

CCDF Tribal Plan Preprint Training

FY 2020–2022 CCDF Tribal Plan Preprint

Section 6: Ensure Equal Access to High-Quality Child Care for Low-Income Children



**National Center on Tribal
Early Childhood Development**

Section 6 Overview (for Tribes with medium and large allocations)

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- ◆ **6.1:** Description of Direct Child Care Services
- ◆ **6.2:** Assessing Child Care Market Rates
- ◆ **6.3:** Setting Payment Rates for Child Care Services
- ◆ **6.4:** Payment Practices and Timeliness of Payments to Providers

Equal Access

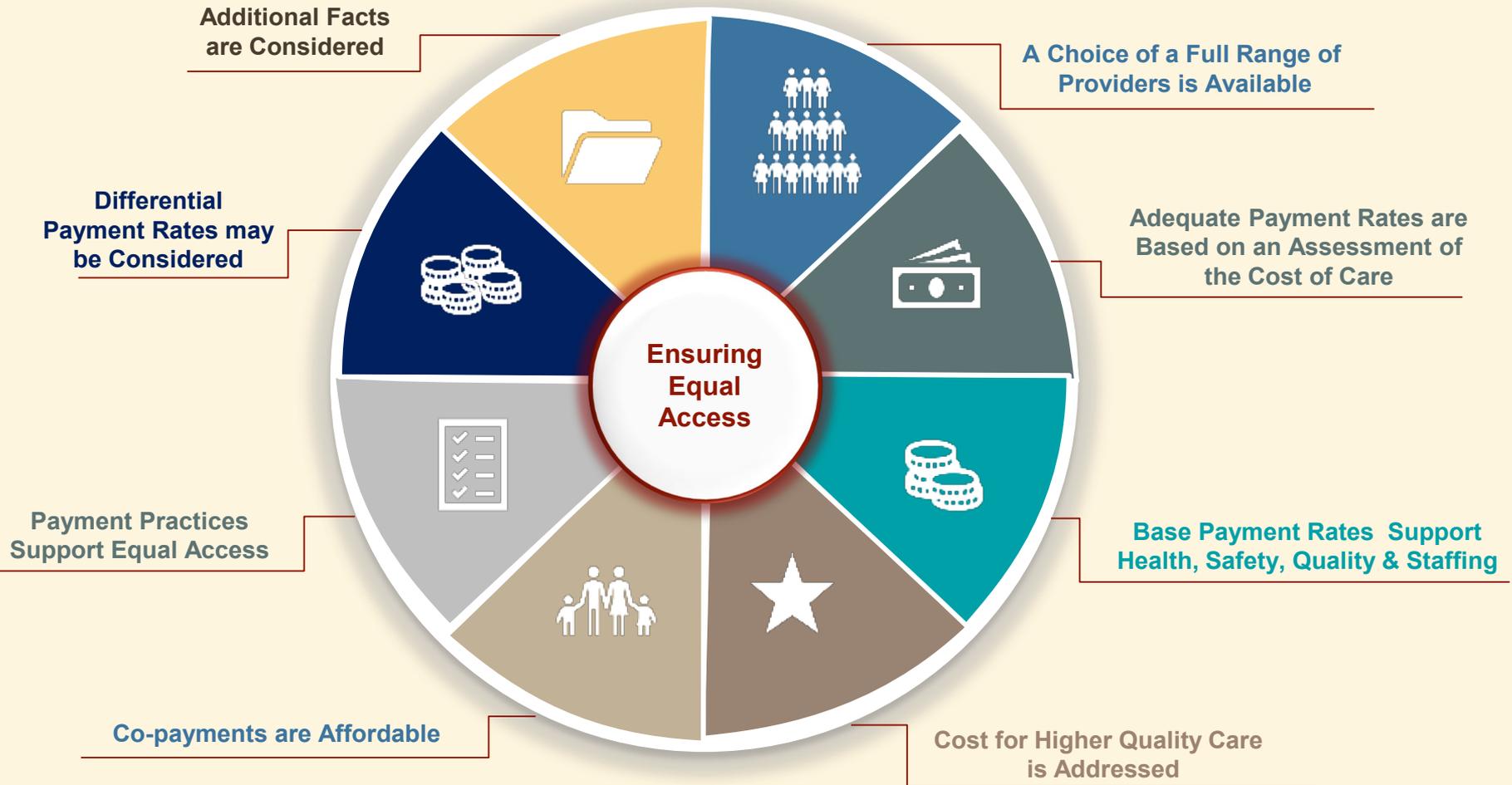
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- ◆ Tribal Lead Agencies must ensure that payment rates and practices support equal access to child care for families who are eligible for subsidies through the Child Care and Development Fund (CCDF). Care must be comparable to options available to families who are not eligible for CCDF.
 - This involves establishing sufficient provider payment rates for child care.
 - It also means ensuring timely provider payments based on generally accepted practices.

Child Care and Development Fund, 45 C.F.R. § 98.45(a) (2016).

Overview of Equal Access



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Description of Direct Child Care Services



Section 6.1

Direct Child Care Services

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Category of Care vs. Funding Mechanism

- ◆ Center-based child care
- ◆ Family child care
- ◆ In-home child care
- ◆ Child care certificate
- ◆ Grants and contracts
- ◆ Tribally operated center

Child Care and Development Fund, 45 C.F.R. § 98.2 (2016).

6.1.1 (a): Child Care Services— Categories of Care Offered

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The CCDF final rule established three categories of care:

- 1. Center-based child care:** A provider who is licensed or authorized to provide care for fewer than 24 hours per day in a nonresidential setting.
- 2. Family child care:** One or more individuals caring for children in a private residence that is not the children's residence.
- 3. In-home child care:** An individual who provides child care services in the child's own home.

Tribes with large allocations are required to operate a certificate program that permits parents to choose care from all three categories of care.

Child Care and Development Fund, 45 C.F.R. § 98.2 (2016).

6.1.1 (b): Child Care Services—

Limits on In-home Care

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- ◆ Tribal Lead Agencies may adopt policies that limit the use of in-home care.
- ◆ Tribal Lead Agencies must describe limitations in their CCDF Plans, including reasons for such limits.

Restrictions on in-home care can include, but are not limited to, the following:

- ◆ A minimum number of children due to the Fair Labor Standards Act (minimum wage)
- ◆ A minimum provider age
- ◆ Requirements about the hours of care provided
- ◆ Only allowing care by relatives
- ◆ Only allow care for children with special needs or medical conditions
- ◆ Additional health and safety requirements

Child Care and Development Fund, 45 C.F.R. § 98.30(e)(1)(iii) (2016).

Think-Pair-Share

- ◆ Does your Tribal Lead Agency allow in-home care?
- ◆ Does your Tribal Lead Agency have any limits on in-home care? If so, why?



6.1.1 (c): Funding for Direct Child Care Services

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- ◆ Direct services can be provided through the following:
 - **Child care certificate:** A certificate that a Tribal Lead Agency issues directly to a parent who may use the certificate only as payment for child care services or as a deposit for child care services.
 - **Grants and contracts:** A Tribal Lead Agency chooses to contract with, or provide grants to, eligible providers to make child care slots available to families who participate in the Tribe's child care assistance program.
 - **Tribally operated center:** A child care center operated by the Tribal Lead Agency.

Tribes with medium allocations may be selective about the funding mechanisms they provide, and if they offer certificates, they are not required to offer certificates for all provider types.

Child Care and Development Fund, 45 C.F.R. § 98.2 (2016).

Tribally-Operated Centers Only

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- ◆ If you are a Tribe with a medium allocation

AND

- ◆ If you ONLY offer services through Tribally operated centers

Then,

- ◆ Skip to Section 7

6.1.1 (d): Child Care Services— Grants and Contracts

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A Tribal Lead Agency can contract with or provide a grant to child care providers as a strategy to build the supply of high-quality care in underserved areas or for vulnerable populations.

Examples include, but are not limited to, providing grants and contracts to providers who do the following:

- ◆ Offer native language education or a culturally based curriculum
- ◆ Serve specific populations
- ◆ Serve children needing nontraditional hours of care
- ◆ Meet higher quality standards
- ◆ Offer financial incentives for teaching staff who reach higher levels of education or qualifications

Tribes with medium allocations that provide services exclusively through a Tribally operated center can skip this question in the CCDF Plan.

6.1.2: Parental Choice Discussion

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How are parents informed of the option to choose from the full range of child care provider categories?

Strategies include, but are not limited to, the following:

- ◆ Certificate that also includes information about the choice of high-quality providers
- ◆ Consumer education materials on choosing child care
- ◆ Verbal communication at the time of application
- ◆ Community outreach, workshops, or other in-person activities

Tribes with medium allocations that provide services exclusively through a Tribally operated center can skip this question in the CCDF Plan.

Plan Writing Time

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10 minutes



Questions

- ◆ 6.1.1
- ◆ 6.1.2

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Assessing Child Care Market Rates

Section 6.2



6.2: Assessing Child Care Market Rates

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- ◆ Tribal Lead Agencies are exempt from the requirement to conduct a market rate survey or alternative methodology.
- ◆ Tribal Lead Agencies are required to set sufficient base payment rates to provide equal access to the full range of child care services, and set rates that cover the costs of providing higher quality care.
- ◆ Tribes with large allocations must operate certificate programs and are required to show how payment rates are adequate.

Tribes with medium allocations that provide services exclusively through a Tribally operated center can skip this question in the CCDF Plan.

Child Care and Development Fund, 45 C.F.R. § 98.45(a), 98.83(d)(1)(iv) (2016).

6.2.1: Assessing the Cost of Care— Walk-About Activity

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- ◆ How does the Tribal Lead Agency assess the cost of care?
 - State market rate survey
 - State alternative methodology
 - Child care resource and referral data
 - Tribal market rate survey
 - Other



Tribes with medium allocations that provide services exclusively through a Tribally operated center can skip this question in the CCDF Plan.

Plan Writing Time

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5 minutes



Questions

◆ 6.2.1

Tribes with medium allocations that provide services exclusively through a Tribally operated center can skip this question in the CCDF Plan.

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Setting Payment Rates for Child Care Services



Section 6.3

6.3: Setting Payment Rates for Child Care Services

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Tribal Lead Agencies are required to establish payment rates for child care services that ensure eligible families have equal access to child care services comparable to those services provided to families not eligible to receive CCDF services.

Tribal Lead Agencies must describe how:

- ◆ payment rates are established;
- ◆ base payment rates cover the costs of the health, safety, quality, and staffing requirements;
- ◆ base payment rates support quality;
- ◆ payment rates reflect the variety of care offered;
- ◆ tiered payment or differential (add-on) rates are used, if applicable; and
- ◆ payment rates ensure equal access.

Tribes with medium allocations that provide services exclusively through a Tribally operated center can skip this question in the CCDF Plan.

Child Care and Development Fund, 45 C.F.R. § 98.45(a) (2016).

6.3.1: Establishing Payment Rates–Discussion

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- ◆ How does your Tribal Lead Agency establish payment rates?
 - How does the Tribal Lead Agency use data from your assessment of child care rates?
 - What factors do you consider when setting rates?

Tribes with medium allocations that provide services exclusively through a Tribally operated center can skip this question in the CCDF Plan.

6.3.2 and 6.3.3: Base Payment Rates

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Base payment rates typically include the following:

- ◆ Provider salaries and benefits
- ◆ Training and professional development costs
- ◆ Cost of curricula and supplies
- ◆ Group sizes and ratios
- ◆ Facility costs

Tribal Lead Agencies must describe how their base payment rates do the following:

- ◆ 6.3.2: Enable providers to meet the health, safety, quality, and staffing requirements under CCDF
- ◆ 6.3.3: Support quality and meet the needs of the Tribal communities they serve (for example, cultural and linguistic appropriateness)

Tribes with medium allocations that provide services exclusively through a Tribally operated center can skip this question in the CCDF Plan.

6.3.4: Tribal Lead Agency Payment Rates

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Payment rates

- ◆ Should reflect the variety of care offered in your program
- ◆ Must take into account the cost of care to providers
- ◆ May be different for different kinds of care
- ◆ Cannot be based on a family's eligibility or circumstances

Tribal Lead Agencies are required to do the following:

- ◆ Attach the Tribal Lead Agency's payment rates
- ◆ Include all payment rates and definition of service areas in the attached payment rates
- ◆ Include the effective date of the attached payment rates

Tribes with medium allocations that provide services exclusively through a Tribally operated center can skip this question in the CCDF Plan.

Payment Rates: Example

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Center-Based Care

	Full Time	Part Time
0–12 months	\$1,000.00	\$500.00
13–36 months	\$800.00	\$400.00
37–60 months	\$700.00	\$350.00
61–144 months	\$600.00	\$300.00

In-Home Care

	Full Time	Part Time
0–12 months	\$675.00	\$337.50
13–36 months	\$600.00	\$300.00
37–60 months	\$487.50	\$243.75
61–144 months	\$412.50	\$168.75

Family Child Care

	Full Time	Part Time
0–12 months	\$900.00	\$450.00
13–36 months	\$800.00	\$400.00
37–60 months	\$650.00	\$325.00
61–144 months	\$550.00	\$225.00

Differentiated Rates for Children with Special Needs

	Full Time	Part Time
0–12 months	\$1,012.50	\$506.25
13–36 months	\$900.00	\$450.00
37–60 months	\$731.25	\$365.63
61–144 months	\$618.75	\$253.13

6.3.5: Tiered Payment or Differential (Add-on) Rates

Tribal Lead Agencies can choose to establish tiered rates, differential rates, or add-on rates to their base rates to increase payments for targeted needs.

Examples include, but are not limited to, differential rates for the following:

- ◆ Nontraditional hours
- ◆ Children with special needs
- ◆ Infants and toddlers
- ◆ School-age programs
- ◆ Higher quality care
- ◆ Other (for example, location, native language speakers, professional development milestones)

Tribes with medium allocations that provide services exclusively through a Tribally operated center can skip this question in the CCDF Plan.

6.3.6: Determining that Payment Rates Are Sufficient to Ensure Equal Access—Discussion

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Now that you've proposed your rates for the next CCDF Plan cycle, how do you know those rates ensure equal access?

Tribal Lead Agencies must provide a description of the rationale that they use to determine equal access.

Examples include, but are not limited to, the following:

- ◆ Feedback from parents
- ◆ Feedback from providers
- ◆ The use of tiered rates/differential rates
- ◆ Payment rates are set at the 75th percentile or higher of the most recent state or Tribal market rate survey

Tribes with medium allocations that provide services exclusively through a Tribally operated center can skip this question in the CCDF Plan.

Plan Writing Time

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25 minutes



Questions

- ◆ 6.3.1
- ◆ 6.3.2
- ◆ 6.3.3
- ◆ 6.3.4 and attachment
- ◆ 6.3.5
- ◆ 6.3.6

Tribes with medium allocations that provide services exclusively through a Tribally operated center can skip this question in the CCDF Plan.

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Payment Practices and Timeliness of Payments to Providers

Section 6.4



6.4: Payment Practices and Timeliness of Payments to Providers

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Tribal Lead Agencies must describe how they do the following:

- ◆ Ensure timely payments to providers
- ◆ Support the fixed costs of providing services by delinking payments from occasional absences
- ◆ Use “generally accepted practices” of local providers who care for children not receiving CCDF financial assistance
- ◆ Ensure that child care providers are paid based on a payment agreement or an authorization for services
- ◆ Give prompt notice to providers when there is a change to a family’s eligibility status that will affect payment
- ◆ Establish timely appeal and resolution processes for any payment inaccuracies and disputes

Tribes with medium allocations that provide services exclusively through a Tribally operated center can skip this question in the CCDF Plan.

Child Care and Development Fund, 45 C.F.R. § 98.45(l) (2016).

6.4.1: Timeliness of Payments

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Tribal Lead Agencies must ensure timeliness of payments by:

- ◆ paying providers before care is provided; or
- ◆ paying within no more than 21 calendar days of receipt of a complete invoice.

Tribal Lead Agencies must select which option they are using and describe their policies and procedures in their CCDF Plans.

Tribes with medium allocations that provide services exclusively through a Tribally operated center can skip this question in the CCDF Plan.

Child Care and Development Fund, 45 C.F.R. § 98.45(l) (2016).

6.4.2: Delinking Payments from Occasional Absences

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Tribal Lead Agencies must support the fixed costs of providing child care services by delinking provider payments from a child's occasional absences.

Tribal Lead Agencies must establish one of the following policies:

- ◆ Paying based on enrollment versus attendance
- ◆ Providing full payment if the child attends at least 85 percent of the authorized time
- ◆ Providing full payment if the child is absent for 5 or fewer days in a month
- ◆ Using and describing an alternative approach, subject to approval by the Office of Child Care

Tribes with medium allocations that provide services exclusively through a Tribally operated center can skip this question in the CCDF Plan.

Child Care and Development Fund, 45 C.F.R. § 98.45(l) (2016).

6.4.3: Generally Accepted Payment Practices

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Tribal Lead Agencies must have payment practices that reflect the generally accepted payment practices of providers who do not receive CCDF subsidies, including the following:

- ◆ Paying on a full- or part-time basis (instead of hourly, or smaller blocks of time)
- ◆ Paying for reasonable mandatory registration fees that the provider charges to private paying parents

Tribal Lead Agencies must either:

- ◆ describe their policies or procedures for implementing each payment practice; or
- ◆ describe why the payment practice is not generally accepted in its service area or among particular categories or types of providers.

Tribes with medium allocations that provide services exclusively through a Tribally operated center can skip this question in the CCDF Plan.

Child Care and Development Fund, 45 C.F.R. § 98.45(l) (2016).

Small Group Discussion

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- ◆ 6.4.4: How does your Tribal Lead Agency ensure that providers are paid based on a written agreement or authorization?
- ◆ 6.4.5: How do you give prompt notice of family eligibility changes that could impact payments to providers?
- ◆ 6.4.6: How does your Tribal Lead Agency ensure it has a timely appeal and resolution process for payment mistakes and disputes?

Tribes with medium allocations that provide services exclusively through a Tribally operated center can skip this question in the CCDF Plan.

Plan Writing Time

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10 minutes



Questions

- ◆ 6.4.1
- ◆ 6.4.2
- ◆ 6.4.3
- ◆ 6.4.4
- ◆ 6.4.5
- ◆ 6.4.6

Tribes with medium allocations that provide services exclusively through a Tribally operated center can skip this question in the CCDF Plan.

Reflections on Section 6

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- ◆ What **questions** do you still have regarding this CCDF Plan section?
- ◆ What **strategies** would you like to apply in your CCDF program?
- ◆ What are your **next steps** for completing this CCDF Plan section?
- ◆ What **technical assistance** might you need to support your next steps?

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Thank You



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