

## CHILD CARE AND DEVELOPMENT FUND PLAN

### **Supporting Statement**

#### **1. Circumstances Making the Collection of Information Necessary**

The authorization to require the submittal of a Block Grant Plan by the Lead Agency in the State or Territory administering a Child Care and Development Fund (CCDF) program is contained in the Child Care and Development Block Grant Act of 1990 (CCDBG Act), Public Law 101-508 as amended by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193. To be eligible to receive funds under this program, Section 658E of the CCDBG Act, 42 U.S.C. 9858c, a State or Territory shall prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary shall require by rule, including a CCDF Plan that meets the requirements of Section 658E(c) of the CCDBG Act, 42 U.S.C. 9858c(c).

The Child Care and Development Fund (CCDF) Plan Preprint serves as the agreement between Lead Agency and the Federal Government as to how the Block Grant program will be operated. The Lead Agency provide assurances that the CCDF funds will be administered in conformance with legislative requirements, Federal regulations at 45 CFR parts 98 and 99 and other applicable instructions or guidelines issued by the Administration for Children and Families (ACF). The Lead Agency CCDF Plan Preprint (ACF Form 118) is currently approved through 4/30/2012 (OMB Approval Number 0970-0114). A revision of the current information collection is being requested.

#### **2. Purpose and Use of the Information Collection**

The primary purpose of the information contained in the CCDF Plan is to determine whether the Lead Agency can be approved to receive Block Grant funding, as required in Section 658E(d) of the Child Care and Development Block Grant Act (42 U.S.C. 9858c and 9858m), as amended. The Office of Child Care reviews the plan information to determine if the Lead Agency is operating in accordance with its approved plan when compliance issues arise. In addition, the information contained in the State and Territory Plans helps the Office of Child Care identify trends, best practices, areas that need improvement and to determine if the State and Territory are administering the program in accordance with the CCDBG Act and amended regulations. Based on a review of the plans, the Office of Child Care designs technical assistance strategies that will be responsive to the needs of the Lead Agencies.

The Administration for Children and Families (ACF) has found the CCDF Plan Preprint useful in guiding Lead Agencies in the development and submission of

their Plans. The standardized, "Preprinted" format provides complete program information necessary to complete the CCDF Plan, ease the burden on States and Territories, especially with the inclusion of check boxes, and expedites timely reviews by ACF staff. Because the CCDF Plan Preprint reflects the CCDBG statute and amended regulations, it serves as a framework, or blueprint for Lead Agencies in developing and implementing their CCDF programs.

The public takes considerable interest in the way States and Territories administer their CCDF funds. With the focus on transparency, the Plan Preprint allows Lead Agencies to provide the public an opportunity to comment on the provision of child care services under the Plan. The Office of Child Care also makes Plan information available to many users including members of Congress, Congressional Committees, State, and local child care administrators, advocacy groups, researchers and the public.

### **3. Use of Improved Information Technology and Burden Reduction**

For the first time, Lead Agencies may have the opportunity to submit their Plans electronically as OCC has designed an on-line submission tool for Lead Agencies to enter their Plan information on the Web. OCC will be working with Lead Agencies on the feasibility and usability of this on-line submission. Some of the revisions to the Pre-print (e.g. extensive use of checkboxes) were designed and formatted to make the Plan suitable for an electronic submission process.

### **4. Efforts to Identify Duplication and Use of Similar Information**

The information collected by the ACF-118 is not available from any other source.

### **5. Impact on Small Businesses or Other Small Entities**

The data collection effort does not involve small businesses or other small entities.

### **6. Consequences of Collecting the Information Less Frequently**

In accordance with 45 CFR 98.13, Lead Agencies are required to provide a Plan that describes the entire child care program in detail biennially.

### **7. Special Circumstances Relating to the Guidelines of 5 CFR 1320.5**

The collection of information will be conducted in accordance with 5 CFR 1320.6.

### **8. Comments in Response to the Federal Register Notice and Efforts to Consult Outside the Agency.**

The Office of Child Care's (OCC) notice soliciting comments on this information collection was published in the Federal Register on September 24, 2010 at 75 FR 58396. OCC sent an email message to State and Territory Lead Agencies and a separate message to a large email list of external stakeholders notifying them of the September 24, 2010 Federal Register notice including sending electronic copies of the draft State Plan Preprint. In addition, OCC announced the proposed revisions at a meeting of national child care organizations on October 1, 2010, and distributed hard copies. During the 60 day comment period, the OCC held a national conference call for all State and Territory Lead Agencies to review the proposed changes. In addition, the ACF Regional Office convened their States and Territories in person and via conference call. The Director of OCC notified many groups of the FRN and the proposed revisions in her speaking engagements – including at the National Association for the Education of Young Children in Nov. 2010, the country's largest early childhood meeting. Finally, the FRN and the proposed Pre-Print were posted on the OCC website to make it available widely.

OCC received comments on the CCDF Plan Preprint for States/Territories from almost 40 entities/organizations along with feedback from the Office of General Counsel. The comments received were overwhelmingly positive and extremely helpful and represented a wide range of stakeholders. The major themes for the comments were:

- Requests for clarification, definitions and guidance to improve Lead Agency's understanding of what is being requested and what is required.
- Requests to revise terminology to be more inclusive of the CCDF age range continuum (from birth through 13).
- Requests to revise terminology to better align across other federal (e.g., Head Start and Early Head Start) and local programs (e.g. local planning councils).
- Concerns about Due Process for clients and providers who would be affected by certain State/Territory actions (e.g. licensing enforcement, exclusion from receiving CCDF funds).

Commenters noted that they were pleased to see the following changes in the revised Preprint – new organization of the Plan into three sections (Administration, Subsidy and Quality); revised section on Program Integrity and Accountability; a new focus on quality and an emphasis on the components of the child care system as a whole, revised questions aimed at better understanding CCDF program similarities and differences among States and Territories; and attention to CCDF goals, outcomes and accountability. OCC maintained changes in these areas as we reviewed and discussed comments through a series of internal meetings.

The Office of Child Care made changes/revisions to the following sections:

- o Program Integrity and Accountability (Section 1.4): Revisions in this section include providing more definitions to clarify terminology thereby distinguishing program integrity and internal controls from the administrative error review.
- o Family Outreach and Application Process (Section 2.1). Revisions include adding a question targeted at consumer education; revising language to better capture access to the program for multi-lingual parents and providers; streamlining and simplifying the documentation and verification question.
- o Serving Dual Language Learners - Based on the comments received, the OCC enhanced this question by adding language in sections 2.2.5, and 2.2.7 to ensure that Lead Agencies provide eligible families consumer education information that will promote informed child care choices as well as promote access to the CCDF program. Not only does the Preprint address the issue with multi-lingual parents; in section 2.2.8, it also helps the Lead Agencies to describe the strategies they will use to overcome language barriers with providers. For both questions, we added follow-up questions to learn about the types of languages supported.
- o Health and Safety and Quality Improvement Activities (Part 3). Revisions include modifying the data and performance measurement questions to more clearly indicate that these are questions about the Lead Agencies' capacity to collect data and not intended to convey that Lead Agencies are required to collect the data. A final integration question was added to better capture how Lead Agencies are building quality improvement systems (Question 3.5).
- o Licensing and Health and Safety Requirements (Section 3.1). Revisions include clarifying terminology to allow States/Territories to report in accordance with the categories of care as defined in CCDF regulations, while recognizing that the categories of care in State/Territory regulations may be defined differently and adding a limited number of questions to provide more context about the how the States and Territories implement their licensing and health and safety compliance activities, at the request of commenters.
- o Early Learning Guidelines (Section 3.2). In response to comments, we changed terminology to clearly indicate that early learning guidelines are voluntary. We moved questions about the voluntary use of developmental screenings, observations and school readiness assessment tools to this section from the section on quality assurance and monitoring.

- o Pathways to Excellence for Child Care Programs (Section 3.3). Revisions include refining questions to help understand the alignment and linkages across the early care and school-age sectors.
- o Pathways to Excellence for the Workforce (Section 3.4). OCC refined the core elements of the workforce system used to frame this section in response to comments. In particular, several commenters suggested that we collapse the categories on training and higher education into one category on professional development. We also refined questions to better understand alignment and linkages across the early care and school-age sectors.
- o Concerns about Due Process— The following questions were added to address the due process concerns – 1.3.5, 2.3.8, 3.1.3b and 3.1.3d. The term ‘appeal’ is used to describe the process and procedures which result in giving clients/providers ‘due processes.
- o Serving Children with Special Needs – In sections 1.4 and 1.5, the Preprint includes questions that ask how the Lead Agency consults with (1.4.1) and coordinates with (1.5.1) other agencies responsible for programs for children with special needs. In section 2.2.6, the Preprint captures this question by adding language about targeted case management to help families find and keep stable child care arrangements to promote continuity of care for children including children with special needs. The Preprint also helps Lead Agencies serve children with special needs by adding language in section 2.5.1 to include homeless children as examples of children with special needs.
- o Concerns about Coordination – Recognizing that the context of each State/Territory has greatly varies, OCC revised language throughout the Plan to better understand how the Lead Agency coordination responsibilities are fulfilled. For example, in Section 1.5 we added language to clarify which agencies/entities were required vs. optional; in section 3.1, we added language to clarify licensing compliance recognizing that the Lead Agency is often not the responsible agency for licensing.
- o Concerns about Availability of Data – OCC included questions in the Plan preprint to strengthen our understanding about the CCDF program. As an initial step, we revised and clarified questions in the Preprint to better capture the State/Territory’s capacity to report data that either the Lead Agency or another State/Territory agency may currently collect. Subsequently, we ask States/Territories to provide actual data through the Quality Performance Report on initial measures of quality. OCC does not intend to penalize States/Territories if they do not collect these data nor have the capacity to report these data.

The attached draft incorporates the revisions based on the comments and OCC discussions.

Lead Agencies are afforded continuous opportunities for input into the design of the State Plan Preprint. The OCC conducts training sessions, facilitates workshops and delivers individualized technical assistance to CCDF administrators across the country. Through this technical assistance, OCC maintains ongoing communication with grantees, receiving feedback and suggestions from them, as well as providing information to them. Their input is evaluated whenever changes to program requirements are considered.

**9. Explanation of Any Payment or Gift to Respondents**

No payments or gifts are provided to respondents.

**10. Assurance of Confidentiality Provided to Respondents**

The information collection is nothing of a confidential nature, therefore does not require any assurance of confidentiality.

**11. Justification for Sensitive Questions**

There are no questions of a sensitive nature.

**12. Estimates of Annualized Burden Hours and Costs**

The annual public reporting burden for this information collection is estimated to average 162.57 hours per response. This includes the time for designing the CCDF Plan Preprint and the guidance provided to the States and Territories in completing their State Plans. This also includes the time for the review and approval process by the ACF Central and Regional offices

| <b>Instrument</b>  | <b>Number of Respondents</b> | <b>Number of Responses Per Respondent</b> | <b>Hours Per Response</b> | <b>Response Burden</b> |
|--------------------|------------------------------|---|---------------------------|------------------------|
| CCDF Plan Preprint | 56                           | .5  | 162.50                    | 4,550                  |

The monetary value of this time is 4,550 hours times \$35 which equals \$159,250.

**13. Estimates of Other total Annual Cost Burden to Respondents and Record Keepers**

There are no direct monetary costs to Lead Agencies other than the time to complete the ACF-118.

#### **14. Annualized Costs to the Federal Government**

The annual costs to the Federal Government are projected as follows:

| <b>Task</b>                        | <b>Estimated Hours</b> | <b>Estimated Rate</b> | <b>Total</b> |
|------------------------------------|------------------------|-----------------------|--------------|
| Preprint Design                    | 160                    | \$30.58               | \$ 4,892.80  |
| State and Territory<br>Plan Review | 40 * 56 Plans = 2,240  | \$30.58               | \$68,499.20  |
|                                    |                        | Total                 | \$73,392     |

NOTE: Plans are submitted biennially.

#### **15. Explanations of Program Changes or Adjustments**

The CCDF Plan Preprint reflects the CCDBG statute and regulations, and serves as a framework for Lead Agencies in developing and implementing their CCDF programs. Programmatic changes were made to the Plan Preprint document that resulted in deletion and addition of questions to support and improve the States and Territories' ability to provide complete and accurate information on the child care services for low-income families.

There are program changes that are largely reorganization. There are no adjustments. The net effect is there is no change in burden.

#### **16. Plans for Tabulation and Publication and Project Time Schedule**

Not applicable.

#### **17. Reason (s) Display of OMB Expiration date is Inappropriate**

Not applicable.

#### **18. Exceptions to Certification for Paperwork Reduction Act Submission**

There are no exceptions.

#### **B. Collection of Information Employing Statistical Methods**

Not applicable. The information collected by the ACF-118 is not the type of information that may be collected by statistical methods. Statute requires States

and Territories to prepare and submit to the Secretary a CCDF Plan that meets the requirements of Section 658E(c) of the CCDBG Act, 42 U.S.C. 9858c(c).