

FFY 2022 2024

# CHILD CARE AND DEVELOPMENT PLAN



## Section 1



 **Office of Child Care**  
An Office of the Administration for Children & Families

Child Care And Development Fund (CCDF) Plan FFY  
2022–2024

# Define Leadership and Coordination with Relevant Systems and Funding Streams



## Citations within this Training

For clarity, the citations for this Preprint training are identified in the same way citations are identified in the FY 2022-2024 Preprint. Examples of the format used for these citations are included in the first column in the table below.

The authors acknowledge that when citing Legal Documents, the convention illustrated in the second column should be followed. However, to align with the FY 2022-2024, Preprint the simpler citation is being used.

Citation format for the Preprint and Preprint Training ...		Guidelines for Citing Legal Documents ...	
<b>Statute</b>	658E(c)(4)(B)(i)	<b>Statute</b>	42 U.S.C. § 9858 (c)(4)(B)(i) (2015).
<b>Rule</b>	98.45 (c)	<b>Rule</b>	Child Care and Development Fund, 45 C.F.R. § 98.45 (c) (2016).
<b>Preamble</b>	81 FR, p. 67493	<b>Preamble</b>	Child Care and Development Fund (CCDF) Program, 81 Fed. Reg. 67,438, 67,493 (Sept. 30, 2016) (codified at 45 C.F.R. pt. 98).

### 1. Citing the Child Care and Development Block Grant (CCDBG) Act:

- The CCDBG Act of 2014 was originally published as Public Law (P.L.) 113-186. When the Act was first passed, OCC documents cited the Public Law.
  - OCC's link to the Child Care and Development Block Grant Act: <https://www.acf.hhs.gov/sites/default/files/documents/occ/ccdbgact.pdf>
- However, the Act was codified in the **U.S. Code** (U.S.C.) in 2015. The U.S.C. is considered the definitive legal source.
- The law is published in 42 U.S.C. §§ 9857–9858 (title 42, sections 9857–9858). Almost all the content is in section 9858, which is broken into 9858a through 9858r. Within each subsection, elements of the law are further labeled with numbers and letters.
  - The link to the Act in the U.S. Code: <https://www.govinfo.gov/content/pkg/USCODE-2015-title42/html/USCODE-2015-title42-chap105-subchapII-B.htm>

### 2. Citing Child Care and Development Fund (CCDF) Regulations:

- The language in 45 Code of Federal Regulations (C.F.R.) was updated through the publication of a **final rule** in September 2016.
  - OCC's link to the CCDF final regulations: <https://www.acf.hhs.gov/occ/law-regulation/ccdf-final-regulations>.

- Although changes in the final rule were originally published in the Federal Register, the regulatory language in the rule was codified in the C.F.R. shortly thereafter. The **Code of Federal Regulations** is the definitive source for the regulatory language that governs the Child Care and Development Fund. This language is published in 45 C.F.R. 98 (title 45, part 98) and 45 C.F.R. 99 (title 45, part 99). **Thus, references to the regulatory language—even new language that was introduced in the final rule—should cite the C.F.R.**
  - The link to the regulations in the Electronic Code of Federal Regulations: <https://www.ecfr.gov/cgi-bin/text-idx?SID=4f7ade0a312b92f614ef180b7bbbec06&mc=true&node=pt45.1.98&rgn=div5>

### 3. Citing the Child Care and Development Fund Preamble:

- OCC's link to the Federal Register document containing the CCDF Preamble: <https://www.govinfo.gov/content/pkg/FR-2016-09-30/pdf/2016-22986.pdf>
- The regulatory language is the formal policy language, and the preamble is the explanation behind it. The preamble includes recommendations and benchmarks, responses to comments submitted during the public comment period, and research and reasoning behind the regulations. The preamble is not published in the C.F.R.; therefore, references to material found only in the preamble should cite the Federal Register.
- The link to the Federal Register: <https://www.govinfo.gov/content/pkg/FR-2016-09-30/pdf/2016-22986.pdf>

## CCDF Core Purpose Addressed in Section 1:



### Flexibility in CCDF Administration



 Office of Child Care

"One of the major purposes of CCDF is "to allow each State maximum flexibility in developing child care programs and policies that best suit the needs of children and parents within that State" (98.1(a)(1)).

## Section 1 Key Questions

### What are the key questions Lead Agencies address in Section 1?



What entity is designated as the Lead Agency? Are CCDF rules and policies established at the state or local level?

What entities participate in the implementation of the CCDF program? How are those entities overseen and monitored?

How were the required partners consulted during Plan development? How is the public involved in the development of the Plan?

When coordinating with required partners to expand accessibility and continuity of care, what were the goals, processes, and results?

How are match and maintenance-of-effort funds identified?

How are public-private partnerships encouraged? Does the Lead Agency support a system or network of Child Care Resource and Referral Agencies?

Are there any updates on the disaster preparedness and response plans?

- 1. Highlight:** There are many Lead Agency decisions presented in Section 1.

## Why Are These Key Questions Important?

“There is no “one size fits all” approach to state ECE governance. Decisions about the best form of governance need to be informed by

- state and local context,
- existing patterns of governance,
- strengths of the governorship and the legislature, and
- the history of collaboration that has characterized early care and education service delivery in that particular State.”<sup>1</sup>

<sup>1</sup> Kagan, S. L., & Kauerz, K. (2012). Looking forward: Four steps for early childhood system building. In Kagan, S. L., & Kauerz, K. (Eds.), *Early childhood systems: Transforming early learning* (pp. 283-302). Teachers College Press at Columbia University.

CCDF  
Leadership  
and  
Coordination



### 1. Highlight:

- Kauerz, K. & Kagan, S. L. (2012). Governance and early childhood systems: Different forms, similar goals. In Kagan, S.L., & Kauerz, K. (Eds.), *Early childhood systems: Transforming early learning* (pp. 87–103). Teachers College Press (Columbia University).
- Dichter, H. (2015). State systems building through governance. In Dichter, H. (Ed.), *Rising to the challenge: Building effective systems for young children and families*, a BUILD E-Book. BUILD Initiative.

**2. Additional Source:** “The point is to design and implement a governance approach that can maximize government effectiveness and efficiency in achieving the state’s goals for its early childhood system and services” (paragraph 5). Source: State Capacity Building Center (2019). Systems building resource guide: Governance and systems building. Retrieved from: <https://childcareta.acf.hhs.gov/node/14914>.

**3. Discussion Question:** CCDBG statute and the CCDF final rule provide Lead Agencies with both a required implementation framework and flexibility and choice for Lead Agencies to identify the appropriate leadership and governance structure for their jurisdiction. How does your Lead Agency’s governance and CCDF implementation model reflect the unique circumstances of your state or territory?

## Section 1 Refinements



### FY 2019–2021 CCDF Preprint

#### Define CCDF Leadership and Coordination with Relevant Systems and Funding Sources

1.1	CCDF Leadership
1.2	CCDF Policy Decision Authority
1.3	Consultation in the Development of the CCDF Plan
1.4	Coordination with Partners to Expand Accessibility and Continuity of Care
1.5	Optional Use of Combined Funds, CCDF Matching and Maintenance-of-Effort Funds
1.6	Public-Private Partnerships
1.7	Coordination with Local or Regional Child Care Resource and Referral Systems
1.8	Disaster Preparedness and Response Plan



### FY 2022–2024 CCDF Preprint

#### Define CCDF Leadership and Coordination with Relevant Systems and Funding Sources

1.1	CCDF Leadership
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1.7	Coordination with Local or Regional Child Care Resource and Referral Systems
1.8	Disaster Preparedness and Response Plan

- 1. Refinement:** In Section 1, there is no change from the FY 2019–2021 CCDF Plan Preprint to the titles of the subsections or subsection organization.



## Section 1 Key Resources



Question Number	Question	Resource	Link
1.1.2	Who is the CCDF Administrator?	CCDF Fundamentals Resource Guide: New CCDF Administrator Checklist	<a href="https://www.acf.hhs.gov/archive/occ/resource/fundamentals-of-ccdf-administration">https://www.acf.hhs.gov/archive/occ/resource/fundamentals-of-ccdf-administration</a>
1.1 -1.7		Early Childhood Systems Building Resource Guide	<a href="https://childcareta.acf.hhs.gov/systemsbuilding">https://childcareta.acf.hhs.gov/systemsbuilding</a>
1.8	Disaster Preparedness and Response Plan	Brief: Emergency Preparedness, Response, and Recovery (EPRR) Discussion Brief Series	<a href="https://childcareta.acf.hhs.gov/resource/collaboration-key-partners-tool-statewide-child-care-disaster-plan">https://childcareta.acf.hhs.gov/resource/collaboration-key-partners-tool-statewide-child-care-disaster-plan</a>
		Brief: Disaster Planning Collaboration with Key Partners	<a href="https://childcareta.acf.hhs.gov/resource/collaboration-key-partners-tool-statewide-child-care-disaster-plan">https://childcareta.acf.hhs.gov/resource/collaboration-key-partners-tool-statewide-child-care-disaster-plan</a>

## Section 1 Key Resources (cont.)



Question Number	Question	Resource	Link
1.8 (cont.)		Brief: Considerations for Special Populations	<a href="https://childcareta.acf.hhs.gov/resource/how-states-and-territories-prepare-support-special-populations-emergencies-and-disasters">https://childcareta.acf.hhs.gov/resource/how-states-and-territories-prepare-support-special-populations-emergencies-and-disasters</a>
		Brief: Emergency Preparedness and Response Planning	<a href="https://childcareta.acf.hhs.gov/resource/ccdf-health-and-safety-requirements-brief-6-emergency-preparedness-and-response-planning">https://childcareta.acf.hhs.gov/resource/ccdf-health-and-safety-requirements-brief-6-emergency-preparedness-and-response-planning</a>

## 1.1. CCDF Leadership

These questions illustrate the type of flexibility provided to states and territories in CCDF administration.



1.1.1. Which Lead Agency is designated to administer the CCDF program?

1.1.2. Who is the CCDF Administrator(s)?

1.2.1. Are CCDF program rules and policies administered at the state and territory level or local level?

### 1. Highlights:

- **1.1.1 Lead Agency**
  - The governor must designate an agency (or collaborative agency) or establish a joint interagency office.
  - The Lead Agency agrees to administer the program in accordance with applicable federal laws and regulations and the provision of the Plan, including the assurances and certifications (658D; 658E(c)(1)).
  - OCC sends official grant correspondence , such as grant awards, grant adjustments, Plan approvals and disallowance notifications, to the designate contact identified here (658D(a)).
- **1.1.2 CCDF Administrator**
  - Will the responsibilities of the CCDF Administrator be filled by one person or two?
  - How will the roles and responsibilities be shared?
  - Do these individuals change from one administration to the next?
  - This is an important role. The CCDF Administrator is the day-to-day contact, or the person with responsibility for administering the state's or territory's CCDF program.
  - The Administration for Children and Families will e-mail programmatic communications, such as program announcements, program

instructions, and data collection instructions, to the designated contact identified here.

- **1.2.1 Administration of rules and policies.**

- Who establishes rules and policies? In what areas? At what level?

- 1. Refinement:** We removed questions asking for mailing addresses of the state administrator and co-administrator, because communication with the Regional Office is usually conducted either by e-mail or phone.
- 3. Preamble Insight:** “In states like Texas, Florida, Colorado and New York some rules and policies are established at a local level. Some Lead Agencies operate primarily through a county-based system, others devolve decision-making and administration to local workforce boards, school readiness coalitions or community-based organizations such as child care resource and referral agencies.” (81 FR, p. 67449).
- 3. Training Emphasis:** Regional Offices will know how their states and territories administer the CCDF program and, when appropriate, can provide additional technical assistance support for Lead Agencies who are state supervised, and county administered.

## 1.2.2. Which Entities Implement or Perform CCDF Services?

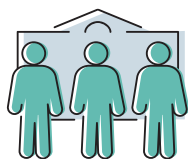
- What entity conducts eligibility determinations?
- What entity assists parents in locating child care?
- What entity issues subsidy payments?
- What entity monitors licensed providers?
- What entity monitors license-exempt providers?
- What entity operates the quality rating and improvement system or quality improvement activities?

Lead Agencies have broad authority to administer the program through other governmental or non governmental agencies, as long as it retains overall responsibility.

- 1. Preamble Insight:** “Section 658D(b)(1)(A) of the Act provides Lead Agencies with broad authority to administer the program through other governmental or nongovernmental agencies. The Lead Agency is ultimately responsible for ensuring that all CCDF-funded activities meet the requirements and standards of the program and thus has an important role to play to ensure written agreements with sub-recipients appropriately support program integrity and financial accountability” (81 FR, p. 67449).
- 2. Refinement Note:** CCDF services have been broadened beyond the services identified in the FY 2019–2021 CCDF Plan Preprint.
- 3. Highlight:** The answers to these questions will vary from Lead Agency to Lead Agency.

### 1.2.3. Describe the Processes the Lead Agency Uses to Monitor CCDF Administration and Implementation Responsibilities Performed by Other Agencies

Elements of written agreements include:



Tasks to be performed

Schedule for completing tasks

Budget which itemizes categorical expenditures in accordance with CCDF requirements

Monitoring and auditing procedures

Indicators or measures to assess performance of those agencies

- 1. Training Emphasis:** Whatever choices are made by CCDF Lead Agencies in administering their program, they must comply with requirements for monitoring and managing subrecipients. An important element of monitoring is attending to the specificity of written agreements to promote program integrity and efficient administration at all levels. Written agreements may vary based on the role the agency is asked to assume or the project undertaken, but they must include the elements identified on the right of the screen. **Note:** Agencies identified in 1.2.2. must be considered in responding to 1.2.3.
- 2. Preamble Insight:** “Adds a reference to the HHS regulations requiring Lead Agencies to oversee the expenditure of funds by sub-recipients and contractors, in accordance with 75 CFR 351 to 353.” (81 FR, p. 67449)
- 3. Preamble Insight:**” Regulations at 98.67(c)(2) require Lead Agencies to have in place fiscal control and accountability procedures that permit the tracing of funds to a level of expenditure adequate to establish that such funds have not been used in violation of the CCDF rules. Therefore, Lead Agencies that devolve program administration to first, second, and third-level entities necessarily must be concerned with the integrity and transparency of all written agreements involving CCDF funds.” (81 FR, p. 67449)
- 4. Preamble Insight:** “Lead Agencies can adopt the required elements, as appropriate, to

fit the circumstances. For example, in the schedule for tasks, they can indicate the tasks that are ongoing. CCDF Lead Agencies must comply with requirements for monitoring and management of subrecipients, including government-wide grant requirements issued by the Office of Management and Budget (OMB) at 2 CFR 200.330 to 200.322 and adopted by HHS at 45 CFR 75.351 to 75.353, which address reporting, auditing and other requirements related to sub-recipients”

- “This provision applies only to written agreements between lead Agencies and first-level sub-recipients (and not to agreements between first-level sub-recipients and lower level sub-recipients). ”
- “The regulation states that the agreement must specify the mutual roles and responsibilities of the Lead Agency and the other agencies – indicating that the Lead Agency is a party to the agreement.”
- “This language is intended to be broad as sub-entities may fulfill any number of different roles or projects, including implementing quality improvement activities, determining eligibility for families, or providing consumer education on behalf of the Lead Agency.”
- “We strongly encourage lower-level agreements to have similar provisions, but prefer to leave this as an area of flexibility to give State and local agencies discretion over the details, given the wide-range of conditions and circumstances involved” (81 FR, p. 67449).

**1. Discussion Question:** Are there any other processes your Lead Agency has in place to oversee and monitor other agencies?

### 1.2.3. Describe the Processes the Lead Agency Uses to Monitor CCDF Administration and Implementation

- Besides the written agreement, are there any other processes your Lead Agency uses to monitor CCDF administration and implementation responsibilities performed by other entities?
- Do these processes differ if it is a sister agency versus a contracted organization?
- How does the Lead Agency handle internal written agreements?
- How are these systems and processes made public?

“Through working with grantees to improve program integrity, ACF has learned that the quality and specificity of written agreements vary widely, which hampers accountability and efficient administration of the program” (81 FR, p. 67449).

- 1. Training Emphasis:** While it is not a requirement that a Lead Agency have a written agreement with another department or office within your Lead Agency, it is best practice to ensure all parties clearly understand their roles and responsibilities for CCDF implementation.



#### 1.2.4. Assuring any code or software is made available to other public agencies.

Upon request, and to the extent practicable and appropriate, Lead Agencies must assure any code or software ... must be made available to other public agencies.

“This provision is intended to prevent CCDF funds from being spent multiple times on the same, or similar, technology to provide accountability for public dollars” (81 FR, p. 67452).

- 1. Training Emphasis:** Key words are “upon request”, and to the “extent practicable and appropriate.”
- 2. Preamble Insight:** “As a general practice, the reuse and availability of IT code and software allows States to leverage software development funding more effectively. Subsidy child care data systems are being developed using CCDF funding. Thus, this provision applies to code and software developed fully or partially with CCDF funds. As to sharing with other public agencies within the State and across State borders, we expect the widest reuse of IT artifacts as possible. Lastly, data would be protected under applicable federal and State laws. The majority of information system definitions typically include several layers, such as users, business rules, hardware, software, and data. There is specific mention of code and software in the provision, which does not include data” (81 FR, p. 67453).

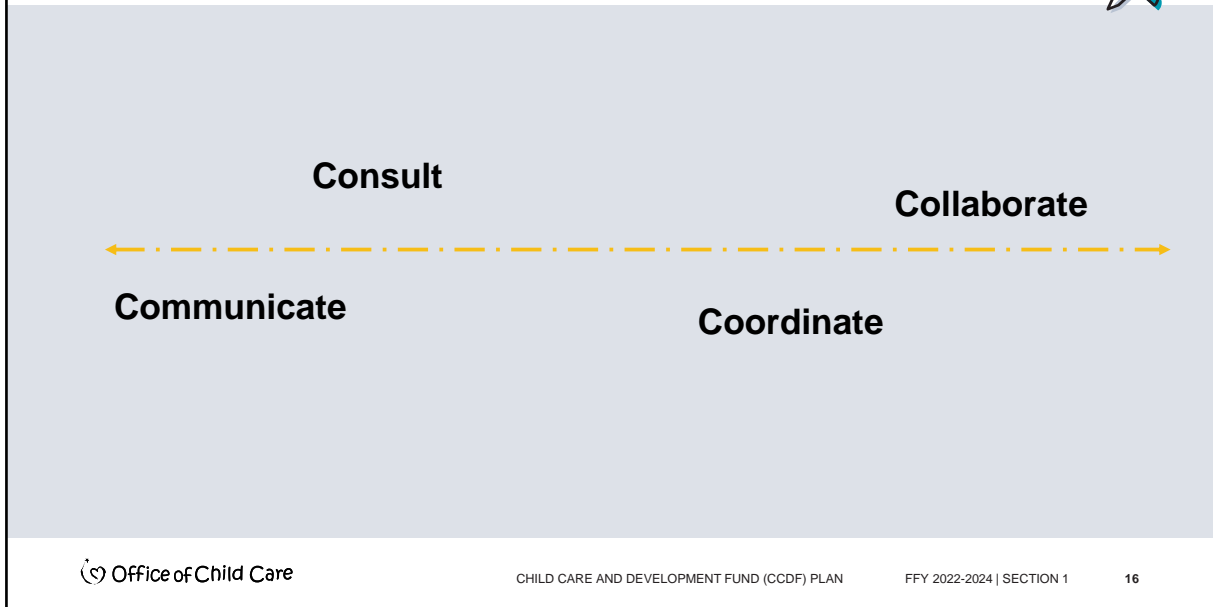
**1.2.5. Describe the Lead Agency's Policies Related to the Use and Disclosure of Confidential and Personally Identifiable Information**

Lead Agencies already have policies in place to protect an individual's confidential and personally identifiable information. It is at the Lead Agency's discretion whether they choose to write and implement CCDF-specific confidentiality rules. (81 FR, p. 67452)

This provision "is not intended to preclude the sharing of individual, case level data among Federal and State programs that can improve the delivery of services (81 FR, p. 67452).

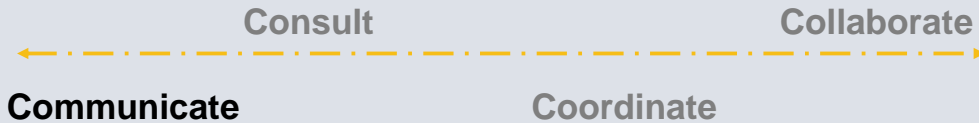
- 1. Highlight:** This is another area where a Lead Agency is making a key decision.
- 2. Preamble Insight:** "Previously, there were no Federal requirements in statute or regulation governing confidentiality in CCDF, although there are Federal requirements governing information that the CCDF agency may have in its files, such as child abuse and neglect information. The Federal Privacy Act is the primary source of Federal requirements related to client confidentiality (5 U.S.C. 552a note); however, the Privacy Act generally applies to Federal agencies, and is not applicable to State and local government agencies, with some exceptions, such as computer matching issues and requirements related to the disclosure and protection of Social Security numbers. It is important that personal information not be used for purposes outside of the administration or enforcement of CCDF, or other Federal, State or local programs, and that when information is shared with outside entities (such as academic institutions for the purpose of research) there are safeguards in place to ensure for the non-disclosure of Personally-Identifiable Information, which is information that can be used to link to, or identify, a specific individual" (81 FR, p. 67452).

## Communicate, Consult, Coordinate, and Collaborate Spectrum



- 1. Training Emphasis:** There is no official definition for these terms outside of the information provided on consultation within the plan in 1.3 and what it states about consultation. We tend to use these words interchangeably, but each term is different and holds different meanings. If we look at common understandings the terms seem to fall along a continuum and may occur at different points in time (e.g. consultation may be something that occurs early in a process, whereas coordination may be an ongoing process that occurs after consultation).

## Examples of “Communication”



The final rule requires Lead Agencies to develop policies and procedures to clearly communicate program information such as requirements, consumer education information, and eligibility information to families and child care providers of all backgrounds. (98.33)

Providers must have in place procedures for communicating and reunifying with families during and after an emergency. (98.16(aa)(2)(iii)(A))

### 1. Communication Examples:

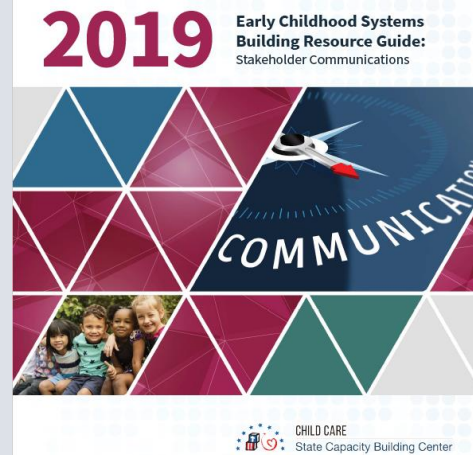
- The final rule requires Lead Agencies to develop policies and procedures to clearly communicate program information such as requirements, consumer education information, and eligibility information to families and child care providers of all backgrounds
- Providers must have in place procedures for communicating and reunifying with families during and after an emergency.

## Optional Resource



This guide addresses the benefits of communicating and engaging with stakeholders, communication plans, making the most of stakeholder meetings, and additional resources.

<https://childcareta.acf.hhs.gov/sites/default/files/public/earlychildhoodsystembuildingresourceguideschapter5.pdf>



- 1. Training Emphasis:** This is a guide that specifically focuses on stakeholder communication.

## Examples of “Consultation”



### Consult

Consultation involves meeting with or otherwise obtaining input from an appropriate agency in the development of the state or territory CCDF Plan.

### Collaborate

### Communicate

### Coordinate

Lead Agencies are asked to consult with *Caring for Our Children* when establishing health and safety standards. (81 FR, p.67484)

Lead Agencies are to consult with state, territorial, or tribal health agencies when establishing the length of a grace period for families experiencing homelessness to comply with immunization and other health and safety requirements. (98.41(a)(4)(c)(1))

- 1. Training Emphasis:** As identified in the plan, consultation is a conference between two or more entities to discuss, decide, or plan something. In many cases consultation implies meeting before an action is taken or a decision is made. As part of the plan development process, Lead Agencies are required to consult with general purpose local governments, tribal entities, and the state advisory council at the beginning of the process.
- 2. Reminder:** The Administration for Children and Families (ACF), as an operating division within HHS, has an established consultation policy with federally recognized Indian tribes, including written consultation requests, timeframes for response, methods of consultation, and reporting of incomes. The consultation required of Lead Agencies by CCDF statute does not rise to this formal consultation under this HHS consultation policy. Lead Agencies have flexibility in how they consult with required entities.
- 3. Consultation Examples:**
  - Lead Agencies are asked to consult with *Caring for Our Children* when establishing health and safety standards.
  - “Lead Agencies are to consult with State, Territorial or Tribal health agencies when establishing the length of a grace period for families experiencing homelessness to comply with immunization and other health and safety requirements”

(98.41(a)(4)(c)(1)).

## Examples of “Coordinate”



Consult

Collaborate



Communicate

**Coordinate**

Licensing entities are to coordinate, to the extent practicable, with other federal, state and territory, and local entities that conduct similar onsite monitoring.<sup>10</sup>

In providing consumer education, Lead Agencies should also coordinate with workforce development entities that have direct contacts with parents in need of child care. Some Lead Agencies co-locate services for families to assist with referrals or enrollment in other programs. (98.42(b)(2)(iii)).

- 1. Training Emphasis:** Coordination is about mutually beneficial partnership to achieve a common goal/outcome. Each party agrees on their roles and responsibilities, tasks, and the common goal/outcome(s) as a result of their coordinated relationship.
- 2. Coordination Examples:**
  - Lead Agencies are to coordinate with licensing agencies and local agencies to provide referrals and support to help families experiencing homelessness comply with immunization and other health and safety requirements. Or Licensing entities are to coordinate, to the extent practicable, with other federal, state/territory and local entities that conduct similar on-site monitoring.
  - When providing consumer education Lead Agencies should also coordinate with workforce development entities that have direct contacts with parents in need of child care. Some Lead Agencies co-locate services for families in order to assist with referrals or enrollment in other programs.



## Examples of “Collaborate”



Consult

Collaborate



Communicate

Coordinate

Lead Agencies are required to collaborate with multiple entities to align child care assistance with eligibility periods for other programs.

We encourage Lead Agencies to collaborate as well with entities that set state teacher standards and certificates, entities that award early childhood education credentials, institutions of higher education, child care providers, and early childhood education professional associations. (81 FR, p. 67504)

- 1. Training Emphasis:** Collaboration is when all parties work together and build consensus to reach a decision or create a product, the result of which benefits all parties. Collaboration is about agreement or shared creation. It is about using information to create something new and it thrives on differences.
- 2. Collaboration Examples:**
  - Lead Agencies are required to collaborate with multiple entities to align child care assistance with eligibility periods for other programs.
  - “We encourage Lead Agencies to collaborate as well with entities that set State teacher standards and certificates, entities that award early childhood education credentials, institutions of higher education, child care providers and early childhood education professional associations” (81 FR, p. 67504).
- 3. Additional Resource:** Lynn Kagan has offered the following definition of collaboration: "Organization and inter-organization structures where resources, power, and authority are shared and where people are brought together to achieve common goals that could not be accomplished by a single individual or organization independently " (p. 3). Source: Kagan, Sharon Lynn. (1991). United we stand: Collaboration for child care and early education services. New York, NY: Teachers College Press.

## Communicate, Consult, Coordinate, and Collaborate



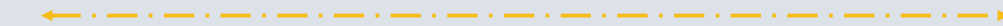
### Consult

Consultation involves meeting with or otherwise obtaining input from an appropriate agency in the development of the state or territory CCDF Plan.

### Collaborate

### Communicate

### Coordinate



- 1. Highlight:** In some cases, the Lead Agency is directed to do all three:
- 2. Preamble Insight:** “A Lead Agency should consult, collaborate and coordinate in the development of the State Plan in a timely manner with Indian Tribes or Tribal organizations in the State (at the option of the Tribe or tribal organization)” (81 FR, p. 67574).
- 3. Training Emphasis:** This differentiation between communication, consultation, coordination and collaboration might be helpful to keep in mind as we look at the next set of questions.

### 1.3.1. Describe the Lead Agency's Consultation in the Development of the Plan

Lead Agencies must consult with the following partners in the development of their Plan:



- a. Appropriate representatives of units of general purpose local government
- b. The State Advisory Council on Early Childhood Education and Care or similar coordinating body
- c. Indian tribes or tribal organizations within the state

1. **Highlight:** General purpose local governments are defined by the U.S. Census Bureau as local governments established to provide general government services. They can include counties, parishes in Louisiana and boroughs in Alaska. They can also include cities, villages, towns and townships. Source: U.S. Census Bureau Website, paragraph 1. URL: <https://www.census.gov/programs-surveys/gus/technical-documentation/methodology/population-of-interest1.html>.
2. **Training Emphasis:** Consultation with tribe(s) and tribal organization(s) should be done in a timely manner and at the option of the tribe or tribal organization.

## What Are Some Strategies to Engage General Purpose Local Governments in CCDF Plan Development?



- Choose topics that relate to the discussions that counties, parishes, boroughs, cities, and towns may have:
  - Do our citizens have a hard time accessing child care?
  - How can child care in our community be improved?
  - Are we successfully serving families experiencing homelessness in our community?
  - Do child care programs in our community have trouble hiring staff?
  - In our planning for responding to emergencies, are we considering child care programs?
- Schedule discussions during regular meetings—for instance with county departments of human services, or city councils.
- Arrange meetings with those local governments that are in child care deserts.
- Many states have local early childhood councils. In those councils, are there representatives from general purpose local governments?
- Do you have early childhood data that you collect that could be broken out at a local government level? Can that help kick off a discussion on CCDF services?

- 1. Discussion Question:** Are there other strategies that you use or are considering using to connect with general purpose local governments?

### 1.3.2. Describe the Statewide or Territory-Wide Public Hearing Process

- This is a key responsibility of Lead Agencies. (98.10(d))
- Lead Agencies are required to hold at least one public hearing in the state or territory, with sufficient statewide or territory-wide distribution of notice prior to the hearing.
- Lead Agencies are also required to post the content of the Plan that it proposes to submit to the Secretary on a website as part of the public hearing process. (81 FR, p. 67451)

Lead Agencies must report on how the information provided by the public was taken into consideration in the Plan development.



1. **Highlight:** The purpose of the public hearing is that parents, child care providers and other stakeholders can have access to the plan, inform the plan and can anticipate any changes. Lead Agencies may hold as many hearings as they need to.
2. **Preamble Insight:** “Lead Agencies are not required to hold a formal public hearing or solicit comments on each Plan amendment. However, solicitation of public input whenever possible is encouraged” (81 FR, p. 67458).

## Examples of Public Hearing Notices and Engagement Methods



- Use statewide teleconferencing or videoconferencing.
- Host remote satellite meetings at community hubs/locations.
- Hire a facilitator/notetaker to allow Lead Agency staff to fully engage in the discussion.
- Create a separate email address to specifically collect public comments.
- Notify participants how comments can be provided by mail and fax.
- Distribute notices via multiple listservs to ensure broad notice.
- Make presentations at existing meetings of stakeholder groups.
- Record and transcribe meetings and post on Lead Agency website(s).
- Place notices on Provider Self Service portal(s).
- In addition to holding a public hearing, consider hosting community engagement forums in different parts of the service area.

- 1. Training Emphasis:** It is important to note that, sending out the plan for feedback by email, with no meeting, is not a public hearing. This slide shares some ideas for involving providers and others in a transparent planning process. In fact, OCC does occasionally hear feedback that all stakeholder are not aware of the availability of public hearings. . For instance, one of the comments received from a large multi-state child care agency during the CCDF plan preprint public comment process was as follows: “While many states have improved their hearing notification processes and notices in recent years, there is still considerable room for improvement. Too often state hearing notices and dates are hard to locate on a state website or are published in obscure places. While we understand that states are required to have only one public hearing, for public transparency and broader stakeholder participation, we think it critical that States be required to document in their plans the dates of all notices sent and hearings held.”
- 2. Discussion Questions:** Do any of these ideas resonate for your Lead Agency? Are there any ideas you would like to share? What kind of participation do you get in your statewide hearings? What other strategies have you used or are you considering using?

### 1.3.3 Consultation in the Development of the CCDF Plan

1.3.3. Make the submitted and final Plan, any Plan amendments, and any approved requests for temporary relief publicly available on a website.



This ensures transparency for the public.

Consider the needs of families and providers with limited English proficiency.

This is especially important for Plan amendments, given the Lead Agency can make substantive changes during the 3 year plan period.

- 1. Preprint Insight:** “It is important to consider the processes that are put in place to provide outreach and services to CCDF families and providers with limited English proficiency (Preprint, Subsection 2.1). Lead Agencies are encouraged to provide written notice in multiple languages, as appropriate. We strongly encourage States to be mindful of the needs of families with limited English proficiency and to work with families and community groups to give them a voice in program planning and policymaking, for example, by organizing outreach meetings with interpreters, recruiting multilingual eligibility staff, and translating provider-focused documents to ensure a diverse group of providers. We also urge States to publish these items as soon as possible, within a timeframe determined by the Lead Agency, for the greatest transparency to families, providers, and the public” (81 FR, p. 67458).
- 2. Refinement:** The following addition was made to 1.3.3.b, “working with statewide afterschool networks or similar coordinating entities for out-of-school time.”

### 1.4.1. Coordination of Child Care Services with Required Partners

**There are 17 required partners identified in the rule with which Lead Agencies should coordinate.**

Coordination can expand the accessibility and continuity of child care for children in some of the following ways:

- Helping children receive full-day services
- Extending the year of services
- Enhancing and aligning the quality of services
- Supporting children's transitions
- Linking comprehensive services to children in child care settings
- Increasing the supply of quality care for vulnerable populations

**When describing their coordination efforts in 1.4.1, Lead Agencies should describe the goals, processes and results of the coordination with each partner**

- 1. Preamble Insight:** “Recognizing that functions typically performed by resource and referral agencies in some instances may be performed by other types of entities, we expanded the regulatory language to also include child care consumer education organizations and providers of early childhood education and professional development. Lead Agencies have the flexibility, and are encouraged, to engage with a wide variety of cross-sector partners when developing the CCDF Plan” (81 FR, p. 67450).
- 2. Refinement:** The following note was added: “Responses should align with the goals, processes and results described in 1.4.1.”
- 3. Training Emphasis:** Lead Agencies are not limited to the partners listed here and may add any of the optional partners.
- 4. Discussion Question:** Are there any optional or non-traditional partners your Lead Agency engages with? Are there any new partners your Lead Agency is interested in engaging with?



### 1.5.1. Does the Lead Agency Combine CCDF Funding with Other Programs?

#### Examples of combining CCDF funding:

- Offer grants or contracts to programs to deliver high-quality child care.
- Allow county or local governments to use coordinated funding streams.
- Allow local programs to layer funding sources to provide full-day, full-year child care that meets Head Start or prekindergarten standards.

Combining funds could include blending, layering, or pooling multiple funding streams in an effort to expand or enhance services for children and families.

(81 FR, p. 67450)

- 1. Preamble Insight:** “Lead Agencies have the option of combining funding for CCDF child care services with programs operating at the Federal, State, and local levels for children in preschool programs, Tribal early childhood programs, and other early childhood programs, including those serving infants and toddlers with disabilities, children experiencing homelessness, and children in foster care. For example, Lead Agencies may use multiple funding sources to offer grants or contracts to programs to deliver high-quality child care services; a Lead Agency may allow county or local governments to use coordinated funding streams; or policies may be in place that allow local programs to layer funding sources to provide full-day, full-year child care that meets Early Head Start, Head Start or State/Territory pre-kindergarten standards in addition to child care licensing requirements. As per the OMB Circular A–133 Compliance Supplement 2015, [https://obamawhitehouse.archives.gov/omb/circulars/a133\\_compliance\\_supplement\\_2015](https://obamawhitehouse.archives.gov/omb/circulars/a133_compliance_supplement_2015), CCDF funds may be used in collaborative efforts with Head Start programs to provide comprehensive child care and development services for children who are eligible for both programs. In fact, the coordination and collaboration between Head Start and CCDF is strongly encouraged by sections 640(g)(1)(D) and (E), 640(h), 641(d)(2)(H)(v), and 642(e)(3) of the Head Start Act in the provision of full working day, full calendar year of early care and learning and comprehensive services. In order to implement such collaborative programs, which share, for example, space, equipment or

materials, grantees may blend several funding streams so that services are provided seamlessly for the child and family. The same strategy applies to State-funded preschool programs where, working with CCDF funds, eligible children can benefit from a full-day and full-year program. Lead Agencies can layer Early Head Start and CCDF funds for the same child as long as there is no duplication in payments for the exact same part of the service. This is an option that some Lead Agencies are already implementing. Early Head Start-Child Care Partnerships grants, which allow Early Head Start programs to collaborate with local child care centers and family child care providers serving infants and toddlers from low-income families, offer a new important opportunity to implement this strategy to expand access to high-quality child care for infants and toddlers. We do note that, when CCDF funds are combined with other funds, § 98.67 continues to require Lead Agencies to have in place fiscal control and accounting procedures sufficient to prepare required reports and trace funds to a level of expenditure adequate to establish that such funds have been used on allowable activities. (81 FR, p. 67450-1)

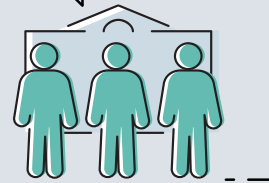
### 1.5.2. Which Funds Does the Lead Agency Use to Meet the CCDF Matching and Maintenance of Effort Requirements?

Territories are not required to meet CCDF matching and MOE requirements.

There are five options for responding to 1.5.2:

- a. N/A (for territories)
- b. Public funds used to meet the CCDF matching funds requirement
- c. Private donated funds are used to meet the CCDF matching funds requirement
- d. State expenditures for prekindergarten programs are used to meet the CCDF matching funds requirement
- e. State expenditures for prekindergarten programs are used to meet the CCDF maintenance-of-effort requirements
- f. The same funds are used to meet at least some of the CCDF MOE and TANF MOE requirements

Section 98.55 of the CCDF Final Rule Specifies the Matching Fund Requirements for CCDF



1. **Highlights:** There are three major funding streams for CCDF. This question focuses on the second funding stream identified below:
  - **Mandatory:** This is sometimes referred to as “guaranteed” mandatory funding since there are no state maintenance-of-effort (MOE) or matching requirements.
  - **Matching:** This is allotted to states based on their share of children younger than age 13. To receive these funds, states must meet an MOE requirement set at 100 percent of the amount states spent on welfare-related child care programs in the mid-1990s. States must also match the federal funds with state dollars at the Medicaid matching rate.
  - **Discretionary:** This is allotted to states by a formula based on their share of children younger than age 5, share of children receiving free- or reduced-price lunches and state per capita income.
2. **Refinement:** The following note was added: “Lead Agencies that use Prekindergarten funds to meet matching requirements must check Prekindergarten funds and public and/or private funds.” In addition, “f” was added to the question to allow state agencies to describe if a percentage of the funds used to meet CCDF MOE funds are also used to meet TANF MOE requirements.

- 3. Training Emphasis:** To access matching funds, states must provide a share of the matching funds (based on the prevailing Federal Medical Assistance Percentage (FMAP) rates) and spend at their required maintenance of effort (MOE) level. Each state's MOE level is based on the federal share of its funding for the now-repealed AFDC-linked child care programs. The share is based on federal funds received in FY 1994, FY 1995, or an average of funds received in FY 1992 through 1994, whichever is greater. (Source: Congressional Research Service (July 18, 2019). Child Care Entitlement to States. URL: <https://fas.org/sgp/crs/misc/IF10511.pdf>)

### 1.6.1. Identify and Describe Any Public-Private Partnerships

Section 658E(c)(2)(P) of the Act requires Lead Agencies to demonstrate in their Plan how they encourage public-private partnerships to leverage existing child care and early education service delivery systems and to increase the supply and quality of child care services for children under age 13.

#### Public private partnerships may include the following:

Partnerships among state, territory, and public agencies; tribal organizations; private entities; faith based organizations; and community based organizations.

(81 FR, p. 67451)

- 1. Preamble Insight:** “This final rule adds paragraph (a)(4) to § 98.14 in accordance with Section 658E(c)(2)(P) of the Act, which requires Lead Agencies to demonstrate in their Plan how they encourage public-private partnerships to leverage existing child care and early education service delivery systems and to increase the supply and quality of child care services for children under age 13, such as by implementing voluntary shared services alliance models (i.e., cooperative agreements among providers to pool resources to pay for shared fixed costs and operation). ACF encourages Lead Agencies to engage in public-private partnerships so that responsibility for implementing this provision does not fall solely on CCDF eligibility workers. Partnerships with child care resource and referral agencies, early intervention agencies, and others may mean that a few well chosen questions during the intake process prompt the eligibility worker (or automated system if the process is online) to direct the family to appropriate resources. This requirement does not require a developmental screening of every child as part of the eligibility process; however, child care agencies should partner to ensure that children in the CCDF subsidy system can access appropriate screening and follow-up” (81 FR, p. 67451).
- 2. Refinement:** Addition of “and, if applicable, how those partnerships will be continued post-pandemic.”

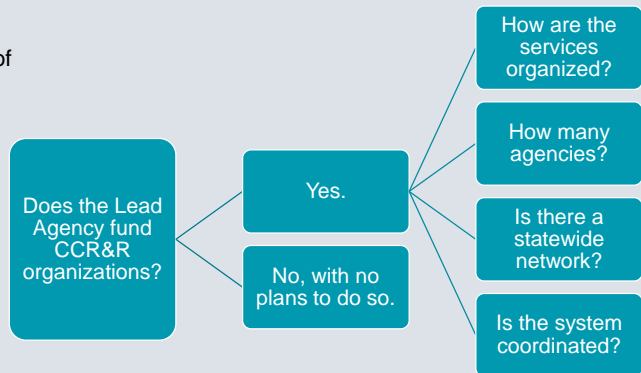
3. **Resource:** The Early Childhood Training and Technical Assistance System includes the following useful web page: “State Profiles of Successful Public Private Partnerships,” which is available at <https://childcareta.acf.hhs.gov/resource/state-profiles-successful-public-private-partnerships>.

### 1.7.1. Does the Lead Agency Fund Local or Regional CCR&R Organizations?

Lead Agencies may expend funds to establish or support a system of CCR&R organizations. Those systems or organizations are coordinated to the extent determined appropriate by the Lead Agency.

At the direction of the Lead Agency, the system of CCR&R organizations will provide the following activities:

- provide parents with consumer education information,
- work directly with families to make informed decisions,
- collect data and provide information on services and supports,
- collect data and provide information on the supply and demand for child care services
- work to establish partnerships with public agencies and private entities. (98.52)



- 1. Training Emphasis:** In section 1, the question is asking about a “network” (system) of CCR&R’s. Whereas section 7 is asking about the individual CCR&R agencies. If the Lead Agency uses CCDF to fund the system (there is flexibility on whether to use CCDF to fund), then the local CCR&R agencies must carry out the bulleted activities. Lead Agencies should not check yes about having a system if the local CCR&Rs don’t complete these activities
- 2. Preamble Insight:** “Section 658E(c)(2)(E) of the Act allows, but does not require, Lead Agencies to use CCDF funds for child care resource and referral services to assist with consumer education and specifies functions of such entities. Consistent with this provision, this final rule at § 98.52 incorporates statutory language that allows Lead Agencies to spend funds to establish or support a system of local or regional child care resource and referral organizations that is coordinated, to the extent determined by the Lead Agency, by a statewide public or private nonprofit, community-based or regionally based, local child care resource and referral organization. Paragraph (b) specifies a list of resource and referral activities that should be carried out at the direction of the Lead Agency. Therefore, if the Lead Agency does not need the child care resource and referral organization to carry out a certain activity, the organization does not have to carry out that activity. We strongly agree with commenters that child care resource and referral organizations can play a critical role in helping parents access high-quality child

care. Child care resource and referral organizations should assist Lead Agencies in meeting the expanded requirements to provide information to families and help meet the new purpose of increasing family engagement. When determining partnerships with local resource and referral agencies, we recommend Lead Agencies give consideration to the expanded requirements for consumer education at § 98.33 and how best to meet those requirements, including whether existing child care resource and referral agencies and/or additional partners can assist in reaching low-income parents of children receiving subsidies, providers, and the general public. The activities at paragraph (b) lay out a strong framework for how Lead Agencies and child care resource and referral agencies can work together. However, Lead Agencies need flexibility in how they choose to work with different organizations, including child care resource and referral agencies” (81 FR, p. 67522).



### 1.8.1. When Was the Child Care Disaster Plan Last Updated?

- This question is approached with the assumption that all states and territories now have a plan in place.
- It is a Lead Agency's decision on how often a plan should be updated and which entities, if any, should be collaborated with in the updating process.

Establishment of a plan must apply, at a minimum, to CCDF providers and may apply to other providers (such as all licensed providers) at the Lead Agency option.

81 FR, p. 67456

- 1. Refinement:** This question was approached with the assumption that the emergency preparedness, resilience, and response plan was in place and approved in the last cycle
- 2. Preamble Insight:** - “In past disasters, the provision of emergency child care services and rebuilding and restoring of child care facilities and infrastructure emerged as an essential service. The importance of the need to improve emergency preparedness and response in child care was highlighted in an October 2010 report released by the National Commission on Children and Disasters. The Commission’s report included two primary sets of recommendations for child care:
  - (1) To improve disaster preparedness capabilities for child care; and
  - (2) To improve capacity to provide child care services in the immediate aftermath and recovery from a disaster (2010 Report to the President and Congress, National Commission on Children and Disasters, p. 81, October 2010).” (81 FR, p. 67456) .
- 3. Training Emphasis:** On March 23, 2010, FEMA published in the Federal Register a notice of availability of Disaster Assistance Fact Sheet DAP9580.107, Child Care Services (75 FR 13777-13778). Child care has also been recognized by the Federal Emergency Management Agency (FEMA) as an essential service and an important part of disaster response and recovery. (Federal Emergency Management Agency, (2010). FEMA Disaster Assistance Fact Sheet 9580.107, Public Assistance for Child Care Services Fact Sheet.

## 1.8.2. Demonstrate Compliance with the Required Elements



Demonstrate continued compliance by checking that the required elements are included in the current State Disaster Preparedness and Response Plan.

- a. Developed in collaboration with the following agencies.
- b. Includes guidance for continuation of child care subsidies.
- c. Includes guidance for continuation of child care services.
- d. Includes procedures for post-disaster recovery.
- e. Includes requirements for all CCDF providers.
- f. Includes procedures for emergency preparedness training.
- g. Includes procedures for practice drills.

Emergency preparedness and response planning is one of the ten key health and safety topics which Lead Agencies must establish standards for, train on, as well as enforce through monitoring.

The response to this question should align with the responses to question 5.3.8. in the section on ensuring the health and safety of children in child care.

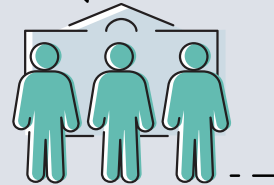
1. **Refinement:** Lead Agencies now certify by checking that all required elements for the plan are still in place.
2. **Training Emphasis:** When responding to this question and to the questions in section 5.3.8, Lead Agencies are reminded that procedures and provider standards must address accommodations for all three population types listed in the rule: Infants and toddlers, children with disabilities, and children with chronic medical conditions.
3. **Preamble Insight:** “Maintaining the safety of children in child care programs during and after disaster or emergency situations necessitates planning in advance by State/Territory agencies and child care providers. The reauthorization of the CCDBG Act, and this final rule, implement the key recommendation of the National Commission on Children and Disasters by requiring a child care specific Statewide Disaster Plan. ACF has previously issued guidance (CCDF– ACF–IM–2011–01) recommending that Disaster Plans include five key components:
  - (1) Planning for continuation of services to CCDF families;
  - (2) Coordinating with emergency management agencies and key partners;
  - (3) Regulatory requirements and technical assistance for child care providers;
  - (4) Provision of temporary child care services after a disaster, and
  - (5) Rebuilding child care after a disaster.

The guidance recommends that disaster plans for child care incorporate capabilities for shelter-in-place, evacuation and relocation, communication and reunification with families, staff training, continuity of operations, accommodation of children with disabilities and chronic health needs, and practice drills.” (81 FR, p. 67456.)

## 1.8. Disaster Preparedness and Response Plan

1.8.3. Provide the link to the website where the statewide child care disaster plan is available.

**Reminder:**  
Provide the links to all relevant plans if there are more than one.



**Resources**

## CCDF Data that May Inform Section 1 Responses



Question Number	Question	Report	Elements
1.5.1	Does the Lead Agency choose to combine funding for CCDF services for any required early childhood program?	ACF 800	Element 12: Is This ACF-800 report based on pooled CCDF and non-CCDF funds? Element 13: If this report is based on pooled CCDF and non-CCDF funds, what is the percent of funds which are CCDF? Element 14: If this report is based on pooled CCDF and non-CCDF funds, please indicate which non-CCDF funds are included in the pool.
1.5.2	Which of the following funds does the Lead Agency intend to use to meet the CCDF matching and MOE requirements described in 98.55(e) and 98.55(h)?	ACF 800	Element 3: Does the State use public pre-kindergarten expenditures on CCDF eligible children to meet the CCDF Match or MOE requirement? Element 4: Indicate the estimated number of CCDF eligible children receiving public pre-Kindergarten services for which CCDF Match or MOE is claimed.

- 1. Training Emphasis:** It may be helpful to gather these data elements as you begin to develop your Lead Agency's responses to the questions in Section 1.
- 2. Discussion Questions:** What other data sources inform your Lead Agency's responses to these questions? Temporary Assistance for Needy Families (TANF) data? Administrative data?

## Section 1: Program Instructions (PI) and Information Memorandum (IM)



Sub section Number	Sub Section Name	PI or IM Log Number	PI or IM Subject	PI or IM weblink
1.4	Coordination with Partners to Expand Accessibility and Continuity of Care	CCDF-ACF-IM-2016-02	The purpose of this Information Memorandum is to provide key information on the recent reauthorization of CCDF and its implications and opportunities for TANF and CCDF. Lead Agencies from both programs can work together to implement the reauthorization and leverage this opportunity to support family economic security and well-being.	<a href="https://www.acf.hhs.gov/occ/resource/im-2016-02">https://www.acf.hhs.gov/occ/resource/im-2016-02</a>
1.8	Disaster Preparedness and Response Plan	CCDF-ACF-IM-2017-02	Flexibility in spending Child Care and Development Fund (CCDF) Funds in response to federal or state declared emergency situations. This Information Memorandum (IM) supersedes previously issued IM ACYF-IM-CC-05-03.	<a href="https://www.acf.hhs.gov/occ/resource/im-2017-02">https://www.acf.hhs.gov/occ/resource/im-2017-02</a>
		CCDF-ACF-IM-2017-01	Statewide Disaster Plan (or Disaster Plan for a Tribe's service area) for child care.	<a href="https://www.acf.hhs.gov/occ/resource/im-2017-01">https://www.acf.hhs.gov/occ/resource/im-2017-01</a>
		CCDF-ACF-PI-2019-06	Supplemental Disaster Relief Funds for Child Care	<a href="https://www.acf.hhs.gov/occ/resource/ccdf-acf-pi-2019-06">https://www.acf.hhs.gov/occ/resource/ccdf-acf-pi-2019-06</a>
		CCDF-ACF-IM-2018-01	Transmittal of Federal Emergency Management Agency (FEMA) guidance on the reimbursement of child care services under the Public Assistance (PA) Program and Individuals and Households Program (IHP) during presidentially declared disasters and emergencies. This Information Memorandum supersedes the previously issued CCDF-ACF-IM-2010-01, Transmittal of Federal Emergency Management Agency (FEMA) Disaster Assistance Fact Sheet – Public Assistance for Child Care Services.	<a href="https://www.acf.hhs.gov/occ/resource/im-2018-01">https://www.acf.hhs.gov/occ/resource/im-2018-01</a>

Office of Child Care