must provide at least three years of reports (when available), beginning October 1, 2019 and going forward.

a. Describe how the reports are made available to the public?

- Online
- Hard copy by request
- Require provider to post
- Other. Describe: \_\_\_\_\_

b. What is the Tribal Lead Agency's definition of plain language? \_\_\_\_\_

c. Are monitoring and inspection reports in plain language?

- Yes.
- No. If no, describe how plain language summaries are used to meet the regulatory requirements and include a link to a sample summary: \_\_\_\_\_

d. Describe the process for receiving feedback from parents and the public about the readability of the monitoring report: \_\_\_\_\_

e. Check to certify what the monitoring and inspection reports and/or their plain language summaries include:

- Date of inspection: \_\_\_\_\_
- Full report of inspection, including areas of compliance and non-compliance
- Health and safety violations, including violations that resulted in fatalities or serious injuries. Describe how these health and safety violations are prominently displayed:
- Corrective action plans taken by the Tribal Lead Agency and/or child care provider. Describe: \_\_\_\_\_
- The process for correcting inaccuracies in reports: \_\_\_\_\_
- The process for providers to appeal the findings in reports, including the time requirements, and timeframes for filing the appeal, for the investigation, and for removal of any violations determined on appeal to be unfounded: \_\_\_\_\_



- How reports are made available in a timely manner. Specifically, provide the Tribal Lead Agency’s definition of “timely” and describe how it ensures that reports are made available within its timeframe:

Although Tribal Lead Agencies define “timely,” we recommend Tribal Lead Agencies update results as soon as possible and no later than 90 days after an inspection or corrective action is taken.

- f. Describe the process for maintaining monitoring reports. Specifically, provide the minimum number of years reports are made available and the policy for record keeping (98.33(a)(4)(iv)):

\_\_\_\_\_

- g. Describe any additional providers which the Tribal Lead Agency chooses to include in reports. Licensed providers and CCDF providers must have monitoring and inspection reports made available.

License-exempt non-CCDF providers. Describe: \_\_\_\_\_

Relative child care providers, Describe: \_\_\_\_\_

Other. Describe: \_\_\_\_\_

- 7.2.3 **Aggregate data on serious injuries, deaths, and substantiated cases of child abuse that have occurred in child care settings each year must be made available.** The data must be organized by category of care (e.g., center, family child care, etc.) and licensing status for all eligible CCDF provider categories in the Tribal Lead Agency’s service area. The aggregate report should not list individual provider-specific information or names.

Certify by providing:

- a. A description of how child care providers must submit reports of any serious injuries or deaths of children occurring in child care to the designated entity (98.16 (ff)): \_\_\_\_\_
- b. A description of how the Tribal Lead Agency obtains the aggregate date from the entity: \_\_\_\_\_
- c. The definition of “substantiated child abuse” used by the Tribal Lead Agency for this requirement: \_\_\_\_\_
- d. The definition of “serious injury” used by the Tribal Lead Agency for this requirement: \_\_\_\_\_



7.2.4 The consumer education information should include contact information for referrals to local child care resource and referral organizations. How does the Tribal Lead Agency provide referrals to local CCR&R agencies through the consumer education information? Describe: \_\_\_\_\_

7.2.5 The consumer education information should include how parents can contact the Tribal Lead Agency, or its designee, or other programs that can help the parent understand the information included. Describe: \_\_\_\_\_

### **7.3 Additional Consumer and Provider Education**

**Tribal Lead Agencies are required to certify that they will collect and disseminate information about the full diversity of child care services to promote parental choice to parents of eligible children, the general public, and where applicable, child care providers.** The consumer education information can be provided through CCR&R organizations or through direct conversations with eligibility case workers and child care providers. Outreach and counseling can also be effectively provided via information sessions or intake processes for families (658E(c)(2)(E); 98.15(b)(4); 98.33(b)).

7.3.1 Describe how the Tribal Lead Agency shares information with eligible parents, the general public, and where applicable, child care providers about the availability of child care services provided through CCDF and other programs for which the family may be eligible, such as State or Tribal PreK, as well as the availability of financial assistance to obtain child care services. At a minimum, describe what is provided (e.g., such methods as written materials, and direct communications) and how information is tailored for these audiences: \_\_\_\_\_

7.3.2 Describe the formation of any partnerships that make information about the availability of child care services available to families: \_\_\_\_\_

7.3.3 Describe how the Tribal Lead Agency provides the required information about the following programs and benefits to the parents of eligible children, the general public, and where applicable, providers. In the description include, at a minimum, what information is provided, how the information is provided, and how the information is tailored to a variety of audiences. Include any partners who assist in providing this information.

Temporary Assistance for Needy Families (TANF) program: \_\_\_\_\_

Head Start and Early Head Start programs: \_\_\_\_\_

Low Income Home Energy Assistance Program (LIHEAP): \_\_\_\_\_

Supplemental Nutrition Assistance Programs (SNAP): \_\_\_\_\_

Women, Infants, and Children Program (WIC): \_\_\_\_\_

Child and Adult Care Food Program (CACFP): \_\_\_\_\_

Medicaid and Children's Health Insurance Program (CHIP): \_\_\_\_\_



Programs carried out under IDEA Part B, Section 619 and Part C: \_\_\_\_\_

- 7.3.4 Describe how the Tribal Lead Agency makes information available to parents, providers, and the general public on research and best practices concerning children’s development, including physical health and development, particularly healthy eating and physical activity. Information about successful parent and family engagement should also be shared. At a minimum, include what and how information is provided, and how information is tailored to a variety of audiences. Include any partners who provide this information: \_\_\_\_\_
- 7.3.5 Describe how information is shared on the Tribal Lead Agency’s policies regarding social-emotional and behavioral issues and early childhood mental health. Include how the Tribal Lead Agency shares information on positive behavioral intervention and support models based on research and best practices for those from birth to school age. At a minimum, include what and how information is provided and tailored to a variety of audiences and include any partners in providing this information: \_\_\_\_\_
- 7.3.6 Describe the Tribal Lead Agency’s policies to prevent the suspension and expulsion of children from birth to age 5 in child care and other early childhood programs receiving CCDF funds (98.16(ee)), including how those policies are shared with families, providers, and the general public: \_\_\_\_\_

**7.4 Procedures for Providing Information on Developmental Screenings**

**Tribal Lead Agencies are required to provide information and referrals on developmental screenings.** This information should include resources and services that the Tribe can deploy, such as Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) services under Medicaid and carried out under Title XIX of the Social Security Act and developmental screening services available through the Individuals with Disabilities Education Act (IDEA) Part B, Section 619 and Part C. Tribal Lead Agencies must also include a description of how a family or child care provider can use these resources and services to obtain developmental screenings for children who receive subsidies and who might be at risk of cognitive or other developmental delays, including social, emotional, physical, or linguistic delays (658E(c)(2)(E)(ii)). Tribal Lead Agencies are required to provide this information to eligible families during CCDF intake and to child care providers through training and education (98.33(c)).

7.4.1 Certify by describing:

- a. How the Tribal Lead Agency collects and disseminates information on existing resources and services available for conducting developmental screenings to CCDF parents, the general public, and where applicable, child care providers (98.15(a)(9))): \_\_\_\_\_
- b. The procedures for providing information on and referring families and child care providers to the EPSDT program under Medicaid and developmental screening services available under Part B and Part C of the IDEA: \_\_\_\_\_



- c. How the Tribal Lead Agency provides information on developmental screenings to parents receiving a subsidy as part of the intake process. Include the information provided, how it is provided, and any partners involved: \_\_\_\_\_
- d. How CCDF families or child care providers receiving CCDF can use the available resources and services to obtain developmental screenings for CCDF children at risk for cognitive or other developmental delays: \_\_\_\_\_
- e. How child care providers receive this information through training and professional development: \_\_\_\_\_

### **7.5 Consumer Statement for Parents Receiving CCDF Funds**

**Tribal Lead Agencies must provide CCDF parents with a consumer statement in hard copy or electronically, if the Tribal Lead Agency has chosen to post information to a consumer education website, that contains specific information about the child care provider they select.** This information should include:

- Health and safety requirements met by the provider
- Any licensing or regulatory requirements met by the provider
- The date the provider was last inspected
- Any history of violations of these requirements
- Any voluntary quality standards met by the provider

It must also describe how CCDF subsidies are designed:

- To promote equal access
- How to submit a complaint through a hotline
- How to contact local resource and referral agencies or other community-based supports that assist parents in finding and enrolling in quality child care (98.33(d))

Please note that if the consumer statement is provided electronically, Tribal Lead Agencies should consider how to ensure that the statement is accessible to parents and that parents have a way to contact someone to address questions they have.

#### **7.5.1 Certify by describing:**

- a. How the Tribal Lead Agency provides parents receiving CCDF funds with a consumer statement: \_\_\_\_\_
- b. What is included in the statement, including when the consumer statement is provided to families: \_\_\_\_\_
- c. Provide a sample consumer statement or a description: \_\_\_\_\_



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CCDF Plan Effective Date: October X, 201X  
Amended Effective Date: [Insert Date as Amended]





**APPENDIX 1**

**TRIENNIAL CHILD COUNT DECLARATION**

Effective: \_\_\_\_\_

Name of Tribe/Tribal Lead Agency: \_\_\_\_\_

This certifies that the number of Indian children under age 13 (as defined in CCDF Plan) who reside on or near the reservation or service area (as defined in CCDF Plan) is: \_\_\_\_\_(number).

The Tribal Lead Agency may not count any children who are included in the child count of another CCDF Tribal Lead Agency. To ensure unduplicated child counts, a Tribal Lead Agency is required to confer with all other CCDF Tribal Lead Agencies that have overlapping or neighboring service areas.

This count shows the number of Indian children under age 13 as of \_\_\_\_/\_\_\_\_/\_\_\_\_ (date).

\_\_\_\_\_  
**Official Signature** of Individual Authorized to Act for the Tribe

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Title

CCDF Plan Effective Date: October X, 201X

Amended Effective Date: [Insert Date as Amended]



**APPENDIX 1-A**

**TRIENNIAL CHILD COUNT DECLARATION (P.L. 102-477)**

Effective: \_\_\_\_\_

Name of Tribe/Tribal Lead Agency: \_\_\_\_\_

This certifies that the number of Indian children under age 13 (as defined in CCDF Plan Section of the 102-477 Plan) who reside on or near the reservation or service area (as defined in CCDF section of the 102-477 Plan) is: \_\_\_\_\_ (number).

The Tribal Lead Agency may not count any children who are included in the child count of another CCDF Tribal Lead Agency. To ensure unduplicated child counts, a Tribal Lead Agency is required to confer with all other CCDF Tribal Lead Agencies that have overlapping or neighboring service areas.

This count shows the number of Indian children under age 13 as of \_\_\_\_ / \_\_\_\_ / \_\_\_\_ (date).

\_\_\_\_\_ Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_  
**Official Signature** of Individual Authorized to Act for the Tribe

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Title

**REQUEST FOR REALLOTTED TRIBAL DISCRETIONARY FUNDS**

The Tribe named above requests Discretionary Funds that may be available through the reallocation process.

Yes       No



## APPENDIX 2

### CCDF PROGRAM ASSURANCES AND CERTIFICATIONS

The Tribal Lead Agency is designated by the Tribe (or Tribal consortium) to represent the Tribe (or Tribal organization). The Tribal Lead Agency agrees to follow the Federal laws and regulations that apply to the CCDF program and to follow this Plan, when approved, including the following assurances and certifications.

The Tribal Lead Agency assures that:

- (1) Upon approval, it will have in effect a program that complies with the provisions of the Plan printed herein and is administered in accordance with the Child Care and Development Block Grant Act of 1990 as amended, Section 418 of the Social Security Act, and all other applicable Federal laws and regulations (658D(b); 658E(a); 98.15(a)(1)).
- (2) The parent(s) of each eligible child within the Tribe or Tribal service area who receives or is offered child care services for which financial assistance is provided is given the option either to enroll such child with a child care provider that has a grant or contract for the provision of the service or to receive a child care certificate (658E(c)(2)(A)(i); 98.30(a); 98.15(a)(2)).
- (3) In cases in which the parent(s) elect(s) to enroll the child with a provider that has a grant or contract with the Tribal Lead Agency, the child will be enrolled with the eligible provider selected by the parent to the maximum extent practicable (658E(c)(2)(A)(ii); 98.15(a)(3); 98.30(b)).
- (4) The child care certificate offered to parents shall be of a value commensurate with the subsidy value of child care services provided under a grant or contract (658E(c)(2)(A)(iii); 98.15(a)(4); 98.30(c)(2)).
- (5) The Tribe, or Tribal consortium, will coordinate, to the maximum extent feasible, with the Tribal Lead Agency(ies) in the State(s) in which the child care programs or activities will be carried out (98.12; 98.14(a)-(b); 98.81(b)(3)(i); 98.82).
- (6) Tribal Child Care and Development Fund (CCDF) programs and activities will be carried out for the benefit of Indian children on an Indian reservation (except for Programs located in Alaska, California, or Oklahoma) (658O(c); 98.81(b)(3)(ii); 98.83(b)).
- (7) With respect to State and local regulatory requirements (or Tribal regulatory requirements), health and safety requirements, payment rates, and registration requirements, State or local (or Tribal) rules, procedures or other requirements promulgated for the purpose of the CCDF will not significantly restrict parental choice from among categories of care or types of providers (658E(c)(2)(A); 98.15(a)(5); 98.30(f); 98.40(b)(2); 98.41(b); 98.45(h)).



The Tribal Lead Agency certifies that:

- (1) It has procedures in place to ensure that providers of child care services for which assistance is provided under the Child Care and Development Fund (CCDF) afford parents unlimited access to their children and to the providers caring for their children during the normal hours of operations and whenever such children are in the care of such providers (658E(c)(2)(B); 98.15(b)(2); 98.31).
- (2) It maintains a record of substantiated parental complaints and makes information regarding such complaints available to the public on request (658E(c)(2)(C); 98.15(b)(3); 98.32).
- (3) It will collect and disseminate to parents of eligible children and the general public, consumer education information that will promote informed child care choices (658E(c)(2)(E); 98.15(b)(4); 98.33).
- (4) There are—under Tribal, local, or State law—requirements in effect designed to protect the health and safety of children; these requirements are applicable to child care providers that provide services for which assistance is made available under the CCDF (658E(c)(2)(I); 98.15(b)(7); 98.41).
- (5) Procedures are in effect to ensure that child care providers that offer services for which assistance is provided under the CCDF comply with all applicable health and safety requirements (658E(c)(4)(J); 98.15(b)(8); 98.41).
- (6) Payment rates under the CCDF for the provision of child care services will be sufficient to ensure equal access for eligible children to comparable child care services in the Tribe or Tribal service area that are provided to children whose parents are not eligible to receive assistance under this program or under any other Federal or State child care assistance programs (658E(c)(4)(A); 98.15(b)(11); 98.45(a)).



## APPENDIX 3

### LIST OF CERTIFICATIONS

CCDF Regulations 45 CFR §98.13(b)(3)-(6) require the following certifications.

1. [Assurance of compliance with Title VI of the Civil Rights Act of 1964](#)
2. [Certification regarding debarment](#)
3. [HHS certification regarding drug-free workplace requirements](#)
4. [Certification of Compliance with the Pro-Children Act of 1994](#)

These certifications were obtained in the previous approved Plan and need not be collected again if there has been no change in the Tribal Lead Agency (e.g., from Health and Human Services to Education). If there has been a change in the Tribal Lead Agency, these certifications must be completed and submitted with the Plan. New Tribal Lead Agencies must submit all required Certifications. See [ACF General Terms and Conditions](#).



## APPENDIX 4

### AMENDMENTS LOG

Child Care and Development Fund Plan  
For the period: 10/1/2019 – 9/30/2022

Tribal Lead Agencies are required to request approval from Administration for Children and Families (ACF) whenever a “substantial” change in the Tribal Lead Agency’s approved CCDF Plan occurs. Please refer to the [ACF Program Instruction regarding CCDF Plan amendments \(CCDF-ACF-PI-2009-01\)](#) for specific details and timelines specific to the Plan amendment process.

Plan amendments must be submitted to ACF within 60 days of the effective date of the change. Under the regulation, the Plan amendment must be approved no later than the 90th day following the date on which the amendment is received by ACF unless the Tribal Lead Agency and ACF mutually agree in writing to extend the period. (§98.18 (b)).

ACF encourages Tribal Lead Agencies to contact the Child Care program staff in the appropriate ACF Regional Office to discuss any proposed amendment as early as possible.

#### Instructions:

- (1) Tribal Lead Agency completes the first 3 columns and sends a photocopy of this log (showing the latest amendment sent to ACF) and the amended section(s) to the ACF Regional contact. A copy of the log, showing the latest amendment pending in ACF, is retained in the Tribal Lead Agency’s Plan.
- (2) ACF completes column 4 and returns a photocopy of the log to the Tribal Lead Agency.
- (3) The Tribal Lead Agency replaces this page in the Plan with the copy of the log received from ACF showing the approval date.

Reminder: This process depends on repeated subsequent use of the same log page over the life of the Plan. At any time the log should reflect all amendments, both approved and pending in ACF. The Tribal Lead Agency is advised to retain those “old” Plan pages that are superseded by amendments in a separate appendix to its Plan.



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**APPENDIX 4**

**Table: Amendment Log**

Tribal Lead Agency: \_\_\_\_\_

Section Amended	Proposed Effective Date	Grantee Signature and Date Submitted to ACF	ACF Approving Official's Signature and Date
_____	_____	Date: _____	Date: _____
_____	_____		
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CCDF Plan Effective Date: October X, 201X  
Amended Effective Date: [Insert Date as Amended].