

TRIBAL CHILD CARE AND DEVELOPMENT FUND PLAN

Supporting Statement

1. Circumstances Making the Collection of Information Necessary

The authorization to require the submittal of a Plan by the Lead Agency in a Tribe or Tribal Organization 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 Tribe or Tribal Organization 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 the Tribal Lead Agency and the Federal Government as to how the Block Grant program will be operated. The Tribal Lead Agency provides 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 Tribal Lead Agency CCDF Plan Preprint (ACF Form 118-A) is currently approved through 9/30/2011 (OMB Approval Number 0970-0198). 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 Tribal 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 Tribal Lead Agency is operating in accordance with its approved plan when compliance issues arise. In addition, the information contained in the Tribal Plan helps the Office of Child Care identify trends, best practices, areas that need improvement. 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 Tribal Lead Agencies.

The Administration for Children and Families (ACF) has found the CCDF Plan Preprint useful in guiding Tribal Lead Agencies in the development and submission of their Plans. The standardized, "Preprinted" format provides

complete program information necessary to complete the CCDF Plan, and expedites timely reviews by ACF staff. The CCDF Plan Preprint reflects the CCDBG statute and amended regulations. The Plan Preprint serves as a blueprint for Tribal Lead Agencies to assist them in developing a complete plan, with all of the required elements needed to implement their CCDF programs.

The public takes considerable interest in the way Tribes and Tribal Organizations administer their CCDF funds. The Office of Child Care makes Plan information available to many users including members of Congress, Congressional Committees, Tribes, States, and local child care administrators, advocacy groups, researchers and the public.

3. Use of Improved Information Technology and Burden Reduction

For the upcoming biennial, Tribal Lead Agencies will submit their plans via an editable Microsoft Word document. OCC is piloting an on-line submission tool for State and Territory Lead Agencies to enter their Plan information on a Web based platform. OCC will be working with Tribal Lead Agencies on the feasibility and usability of this on-line tool for the FFY 2014-2015 Plan submission

4. Efforts to Identify Duplication and Use of Similar Information

The information collected by the ACF 118-A 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 §98.17 Tribal 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 1320.5.

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 23, 2010 at 75 FR 57962. OCC also sent an email message to Tribal Lead Agencies notifying them of the September 23, 2010 Federal Register notice

and included electronic copies of the draft Tribal Plan Preprint and Guidance. OCC received comments on the CCDF Plan Preprint for Tribal program from 9 entities/organizations. Informally, OCC facilitated a face to face meeting and two conference calls with tribes and regional staff to present the changes to the plan to solicit feedback

The comments received were extremely helpful and represented a wide range of stakeholders, including representatives from a national tribal association, an OCC regional office, and the Tribal Technical Assistance contractor.

The major themes for the comments were:

- Requests for additional clarification, guidance and definitions with a focus on items where there is a potential increased need for technical assistance.
- Requests for clarification regarding optional versus required items and to address Tribal concerns over “no’ or “N/A” responses.
- Requests to revise terminology to more closely mirror commonly used phrases relevant to Tribes.
- Requests for additional guidance for Section 3 regarding eligibility payment systems and the market rate survey.
- Requests for clarity and guidance in Section 6 regarding Health and Safety standards.

The Office of Child Care held a series of meetings to discuss comments and the members of the Plan Preprint Team made changes/revisions to the following sections:

- o CCDF Program Integrity and Accountability (Section 1.6) Revisions in this section included providing more guidance to clarify why the questions are being asked and to gain a deeper understanding of how Tribes are exercising their options to fulfill their responsibilities for program integrity and accountability. In response to comments, we also revised the questions to allow for more open-ended narrative responses to give the Tribes greater flexibility in how to answer.
- o Consultation and Development of the CCDF Plan (Section 2.1) and Coordinating the Delivery of CCDF Services (Section 2.2). Revisions were made to better differentiate between consultation and coordination. Formatting was altered to make a clearer distinction between required activities versus recommended ones.
- o Child Care Services Offered (Section 3). Significant revisions were made in light of the many questions regarding the absence of the term “voucher” which is still widely used by many tribal organizations. Revisions were made to allow Tribal programs to describe elected limitations for the use of

in-home care, to acknowledge the flexibility in how Tribes define specific terms and examples were provided to give further guidance regarding various ways that tiered reimbursement could be implemented. Great attention was given to the Market Rate Survey and the unique situations facing Tribal programs when trying to answer these questions.

- o How Families Apply for CCDF (Section 4.1). A chart was removed in favor of a narrative response option for Tribes to describe the process for documenting and verifying families' applications to allow Tribes' greater flexibility in responding.
- o Activities and Services to Improve the Quality of Child Care (Section 5). Revisions include changing terminology to better address the concerns regarding determining the quality of care. An option was added to provide for a narrative response in lieu of a check box regarding quality activities. Guidance was provided regarding mandated 4% expenditures for non exempt grantees versus encouraged practices.
- o Health and Safety (Section 6). The section was revamped in response to comments desiring recognition of the fact that many tribes utilize their own minimum health and safety standards and to recognize that many have adopted the HHS Minimum Tribal Child Care Standards. The background check question was modified in response to questions from Tribes who were concerned about what was acceptable in this category.

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

Tribal Lead Agencies are afforded continuous opportunities for input into the design of the Tribal 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. Their input is considered 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 120 hours per response.

Instrument	Number of Respondents	Number of Responses Per Respondent	Hours Per Response	Response Burden
CCDF Plan Preprint	257	.5	120	15,420

The monetary value of the annualized hourly burden is 15,420 hours times \$18.00 per hour for staff completing the Plan equals \$277,560. We estimated the average hour salary for staff completing the Tribal Plan based on job announcements which showed average salary ranges around \$38,000 per year, although we recognize that there is a wide variation in staff salaries across the country that depend on the size of Tribal grantee programs.

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

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

14. Annualized Costs to the Federal Government

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

Task	Estimated Hours	Estimated Rate	Total
Preprint Design	80	\$30.58	\$ 2,446.40
Tribal Plan Review	40 * 257 Plans = 10,280	\$30.58	\$314,362.40
		Total	\$316,808.80

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 Tribal 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 assist Tribes in developing a complete plan, with all the required elements needed to implement their CCDF program.

The increase in burden is totally due to an adjustment that corrects a previous error in the method used in calculating hours.

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-A is not the type of information that may be collected by statistical methods. Statute requires Tribes and Tribal Organizations 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).