

Revised Draft for Public Comment – January 31, 2011

## CHILD CARE AND DEVELOPMENT FUND

For

Tribe:

FFY 2012-2013



This Plan describes the CCDF program to be administered by the Tribes for the period 10/1/2011 – 9/30/2013. As provided for in the applicable statutes 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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**(Form ACF 118-A; OMB Approval Number: XXXX-XXXX, expires XXXXXX)**

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## Part 1 – Administration

This section provides information on how the CCDF program is administered, including the designated Tribal Lead Agency, funding information, the administrative structure, program integrity and accountability policies and strategies, coordination efforts, and procedures.

### **Section 1.1. – Contact Information**

#### **1.1.1. Official Name of Tribe as listed in the Federal Register or Tribal Consortium**

Name of the Tribe:

Name of Tribal Chair/President/Leader:

Title:

Address:

City, State, Zip Code:

Telephone Number:

Fax Number:

#### **1.1.2 What is the Lead Agency designated by the Tribe or Tribal consortium to administer the CCDF program?**

The agency shown below has been designated by the Tribe or Tribal consortium to represent the Tribe or Tribal organization as the Tribal Lead Agency. The Tribal Lead Agency agrees to administer the program in accordance with applicable Federal laws, regulations and in accordance with provisions of this Plan, including assurances and certifications appended hereto. (658D, 658E) See Assurances and Certifications (Appendix 1)

Name of Lead Agency:

Address of Lead Agency:

City, State, Zip Code

Phone Number:

Fax Number:

Email Address and/or Web Address for Lead Agency:

#### **1.1.3. Who is the CCDF administrator?** Identify the CCDF Administrator, the day-to-day contact, with responsibility for administering the Tribal CCDF program. This person(s) will serve as the primary contact for ACF. ACF will send programmatic communications such as program announcements, program instructions, and data collection instructions to the designated contact identified here. If there is more than one designated contact with equal or shared responsibility for administering the CCDF program, please identify the co-administrator or entity with administrative responsibilities and include contact information. (98.16(a) and (c)(1)



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**a) Contact Information for CCDF Administrator:**

Name of Tribal CCDF Administrator:

Title of Tribal CCDF Administrator:

Address of Tribal CCDF Administrator:

Phone Number:

Public Phone Number (if different than above):

Fax Number:

Email Address:

**b) Contact Information for CCDF Co-Administrator (if applicable):**

Name of Tribal CCDF Co-Administrator:

Title of Tribal CCDF Co-Administrator:

Address of Tribal CCDF Co-Administrator:

Phone Number:

Fax Number:

Email Address:

Description of the role of the Co-Administrator: \_\_\_\_\_

**Section 1.2. – Administration through Contracts or Agreements**

The Tribal Lead Agency has broad authority to administer the program through other governmental, non-governmental, or other public or private local agencies. Under the statute, 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), 658E(c)(3)(C), 98.11, 98.16(c)(1))

Reminder: A consortium is not considered a non-governmental entity for purposes of this section, but an entity of the Tribe.

**1.2.1.** Will the Tribal Lead Agency directly administer and implement all programs funded under the Child Care and Development Fund? (98.16(c)(1))

Yes, the Tribal Lead Agency will administer and implement all of the programs funded with CCDF funds. (If Yes, go to Section 1.3.1)

No, the Lead Agency will not directly administer and implement ALL programs funded under the CCDF allocations. List the names of those agencies under the two options provided.



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**a) Provision of child care services (including the payment to child care providers)**

<b>Table 1.2.1.1 – Name and Contact Information for Provision of Child Care Services</b>			
Name of Administrative Entity			
Address of Administrative Entity			
Name and Title of the Administrator:			
Telephone (     )     -	Ext:	Fax Number (     )     -	
Email Address:			

**b) Activities to improve the quality of child care described in Part 5 of this Plan, if applicable**

<b>Table 1.2.1.2 Name and Contact Information for Quality Child Care Activities</b>			
Name of Administrative Entity			
Address of Administrative Entity			
Name and Title of the Administrator:			
Telephone (     )     -	Ext:	Fax Number (     )     -	
Email Address:			

**1.2.2.** How will the Tribal Lead Agency maintain overall control of the CCDF-funded program administered and implemented by the entities other than the Tribal Lead Agency?

Reminder: These descriptions should be 1-2 paragraphs or less and should provide sufficient detail to enable a reader to understand how this process works or will work.



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### **Section 1.3. – Estimated Funding**

These are preliminary ESTIMATES for information and planning purposes and may increase or decrease when updated data becomes available before the final grant awards are issued. Put in the amounts of the total FY 2012 CCDF allocations (mandatory and discretionary) for the **one-year expenditure period (10/1/2011 thru 9/30/2012)** that will be spent on all child care and related services including funds spent on direct services, non-direct administration, and quality. Do not include any carry-over funds from previous years.

#### **1.3.1. Estimated FY 2012 CCDF Funding Allocation**

**What is your expected level of funding for the first year of the FY 2012 – FY 2013 plan period?** The Lead Agency estimates that the following amounts will be available for child care services and related activities during the 1-year period from October 1, 2011 through September 30, 2012. (98.13(a))

See the Office of Child Care Web site for FY 2012 Estimates.  
<http://www.acf.hhs.gov/programs/ccb/law/allocations/Tribal.htm>

\$ \_\_\_\_\_ Estimated Federal Child Care & Development Fund

\$ \_\_\_\_\_ Other available funding

Reminder: Total administrative expenditures over the entire three-year liquidation period may not exceed 15% of total expenditures, not including the base amount.

#### **1.3.2. Estimated Amount of Funds to be used for Construction or Renovation**

This Application does not give approval to spend funds on construction or renovation. Funds for this purpose cannot be spent until a Tribe has applied for and received approval, through a separate application process, from the Administration for Children and Families.

As a part of the separate construction/ renovation application process, a Tribe must show that adequate facilities are not otherwise available to carry out child care programs, and that the lack of facilities will inhibit future program operations. Furthermore, a Tribe cannot reduce the level of child care services, as compared to the preceding fiscal year, in order to spend funds on construction or renovation. Procedures regarding the separate construction/renovation application process are contained in CCDF-ACF-PI-2010-03, dated April 7, 2010 and regulations at 45 CFR 98.2 and 98.84.

Will the Tribal Lead Agency use 2012 funds for construction?       Yes       No



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If yes, the Tribal Lead Agency estimates that the following amount of CCDF funds awarded in FY 2012 will be used for construction or renovation purposes:

\$ \_\_\_\_\_ (Insert the amount you will set aside for construction from FY 2012 allocation).

**Section 1.4. - Indian Child and Indian Reservation or Service Area**

**1.4.1 Child Count**

The Tribal Lead Agency determines the number of Indian children, under age 13, who reside on or near the reservation, or service area (defined in Appendix #2)

**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.** (98.81(a)(4), 98.81 (b)(4).

Complete and attach the "Child Count Declaration" at Appendix #2.

**1.4.2. Indian Child**

Identify which Indian child(ren) will be counted in your child count. and where (see service area, below) the Tribal Lead Agency will provide services. (658O(c)(2)(B), 98.80(e), 98.81(b)(2)(i) and (ii), 98.81(b)(3)(ii), 98.81(b)(4))

Reminder: While Tribes 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.

The Tribal Lead Agency defines Indian child as: \_\_\_\_\_

**1.4.3. 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. The service area therefore 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. ACF will not approve an entire state as a Tribe's service area. (658O(c)(2)(B), 98.80(e), 98.81(b)(2)(i) and (ii), 98.81(b)(3)(ii), 98.83(b))

Reminder: Tribes can limit services within the reservation boundaries or can go beyond the reservation boundaries (EXAMPLE: "permanent residence is within the reservation boundaries, however the participant is attending school outside of the reservation area", or "resides within 20 miles of the reservation boundaries", etc.).



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The Tribal Lead Agency defines the Service Area as: \_\_\_\_\_

### **Section 1.5. – Consortium**

A consortium representing more than one Indian Tribe may be eligible to receive CCDF funds on behalf of a particular Tribe. The Consortium Lead Agency must list all participating Tribes and include an attachment with separate demonstrations (e.g. resolutions) from each Tribal consortium member indicating that the consortium has the authority to seek funding on behalf of its constituent Tribes. **If there is any change in the consortium membership, the Tribal Lead Agency must notify ACF through an amendment to the Plan.**

#### **1.5.1. Are you a Tribal Consortium?**

- Yes. If yes, a Tribal consortium must provide a list of its participating member Tribes and include demonstrations; for example, Tribal Resolutions from these participating members indicating that the consortium has the authority to seek funding on their behalf. (98.80(c)(1), 98.81(b)(8)(i))

These demonstrations are provided as Attachment (ENTER ATTACHMENT #)

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

- No. Skip to 1.6

- 1.5.2.** A Tribal consortium must describe how it coordinates services on behalf of its participating member Tribes. Include a brief summary of how the consortium is coordinating services (including direct services) on behalf of its participating members (or “constituent” members in the case of Alaskan entities). (98.81(b)(8)(ii), 98.83(c)(1))

Describe coordination efforts: \_\_\_\_\_

### **Section 1.6. – Program Integrity and Accountability**

Program integrity is defined to include efforts established by a tribal government that ensure effective internal controls to reduce programmatic or financial risks in the administration of CCDF funds. The Tribal Lead Agency is responsible for designing internal controls systems to facilitate monitoring programs and services, ensuring compliance with the rules of the program, and overseeing the expenditure of all funds. Accountability measures should address strategies to strengthen program integrity and to reduce and prevent fraud and misspent funds.





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(98.11(b), 98.60(i))

Reminder: As the recipient of Federal funds, Tribal Lead Agencies are responsible for ensuring that adequate procedures are in place to ensure that funds reach eligible children and families. Tribal Lead Agencies have flexibility how to achieve this objective, including working with the Tribal fiscal office and other partners. Strengthening internal controls can improve the overall efficiency of the CCDF program, which can enhance services to parents and providers. These questions are being asked to gain a deeper understanding how Tribes are exercising their options to fulfill their responsibilities for program integrity and accountability.

- 1.6.1.** What policies and procedures does the Tribal Lead Agency have in place that ensure the administration of CCDF funds in accordance to all Federal and Tribal rules and regulations? For example, fiscal checks and balances, internal controls, ensuring adequate documentation exists for all transactions, including eligibility determinations, etc. Please describe:
- 1.6.2.** What current or future strategies, if any, does the tribal Lead Agency have in place to prevent and reduce fraud and/or misspent funds? For example, reviewing attendance or billing records for accuracy, auditing provider records, conducting case record reviews, etc. Please describe:



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

**Section 2.1. – Consultation in the Development of the CCDF Plan**

Lead Agencies are required to consult with the appropriate agencies providing child care and early childhood development services (98.12., 98.14(a)(b), 98.16(d)).

**Definition:** *Consultation* involves the meeting with or otherwise obtaining input from an appropriate agency in the development of the Tribal Plan. At a minimum, the description must state which representatives of the Tribal community (or Tribal communities in the case of a consortium) were consulted. (658D(b)(2), 98.12(b), 98.16(d))

**2.1.1. Describe how the Tribal Lead Agency consulted with the following Agencies/Entities in developing the CCDF Plan.**

- a) Lead agencies are REQUIRED (cite) to consult with representatives of local government including: local human services, education, or public health agencies :

Describe the consultation effort in the development of this Plan:

\_\_\_\_\_

- b) **Many Tribal Lead Agencies consult with additional entities – if you elect to consult with the entities listed below, please describe.**

- Tribal/State agency (agencies) responsible for public education, including Tribal/State pre-kindergarten programs and inclusion programs for children with special needs.  
\_\_\_\_\_
- Tribal/State/Local agency responsible for Head Start programs. \_\_\_\_\_
- Federal, State, local, Tribal, and/or private agencies providing child care and early childhood development services \_\_\_\_\_
- Public health (including the agency responsible for immunizations and programs that promote children’s emotional and mental health) \_\_\_\_\_
- Tribal/State agency responsible for employment services/workforce development \_\_\_\_\_
- Tribal/State agency responsible for child welfare \_\_\_\_\_
- Other \_\_\_\_\_



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## **Section 2.2. – Coordinating the Delivery of CCDF Services**

Tribal Lead Agencies are required to *coordinate* with other Tribal, Federal, State, and local child care, early childhood development programs, including such programs for the benefit of Indian children. (98.14(a), 98.16(d))

**2.2.1.** Describe how the Tribal Lead Agency is coordinating the delivery of CCDF-funded child care services with other Tribal, Federal, State, and local child care, early childhood development programs, and before and after-school care services. (658D(b)(1)(D), 658O (c)(2)(A), 98.16(d), 98.82(b))

\_\_\_\_\_

**2.2.2.** Describe the results of the Tribal Lead Agency's required coordination activities with agencies responsible for:

- Public Health (including the agency responsible for immunizations)

\_\_\_\_\_

- Public Education

\_\_\_\_\_

- Employment services or workforce development

\_\_\_\_\_

- State Temporary Assistance for Needy Families (TANF) agency and/or Tribal TANF agency

\_\_\_\_\_



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**Section 2.3. – Public Hearing Process**

2.3.1. The Tribal Lead Agencies are required to conduct public hearings no earlier than January 1, 2011 and no later than June 30, 2011. Public notice regarding the hearing(s) must be provided at least 20 days prior to the hearing and must be made available throughout the Tribal Lead Agency's Service Area.

Reminder – Public Hearing notice must be at least 20 days before the date of the hearing(s). The hearings are meant to solicit public comment and input into the services that will be provided through the CCDF program. The Tribal Lead Agencies shall make the contents of the plan available to the public in advance of the hearing.  
(98.14(a)(c)(3))

Describe the public hearing process held to provide the Tribe or member Tribes, in the case of a Tribal consortium, an opportunity to comment on the provision of child care services under the Tribe's (or Tribal consortium) Plan. (658D(b)(1)(C), 98.14(c), 98.16(e))

a) List the date(s) of the public hearing **notice** (at least one public hearing is required):

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
(Month, Date, Year)

b.) How was the community made aware of the public hearing? Examples include: parent newsletter, tribal/local media, posting on bulletin boards, etc. \_\_\_\_\_

c.) Describe how the Tribal Lead Agency made available the contents of the Plan throughout the service area prior to the public hearing?

\_\_\_\_\_

d.) List the date(s) and location(s) of the **hearing(s)** (Month, Date, and Year)

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
(Month, Date, Year)

Location(s): \_\_\_\_\_

e.) Describe how input from the public hearing(s) was taken into consideration.



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## **Section 2.4. – Public-Private Partnerships**

- 2.4.1.** Describe any activities, including planned activities, to encourage public-private partnerships, which promote private-sector involvement in meeting child care needs. (98.16(d))

Reminder: Provide examples of partnerships or planned activities with the business community or other private organizations such as foundations. Note - If there are no businesses, foundations, and/or philanthropic organizations within the Tribal Lead Agencies service area please indicate.

Describe: \_\_\_\_\_



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## Part 3 – Child Care Services Offered

This section focuses on the child care assistance program. Tribal Lead Agencies are asked to describe their efforts to inform parents about the subsidy program and application policies and procedures, eligibility criteria, how Tribal Lead Agencies ensure continuity of care and parental choice of high quality settings for families, and sliding fee scale and payment rate policies and procedures.

### Section 3.1. – Description of Direct Child Care Services

**REMINDER: Non-Exempt Tribes are required to operate a certificate program. Certificates must permit parents to choose from a variety of child care categories including center-based care, group home care, family child care and in-home care. (98.30(e)) Exempt Tribes are not required to operate a certificate program unless the Tribe chooses to include such services and the associated requirements in its program (98.81(b)(5))**

**Please check the appropriate box - Tribal Lead Agency Funding Status:**

- Exempt
- Non-Exempt (CCDF allocations equal to or greater than \$500,000 for a fiscal year)

**3.1.1.** The Tribal Lead Agency offers direct child care services through (check all appropriate boxes): (658A(b)(1), 658E(c)(3)(A)&(B), 658P(5)&(6), 98.16(g)(1), 98.30, 98.50)

a) A Certificate Program

- Yes, as a Non-exempt Tribe, we operate a Certificate Program as required.
- Yes, as an Exempt Tribe we are not required but have chosen to operate a Certificate Program. Exempt Tribes may choose to select “Yes” if you provide the full categories of child care.

Reminder: The term “certificate” and “voucher” are used interchangeably but for the purposes of the Tribal Plan Preprint we have chosen to make a distinction between the two terms. The term certificate is used to designate the program that allows parents a full range of providers. The term voucher is used for Exempt Tribes who operate like a certificate program, but offer parents fewer choices than the four categories of care.



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b) A voucher Program (for Exempt Tribes Only)

The Lead Agency has the option to limit the categories of care offered to parents. The Lead Agency has chosen to offer the following child care categories of care:

- Center-based       Group-home  
 Family-home       In-home

c) Grants or Contracts for child care slots

- Yes Describe and identify any limitation: \_\_\_\_\_

d) Tribally-operated center(s)

- Yes. Describe the following:

- The number and locations of the Tribally operated centers
- The types of services offered (e.g. full-time, part-time, after school, etc.)
- The number of and ages of children serviced by the center

**3.1.2.** Are all of the child care services identified in 3.1 above available throughout the entire service area? (658E(a), 98.16(g)(3))

Reminder: The Tribal Lead Agency is not required to offer CCDF services, or the same services, throughout the entire reservation or service area. If all services are not offered throughout your defined service area, indicate which services are not available and the area where the services are not offered. FOR EXAMPLE: You may be only offering infant care in only one village or in one center on your reservation

- Yes, If yes describe: \_\_\_\_\_



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No, If no, explain why: \_\_\_\_\_

### **Section 3.2. – Certificate Payment System**

A child care certificate means a certificate, that may be a check, or other disbursement that is issued by the Tribal Lead Agency to a parent who may use it to pay for child care services from a variety of providers (including center-based, group home, family and in-home child care) or as a deposit for services. (658E(c)(2)(A)(iii), 658P(2), 98.2, 98.30, 98.16(k))

Reminder: Responses should provide sufficient detail to enable a reader to understand how the Tribal Lead Agency Certificate Payment System works.

#### **3.2.1. Briefly describe the overall child care certificate payment process.**

Include at a minimum:

- a) A description of the child care certificate OR attach a copy of the certificate  
\_\_\_\_\_
- b) How does the Tribal Lead Agency inform parents that the child care certificate permits them to choose from a variety of child care categories, including child care centers, child care group homes, family child care homes, and in-home providers? (98.30(e)(2)). Check all options that the Tribe has chosen to implement.
- Certificate form provides information about choice of providers
- Consumer education is provided at the time of application
- Information is provided by child care resource and referral agencies
- Agency Web site: \_\_\_\_\_
- Other. Describe \_\_\_\_\_
- c) If the Tribal Lead Agency is also providing child care services through grants and contracts, explain how it ensures that parents offered child care services are given the option of receiving a child care certificate.  
\_\_\_\_\_





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### **Section 3.3. – Limitations of In-Home Care**

All Non-Exempt Tribal Lead Agencies must allow for in-home care (i.e., care provided in the child's own home) but may limit its use. (98.16(g)(2), 98.30(3)(1)(iv)) Will the Tribal Lead Agency limit the use of in-home care in any way?

Yes. If checked, what limits will the Lead Agency set on the use of in-home care? Check all limits the Lead Agency will choose to establish.

Restricted based on minimum number of children in the care of the provider to meet minimum wage law or Fair Labor Standards Act

Restricted based on provider meeting a minimum age requirement

Restricted based on hours of care (certain number of hours, non-traditional work hours)

Restricted to care by relatives

Restricted to care for children with special needs or medical condition

Restricted to in-home providers that meet some basic health and safety requirements

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

No

### **Section 3.4. – Eligibility Criteria for Child Care**

In order to be eligible for services, children must (1) be under the age of 13, or under the age of 19 if the child is physically or mentally disabled or under court supervision; (2) reside with a family whose income is less than 85 percent of the State's median income for a family of the same size; and (3) reside with a parent(s) who is working or attending job training or an educational program; or (4) if the child is receiving or be receiving or needs to receive protective services. (658E(c)(3)(B), 658P(3), 98.20, 98.80(f), 98.81(b)(1))

#### **3.4.1. How does the Tribal Lead Agency define the following eligibility terms?**

- Residing with - \_\_\_\_\_



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- in loco parentis (refers to an individual who assumes parental status and responsibilities for another child) - \_\_\_\_\_

### 3.4.2. Eligibility Criteria Based Upon Age

a) The Tribal Lead Agency serves children from \_\_\_\_\_(weeks/months/years) to \_\_\_\_\_years (maximum age is through age 12).

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

Yes, and the upper age is \_\_\_\_\_. Provide a definition of physical and mental incapacity.

No

c) Does the Tribal Lead Agency allow CCDF-funded child care for children age 13 and above but below age 19 who are under court supervision? (658P(3), 658E(c)(3)(B), 98.20(a)(1)(ii))

Yes, and the upper age is \_\_\_\_\_.”

\_\_\_\_\_

No

### 3.4.3. Eligibility Criteria Based Upon Work, Job Training, or Educational Program

a) How does the Tribal Lead Agency define “working” for the purposes of eligibility? Provide a narrative description below.

Reminder: Lead Agencies have the flexibility to include any work-related activities in its definition of working, including periods of job search.

- Working - \_\_\_\_\_

b) Does the Tribal Lead Agency provide CCDF child care assistance to parents who are attending job training? (98.16(g)(5), 98.20(b))

Reminder – Lead Agencies have the flexibility to include any training or education-related activities in its definition of job training or education, including study time.



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Yes. If yes, how does the Tribal Lead Agency define “attending job training for the purposes of eligibility? Provide a narrative description below.

- Describe job training, to include attendance requirements if applicable: \_\_\_\_\_

No

c) Does the Tribal Lead Agency provide CCDF child care assistance to parents who are attending an educational program? (98.16(g)(5), 98.20(b))

Reminder – Lead Agencies have the flexibility to include any education-related activities in its definition of education, including study time.

Yes. If yes, how does the Tribal Lead Agency define “educational program” for the purposes of eligibility? Provide a narrative description below.

- Describe educational program, to include attendance requirements if applicable: \_\_\_\_\_

No

#### 3.4.4. Eligibility Criteria Based Upon Receiving or Needing to Receive Protective Services

a) Does the Lead Agency provide child care to children in protective services? (98.16(f)(7), 98.20(a)(3)(ii)(A) & (B))

Reminder – Lead Agencies have the flexibility to define protective services beyond formal child welfare or foster care cases, including but not limited to, homeless children. If the Lead Agency provides CCDF-funded child care to children in foster care whose foster care parents are not working, or who are not in education /training activities for CCDF purposes, these children are considered to be in protective services and should be included in this definition.

Yes. If yes, how does the Lead Agency define “protective services” for the purposes of eligibility? Provide a narrative description below. \_\_\_\_\_

No



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- b) Does the Tribal Lead Agency waive, on a case-by-case basis, the co-payment and income eligibility requirements for cases in which children receive, or need to receive, protective services? (658E(c)(3)(B), 658P(3)(C)(ii), 98.20(a)(3)(ii)(A))

Yes

No

- c) Does the Tribal Lead Agency provide CCDF-funded child care to children in foster care whose foster care parents are not working, or who are not in education/training activities? (98.20(a)(3)(ii), 98.16(f)(7))

Yes (This means that for CCDF purposes, the Tribal Lead Agency considers these children to be served under the protective services eligibility category.)

No

- d) Does the Tribal Lead Agency provide respite child care to children in protective services? 98.16(f)(7)

Reminder: If yes, you must include respite care under your definition of protective services.

Yes, and respite care is included under the Tribe's definition of protective services.

No

### 3.4.5. Income Eligibility

By Statute, all eligible children must be under the age of 13 and reside with a family whose income does not exceed 85% of the Grantee Median Income (GMI) for a family of the same size. (658E(c)(3)(B), 658P(4), 98.20, 98.80(f), 98.81(b)(1))

- a) How does the Lead Agency define "income" for purposes of eligibility determination? (98.16(g)(5), 98.20(b))

Reminder: The Tribe has flexibility in developing its definition of income.

- Income – \_\_\_\_\_

- b) The law states that Tribes may establish income eligibility for child care under CCDF up to 85% of the Grantees Median Income (GMI). Indicate whether the Tribal Lead Agency



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has selected to use the State or a Tribal Median Income to establish eligibility.  
 (658E(c)(3)(B), 658P(4), 98.20, 98.80(f), 98.81(b)(1))

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

- (Include effective date of Tribal Median Income \_\_\_\_\_ or

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

- Include effective date AND source of State Median Income
- State \_\_\_\_\_ Effective date of SMI \_\_\_\_\_

c) Provide the CCDF income eligibility limits. Income limits must be provided in terms of GMI (State Median Income or Tribal Median Income, as selected above), even if Federal poverty level is used in implementing the program. (98.20(a)(2))

Complete column (a) and (b) of the matrix below based on the definition of GMI selected above (TMI or SMI). Complete column (c) **ONLY IF the Tribal Lead Agency is using income eligibility limits lower than 85% of the GMI (i.e., State or Tribal Median Income).**

<b>3.4.5. – Grantee Median Income (GMI) Matrix</b>			
<b>Family Size</b>	<b>(a) 100% of GMI (\$/month)</b>	<b>(b) 85% of GMI (\$/month)</b>	<b>(c) Income eligibility, less than 85% GMI, if used to limit eligibility (\$/month)</b>
1			
2			
3			
4			
5			
6			
7			
8			



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### 3.4.6. Additional CCDF Eligibility Criteria or Definition

Has the Tribal Lead Agency established additional eligibility criteria, for example higher income limits in one part of the tribal service area? (658E(a), 98.16(g)(5), 98.20(b))

- Yes, and the additional eligibility criteria that the Tribal Lead Agency has established are: (Terms must be defined in Appendix #  )
- No

### Section 3.5. – Priority Rules for Children

At a minimum, CCDF requires Lead Agencies to give priority for child care services to children with special needs. Prioritization of CCDF-services is not limited to eligibility determination (i.e., establishment of a waiting list or ranking of eligible families in priority order to be served). Lead Agencies may fulfill priority requirements in other ways, such as higher payment rates for providers caring for children with special needs. (658E(c)(3)(B), 98.44(b))

Reminder: Responses under Section 3.5 should provide sufficient detail to enable a reader to understand the Tribal Lead Agency’s priority rules.

#### 3.5.1. Priority Rules for Children with Special Needs

Reminder: Lead Agencies have the flexibility in how they define “special needs”. Lead Agencies are not limited in defining *children with special needs* to only those children with physical or mental disabilities (e.g., with formal Individual Education Plan (IEP) required under the Individuals with Disabilities Act (IDEA). Lead Agencies could consider children in the child welfare system, children of teen parents, or homeless children as examples of *children with special needs*.

a) How does the Tribal Lead Agency define “children with special needs?”

\_\_\_\_\_

b) Describe how the Tribal Lead Agency will give priority for child care services to children with special needs (658E(c)(3)(B), 98.44(b))



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**3.5.2. Additional Eligibility Criteria or Priority Rules**

a) Does the Tribal Lead Agency have additional eligibility criteria or priority rules ? (658E(c)(3)(B), 98.16(g)(5), 98.20(b))

Yes, and the following are the additional eligibility criteria or priority rules. Terms must be defined in (b) below.

No

b) Define and describe the additional priority rules or categories provided in 3.5.2a.

\_\_\_\_\_

**Section 3.6. – Payment Rates for Child Care Services**

Lead Agencies are required to establish payment rates for child care services that ensure eligible children equal access to comparable care (658E(c)(4), 98.16(l) and 98.43(b)(2)).

**3.6.1.** Provide a copy of your payment rates as **Attachment 3.6.1.** For Tribally Operated Centers and those offering direct services through grants or contracts, complete 3.6.3 below)

**The attached payment rates were or will be effective as of:** \_\_\_\_\_

Reminder: The attached payment rates should reflect all the rates that cover the variety of care offered in your program. Tribal Lead Agencies are reminded that payment rates cannot be based on a family’s eligibility or circumstances. This means that the Lead Agency may not establish payments for TANF families that differ from the payments for child care for the working poor, or for families in education or training.

**Reminder for Tribally Operated Centers:** For Lead Agencies that only offer direct services through a tribally-operated center In lieu of a payment rate schedule, the Tribe could provide information about its CCDF budget, including the average cost of providing care per child, or information about what the center would charge a non-subsidized child for care.

**3.6.2.** Are the payment rates provided in Attachment 3.6.1 used in all parts of the Tribal Service Area?

Yes

No. Attach other payment rates (e.g. as Attachment 3.6.1.), indicate their effective dates and describe or list the geographic areas where they are used \_\_\_\_\_



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**3.6.3** Does the Tribal Lead Agency provide child care services **only** through a tribally-operated center(s) or grants and contracts?

Yes, if yes attach information on cost of care per child, budget information or other documentation regarding the cost of child care services (e.g. as Attachment 3.6.1)

No.

**3.6.4. Market Rate Survey Requirements**

Tribal Lead Agencies are required to establish payment rates for child care services that ensure eligible children equal access to comparable care. At a minimum, Lead Agencies are required to show how payment rates are adequate based on a local market rate survey conducted no earlier than two years prior to the effective date of the currently approved Plan (i.e., conducted no earlier than 10/1/10 and no later than 9/30/11).

ACF recognized that market rate surveys may not be feasible for some Tribal Lead Agencies. Lead Agencies have three options for fulfilling the local Market Rate Survey requirements. Lead Agencies have the option of 1) conducting its own local Market Rate Survey, 2) using the State's local Market Rate Survey, or 3) providing alternative documentation in lieu of a local Market Rate Survey if selected criteria are met. Select the option that best fits the circumstances of your Tribal Child Care Program and provide the requested information for the option selected..

**Which option** does the Tribal Lead Agency use in fulfilling the local Market Rate Survey requirements? Please select only ONE option.

Option 1 - The Lead Agency conducts its own Market Rate Survey?

If Yes, include the following:

The date of the local child care market rate survey(s): \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

**Required:** Describe how are the payment rates adequate to ensure equal access based on the results of the market rate survey (i.e., the relationship between the attached payment rates and the market rates observed in the survey). What additional facts (if any) were used, in addition to the market rate survey, to set the attached payment rates? (98.16(I), 98.43)

\_\_\_\_\_

Option 2 - The Lead Agency uses the State's local Market Rate Survey?

If Yes, include the following:

Name of State: \_\_\_\_\_





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Date (including the year) of the survey: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

**Required:** Describe how are the payment rates adequate to ensure equal access based on the results of the market rate survey (i.e., the relationship between the attached payment rates and the market rates observed in the State(s) survey(s)). What additional facts (if any) were used, in addition to the market rate survey(s), to set the attached payment rates? (98.16(l), 98.43)

\_\_\_\_\_

- Option 3 - The Lead Agency will provide alternative documentation in lieu of a local Market Rate Survey. Lead Agencies must meet at least one of the following criteria in order to select this option.

**Criteria 1. Check if:**

The Tribal Lead Agency has documented that it funds CCDF direct services solely in settings outside the scope of a market rate survey including;

(a) an Exempt Tribal Lead Agency providing CCDF direct services solely in Tribally operated facility(ies) and does not provide services through certificates/vouchers, grants, or contracts; and

(b) a Tribal Lead Agency funds CCDF direct services solely in unregulated home-based settings such as in-home care (i.e., care in the child's own home) or family, friend and neighbor care, and does not fund any CCDF services in centers, regulated family child care homes or regulated group homes.

**If checked. Provide the documentation** or a description indicating that the Tribal Lead Agency funds CCDF services solely in Tribally operated facility(ies) and does not provide services through certificates/vouchers, grants, or contracts; or provides direct services solely in unregulated home-based settings and does not provide any services through centers or regulated homes.

Documentation included in attachment # \_\_\_\_\_

**Or**

Describe: \_\_\_\_\_

**Criteria 2. Check if:**

The Tribal Lead Agency has documented that all child care providers in the service area that would potentially be included in a market rate survey (a) serve only children receiving CCDF subsidies, and (b) serve no private-pay children.



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**If yes, provide the documentation describing** how the Tribal Lead Agency determined that all providers serve only children receiving CCDF subsidies and serve no private-pay children including a description of all relevant provider types (e.g., centers, family child care homes, etc) that were examined.

**3.6.5. For Non-Exempt Tribes Only** – If the payment rates do not reflect individual rates for the full range of providers -- center-based, group home, family home, and in-home care— explain how the choice of the full range of providers is made available to parents:

\_\_\_\_\_

Reminder: If your rates do not cover all categories of providers (i.e. center, family home, group home, in home) you must explain how parents will have access to the full range of providers, (i.e. if your rates only cover center, how will parents request subsidies for family home providers?)  
Remember, non-exempt Lead Agencies must operate a certificate program and offer access to all 4 categories of care.

**3.6.6.** Will the Tribal Lead Agency provide any type of tiered reimbursement or differential rates on top of its base reimbursement rates for providing care for subsidized children? Check which types of tiered reimbursement, if any, the Tribal Lead Agency has chosen to provide.

- Differential rate for nontraditional hours. Describe
- Differential rate for children with special needs as defined by the State/Territory. Describe
- Differential rate for infants and toddlers. Describe
- Differential rate for school-age programs. Describe
- Differential rate for higher quality as defined by the State/Territory. Describe
- Other differential rate. Describe



### **Section 3.7. – Sliding Fee Scale(s)**

CCDF requires families to share in the cost of subsidized child care (658(E)(5),98.42). The Tribal Lead Agency must establish a sliding fee scale that details each family’s contribution(s) (i.e., “co-payment”). The sliding fee scale must vary based on **income and the size of the family**.

**3.7.1.** Provide a copy of the Tribal Lead Agency’s sliding fee scale for child care services as Attachment 3.7.

- The attached sliding fee scale will be effective as of: \_\_\_\_\_.

**3.7.2.** Does the Tribal Lead Agency use other factors in addition to income and family size to determine each family’s contribution to the cost of child care? (658E(c)(3)(B), 98.42(b))

- Yes, and **describe** those additional factors:  
 No

**3.7.3.** Is the same sliding fee scale provided in attachment 3.7 in response to question 3.7.1. above in use in all parts of the Tribal service area? (658E(c)(3)(B), 98.42)

- Yes  
 No, and other scale(s) are provided as attachment \_\_\_\_\_.

**3.7.4.** The Tribal Lead Agency may waive co-payments for families whose incomes are at or below the poverty level for a family of the same size. (98.42(c))

Reminder – Tribal Lead Agencies are reminded that the co-payments may be waived for only two circumstances – for families at or below the poverty level or on a case-by-case basis for children falling under the definition of “protective services” (as defined in 3.4.4).

- ALL families, including those with incomes at or below the poverty level for families of the same size, ARE required to pay a fee.
- NO families with income at or below the poverty level for a family of the same size ARE required to pay a fee. Identify what Fiscal Year and Data source was used to determine the poverty level.
- SOME families with income at or below the poverty level for a family of the same size ARE NOT required to pay a fee.

Provide a description of the families at or below the poverty level that are not required to pay a fee: \_\_\_\_\_



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**3.7.5.** The following is an explanation of how the co-payments required by the Tribal Lead Agency's sliding fee scale(s) are affordable:(98.43(b)(3))

\_\_\_\_\_



## Part 4 – Procedures for Parents

In this section the Tribal Lead Agency should provide a complete description of the application process for families, the procedures for providing parents with unlimited access to their children while they are in the care of a CCDF provider (658E(c)(2)(D), (658D(b)(1)(A), (658E(c)(3)(B), 98.16(h), 98.30), and how the Tribal Lead Agency maintains substantiated parental complaints and how such information is made available to the public upon request (658E (c)(2)(C), 98.32).

### **Section 4.1. – How Families Apply for CCDF**

**4.1.1.** Describe how parents are informed of the availability of child care services under CCDF. (658E(c)(2)(A), 98.30(a))

The description must include:

- How parents are informed of the availability of child care services and of available child care options?
- Where and how applications are made?
- Who makes the eligibility determination?
- How is eligibility documented and verified?

**4.1.2.** Describe how the Tribal Lead Agency document and verify any of the following information from the applicant. (658K(a)(1), 98.70(a), 98.71(a))

**4.1.3. TANF Agency's Criteria/Definitions Regarding Inability to Obtain Care**

How Does the Tribal Lead Agency Inform Parents who Receive TANF (Temporary Assistance for Needy Families) Benefits About the Exception to the Individual Penalties Associated with the TANF Work Requirement?

The regulations at 98.33(b) require the Tribal Lead Agency 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 under 6 years of age. Lead Agencies must coordinate with TANF programs to ensure, that TANF families with young children will be informed of their right not to be sanctioned if they meet the criteria set forth in the TANF statute and Plan.

In fulfilling this requirement, the following criteria or definitions are applied by the TANF agency—which include both the Tribal TANF agency and the State TANF agency-- to determine whether the parent has a demonstrated inability to obtain needed child care:



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Reminder: The TANF agency, not the Child Care 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.

a) Identify the TANF agency(ies) that established these criteria or definitions:

State(s) TANF Agency: \_\_\_\_\_

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

b) Provide the following definitions established by the TANF agency.

- “Appropriate child care”: \_\_\_\_\_
- “Reasonable distance”: \_\_\_\_\_
- “Unsuitability of informal child care”: \_\_\_\_\_
- “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?

- In writing
- Verbally
- Other: \_\_\_\_\_

**4.1.4.** Is the application process for child care under CCDF different for families receiving TANF? (98.16(g)(4))

- Yes. If yes, please describe: \_\_\_\_\_
- No

#### **Section 4.2. – Description of Procedures for Unlimited Parental Access**

The Lead Agency shall have in procedures to ensure that providers receiving CCDF funds afford parents unlimited access to their children, and access to the providers caring for their children, during normal hours of provider operation and whenever the children are in the care of the provider. (658E(c)(2)(B), 98.31, 98.16(n))

Describe how the Lead Agency ensures that parents have this access: \_\_\_\_\_



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### **Section 4.3. – Record of Substantiated Parental Complaints**

- Describe in detail how the Tribe maintains a record of **substantiated** parental complaints about a child care provider that were found to be true. (658E(c)(2)(C), 98.32, 98.16(m))

\_\_\_\_\_

- Describe in detail how the substantiated parental complaints that were found to be true are available to the public on request, including who should be contacted to receive them. (658E(c)(2)(C), 98.32, 98.16(m))

\_\_\_\_\_



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

In this section, Tribal Lead Agencies are asked to describe their goals and plans for the implementation of child care quality improvement activities. Core elements of CCDF include quality investments and support systems for programs and staff. Tribes are encouraged, regardless of size, to take an intentional approach to quality improvement – assessing the current quality of care available and the training and TA needs of providers; investing their quality funds and efforts in accordance with the needs; and reviewing the success of their activities to improve quality and making adjustments as necessary.

The Tribal Lead Agency should consider its goals for a child care quality improvement system for all families, not just those receiving assistance under CCDF. (658G, 658E(c)(3)(B), 98.16(h), 98.51, 98.83(f))

Reminder – CCDF regulations require non-exempt Lead Agencies (those receiving \$500,000 or more) to spend not less than 4 percent on quality activities. These activities may include, but are not limited to; activities designed to provide comprehensive consumer education, increased parental choice, and to improve the availability and quality of child care services.

Exempt Lead Agencies (those receiving less than \$500,000 are strongly encouraged to spend CCDF funds on quality activities but are not required to meet the 4 percent provision.

**5.1. Quality Improvement Activities**

5.1.1. How does the Tribal Lead Agency learn about the quality of care currently offered and the training and TA needs of providers? (Note: Tribes may make their own decisions about how to determine their needs and make investments. For technical assistance purposes, OCC would like to learn how Tribes perform these functions – from the use of formal tools to determine the quality of programs to more informal methods to learn about the needs of relative caregivers.)

\_\_\_\_\_

5.1.2. Describe the quality improvement activities the Tribal Lead Agency intends to implement during this plan period. Tribes may use the table below OR provide a narrative description: \_\_\_\_\_





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**Table 5.1. – Planned Quality Activities for the Upcoming Biennium- (May be used in Lieu of Narrative Response.)**

a) Training and Professional Development Opportunities for Providers

Training Topics

- Child Development
- Infant and toddler child care
- Physical Activity and Nutrition
- Language and Literacy
- Inclusive child care
- Health and safety
- Social-emotional development
- Fiscal management
- Administration and program management
- Curriculum development and instruction
- Child Care as a business
- Other, describe: \_\_\_\_\_

Strategies for Making Training Accessible

- Grants or stipends for attending training events
- Time off to attend training
- Make substitute providers available
- Other, describe: \_\_\_\_\_

Training Outcomes

- Certificate
- Credential
- Degree
- Credit towards required training hours
- Other, describe: \_\_\_\_\_

b) Assisting Providers in meeting Licensing and Health and Safety Standards

- Provide health and safety materials/equipment
- Grants/mini-grants for health and safety equipment/materials
- Classroom materials and resources



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Financial assistance in meeting licensing requirements

Other, describe: \_\_\_\_\_

c) Consumer Education

Resource and referral services

Resource library for parents and providers

Newsletters for providers and parents

Parent handbooks

Toy lending library

Internet-based consumer education on quality child care

Other, describe: \_\_\_\_\_

d) Staff Compensation & Financial Incentives for Programs

Supplement wages of staff

Bonuses to recruit providers caring for infants/toddlers or other areas of provider shortages

Increase staff compensation in blended Child Care/Head Start programs

Bonuses to higher quality programs

Implement cash and non-cash career-ladder incentives

Other, describe: \_\_\_\_\_

e) School-Age Child Care Activities

(Note: all activities must have a direct link to child care)

Cultural activities with elders (e.g., regalia making)

Culturally-based summer youth programs

Mentoring program

Drug prevention program

Teen pregnancy prevention programs

Other, describe: \_\_\_\_\_



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<p>f) Culturally Relevant Activities</p> <ul style="list-style-type: none"><li><input type="checkbox"/> Tribal language immersion programs</li><li><input type="checkbox"/> Integration of storytellers in child care programs</li><li><input type="checkbox"/> Cultural training opportunities for parents and providers</li><li><input type="checkbox"/> Cultural training to non-Native providers</li><li><input type="checkbox"/> Other, describe: _____</li></ul>
<p>g) Quality Support for Programs</p> <ul style="list-style-type: none"><li><input type="checkbox"/> Grants to programs to expand quality activities</li><li><input type="checkbox"/> Health Consultation or other related activities</li><li><input type="checkbox"/> Assessment of classroom practice</li><li><input type="checkbox"/> Integrating children with special needs (creating inclusive child care settings)</li><li><input type="checkbox"/> Higher rates for programs caring for infants and toddlers</li><li><input type="checkbox"/> Other, describe: _____</li></ul>

5.1.3. Does Tribal Lead Agency have quality improvement initiatives specifically for relative caregivers or other small home-based providers that are not described in your answers above:

Yes. If yes, describe: \_\_\_\_\_

No

5.1.4 Tribes are required to spend a specific amount on School-Age Care and /or Resource and Referral services to fulfill the requirement know as Discretionary Targeted Funds. See the Office of Child Care Website for the FY 2012 estimates.

[http://www.acf.hhs.gov/programs/ccb/law/allocations/current/tribal2011/2011\\_est\\_alloc.htm](http://www.acf.hhs.gov/programs/ccb/law/allocations/current/tribal2011/2011_est_alloc.htm)

How does the Tribal Lead Agency intend to use these funds?

Describe: \_\_\_\_\_

## 5.2. Quality Improvement Goals

In the upcoming Biennium, describe the Tribal Lead Agency's goals for improving the quality of care in your program. (Answers will inform the training and technical assistance provided by OCC.)



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## Part 6 – Health and Safety Requirements for Providers

**Activities to Ensure the Health and Safety of Children in Child Care** This section is intended to collect information on how Tribal Lead Agencies meet the statutory and regulatory provisions related to the health and safety requirements for the CCDF program and how the requirements are effectively enforced. The Personal Responsibility and Work Opportunity and Reconciliation Act of 1996 (Public Law 104-193) requires that in lieu of any licensing and regulatory requirements applicable under State and local law, the U.S. Department of Health and Human Services develop minimum child care standards for Indian Tribes and Tribal Organizations receiving funds under the Child Care and Development Fund. The Minimum Tribal Child Care Standards were first published in April 2000 after three years of consultation with Tribes and tribal organizations, These voluntary guidelines represent the baseline from which all programs should operate to ensure that children are cared for in healthy and safe environments and that their basic needs are being met. We are aware that many Tribes may currently exceed the minimum standards. Each set of standards is organized in three sections that correspond with the basic CCDF health and safety standards: (1) policies, practices, and caregiver training; (2) building and premises; and (3) infection control. Tribal Lead Agencies still maintain the option of using the voluntary Minimal Tribal Child Care Standards or Tribal, State, or local licensing or regulatory requirements.

Reminder: A Tribal Lead Agency has the option, to exempt the following relatives from some or all of its health and safety requirements: grandparents, great-grandparents, siblings if living in a separate residence, aunts, and uncles (see Section 6.3). (658)(4)(B), 98.41(g)):

### **Section 6.1 Compliance with CCDF Health and Safety Requirements**

<b>Table 6.1.1 What standards have the Tribe adopted for the following categories of care?</b>	
Tribal Lead Agencies still maintain the option of using the voluntary Minimal Tribal Child Care Standards or Tribal, State, or local licensing or regulatory requirements.	For each requirement checked, identify which providers must meet the requirement. (Reminder: Non-Exempt Tribal Lead Agencies must have at least one check box in each category of care) Check all that apply.



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	Center-based	Group home	Family home	In-home
<input type="checkbox"/> HHS Minimum Child Care Standards	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tribal Standards	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> State Licensing Standards Identify State(s): _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Local Licensing Standards or requirements Identify Local entity: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Other Identify Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

6.1.2 Does the Tribal Lead Agency exempt relative providers from health and safety requirements?

Yes. If yes, identify exempt relative providers

No.



**Section 6.2 Compliance with CCDF Requirements for Health and Safety**

Each Tribal Lead Agency shall certify that there are in effect, within the Tribal, State or local law, requirements designed to protect the health and safety of children that are applicable to child care providers of services for which assistance is provided under CCDF. Such requirements shall include the prevention and control of infectious diseases (including immunization), building and physical premises safety, and minimum health and safety training appropriate to the provider setting. These health and safety requirements apply to all providers caring for children receiving CCDF services. (658E(c)(2)(F), 98.41)

**6.2.1.** Check the health and safety requirements for **prevention and control of infectious disease** that are in effect for child care providers of services for which assistance is provided under CCDF. For example, these requirements may be included as part of the Tribal Child Care Standards, State licensing requirements, the Minimum Tribal Child Care Standards or local requirements(658E(c)(2)(F)(i), 98.41(a)(1)

<b>Table 6.2.1</b> Health and Safety Requirements for the Prevention and Control of Infectious Disease				
Tribal Lead Agencies have flexibility to set requirements for their programs. Check all requirements that the Lead Agency has chosen to implement:	For each requirement checked, identify which providers must meet the requirement. (Reminder: Non-Exempt Tribal Lead Agencies must have at least one check box in each category of care) Check all that apply.			
	Center-based	Group home	Family home	In-home
<input type="checkbox"/> Physical exam or health statement for providers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Physical exam or health statement for children	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tuberculosis check for providers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tuberculosis check for children	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Provider immunizations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Child immunizations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Hand-washing policy for providers and children	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Diapering policy and procedures	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Providers to submit a self-certification or complete health and safety checklist	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Providers to meet the requirements of another oversight entity that fulfill the CCDF health and safety requirements	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Other: Describe	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



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**6.2.2** Check the health and safety requirements for **building and physical premises safety**, including policies and practices to protect from environmental hazards, in effect for child care providers of services for which assistance is provided under CCDF. (658E(c)(2)(F)(ii), 98.41(a)(2))

<b>Table 6.2.2 Health and Safety Requirements for Building and Physical Premises Safety</b>				
Tribal Lead Agencies have flexibility to set requirements for their programs. Check all requirements that the Lead Agency has chosen to implement:	For each requirement checked, identify which providers must meet the requirement. (Reminder: Non-Exempt Tribal Lead Agencies must have at least one check box in each category of care) Check all that apply.			
	Center-based	Group home	Family home	In-home
<input type="checkbox"/> Building inspection	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Fire inspection, safety and evacuation policy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Accessibility for people with disabilities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Health inspection	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Compliance with inaccessibility of toxic substances policy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Compliance with lead paint policy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Compliance with safety policy for bodies of water, including swimming pools	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Compliance with safe sleep policy, including SIDS prevention	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Compliance with transportation policy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Providers to submit a self-certification or complete health and safety checklist	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Providers to meet the requirements of another oversight entity that fulfill the CCDF health and safety requirements	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tobacco Exposure Reduction	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Other: Describe	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



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**6.2.3** Check the health and safety requirements for **health and safety training** in effect for child care providers of services for which assistance is provided under CCDF. (658E(c)(2)(F)(iii), 98.41(a)(3))

Health and Safety Training Requirements		Pre-Service	On-Going
<input type="checkbox"/> Child Care Centers	CPR		
	First Aid		
	Training on Infectious Diseases		
	SIDS Prevention (i.e., Safe Sleep)		
	Medication Administration		
	Mandatory Reporting of Suspected Abuse or Neglect		
	Child Development		
	Supervision of Children		
	Behavior Management		
	Nutrition		
	Breastfeeding		
	Tobacco Exposure Reduction		
	Physical Activity		
	Working with Children with Special Needs or Disabilities		
Emergency Preparedness and Response			
Other. Describe <span style="background-color: #ADD8E6; display: inline-block; width: 40px; height: 15px;"></span>			
<input type="checkbox"/> Group Home Child Care	CPR		
	First Aid		
	Training on Infectious Diseases		
	SIDS Prevention (i.e., Safe Sleep)		
	Medication Administration		
	Mandatory Reporting of Suspected Abuse or Neglect		
	Child Development		
	Supervision of Children		
	Behavior Management		
	Nutrition		
	Breastfeeding		
	Tobacco Exposure Reduction		
	Physical Activity		
	Working with Children with Special Needs or Disabilities		
Emergency Preparedness and Response			
Other. Describe <span style="background-color: #ADD8E6; display: inline-block; width: 40px; height: 15px;"></span>			





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Table 6.2.3. Health and Safety Requirements for Health and Safety Training

Tribal Lead Agencies have flexibility to set requirements for their programs. Check all requirements that the Lead Agency has chosen to implement:

Health and Safety Training Requirements		Pre-Service	On-Going
<input type="checkbox"/> Family Home Care	CPR		
	First Aid		
	Training on Infectious Diseases		
	SIDS Prevention (i.e., Safe Sleep)		
	Medication Administration		
	Mandatory Reporting of Suspected Abuse or Neglect		
	Child Development		
	Supervision of Children		
	Behavior Management		
	Nutrition		
	Breastfeeding		
	Physical Activity		
	Tobacco Exposure Reduction		
	Working with Children with Special Needs or Disabilities		
Emergency Preparedness and Response			
Other. Describe <span style="background-color: #ADD8E6; display: inline-block; width: 40px; height: 1em; vertical-align: middle;"></span>			
<input type="checkbox"/> In-Home Child Care Providers	CPR		
	First Aid		
	Training on Infectious Diseases		
	SIDS Prevention (i.e., Safe Sleep)		
	Medication Administration		
	Mandatory Reporting of Suspected Abuse or Neglect		
	Child Development		
	Supervision of Children		
	Behavior Management		
	Nutrition		
	Breastfeeding		
	Tobacco Exposure Reduction		
	Physical Activity		
	Working with Children with Special Needs or Disabilities		
Emergency Preparedness and Response			
Other. Describe <span style="background-color: #ADD8E6; display: inline-block; width: 40px; height: 1em; vertical-align: middle;"></span>			



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**Section 6.3. Monitoring and Enforcement of Health and Safety Requirements**

The Tribal Lead Agency is required to certify that procedures are in effect to ensure that child care providers caring for children receiving CCDF services comply with the applicable health and safety requirements. (658E(c)(2)(G), 98.41(d))

**Describe the Tribal Lead Agency policies for effective enforcement of requirements applicable to child care program funded under CCDF.** We realize that some tribal programs may be required to be licensed by the State or other entity and therefore the enforcement of the licensing requirements is carried out by the State. Check the appropriate boxes below that best describes the visits (announced and unannounced), background checks and any other enforcement policies and practices that govern Tribal child care programs.

6.3.1. Are **announced** and/or **unannounced** visits in its policies as a way to effectively enforce the applicable child care requirements? (658E(c)(2)(E), 658E(c)(2)(G), 98.40(a)(2), 98.41(d))

- Yes. If “Yes” please refer to the chart below and check all that apply.
- No
- Licensing enforcement is carried out by the State or other outside entity. Please identify the State or other entity. If you checked this box, you are not required to complete table 6.3.1

<b>Table 6.3.1. – Information on Monitoring and Inspections</b>		
<b>Provider Categories</b>	<b>Frequency of Routine Announced Visits</b>	<b>Frequency of Routine Unannounced Visits</b>
<input type="checkbox"/> Center-Based	<input type="checkbox"/> Once a Year <input type="checkbox"/> More than Once a Year <input type="checkbox"/> Less than Once a Year <input type="checkbox"/> Once Every Two Years <input type="checkbox"/> Other: Describe	<input type="checkbox"/> Once a Year <input type="checkbox"/> More than Once a Year <input type="checkbox"/> Less than Once a Year <input type="checkbox"/> Once Every Two Years <input type="checkbox"/> Other: Describe
<input type="checkbox"/> Family Home	<input type="checkbox"/> Once a Year <input type="checkbox"/> More than Once a Year <input type="checkbox"/> Less than Once a Year <input type="checkbox"/> Once Every Two Years <input type="checkbox"/> Other: Describe	<input type="checkbox"/> Once a Year <input type="checkbox"/> More than Once a Year <input type="checkbox"/> Less than Once a Year <input type="checkbox"/> Once Every Two Years <input type="checkbox"/> Other: Describe
<input type="checkbox"/> Group Home	<input type="checkbox"/> Once a Year <input type="checkbox"/> More than Once a Year <input type="checkbox"/> Less than Once a Year <input type="checkbox"/> Once Every Two Years <input type="checkbox"/> Other: Describe	<input type="checkbox"/> Once a Year <input type="checkbox"/> More than Once a Year <input type="checkbox"/> Less than Once a Year <input type="checkbox"/> Once Every Two Years <input type="checkbox"/> Other: Describe
<input type="checkbox"/> In-Home	<input type="checkbox"/> Once a Year <input type="checkbox"/> More than Once a Year <input type="checkbox"/> Less than Once a Year <input type="checkbox"/> Once Every Two Years <input type="checkbox"/> Other: Describe	<input type="checkbox"/> Once a Year <input type="checkbox"/> More than Once a Year <input type="checkbox"/> Less than Once a Year <input type="checkbox"/> Once Every Two Years <input type="checkbox"/> Other: Describe



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**6.3.2.** Are background checks used to effectively enforce and monitor health and safety requirements?

Yes. If yes, please refer to the chart below and check all that apply.

Reminder: Some Tribal Lead Agencies have agreements with the State or Tribal entities that conduct the background check of providers. Example: The Tribal Lead Agency has entered into an agreement with the Tribe to conduct background checks. The Tribe's background check consists of both an FBI and DOJ check.

No

<b>Table 6.3.2. Background Checks (Check all that apply)</b>				
Tribal Lead Agencies have flexibility to set requirements for their programs. Check all requirements that the Lead Agency has chosen to implement:	For each requirement checked, identify which providers must meet the requirement. (Reminder: Non-Exempt Tribal Lead Agencies must have at least one check box in each category of care) Check all that apply.			
	Center-based	Group home	Family home	In-home
Child Abuse Registry				
Tribal Criminal Background				
Federal Background - either Federal Bureau of Investigation (FBI) and/or Department of Justice (DOJ) (e.g., fingerprint)				
Sex Offender Registry				

**6.3.3.** What other methods either directly or indirectly, does the Tribal Lead Agency use to effectively enforce CCDF health and safety requirements?

Reminder: Examples may include requiring providers to submit plans to correct violations cited during monitoring; Tribal Lead Agency provides technical assistance on how to correct the violation or the prevention of such violations, Tribal Lead Agency has an agreement with the State to enforce compliance with CCDF health and safety requirements, etc.

Describe: \_\_\_\_\_



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**6.3.4.** Does the Tribal Lead Agency disseminate information to parents and the public, about child care program compliance records?

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

No



## APPENDIX 1

### 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), 98.2, 98.30, 98.15(a)(2)) **[Exempt Tribal Lead Agencies are not required to operate certificate programs.]**
- (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)
- (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) **[Exempt Tribal Lead Agencies are not required to operate certificate programs.]**
- (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). (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



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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), 98.15(p), 98.30(e)&(f), 98.40(b)(2), 98.41(b), 98.43(d), 98.45(d))

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)(1), 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)(2), 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)(D), 98.15(b)(3), 98.33)
- (4) There are licensing requirements in effect that are applicable to child care services provided within the area served by the Tribal Lead Agency pursuant to 98.40. (98.15(b)(4), 98.40)
- (5) 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)(F), 98.15(b)(5), 98.41)
- (6) Procedures are in effect to ensure that child care providers that provide services for which assistance is provided under the CCDF comply with all applicable health and safety requirements. (658E(c)(2)(G), 98.15(b)(6), 98.41)
- (7) 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)(7), 98.43)
- (8) By the end of each three-year funding period (expenditure period for each Federal fiscal year's grant funding), the Tribe must have expenditures that are equal to grant funds received for that fiscal year. (98.67(c))



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## APPENDIX 2

### CHILD COUNT DECLARATION

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

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

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

\_\_\_\_\_  
Signature of Individual Authorized to  
Act for the Tribe/Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Type or Write Name/Title

\_\_\_\_\_  
Federal Fiscal Year  
<insert appropriate FY>



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

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

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

This count shows the number of Indian children under age 13 as of \_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Individual Authorized to  
Act for the Tribe/Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Type or Write Name/Title

\_\_\_\_\_  
Federal Fiscal Year  
<insert appropriate FY>

**REQUEST FOR REALLOTTED TRIBAL DISCRETIONARY FUNDS**

The Tribal Lead Agency named above requests Discretionary Funds that may be available through the reallocation process.

Yes     No





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### APPENDIX 3

### AMENDMENTS LOG

Child Care and Development Fund Plan  
For the period: 10/1/2011 –9/30/2012

**GRANTEE NAME:** \_\_\_\_\_

Section Amended	Effective/Proposed Effective Date	Grantee Signature and Date Submitted to ACF	ACF Approving Official's Signature and Date

**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.
- (4) Program Instruction CCDF-ACF-PI-2009-01 provides specific details and timelines specific to the plan amendment process.

**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

### LIST OF CERTIFICATIONS

New Tribal CCDF applicants must complete and submit the following certifications as Appendix 4 of their Tribal plan preprint:

- Assurance of compliance with Title VI of the Civil Rights Act of 1964
- Certification regarding debarment (includes definitions for use with the certification of debarment)
- HHS certification regarding drug-free workplace requirements
- Certification of compliance with the Pro-Child Act of 1994

New applicants should contact their ACF Regional Office to obtain copies of the required certifications.

Current Tribal Lead Agencies were previously required to submit these certifications with their 2-year plan preprint. Therefore, the certifications do not need to be submitted again. Tribes are reminded that even if they have changed their Tribal Lead Agency, the certifications apply to the successor agency.



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**APPENDIX 5  
(OPTIONAL)  
TRIBAL LEAD AGENCY SYNOPSIS**

<b>Funding Status (Check appropriate box based on current CCDF allocation)</b>		
Exempt (CCDF allocations less than \$500,000)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Non-Exempt (CCDF allocations equal to or greater than \$500,000)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Tribal Consortia (Tribal Lead Agency operating as a consortium)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
477 Tribe (Currently operating under an approved 477 Plan)	<input type="checkbox"/> Yes	<input type="checkbox"/> No

<b>Description of Direct Child Care Services (Check all that apply)</b>			
Center-Based	Group Home	Family-Home	In-Home
<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Grants or Contracts for child care slots	<input type="checkbox"/> Yes <input type="checkbox"/> No		
Tribally-Operated Centers	<input type="checkbox"/> Yes <input type="checkbox"/> No		
Number of Centers #: _____			
Type of Services <input type="checkbox"/> Full-time <input type="checkbox"/> Part-time <input type="checkbox"/> After-School			

<b>Quality – Does the Lead Agency Provide the following:</b>		
Conduct assessment of quality needs of the providers	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Provide Training and Professional Development for Providers	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Assist Providers in meeting licensing requirements	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Culturally Relevant Activities	<input type="checkbox"/> Yes	<input type="checkbox"/> No
School-Age Child Care Activities	<input type="checkbox"/> Yes	<input type="checkbox"/> No

<b>Health and Safety (H &amp; S) - Does the Tribal Lead Agency use:</b>		
Announced visits to enforce H & S Requirements	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Background Checks to screen providers	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Sanctions for noncompliant with H & S requirements	<input type="checkbox"/> Yes	<input type="checkbox"/> No

<b>Highlight of Quality Activities: Accomplishment and Best Practices(Attach Narrative):</b>
Provide a brief description of the Tribe's Quality Activities, for example accomplishments and best practices identified by the Tribal Lead Agency.