

## **Comments for the CCDF Tribal Plan Pre-print.**

Overall comments:

The references to the Social Security Act in section 658 do not refer to Tribes.

The proposed plan requires more information than the current one. NICCA understands the need for Pre-Print revisions and wish to assist the Office of Child Care and our Regional Offices in any way possible. NICCA would be amiss as tribal nation if we didn't also express caution, as not to infringe on tribal sovereignty and self-determination rights during any revisions. We would also like to note that many CCDF Programs struggle with completion of the Plan within the timeframes given all their responsibilities they have within the Tribe. A strong, written assurance that the OCC will provide the resources to make Regional staff available to tribal communities is essential. ***Providing our Regional Office's with appropriate staffing levels and travel budgets to assist the many tribes in their regions is critical to the success of Tribal CCDF Programs.***

For the Plan revisions it is important to maintain the flexibility that CCDF allows. Maintaining flexibility for tribal grantees is important to ensure high quality programming without rigid regulatory limitations, such as those mandated regulations and polices used by the Office of Head Start. It is also recommended that the Office of Child Care look at the distribution of the final Pre-print (clearance by OMB) to tribes and the turn around time, as the proposed revised Pre-print will take significantly more "time" for Programs to complete. A strong, written assurance that the OCC will provide the resources to make Regional staff available to tribal communities is essential. Written assurance is needed that information solicited in the Plan, but not specifically required in the law and regulations will not be used to de-fund or penalize tribal programs.

There are concerns if a tribe checks No, to a specific section, will there be negative repercussions if they are not currently practicing certain policies, especially in regards to health and safety practices? A strong, written assurance that the OCC will provide the resources to make Regional staff available to tribal communities is essential. Written assurance is needed that information solicited in the Plan, but not specifically required in the law and regulations will not be used to de-fund or penalize tribal programs

**Tribes are in need of data and it would be helpful if we could submit our plans electronically, this would be a start in the data collection process. We are willing to work together to find a way to successfully collect data in order to properly reflect what is really happening in Indian Country – and what is lacking in support for children and families. This is too important an issue to disregard any longer.**

**Because these will be new revisions, we ask that the Program Instruction be detailed for clarification on any new revision.**

**Part 1 Administration**

**Section 1.1.1** – There is concern that with multiple contacts being listed that it will create a communication problem within tribal organizations if OCC contacts select individuals listed in this section. Although we understand the reasoning behind wanting the multiple key contact information from each tribe, we would like to have assurance from the OCC that any information sent to tribes, that there be a noted Primary contact and or secondary contact. (i.e., Tribal Administrator and/or Tribal Chairperson) for any CCDF related business. For the Financial person, it is recommended to add an email line.

**Section 1.3.3** – This section could be reworded saying something such as: Please state the Estimated Allocation Amount received from OCC.

**Section 1.4.1** – The reminder note in this section is confusing when some Tribes include federally recognized descendant children in their definitions and child count. We recommend clarification that tribes, in accordance to tribal sovereignty and self-determination, that this section ask tribes to clarify their definition of ‘Indian child’.

**Section 1.4.3** – This section requires Tribes to describe the process used to confer with other lead agencies. This has never been requested before. To what extent of an answer is OCC looking for? For example, will a simple answer such as, “by email and phone calls” satisfy OCC? It would be our recommendation to remind OCC that is one of those sections that will take more time in developing the Plan, if they are requesting more information or additional meetings to satisfy the ‘confer with other lead agencies’ requirement. Perhaps OCC could be more specific on their terms of “confer”.

**Section 1.6** – This is new. OCC should clarify what kind of responses are expected; from the client aspect (child care provider/parent fraudulent payments) or are they asking for what type of checks and balances does a tribe have for the administrative checks and balances or are they asking for both.

**Section 1.6.1** – This section needs clarification. Being this is a new ‘question’ regarding policies and procedures. What happens if a tribe checks “no”? If we check “yes” are we asked to describe training? This is confusing and requires clarification. A strong, written assurance that the OCC will provide the resources to make Regional staff available to tribal communities is essential. Written assurance is needed that information solicited in the Plan, but not specifically required in the law and regulations will not be used to de-fund or penalize tribal programs.

**Section 1.6.2** – It is not clear what is being asked. Is OCC requesting that lead agencies have “strategies” or “activities” in place in addition to what is already adopted and utilized by our tribal fiscal departments? What happens if “no” is checked? A strong, written assurance that the OCC will provide the resources to make Regional staff available to tribal communities is essential. Written assurance is needed that information solicited in the Plan, but not specifically required in the law and regulations will not be used to de-fund or penalize tribal programs.

**Section 1.6.3** – Same as comments for section 1.6.2. Are tribes being required to have “strategies” in place in addition to what is already adopted and utilized by our tribal fiscal departments? A strong, written assurance that the OCC will provide the resources to make Regional staff available to tribal communities is essential. Written assurance is needed that information solicited in the Plan, but not specifically required in the law and regulations will not be used to de-fund or penalize tribal programs.

## **Part 2 Developing the Child Care Program**

**Section 2.1.1** – Requesting information in this format is limiting. It is not clear whether the information is required or suggested. There may not be enough room to provide explanations. How can the Head Start-Child Care Collaboration Office collaborate with every Tribal CCDF program? Clarification is needed as to why the HS/CC Collaboration Office is listed. As an example? Again it is confusing it looks like all tribal grantees are required to contact the office of HS/CC collaboration office to put something in place.

**Section 2.3.1** – The request for detailed information on the Public Hearing Process is new. To what extent of information is OCC looking for? Will there be enough time for this requirement after the OMB clearance process and the submission date?

**Section 2.4.1** – Concerns arise regarding if “no” is checked for this section. Some Tribes do not have any large businesses within their service area. What happens if “no” is checked?

## **Part 3 Child Care Services Offered**

**Section 3.1.1** – In the description of direct child care services offered “vouchers” are omitted. This is confusing to Tribes who have marked that in all the years past. It is not clear that we must now consider our program services as a “Certificate” program. Are grantees who have operated with vouchers to fill in the “other” section and describe our voucher system? Why is there is note for non-exempt Tribes when every grantee will be considered a certificate program? Clarification is necessary to understand why the term “vouchers” has been omitted.

**Section 3.2** – Since it is presumed that all grantees who have operated vouchers are now operating certificate programs it is confusing to see the reminder under the heading of this section.

**Section 3.3** – Same comment as above. Wouldn’t all grantees be required to do this?

**Section 3.4.4** – The shaded reminder has a typo. Should read “protective” rather than “proactive”

**Section 3.4.5** – This section is confusing. More information is necessary to understand what OCC is looking for. Placing a “/” for entry and exit levels does not make sense as stated. Clarification is necessary.

**Section 3.6.1** – The reminder note for tribally operated centers is not clear about what particular information is being sought. What is OCC looking for here?

**Section 3.6.3** – The request for Market Rate Survey documentation is new. To what extent is OCC looking for information in a summary here?

**Section 3.7.4** – There is a typo in the shaded reminder. “tow” should read “two”.

#### **Part 4 Procedures for Parents**

**Section 4.1.2** – This is new information that is being requested. What will OCC do with copies of the program application? There is not enough space in the box for proper descriptions. Concerns arise if established processes are not suitable to OCC.

**Section 4.3** – To what extent is OCC looking for detailed information?

#### **Part 5 Activities and Services to Improve the Quality of Child Care**

The paragraphs in the heading of this section presume that grantees have strategic plans and a “system”. Are strategic plans a requirement? How formal of a “system” is OCC looking for here? What are the consequences to a grantee who does not have a formal “system” or strategic plan?

**Section 5.1.1** – To what extent is OCC looking for information here? Concerns arise regarding scrutinizing the process for assessment of quality of care.

**Section 5.1.2** – The request for a description in this section is confusing regarding whether the listed activities are requirements or suggestions. This format limits space to write descriptions.

#### **Part 6 Health and Safety Requirements for Providers**

The term and use of FFN (Friends, Family & Neighbor) caregivers is very much used in Indian country. It is recommended that this term be used in the PrePrint where applicable.

**Section 6.1** – This section is confusing. It is not clear whether the use of the Minimum Standards is acceptable. It appears that grantees will have to create standards in addition to the minimum standards. Clarification is necessary.

**Section 6.1 (3)** – This appears to be a new requirement to provide a specific amount of training to providers. Providing examples would clarify this requirement.

**Section 6.1** Relevant Definitions – It has been presumed that allowing care for children in a child’s own home is not allowable due to the appearance of being a domestic worker and minimum wage requirements.

**Section 6.1** – Instructions. In this section will attaching the Minimum Standards be acceptable? Must a grantee attach their entire Tribal Codes if applicable?

**Section 6.1.1** – The table does not provide room for descriptions. Exempt providers are not listed in the table.

**Section 6.1.2** – Same comment as above.

**Section 6.1.3** – Same comment as for 6.1.1.

**Section 6.2.1** – The answer to this request for information could be 6.2.2.

**Section 6.2.2** – This table does not provide room for descriptions if other than the check boxes. It implies that these are requirements rather than being a self determined practice.

**Section 6.2.3** – Concerns arise regarding repercussions if the “no” check box is marked. This is a concern for getting accurate information. Boxes may be checked even if they aren’t being done – in fear of repercussions making the data is less clear and less accurate. A strong, written assurance that the OCC will provide the resources to make Regional staff available to tribal communities is essential. Written assurance is needed that information solicited in the Plan, but not specifically required in the law and regulations will not be used to de-fund or penalize tribal programs