Monitoring Child Care Centers: A Guide for Tribal Lead Agencies

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Purpose of this Training Guide

The Office of Child Care (OCC) and the Tribal Child Care Capacity Building Center (TCBC) offer this guide as a resource to help in the development of Tribal health and safety systems to ensure all Tribal children are provided with the love and care they need to be safe and to grow up healthy, confident, and ready to learn. This training guide and its companion videos have been updated with the CCDF final rule and reissued in 2022. It is designed to assist Tribes in ensuring that Tribal child care centers and providers are providing safe and healthy learning environments utilizing the flexibility that Tribes have in a way that is most effective for their community.

The health and safety of all children in child care settings is essential. The child care setting offers many opportunities for incorporating health and safety education and life skills into everyday activities. Health education for children is an investment in a lifetime of good health practices and contributes to a healthier childhood and adult life. Modeling of good health habits, such as healthy eating and physical activity, by all staff in indoor and outdoor learning/play environments, is the most effective method of health education for young children. Monitoring staff and inspectors are crucial to the success of these efforts.

The standards used by your Tribal Lead Agency can be found in Section 2.3 of your Tribal CCDF Plan.¹ Work with your Tribal CCDF Administrator to ensure you understand your Tribal Lead Agency’s health and safety standards and policies and procedures. For more information see the Developing a Health and Safety Monitoring and Enforcement System for Tribal Lead Agencies Toolkit.

Developing a Health and Safety Monitoring and Enforcement System for Tribal Lead Agencies Toolkit

The kit includes this guide and the following:

♦ Guides
  ♦ Monitoring Family Child Care and In-home Care Providers: A Guide for Tribal Lead Agencies
  ♦ Developing Child Care Health and Safety Monitoring and Enforcement Systems: A Guide for Tribal Lead Agencies

♦ Sample forms

♦ Videos
  ♦ The video clips demonstrate positive interactions between provider and monitoring staff and serve as models for conducting a monitoring visit – how to begin the visit, put the provider at ease, observe how the provider works with the children, observe compliance with health and safety standards, and complete the visit. Voice-overs explain what is happening at each step of the visit, why that step is important to the monitoring process, and other best practice information

For additional training support, please view the following videos.

¹ Child Care and Development Fund, 45 C.F.R § 98.416(n) (2016).
This training guide will help prepare monitoring staff and inspectors to:

- Better understand the anxiety that a provider may feel when the monitoring staff or inspector is coming in to inspect the center and how to make the provider feel comfortable.
- Be prepared to conduct these inspections and use them as an opportunity to support your providers.
- Monitor child care centers.

We recommend visiting Appendix A for suggestions on Active Listening. This resource will support the monitor in developing skills to be an active listener when monitoring Tribal child care programs.

Section I. Introduction to Monitoring Child Care Centers

The provider categories chosen by the Tribal Lead Agency to deliver direct child care services can be found within section 1 of the Tribal CCDF Plan. This guide is designed to be used with center-based providers. The definition of this type of provider category is:

- **Center-based care**: Group care provided in a facility outside of the child’s or provider’s home. This type of provider includes Tribally operated centers.
- **Tribally operated center**: A center-based child care facility that is operated by the Tribal Lead Agency using CCDF funds. ²

Each Tribal Lead Agency will need to identify the health and safety standards that are most effective for each of the provider categories served by their communities. Tribal Lead Agencies must decide if one set or a combination of health and safety standards applies to each provider category.

Monitoring Requirements

All Tribal Lead Agencies will need to have monitoring and enforcement requirements in place for health, safety, and fire inspection, by provider type:³

- Licensed CCDF providers require a minimum of:
  - one pre-approval or prelicensure inspection and
  - an annual unannounced inspection.
- License-exempt CCDF providers require a minimum of:

  License-exempt CCDF Providers

Some states and Tribes who have a licensing system exempt certain types of providers from licensing; for example, school-aged programs, summer camps, or family child care homes that provide care for only one child. If such providers serve children receiving CCDF subsidies, those providers must receive the required health and safety training and receive monitoring inspections under the law, even if they are exempt from state or Tribal licensing.

² Child Care and Development Fund, 45 C.F.R § 98.41(a) (2016).
³ Child Care and Development Fund, 45 C.F.R § 98.41 and 98.42(a) (2016).
License-exempt refers to unlicensed and unregulated care arrangements.

Tribal Lead Agencies also have the option to describe an alternative monitoring approach in their CCDF Plan and provide adequate justification for the approach. All alternative monitoring approaches are subject to OCC approval. If the Tribal Lead Agency is using an approved alternative monitoring approach, the approach must be clearly outlined in the monitoring policies and procedures and implemented as child care homes are monitored.

Section II. Health and Safety Standards

Do You Know Your Standards?

It will be important for the monitoring staff or inspector to review the health and safety standards thoroughly to understand what each one involves. Check with your Tribal CCDF Administrator or the Tribal Lead Agency staff for the current version of the Tribal Lead Agency’s health and safety standards, as described in the most recent, approved Tribal CCDF Plan.

Some health and safety standards can be met in a variety of ways. The important point for monitoring staff and providers to know is the compliance threshold for each specific standard and what is expected of them to meet the requirement.

It is important that monitoring staff are aware of any temporary operating standards established by the Tribal Lead Agency and if they are currently in place during a monitoring visit.

For more information on temporary monitoring standards, please refer to the Developing Child Care Health and Safety Monitoring and Enforcement Systems: A Guide for Tribal Lead Agencies.

Section III. Monitoring Child Care Center-Based Providers

Reasons to Monitor

While enforcement of standards is the primary purpose of monitoring, other purposes include:
Assisting caregivers in understanding and meeting the standards.

Providing caregivers with information on health and safety best practices.

Identifying challenges that caregivers may be having and assisting them in meeting those challenges.

Building child care quality through providing information and resources to caregivers.

Assures parents that the individuals/facilities they choose for child care are safe and healthy places for their children.

Conducting Monitoring Visits

The monitoring requirements in the final rule include one preapproval or prelicensure inspection for licensed or regulated (Tribally approved) CCDF centers as well as one annual unannounced inspection. Additional monitoring visits may include an emergency monitoring visit and a visit to follow up on violations found from a previous visit. Tribal Lead Agencies have the authority and flexibility to elect to conduct more vigorous inspections, increasing the number of monitoring visits conducted annually. Review the Tribal Lead Agency’s monitoring and enforcement policies and procedures as described in Section 2.3 of the Tribal CCDF Plan for specific details relevant to the expectations for conducting monitoring visits. The following are items to review as in preparation for the various monitoring visits conducted for center-based providers.

Tips for preparing for a monitoring visit:

The monitoring staff will need to review the Tribal Lead Agency’s adopted, adapted, or developed health and safety standards and the checklist that aligns with the standards to be used in the monitoring visit. That individual will also need to consider if the Tribe has adopted alternative methods for monitoring and use those policies and procedures to guide them in preparation for monitoring.

Preparing for the Monitoring Visit

The monitoring staff will need to go into the center, make the center director comfortable, and observe the following: how the staff interact with children, what kind of equipment the program has, meal preparation, napping area, playground environment; and ensure that they all meet the Tribal Lead Agency’s health and safety requirements. The following areas are important to focus on in preparation for a monitoring visit.

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4 Child Care and Development Fund, 45 C.F.R. §§ 98.42, 98.83 (2016).
**Initial, Pre-License or Pre-Approval Inspection**

The initial, pre-license inspection is required for all licensed or regulated CCDF providers. Tribal Lead Agencies have the option of requiring a pre-approval inspection for certified, approved, unregulated, and license-exempt centers, language nests, cultural and summer camps, and after school programs.

- Review the center-based provider’s application.
- Review licensing/approval file checklist and gather forms needed from the checklist.
- Bring health and safety standards, and, if applicable, licensing standards, to review with the center director.
- Bring forms that need to be signed such as Comprehensive Background Check forms for staff members.
- Gather information on upcoming training and quality improvement grant opportunities.

**Routine Monitoring Visit (Annually)**

An annual unannounced inspection is required for all licensed or regulated CCDF providers. Tribal Lead Agencies are also required to have an annual inspection for certified, approved, unregulated, and license-exempt centers, language nests, cultural and summer camps, and after school programs. These annual inspections may be announced or unannounced at the Tribal Lead Agencies discretion.

- Review the report from the last visit.
- Consider monitoring and observing another part of the centers’ daily schedule from the last visit.
- Review any changes that have been made since the last visit such as new staff hired that may need comprehensive backgrounds checks and physical forms.
- Bring a copy of the health and safety standards they are required to meet and prepare to review with the provider if there are any findings.
- Bring a list of resources that the Tribal Lead Agency could provide, i.e., mini grant or training opportunities, resource pages, or information on community resource partners.

**Emergency Monitoring Visit (Parent or Community Complaint)**

An emergency monitoring visit occurs as soon as possible after hearing from a parent or community member that there is a suspected violation of one of the health and safety standards. The purpose of this visit is to ensure the immediate safety of the children in care.

- Review the original complaint information.
- List questions you may want to ask about the report.
- Determine what activities you want to observe and prepare to arrive in time to see them.
- Review the monitoring report from the last visit.
- List questions you want to ask to be able to determine if the complaint can be substantiated.
- Bring resources that may help the center address a potential finding.
Non-Compliance Follow Up Visit

After an inspection visit during which violations in the health and safety or fire standards were found, a Plan of Correction was established with the provider using your Tribal Lead Agency’s form. To determine whether the provider has completed all the required components of the Plan of Correction, a follow up site visit should be conducted.

♦ Review the monitoring report from the last visit and the timeline to meet compliance measures.
♦ Identify the resources provided during the visit and prepare to ask if the provider accessed any of them.
♦ Review the non-compliance corrective actions policy and procedure.

As noted in each type of visit, it is recommended that helpful resources are selected and prepared to share with the provider during the visit. To the extent possible, resource materials should be tailored to the specific provider, building on what the monitoring staff knows about the ages and developmentally appropriate needs of the children in care, and the areas where the provider may have struggled during a previous inspection. Resources that can be shared might include:

♦ Tribal CCDF mini grant opportunities
♦ Curriculum, lesson plans, and other learning activities
♦ Information on healthy nutritional options, meal preparation (including safety and sanitation), and food allergies
♦ Promising practices on incorporating their Native culture, language, and traditions into the child care program
♦ Safety items like outlet covers and choke prevention test tubes
♦ Information on upcoming training and grant opportunities
♦ Materials for providers to share with parents, such as suggestions for healthy nutrition, language, and activities to do at home that expands on what the child is learning in the center

Section IV. Working Relationship with the Provider

A monitoring staff member has many roles. In some instances, they may also be a neighbor or relative of a center staff member or may know center staff members in other way in the community, which can make their job more challenging.

To monitor effectively, one must learn how to balance their personal and professional roles such as teaching and reinforcing the health and safety standards, being a resource to support quality, and the role as monitor to ensure compliance.
Monitor the child care centers to make sure they meet the standards the Tribe has established.

Teach the standards and support the providers to meet and stay in compliance.

Offer support to the providers in making the children feel loved and nurtured so they can grow and develop to their fullest potential.

Provide resources to ensure continuous quality improvement of the services they provide.

Perceptions

Providers may be fearful, anxious, or resistant during both scheduled and unannounced visits to inspect their child care center. It is important to make the center staff feel comfortable having monitoring staff in their center. Consider the following when assessing staff behaviors:

♦ Do they consider the monitoring staff to be a friend, a helpful resource, an inspector, or a “compliance officer”?

♦ Do they think the monitoring staff will be uncaring, unfriendly, or overly particular?

♦ Will they be afraid or anxious because they do not know what to expect during an inspection or monitoring visit?

♦ Do they think of the monitoring staff as interfering in their business?

♦ Do they resist child development information and training because, after all, they may have raised children themselves?

♦ They may not consider themselves as a professional and only as a “babysitter”.

In a Tribal community, how staff feel about the monitoring staff person may depend on who that person is and how they present themselves. At the same time, the monitoring staff must consider what their perception is of the providers:
Does the monitoring staff person think of the center staff as quality providers or believe they are doing this just for the money?

Does the monitoring staff think the center staff let the children just run wild or watch TV all day?

Does the monitoring staff think the center staff are knowledgeable about child development?

Does the monitoring staff feel either superior or inferior to the center director and other staff members?

Is the monitoring staff assuming the worst about someone?

Is the monitoring staff being too hard on or too lenient on center staff?

Is the monitoring staff afraid to hurt the staff member’s feelings?

Does the monitoring staff feel that staff disregard what was conveyed to them in training sessions?

Does the monitoring staff compare how the center director is managing their program versus how they might choose to manage the program?

What center staff think of the monitoring staff and what the monitoring staff thinks of them—how each perceives the other—are important things to keep in mind since they can affect how the monitoring visit will go. It is okay for all individuals to have any of these feelings; we all may have some anxiety but monitoring staff will need to be sensitive to both their own feelings and those of center staff as they get ready to start monitoring. Monitoring staff need to be able to deal with these feelings and perceptions before they visit and when they get to the facility.

**Inspection Anxiety**

Remember that what providers think of the monitoring staff is probably due, at least in part, to their fear of the monitoring process. They do not know what to expect and do not know if they want someone coming to their center to judge them. Monitoring staff must think of this before the visit and be prepared to handle this fear before starting to review the program.

Both the monitoring staff and the center staff may have feelings of anxiety going into a visit, whether it is the first visit or there have been multiple inspections. The monitoring staff and the center staff may not be sure what to expect of the other. Feeling this way is perfectly normal, for all those involved.

For monitoring staff who are new to the job, they should feel free to let the center staff know that they too are feeling a bit nervous; knowing that the monitoring staff person has similar anxieties may set the staff at ease. Monitoring staff must still make sure that they are aware of their own emotions so that they do not overwhelm them because this is a tough job. It may help the monitoring staff to write down some notes about how they are feeling about the monitoring visits with the center staff ahead of time.
For example:

**From the Monitoring Staff’s Notebook…**

Areas of concern on today’s visit were that the immunization records in the children’s files were outdated. This center director may have problems in keeping her paperwork updated! Instead of getting upset, we had a conversation about how important it is to keep immunization files up to date and in the appropriate locations. I asked the center director, “Can you help me find your current immunization records? I can’t seem to find them.”

When you find yourself becoming frustrated or angry with a provider, make every effort not to show this emotion. Instead, keep calm and professional. Do not assume the worst. Remember that most providers are trying to do the right thing in a challenging job. Carefully think about your words and your tone. Sometimes asking questions in a polite tone helps you redirect your focus away from your feelings and back on to the standards.

**Setting the Right Tone**

After the monitoring staff has examined their own perceptions and feelings about monitoring a center for the first time, they need to prepare themselves mentally to set a positive, professional tone with the provider before, during, and after the visit. First and foremost, providers must be treated as the monitoring staff (or anyone) would like to be treated: as responsible, caring people, who have good intentions. All people should be treated with respect and consideration.

To help the monitoring staff set the right tone and get along with the center staff, here are some important tips about how they can handle themselves as a respectful and professional child care monitoring staff person:

♦ Be honest and trusting. Treat the staff with trust, to begin to earn their trust.
♦ Staff are doing important work. Help them feel that their work with children is important.
♦ Schedule plenty of time for the monitoring visit, interruptions are a regular occurrence at a child care center for the center director.
♦ Align with staff members by conveying a shared concern for the children in care.
♦ Remember to give the staff more than one way to show compliance, especially if visiting a child care center at a time when there is chaos, such as when a child is particularly cranky and needing more attention than usual or there is a staff shortage that day that is causing the violation. Situations may not typically be the way they are at the moment you are monitoring. They may be showing non-compliance at that moment, but that situation may not be a normal non-compliance issue.
♦ Unless the violation is one that puts children in danger, take the time to assess and give the staff time to show that compliance.
♦ Monitoring staff should only talk to their supervisor or co-worker(s) about a center; never sharing information about one staff member with another staff member.
♦ The authority that is carried as a representative of the Tribe should be used in a good way. Authority can be used with dignity and restraint; this will help the staff feel relaxed and accept the monitoring staff’s presence in the center.

♦ If this is a State licensed center located off Tribal land, the monitoring staff may feel that they have little or no authority. However, that center has signed an agreement/contract with the Tribe to meet the Tribal health and safety standards to receive payment for Tribal children. Monitoring staff DO have the responsibility and the authority to monitor for compliance in these programs.

♦ Monitoring visits and inspections are an opportunity to work toward supporting center staff and not only to find violations.

♦ At times, a staff member may threaten to go to the Tribal leadership if a monitoring staff person continues to enforce the standards. If a staff member is visibly angry, monitoring staff must not react in the same way. When a monitoring staff reacts to the anger of a staff member with their own expression of anger, then that attitude becomes the issue, and the focus on the centers’ non-compliance can be lost. Monitoring staff should use the least amount of authority needed to correct or settle a problem. If a staff member gets out of control, the monitoring staff can say politely that they are leaving and will get back to the center after talking with their supervisor. The monitoring staff can then discuss the threat with their supervisor for guidance.

♦ Always maintain professionalism no matter how a center staff member reacts.

Training Providers

An important part of the monitoring role is that of teacher of the health and safety standards. Teaching is a strong part of monitoring child care facilities because it helps providers know what the standards mean and how to meet them. This one-on-one work that is done with centers is commonly referred to as “technical assistance.”

Pro Tip
Never go into a center empty-handed. You should always give the center staff materials that are helpful in showing how to make the facility safer and age-appropriate activities to use with the children in care.

To teach the standards, you must know the standards. That means that the monitoring staff must know what each Tribally authorized standard means and why it is important for protecting the health and well-being of children. As that teacher of standards, monitoring staff will use their knowledge of the Tribe’s standards to help the center staff understand what they must do to be in compliance with each one.

Technical assistance should be provided to all of the CCDF child care programs. Taking the time to develop some written technical assistance materials to use as handouts during visits can assist the monitoring staff in completing a superior inspection and helping center staff to understand their role in protecting the health and safety of children in care. Documenting the questions that staff have about the standards can help determine what technical assistance materials would be most helpful to find or create. Working collaboratively with other departments within the Tribe, or with outside agencies who serve children to develop technical assistance materials can generate quality resources. Consider partnering with your local child care resource and referral (CCR&R) agency, Head Start program, state licensing office, Tribal Health Services, Indian Child Welfare Programs, and other agencies that conduct health and fire safety inspections.

Remember: If the center staff understand what a standard means and how to put it in place, then they are more likely to meet the standard and to stay in compliance with it, even when monitoring staff are not there to observe.
There is often a fine line between the monitoring staff person’s role as a teacher of standards and their role as an inspector. It is important to remember that the center is the one responsible for meeting and staying in compliance with the Tribe’s health and safety standards. The CCDF Administrator and monitoring staff are only assisting them in that process.

Being a Role Model

Monitoring staff have a strong influence on providers. When they are respectful, center staff feel important and valued. When center staff are acknowledged for doing important work, they can better understand what monitoring staff are trying to do and what they must do to provide good care for children. Being a role model in a humble way, which is supportive of the center staff and not critical of them, is an effective way for monitoring to support staff while assisting them to improve their caregiving practices.

During a visit, the monitoring staff’s focus should be on the center’s work with the children in care; this gives the staff the feeling that the care of the children is the center’s priority. The goal should be to help the staff balance the time needed to make sure that the center paperwork is done correctly, and the time spent making sure that the children receive the attention they need to thrive. The nurturing of children should always come first to ensure their health and safety.

We can all model positive behavior in the way we talk with one another and the children. Monitoring staff need to demonstrate this by showing a genuine interest in and respect for what the staff are saying and how they work with the children.

When monitoring staff share helpful and relevant information it is important that they do not appear as if they believe that they know everything. By being honest when the specific details of a certain standard aren’t fully remembered, and looking it up in the provider’s presence, monitoring staff demonstrate that learning is an ongoing, lifelong process for everyone, including themselves. For example, if monitoring staff share out loud with providers that they are going to be at an upcoming training, they are modeling our commitment and interest in ongoing professional development.

Consistency

Sometimes staff talk to each other, and many hear things that make them feel that they are not being treated fairly by their monitoring or funding agency. For a monitoring program to have credibility—where the community respects and believes in the program—all staff should be treated the same.

Having checklists that match the Tribal standards and clear policies and procedures that guide all monitoring staff and inspectors the same in the process, will help to ensure consistency in the monitoring inspections and enforcement of the health and safety standards. It also helps new staff understand how to do their job.

Role Clarity

As we have discussed, the child care monitoring staff have many responsibilities, such as teacher of standards, enforcer of standards, role model, and child care professional. In each of these different monitoring roles, the individual will want to find a balance between being a supportive child care professional and being a monitoring specialist. As a monitor, authority should be used in a positive, constructive way so that center staff will want to use the standards taught to them in a good way. Overplaying one’s authority will only prove to make monitoring less effective and can interfere with a good working relationship with the staff.

When there is a friend or relative in a center that is being monitored, the monitoring staff must try to keep their interaction on a professional level. An existing relationship should not prevent one from doing their
job of enforcing the health and safety standards. First and foremost, the monitoring staff is in the center to check for compliance with the Tribe’s health and safety standards and should expect all staff members to correct any violations of the standards. We must always remember that the primary purpose in setting standards and monitoring is to make sure that children are being protected from harm and that the care they are given is safe, healthy, and giving them the experience they need to grow and develop to their fullest potential.

Section V. Monitoring and Communication Skills

Effective Monitoring Skills

Being a monitoring staff person requires an individual to play many different roles at the same time. To be able to fill those different roles and carry out the responsibilities of a monitor, a variety of skills are required, including the following:

♦ Communicating—The ability to communicate effectively with center staff both verbally and in writing, is crucial to the effectiveness as a monitoring staff person. We will talk more about communication skills in the next section.

♦ Interviewing—Asking the right questions, in the right tone, will help to ensure that the center staff understands and meets the standards. Asking what the center staff will do to correct the violation helps them to take ownership of the solution.
  ▪ Interviewing is not interrogation. More can be learned by letting the center staff tell their story in their own way than by asking too many questions or doing so too aggressively.

♦ Observation—This is when monitoring staff watches how the staff works with the children and looks around the center to see if it meets the health and safety standards.

♦ Providing Technical Assistance—The ability to explain to center staff what the standards are, how to meet them, and how to improve the quality of child care. Responding to staff questions and gathering resources to support them to stay in compliance is also important follow up.

♦ Documenting—Monitoring staff are responsible for completing the check list during an inspection, including listing any violations and needed corrections. They also document monitoring decisions and keep the facility’s monitoring file up to date. It is best practice to document information about a visit and conversations with the center staff. The documentation of file notes should be completed immediately or shortly after each monitoring visit instead of during the visit or several days later.

♦ Program Knowledge—Monitoring staff must understand the Tribal CCDF program’s standards, policies, and procedures, as well as ages of the children in care, developmentally appropriate activities, healthy nutrition, and cultural norms.

♦ Organization—Monitoring staff may need to manage their time carefully to balance a monitoring caseload if they also have other job duties. Tribal Lead Agencies are required to have policies and procedures that require the ratio of monitoring staff to child care homes and facilities and to maintain them at a sufficient level. Monitoring staff must be qualified to inspect child care centers and must have received health and safety training appropriate to Tribe’s health and safety standards, the provider setting, and the ages of children served.

♦ Cultural Sensitivity—Monitoring staff must have a working knowledge of the culture(s) of the Tribal community they are serving and the cultures of any center staff they may be monitoring to be most effective. Communication styles may need to be adapted to better communicate with staff from different cultures.
Communication Skills

Communication is key to building relationships with providers and other staff. Being able to talk effectively with center staff is critical to a successful monitoring visit. The monitoring staff person sets the tone for the relationship with each center staff.

There are several important ideas to keep in mind for effective communication:

♦ **Active Listening**—This means paying close attention to the words the speaker is using, how the speaker is saying it, and looking for various nonverbal cues to understand what a person is really trying to communicate. Please refer to Appendix A for additional information on the principles of active listening and methods to assess your own active listening skills.

♦ **Respecting Differences**—Each person involved brings their own experiences, beliefs, culture, and values to communication and relationships. Respecting and appreciating those differences will help everyone to communicate more effectively.

  ▪ Not sharing information about other staff helps to ensure that comparisons are not being made unfairly between staff members.

  ▪ The more every individual in a situation understands their own culture, values, and experiences and how those shape what they think, believe, and feel, the better they can interact effectively and non-discriminatory with others.

  ▪ Different cultures have different ways of using nonverbal communication, such as eye contact, body language, and personal space (the distance they like to keep between you and them), in conversations. For example, in some Tribes, avoiding direct eye contact with an authority figure is considered a sign of respect. Monitoring staff persons may be considered an authority figure because they are a representative of the Tribal government and/or are reviewing the way others talk, behave, and interact with children.

  ▪ Consider the culture of individual staff members before thinking a person is being disrespectful or resisting what is being said about their level of compliance.

♦ **Maintaining Confidentiality**—Monitoring staff are responsible for ensuring that personal information which is protected by law, Tribal policy, and common courtesy are not shared with others.

  ▪ This may include children’s medical information, family contact information, and information about a child’s behavior in the center.

  ▪ It is important that monitoring staff do not talk to center staff about other center staff they have monitored or about a specific child care provider who may be caring for children. By sharing this
information with center staff, it demonstrates unprofessional behavior and causes others to have difficulty working with the monitoring staff person.

The art of communication is often just as much about what is not being said, then what is being said. Monitoring staff must use their judgment to know when to step back and let the provider/staff absorb a new idea or a difficult piece of feedback. Particularly for new monitors, or when the provider/staff is new to child care, it is often better to say too little than too much. Not everything in the center/room(s) being monitored needs to be commented on.

**Body Language and Interpersonal Behaviors**

When people are in a new situation, or any potentially complicated or difficult situation, they can experience a variety of feelings like anger, fear, surprise, happiness, annoyance, and irritation. Correctly reading how the staff is feeling can help a monitor to set a good tone for the visit. How can a person tell how the staff feels? Body language, including facial expressions, can convey a great deal.

The first time one has the responsibility to monitor a center/room, they may notice certain body language and interpersonal behaviors that can help them to understand that the provider is worried or anxious. For example:

- The center director/staff says: “the only time any monitor comes to our center is when everything is going wrong.”
- The center director/staff is distracted and does not appear to be listening.
- The center director/staff keeps looking at their watch, saying “I have staff members who should be here, but they are late.”
- The center director/staff begin going through their files or cleaning the classroom.

It is important for the monitor to show an interest in what the staff person is saying and the feelings they are conveying through body language. Words, tone, and body language all affect how the person will receive what the monitor is saying to them. They give the person clues about thoughts and feelings. For example, monitors should:

- Speak in a soft, calming voice.
- Keep facial expressions neutral.
- Be aware of their own body language
- Think about their posture
Monitors should try to maintain a positive, caring attitude. Smiling, acting in a pleasant manner, and showing the center director/staff that what they are saying and doing is important will go a long way toward demonstrating care. It is important to acknowledge how difficult it may be for the center at the time of the visit. The monitor can help to put staff members at ease by saying something like “I understand that you have a very difficult job, and it becomes harder when you have an unannounced monitoring visit.” Monitors will also want to be aware of how they frame their response to finding a non-compliance, being careful to be constructive, positive, and supportive.

From the Monitor Notebook…

When I got to Cheyenne’s preschool room, she met me at the door with a big smile. I could tell that the monitoring was going to go well, and it did. But when I went to Indigo’s infant room, she said, “The kids are sleeping right now. I don’t want you to wake them up.” She scowled at me while I quietly looked around the room and noticed several areas of non-compliance. (I noticed a can of coke and a baby bottle with formula on the changing table and a soiled diaper on the floor.)

Remember that not all staff at the same center will be as welcoming, but do not respond in a negative way. Instead, be professional and do not mirror their actions. Try to engage them in conversation about the care they are providing.

In summary, professional communication is crucial to being effective as a monitor. Keep in mind and use the principles we discussed with center directors/staff, and it will be more likely that they will understand and use them with the monitor, their parents, and others. These principles are important for effective communication. Remember: an important part of communication is “listening.”

Ethics in Practice

In their communication with center directors/staff and others, it is always important for the monitor to think about how they handle themselves as a monitor and as a person. Ethics is the values or beliefs that guide us in how we behave and help individuals to make decisions on doing what is right in any situation.

Being ethical in monitoring is very important. Sometimes it is difficult to review a situation and determine the right decision. Monitors must be consistent and fair to the center director/staff but, at the same time, expect them to be in compliance with the health and safety standards. In carrying out the role of monitor and representing the Tribe, a person must be responsible, knowledgeable, and fair, while also being sensitive to the dignity and feelings of the staff. Often, they will be required to balance their concerns for the safety of the children, the center director/staff’s rights, the needs, and expectations of the Tribal community, and what is best for all concerned. It is an important job.

It is easy to understand that in monitoring favoritism should not be shown to a center staff member because of a relationship that person may have with a monitor outside of work, but it is not always as easy to put that understanding into practice. The monitor’s ethics as a professional must serve as a guide in these cases. That means that they cannot ignore or overlook violations based on a relationship with that staff member. They must be just as thorough in investigating a complaint against a relative or friend.

Pro Tip

During your visit to the center, you see an exit being blocked by the cots. Rather than say, “I told you before you can’t store your cots in front of the exit!” You can say, “Blocking the exit with the cots is a fire hazard. I will wait while you move them. That way I will be able to note that you corrected the violation.”
as they would be if the complaint was made against someone that they do not have a close relationship with.

Remember that, in trying to spare a center director/staff's feelings about a health and safety standard violation, monitors must be sure not to neglect the ethical responsibilities of their role to both protect children in care and to be fair and honest with the center staff. They must always keep in mind that the foundation of ethics is that all people shall be respected. Sometimes that respect is demonstrated by telling hard truths and taking difficult actions in a fair and respectful way.

Section VI. Ready to Start Monitoring

It is now time to conduct a monitoring visit. Gather the documents suggested below, and be sure that the monitor has:

1. The health and safety standards, policies, and procedures for how to ensure compliance in a center.
2. Studied the standards and practiced how they will teach them to the center staff.
3. Polished up communication skills.
4. Have in hand the checklist(s) and other forms that will be used.
5. Set up a file for each center they will be visiting.

The items above can be used for anyone who is a monitor.

We have talked about being aware of the emotions and anxiety of the center director/staff, as well as those of the monitor, and have thought of how to handle the monitoring visit. Thinking of this, let’s play out what might happen during a monitoring visit.

Try this:

At a Tribally operated center that receives CCDF payments, and is monitored by Indian Health Services, a visit may go like this:

“I'm Gayla with Indian Health Services, and I will be monitoring your center today. I will be using the IHS monitoring checklist, and I will also use the checklist that your Tribal Lead Agency has provided to me. Because they have a contract with you for the care of Tribal children, we need to monitor for the specific Tribal health and safety standards that you have been trained on and agreed to meet. These are the monitoring forms that I’ll be using today.”

You then want to have a brief conversation to set the center director at ease. For example:

“How are things going? I see that you have some new equipment on the playground! I am anxious to hear and see how our Tribal children are doing at your center.”
Before a monitoring visit begins, using the checklist, it is good to take a few minutes to observe how the staff interacts with the children, noticing how the staff guides them in their activities. We are always looking for that warm nurturing interaction between adults and children. For example, “Do you have any questions before we get started? As your staff continue to care for the children do you mind if I go through the classroom and if I have any questions, I'll ask you as I go along.”

As the inspection of the center is conducted, it is important for the monitor to know the Tribal health and safety standards and know what is on the checklist. Child to adult ratios should be recorded by checking the number and ages of children in care and counting the number of staff/volunteers present. Using the checklist as a guide, the monitor will go through each room/area in the center. They should inspect all rooms for potential hazards. The list of items we suggest on the sample monitoring forms may not be inclusive of or accurately represent all the Tribal standards for the particular center that is being monitored. The Tribal CCDF Administrator is responsible for ensuring that the monitor has the proper list of standards and the appropriate checklists to monitor those standards. The following are examples of items the monitor might look for in each room.

### Record Keeping

Monitors may want to start in the area where their records are kept, checking for the following items:

- Each child’s file to ensure it includes up-to-date immunization records, signed parent contract and child’s enrollment application.
- Items that should be posted such as the license or approval certificate, emergency plans, menus, child allergies and daily schedule.
- Emergency contact information for parents/guardians.
- Attendance records for CCDF eligible children and staff (if applicable).
- The center’s policy and procedures.
- Staff physical examination and immunization records.
- Staff qualifications and training records.
- Temporary operating standards in place (if applicable)
- The center’s Emergency Preparedness Plan should be included in the Tribal Lead Agency’s Disaster Preparedness plan for the Tribe’s service area. The monitor will review the plan to ensure all required procedures are in place and comply with the final rule.
  - CCDF health and safety requirements and training including procedures for the following:
    - Evacuation
    - Relocation
    - Shelter in place
    - Lock down
    - Communication and reunification of families
    - Continuity of operations
    - Accommodation of infants and toddlers, children with disabilities, and children with chronic medical conditions
♦ Staff records to include those related to the comprehensive background check requirements, Tribal Lead Agencies are required to have in effect policies and procedures to conduct comprehensive background checks for all child care staff members (including prospective staff members) of all child care programs that are licensed, regulated, approved or certified deliver CCDF funded child care services.

Tribes do not need to require additional or duplicative background checks for child care provider staff who have already met the state’s background check requirements, consistent with the final rule. This applies to child care providers what are licensed by the state or receive CCDF funding from the state. See Table 1 for an overview of comprehensive background checks for Tribal Lead Agencies.

**Table 1. Tribal Comprehensive Background Check Highlights**

![Tribal Background Check Requirement Highlights](image)

**Infant or Toddler Specific Areas**

In the infant/toddler area, look for the following:

♦ Cribs and other sleep surfaces must be in compliance with current U.S. Consumer Product Safety Commission and ASTM International safety standards and be sturdy and in good repair.

♦ Firm, well-fitting mattresses and no soft bedding.

♦ Traditional and culturally sanctioned sleeping surfaces, such as cradle boards, are used according to the Tribe’s written health and safety standards.
♦ Authorization to administer medication records for children with medical prescriptions.
♦ Age-appropriate equipment/furniture.
♦ Age-appropriate toys that are cleaned/sanitized after each use — verify this with staff.
♦ Diaper bags out of reach of children.
♦ Diaper changing area — with a clean, nonporous table and diaper changing procedures posted.
♦ Proper storing of breast milk and formula.
♦ Staff are holding bottles while feeding infants.
♦ Daily schedule and evacuation plans.
♦ Are babies being placed in a crib on their back to sleep? If a provider is observed placing a young infant on their stomach in the crib, the monitor should point this out to the provider, saying something like the following:
  - “Remember, if infants are under one year, always place them on their backs. It is okay if they turn themselves during their nap, but it is important to put them in the crib on their backs.” Just because an infant can roll over onto their back does not mean that they can roll onto their stomach. This produces a suffocating hazard.
  - A monitor may want to share more about “back to sleep.” Leave technical assistance materials on the prevention of SIDS at the time of your visit or send that to the center staff as a follow up.
  - Reinforce how important it is too closely supervised and frequently monitor the children while they are napping.

Bathroom Areas

When inspecting the bathroom, monitors might want to include the following:

♦ The room looks and smells clean, including the floor.
♦ Clean toilets and wash basins are in good repair and child sized or step stools are available.
♦ Single service towels and toilet paper are within reach of children.
♦ Soap and hand sanitizer can be reached by children.
♦ Toothpaste and labeled toothbrushes are clean and properly stored.
♦ A hand-washing poster is where staff and children can see it.
♦ Trash receptacle for paper towels is not overflowing.
♦ Check the hot water to make sure the temperature does not exceed 120 degrees Fahrenheit to prevent children from scalding themselves while washing. (Remember to bring a thermometer).
**Kitchen**

As the monitor enters the kitchen, they may check for:

- Mealtimes are posted.
- Staff is aware of any food allergies of children in care and food allergy information is posted.
- Food preparation areas is clean and well-maintained.
- Food is stored properly.
- Refrigerator – using your thermometer, make sure the temperature is following health and safety standards and food is dated and covered.
- Trash cans are clean, covered, and not overflowing.
- Hand-washing instructions are posted.
- Medicine is safely stored with no bottles left inadvertently on the counter.
- Eating area is clean and sanitary.
- Food portions are adequate, and seconds are allowed.
- Provider or staff sits down and eats with the children.
- Highchairs are clean and equipped with safety straps.
- Children’s hands are washed before and after meals.

**Preschool Areas**

- No hazardous materials, such as cleaning solutions.
- Staff purses are out of reach of children.
- Exits are not blocked and visibly marked.
- Floors are clean.
- Tables and chairs are in good repair.
- Fire extinguisher has tag for recent service.
- Trash cans are properly cared for and not overflowing.
- No peeling paint on the walls or equipment.
- Approved, working smoke detectors, fire extinguishers, and carbon monoxide detectors.
- Adequate lighting and ventilation.
- Room temperature meets code.
♦ Window blinds are clean, and cords are out of reach of children.
♦ Electrical outlets are covered with safety outlet covers.
♦ First aid kit(s) have required contents.
♦ Medicines are stored out of the reach of children and are administered in compliance with health and safety standards.
♦ Cots and sheets are stored with labels and kept clean.
♦ Diaper changing table has a nonporous surface with items out of the reach of children.
♦ The center has diaper changing procedures posted. If a child is being changed, the monitor will observe the procedure and method for washing the hands of both the provider and child after diapering and that the diaper changing area is sanitized after each use.
♦ Play equipment is age appropriate, well-maintained, and clean; there is a sufficient amount, and it is well-organized.
♦ Daily schedule and evacuation plans are posted.
♦ Daily activity for children is age and developmentally appropriate.
♦ Clean drinking water is accessible both indoors and outdoors.
♦ Any animals in the center are properly cared for and children are protected.
♦ In the kitchen, check for:
  ♦ Food preparation area is clean and well-maintained.
  ♦ Food is stored properly.
  ♦ Refrigerator – using a thermometer, make sure the temperature is in compliance with health and safety standards and food is dated and covered.
  ♦ Trash cans are clean, covered, and not overflowing.
  ♦ Hand-washing sink is posted with hand-washing instructions and children wash hands before and after mealtime.
  ♦ Medicine is safely stored with no bottles left inadvertently on the counter.
  ♦ Mealtimes are posted.
  ♦ Staff is aware of any food allergies of children in care and food allergy information is posted.
  ♦ Eating area is clean and sanitary.
  ♦ Food portions are adequate, and seconds are allowed.
  ♦ Center staff sits down and eats with the children.
  ♦ Highchairs are clean and equipped with safety straps.
Playground

If the monitoring visit takes place when the children are on the playground, observe playtime in action. Some of the items to check for are:

♦ Play area is free of hazards and uncluttered. This is critical for safety.
♦ Equipment is age appropriate. This is important for centers especially when infants, toddlers and preschoolers may be on the playground at the same time.
♦ Fence and gates are in good repair, keeping children away from hazards and keeping animals out.
♦ Outdoor equipment is in good repair – check nuts and bolts and look for sharp edges.
♦ Fall zone(s) have the required impact absorbent material.
♦ The play equipment is properly spaced to avoid hazards. Check for head entrapment and pinch hazards on the equipment.
♦ Look for how children are protected from water hazards if water hazards are nearby.
♦ Appropriate staff ratios are in place and staff are always supervising children.

Transportation

If the center transports children, check for:

♦ Clean and well-maintained vehicles – walk around them to check for problems.
♦ Seat belts are in good repair, sufficient for occupancy and always used – Ask staff how children are seated and belted in the vehicle(s).
♦ Developmentally appropriate child passenger restraint seats for each child in care. Check that staff have received the proper child passenger restraint seat training.
♦ Discuss staff supervision while children are transported.
♦ Proper insurance, in compliance with standards and vehicle inspections are up to date.
♦ Driver license(s) are current and staff who drive a van or bus have the proper state required Class license.
♦ Adequate policies and procedures to ensure that no children are left unsupervised in the vehicle.
♦ Staff have knowledge of and adhere to Tribal or state child passenger safety laws.
♦ A written permission slip for transportation, signed by a parent/guardian.
♦ Temperature of vehicle should be safe and comfortable.
♦ If a passenger van is used to transport children or guardians, a 15-passenger van is not used.
Completing the Visit

At the end of the monitoring visit, it is time to complete the monitoring checklist and to discuss the findings, positive and negative, with the center director and center staff.

It is always good to find something positive in the program to share with the center director or center staff.

♦ Carefully go over any violations found and discuss the needed correction(s), even if they were discussed as the center was inspected.

♦ Ask the center director how the center will correct the problems. Provide technical assistance to help with the plan of correction.

When the checklist is completed, include a plan of correction, then the monitoring staff and the center director will sign it. A copy can be left with the director or promptly sent after the monitoring staff person gets back to the office. This completes the monitoring visit.

If there are enforcement issues that the monitoring staff will need to discuss with their supervisor, the Tribal CCDF Administrator, other experts, or resources, the monitoring staff will need to get back to the center director later to discuss these and to share the enforcement decision.

Write up the report following the Tribal Lead Agency’s policies and procedures and turn into the appropriate Tribal Lead Agency representative according to the procedure.

When a Tribal Lead Agency Monitors Their Own Tribally Operated Center

Tribal Lead Agencies are responsible for developing and implementing their own monitoring plans, regardless of who may be doing the monitoring. The plan may include periodic inspections from other entities such as: Tribal and/or state licensing (if applicable), Indian Health Services, Environmental Health, Head Start, fire departments, or the U.S. Department of Agriculture (USDA), if applicable. It is important that other entities who inspect the Tribally operated center understand your Tribe’s health and safety standards and have the appropriate training to provide monitoring inspections.

Tribal Lead Agencies must certify that procedures are in effect to ensure that child care providers caring for children receiving CCDF service comply with all applicable Tribal and/or state/local health, safety and fire standards, including those described in 98.41 and 98.42(a). This includes Tribally operated centers. As explained above, the health and safety standards for the Tribally operated center(s) are described in Section 2 of the current, approved Tribal CCDF Plan.

In some cases, the Tribe may decide to have the center staff do their own monitoring. While best practice would be to have someone outside of the center complete the monitoring, there may be times that this is not feasible. Regardless of who the monitoring entities are, the Tribal Lead Agency must ensure that the
Tribal CCDF health and safety standards are monitored. If a center director is self-monitoring their own center, they are required to have health and safety training based on the set of health and safety standards the Tribal Lead Agency has selected for their Tribally operated center, as well as training in monitoring and inspection. This will put the center director in a dual relationship with him/herself and other center staff, so it will be important to get supervision in this case.

When a Tribal Lead Agency monitors their own site, they should use a checklist which aligns with their Tribe’s health and safety standards, and they will walk through each area of the room checking for compliance of every item on the list. Using the checklist is important since they may work in that room every day and it is easy to overlook things. When they find an area of non-compliance, they must be honest, write it down, and correct it. Ask them to think about how they can maintain compliance. The goal is to be in continuous compliance. If you are the center director, you will also be responsible for following up on any recommendations from other inspecting bodies. In addition to ongoing self-assessments, it is best practice for a center director to complete a self-assessment before monitoring happens.

Ensure there is a clear policy regarding confidentiality. For example, monitoring staff should be prohibited from sharing private or unnecessary information with center staff, parents, or community members regarding their observations during the process or the results of the monitoring visit.

If a center director is monitoring their co-worker’s room, will be will imperative that they be respectful and non-intrusive as they walk through their room and use the checklist that aligns with their Tribe’s health and safety standards.

At the end of each inspection, the center director or assigned staff reviews the monitoring checklist with the appropriate authority, noting the items that need follow up. It is good to also note suggestions on correcting or improving those areas and putting the strategies in place to make the necessary corrections.

To help maintain continuous compliance with the Tribe’s health and safety standards, there are a variety of checklists that can be used in a child care center on a daily, weekly, or monthly basis. The following are examples of ongoing, periodic, self-monitoring checklists.

Daily

- Health and safety check of the center before the children arrive.
- Playground check to be sure that it is free of hazards, fence is in good repair, and equipment is well- maintained.
- Bathroom check for cleanliness, emptied trash containers, and sufficient supplies.
- Kitchen check to be sure that the food preparation area is clean, and the food is properly stored.
- Check of classrooms for cleanliness, safety of equipment.
- Exits are clearly marked and unobstructed.

Weekly

- Check first aid kits for adequate supplies.
- Required postings are current and visible.

Monthly

- Smoke detectors, fire extinguishers and carbon monoxide monitors are in good working order.
- Flashlight batteries are working.
Fire and weather-related emergency drills are appropriately recorded.

Appendices

♦ Appendix A: Active Listening Tips and Considerations

Conclusion

Hopefully this manual has provided you with the guidance you need to monitor child care centers in and around your Tribal community. We hope that you will find the resources, appendices, and the three supplemental videos helpful as you work to protect the health and safety of children in facilities approved by the Tribal government and/or licensed by the State or Tribe.
Glossary

Certified or Approved – The permission granted to child care programs that meet the Tribe’s standards to receive CCDF subsidy payments if they have a valid license or are determined to be license-exempt. A program is often referred to as being “certified” or “approved.”

Child Care License – The State, local and sometimes Tribal government’s permission, provided by law, for an individual or organization to care for children, after demonstrating compliance with licensing standards.

Complaints – Information received from a parent or someone else in the community that children are at risk in a child care program or that something has happened that they believe is a violation of the Tribal child care standards.

Compliance Threshold – This term refers to what is required for someone to demonstrate compliance with or meet a standard.

Continuous Compliance – With a license or approval, the expectation is for compliance with all standards at all times, throughout the terms of the license or approval, not just once or twice a year.

Comprehensive Background Check – This refers to the background screening of a person who applies for a license/approval or to be a caregiver in a child care programs, as required in the State and/or Tribe’s standards. The comprehensive background screening should include the following:

♦ A search of the State criminal and sex offender registry or repository in the State where the child care staff member resides, and each State where such staff member resided during the preceding 5 years;

♦ A search of State-based child abuse and neglect registries and databases in the State where the child care staff member resides, and each State where such staff member resided during the preceding 5 years; and

♦ A Federal Bureau of Investigation fingerprint check using Next Generation Identification.

♦ A search of the National Crime Information Center’s national sex offender registry

♦ A check of the current state of resident criminal repository/registry with use of fingerprint.

Due Process – Whenever an enforcement action is taken against a provider who is licensed or approved, the person/organization has the right to be heard. This means that the person has an opportunity to have the Tribe/State explain why the license/approval is being taken away and the provider has a chance to say why she/he should be able to keep that license or approval to continue to receive federal child care subsidy.

Enforcement – This term refers to all actions taken by the Tribal Lead Agency, both positive and negative, to help providers come into and remain in compliance with the CCDF and tribal standards. The policies and procedures outline the tools that are used to advise providers that corrections are needed for them to stay in compliance.

Inspection – A licensing/approval inspection is a thorough examination of the applicant or licensed/approved provider to determine compliance with the CCDF/State/tribal standards. This can be referred to as monitoring.

Interpretive Guidelines – Formal notes that help to explain to providers what each standard means, how a provider can meet the standard, and how the monitoring staff will determine compliance.
License-Exempt – Child care programs that are not required, by law, to be licensed in certain Tribal jurisdictions.

Monitoring – This term refers to the inspection of child care centers and family child care homes to determine if they are meeting the tribal child care licensing or approval standards.

Procedures – This term refers to the details of each licensing/approval step for the policy that has been developed. Procedures tell the licensor/monitoring staff what to do in each step of the licensing/approval and monitoring process.

Revocation – This term refers to the action taken by the Tribe as the licensing/approval agency to take the license/approval certificate away, which happens when the home/center has such serious non-compliance that children in care are, or could be, severely harmed.

Self-Assessment – This term refers to the process the provider can use between the formal monitoring visits to make sure they remain in continuous compliance (all the time) with the CCDF and tribal child care standards.

Standards – This term is defined as the health and safety requirements that Tribal child care providers must meet.

Technical Assistance – This term refers to the assistance given to applicants and licensed/approved providers to help them come into compliance with the child care standards and to remain in compliance. Technical assistance is offered during each monitoring visit.

Violation – This term is used when a provider is not meeting a particular child care standard or the law. It is often referred to as non-compliance.

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