



National Center on Tribal Early Childhood Development

Building Comprehensive Monitoring Systems in Your Child Care and Development Fund Program

Office of Child Care's 2018 American Indian
and Alaska Native Regional Conference



Objectives

- ◆ Participants will explore strategies to inform their monitoring implementation approach under the Child Care and Development Fund (CCDF) final rule.
- ◆ Participants will identify implementation action steps for their programs to take toward fully implementing the monitoring requirements.
- ◆ Participants will share ideas and strategies with their peers.

Agenda

- ◆ Welcome and check-in
- ◆ American Indian and Alaska Native (AI/AN) CCDF requirements
- ◆ Exploring monitoring approaches
- ◆ Discussion
- ◆ Resources
- ◆ Next steps

Check-In Questions

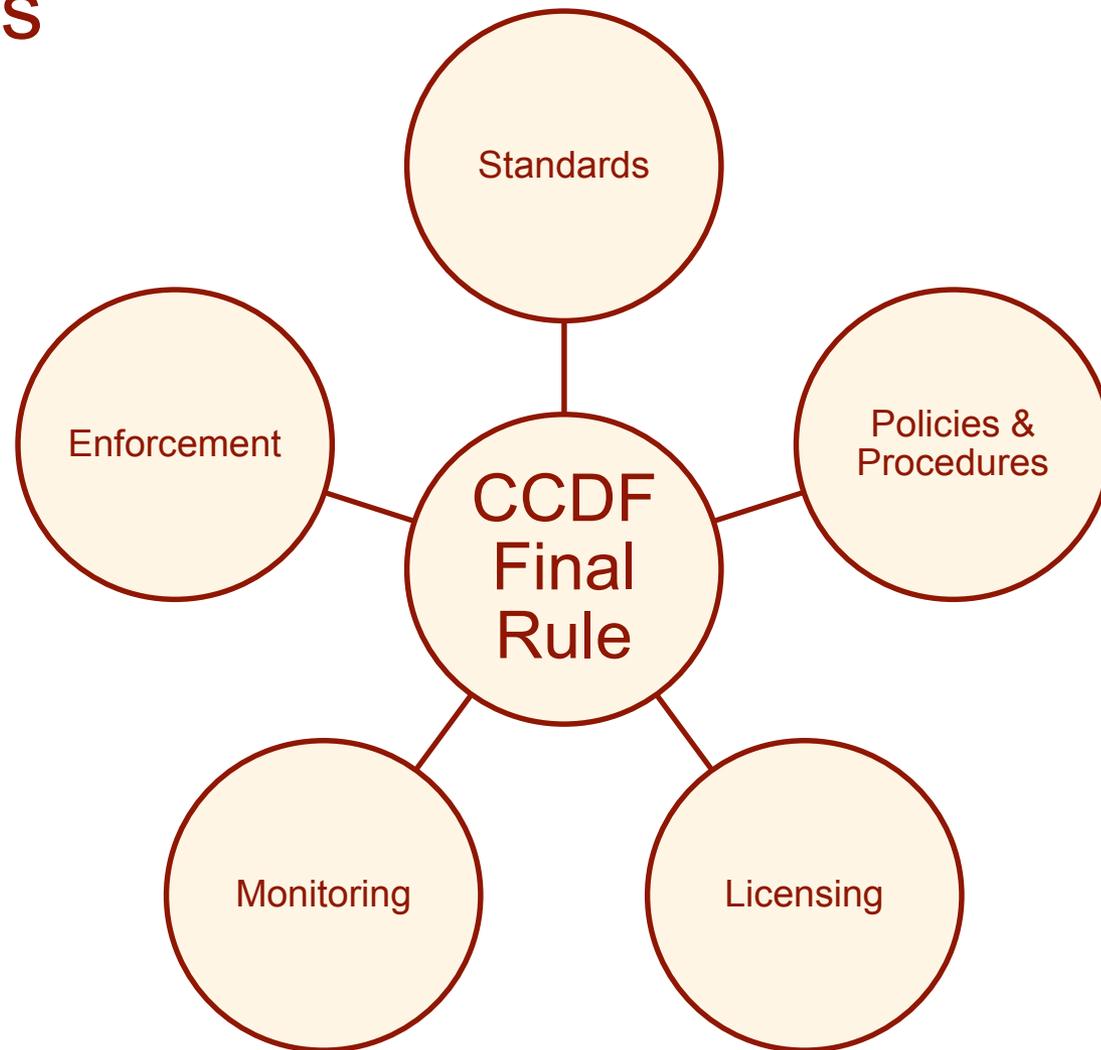
Raise your hand if...

- ◆ You operate only a tribally operated center
- ◆ You operate only a certificate program
- ◆ You operate both a certificate program and a tribally operated center
- ◆ Your providers are tribally licensed
- ◆ Your providers are state-licensed
- ◆ Your providers are both tribally licensed and state-licensed

What Brought You Here?

Using the post-it notes, please write down two questions that you have regarding implementing monitoring and enforcement systems in your CCDF program.

Components of Effective Monitoring Systems





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Monitoring and Enforcement in the CCDF Final Rule

Health and Safety Regulations Overview

- ◆ Health and safety regulations apply to **all AI/AN CCDF grantees**, including all providers who receive CCDF funds*
- ◆ Requirements include implementation of health and safety: standards, training, monitoring, and criminal background checks
- ◆ Grantees have flexibility to propose alternative monitoring methodology
- ◆ Compliance will be determined with review and approval of 2020–2022 CCDF Plans

*AI/AN grantees can choose to exempt relative care providers from health and safety requirements.

Child Care and Development Fund, 45 C.F.R. § 98.41 (2016).

Required Health and Safety Topics

11 required health and safety topics:

1. Prevention and control of infectious diseases (including immunizations)
 2. Prevention of sudden infant death syndrome and use of safe sleeping practices
 3. Administration of medication, consistent with standards for parental consent
 4. Prevention of and response to emergencies due to food and allergic reactions
 5. Building and physical premises safety
 6. Prevention of shaken baby syndrome, abusive head trauma, and child maltreatment
 7. Emergency preparedness and response
 8. Handling and storage of hazardous materials and the appropriate disposal of biocontaminants
 9. Appropriate precautions in transporting children, if applicable
 10. Pediatric first aid and cardiopulmonary resuscitation
 11. Recognition and reporting of child abuse and neglect
- Additional standards for monitoring:**
- ◆ Group size limits for specific age groups
 - ◆ Child-caregiver ratios for specific age groups
 - ◆ Required qualifications for caregivers.

Child Care and Development Fund, 45 C.F.R. § 98.41 (2016).

Monitoring Requirements

AI/AN CCDF grantees must have requirements for health, safety, fire, monitoring, and inspection as follows:

- ◆ Licensed* or regulated CCDF providers
 - One prelicensure inspection
 - An annual unannounced inspection
- ◆ License-exempt CCDF providers
 - An annual inspection
- ◆ Or AI/AN CCDF grantees may describe an **alternative monitoring approach** in their CCDF Plan and provide adequate justification for the approach

*AI/AN CCDF grantees are not required to have licensing requirements for child care.



Child Care and Development Fund, 45 C.F.R. §§ 98.42, 98.83 (2016).

Let's Discuss

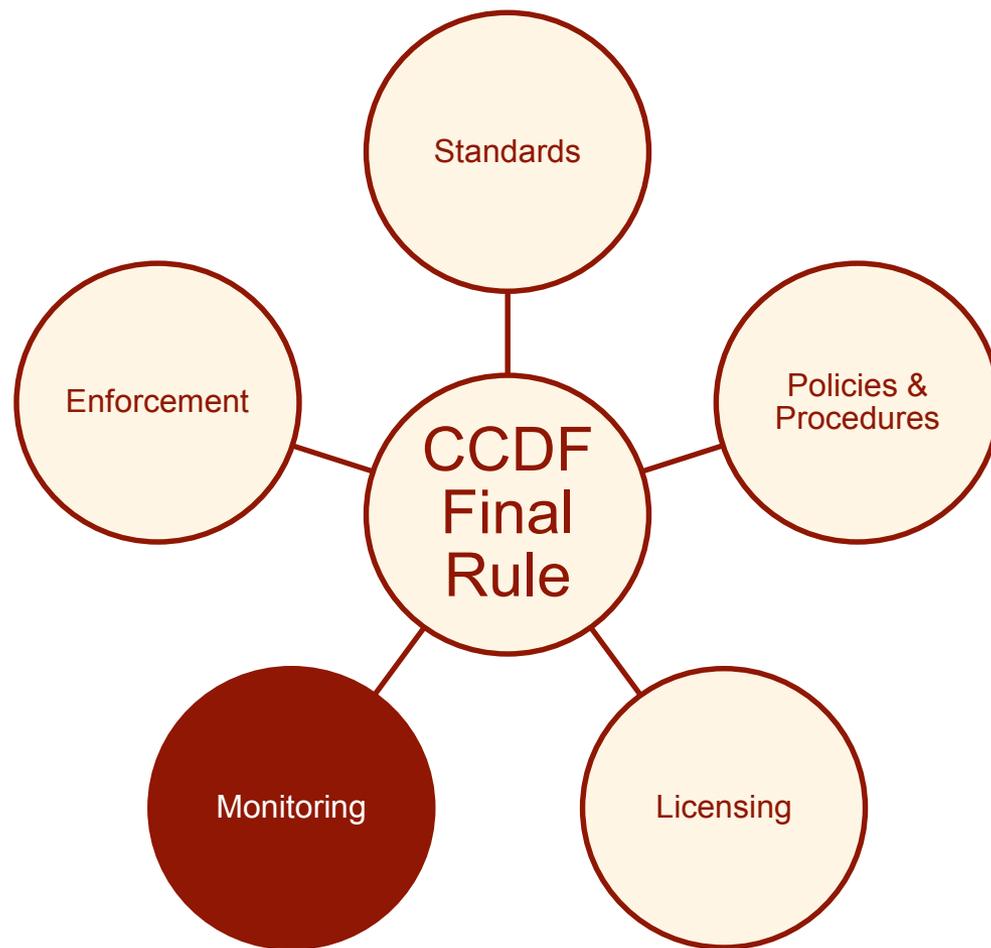
What concerns you about these requirements?





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Monitoring



American Indian and Alaska Native Child Care and Development Fund Monitoring Toolkit

◆ Three guides

- *Developing Child Care Monitoring and Enforcement Systems*
- *Monitoring Child Care Centers*
- *Monitoring Child Care Homes*

◆ Sample forms

◆ Three videos

- Tribally operated centers
- Center-based providers
- Home providers

Available at

<https://childcareta.acf.hhs.gov/resource/american-indian-and-alaska-native-child-care-and-development-fund-monitoring-toolkit>

These guides were originally published by the National Center on Tribal Child Care Implementation and Innovation under contract #HHSP23320110017YC. The current versions were updated in 2017 by the National Center on Tribal Early Childhood Development (under contract #HHSP233201600353G) for the Office of Child Care, Administration for Children and Families, U.S. Department of Health and Human Services.

Monitoring Providers

CCDF Administrators are responsible for ensuring that providers are monitored by

- ◆ knowing standards,
- ◆ conducting regular inspections, and
- ◆ monitoring providers in person.



Developing Child Care Monitoring and Enforcement Systems: A Guide for American Indian and Alaska Native Grantees (pp. 4–5).

Monitoring Tools

- ◆ Checklists for standards
- ◆ Inspection forms
- ◆ Surveys
- ◆ Observations
- ◆ Other forms of assessing health and safety



Developing Child Care Monitoring and Enforcement Systems: A Guide for American Indian and Alaska Native Grantees (p. 8).

Inspections

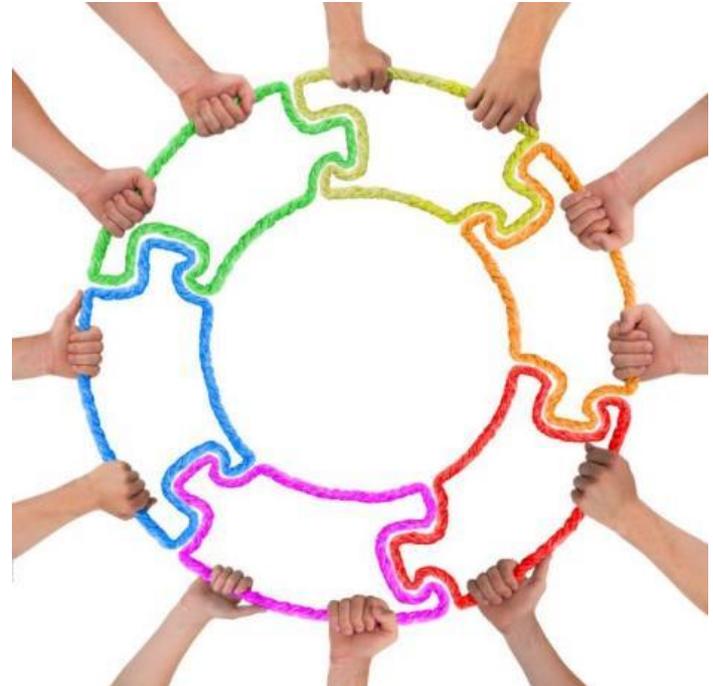
- ◆ Providers must know what the standards are and how to meet them.
- ◆ Providers need to understand the monitoring process and what to expect before, during, and after.
- ◆ Lead Agencies should create processes and resources that help everyone understand responsibilities.



Developing Child Care Monitoring and Enforcement Systems: A Guide for American Indian and Alaska Native Grantees (pp. 9–10).

Monitoring State-Licensed Providers

Coordination with the state licensing agency is required to ensure that providers are meeting standards of both the state and the AI/AN Lead Agency.



Developing Child Care Monitoring and Enforcement Systems: A Guide for American Indian and Alaska Native Grantees (pp. 10–11).

Reasons to Monitor

- ◆ The primary purpose of monitoring is to **determine compliance with standards.**
- ◆ Other purposes include the following:
 - Supporting providers with meeting standards
 - Identifying provider challenges
 - Providing resources on health and safety, best practices, and quality improvement
 - Ensuring health and safety of children

Developing Child Care Monitoring and Enforcement Systems: A Guide for American Indian and Alaska Native Grantees (p. 4).

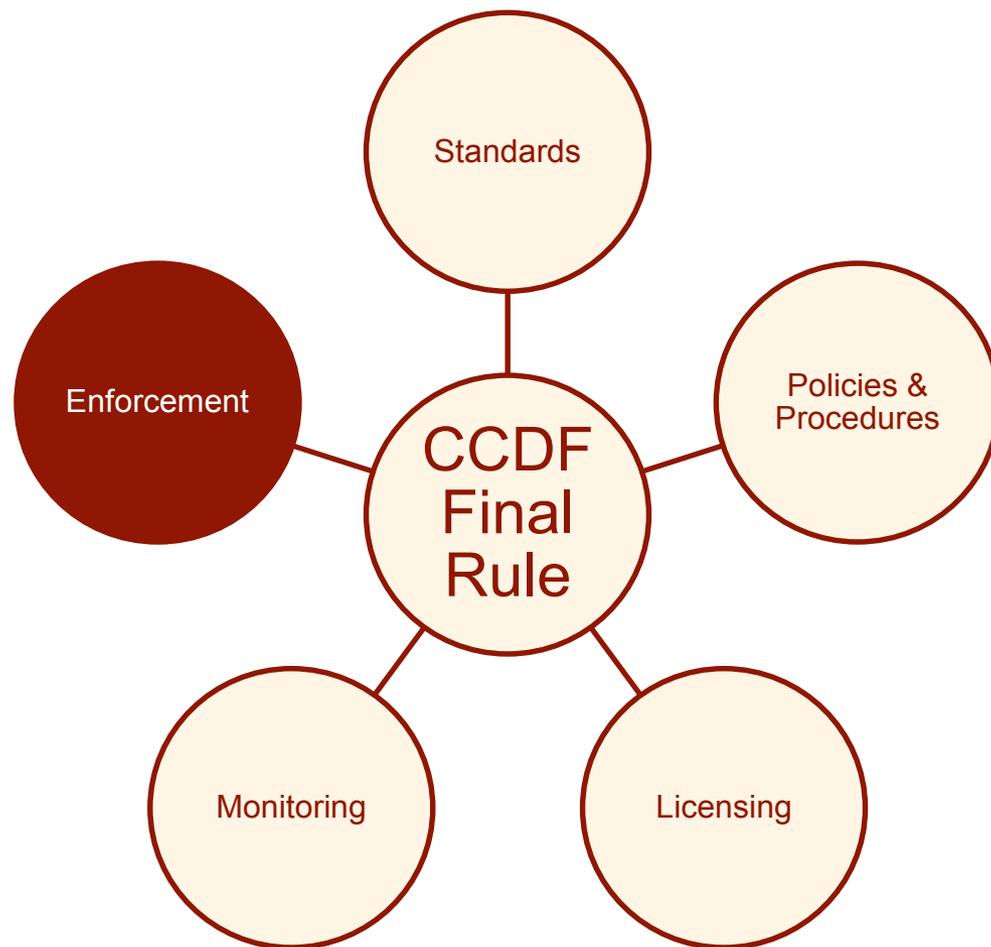
Let's Discuss

- ◆ In your CCDF program, who will be conducting provider monitoring inspections?
- ◆ How often will the provider monitoring inspections occur?
- ◆ What specific items will your provider monitoring inspection visits include?



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Enforcement



Enforcement

What do you do if facilities do not meet the standards?

- ◆ Enforce standards according to policies and procedures
- ◆ Follow procedures to inform providers about corrections and provide support

Developing Child Care Monitoring and Enforcement Systems: A Guide for American Indian and Alaska Native Grantees (p. 15).

Enforcement Tools

- ◆ Plan of correction: The Lead Agency and the provider develop and outline how the provider will correct the violation or violations found during the visit.
- ◆ Administrative review: If the provider does not meet the standard at a follow-up visit, the Lead Agency can conduct an administrative review of the monitoring or licensing record to decide whether to continue subsidy payments.

Developing Child Care Monitoring and Enforcement Systems: A Guide for American Indian and Alaska Native Grantees (p. 15).

Serious or Repeated Noncompliance

- ◆ Noncompliance letter
- ◆ Witnessed visits
- ◆ Office conference
- ◆ Consent agreement
- ◆ Contract cancellation
- ◆ Revocation and denial
- ◆ Emergency order

Developing Child Care Monitoring and Enforcement Systems: A Guide for American Indian and Alaska Native Grantees (pp. 15–16).

Due Process and Appeals

- ◆ Whenever an enforcement action is taken against a provider, the provider should have the right to due process.
- ◆ Due process will look different for providers with licenses, approvals, and contracts or agreements.
 - The elements of due process should be outlined in policies and procedures.

Developing Child Care Monitoring and Enforcement Systems: A Guide for American Indian and Alaska Native Grantees (p. 17).

Training for Monitoring Staff

Monitors for your CCDF program must be qualified and trained on the following:

- ◆ CCDF regulations
- ◆ Program standards
- ◆ Monitoring policies and procedures
- ◆ Tools and checklists
- ◆ Enforcement processes

Developing Child Care Monitoring and Enforcement Systems: A Guide for American Indian and Alaska Native Grantees (p. 12).

Training for Monitoring Staff

- ◆ Develop in-person training sessions.
- ◆ Reach out to the state licensing agency about participating in training.
- ◆ Use [National Association for Regulatory Administration](#) (NARA) online training courses.
- ◆ Contact the Office of Child Care for technical assistance, support, training, and videos.

Developing Child Care Monitoring and Enforcement Systems: A Guide for American Indian and Alaska Native Grantees (p. 12).

Training for Providers

Lead Agencies can support providers by providing the following:

- ◆ One-on-one technical assistance and case-specific guidance
- ◆ Resource materials
- ◆ Provider trainings

Developing Child Care Monitoring and Enforcement Systems: A Guide for American Indian and Alaska Native Grantees (p. 9).

Let's Discuss

- ◆ In your CCDF program, what will your enforcement processes look like?
- ◆ How will you ensure that your monitoring staff are qualified and trained?



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Monitoring Considerations



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Spotlight on Monitoring

Maintaining Provider Files

Lead Agencies should maintain a file for each provider to document important records, such as the following:

- ◆ Provider's application for licensing, approval, or certification
- ◆ A copy of the provider's license, approval, or certificate
- ◆ Background checks, health records, and other forms required during the application process
- ◆ All completed monitoring inspection documents
- ◆ A record of any complaints
- ◆ Letters or notifications regarding any violations

Developing Child Care Monitoring and Enforcement Systems: A Guide for American Indian and Alaska Native Grantees (p. 9).

Informing Providers

- ◆ Clearly communicate program standards and how compliance will be verified.
- ◆ Inform providers of expectations:
 - How often they will be monitored
 - Who will monitor
 - What will happen during the visit
 - What is expected after the monitoring visit
 - How monitoring results will be documented or verified

Developing Child Care Monitoring and Enforcement Systems: A Guide for American Indian and Alaska Native Grantees (p. 10).

Provider Self-Assessment

- ◆ Continuous compliance is expected to ensure safe, healthy environments.
- ◆ Self-assessment is an ongoing practice that can be used between formal monitoring visits to ensure continuous compliance with standards.

Developing Child Care Monitoring and Enforcement Systems: A Guide for American Indian and Alaska Native Grantees (p. 10).

Suggestions for Partnering with States

- ◆ Establish and maintain a relationship with the state licensing agency
- ◆ Consider developing formal agreements
- ◆ Know and understand state requirements
- ◆ Provide culturally relevant information

Developing Child Care Monitoring and Enforcement Systems: A Guide for American Indian and Alaska Native Grantees (p. 11).



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Resources

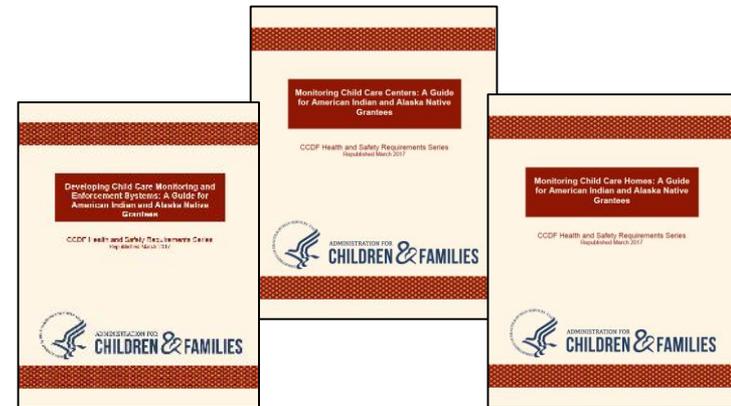


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AI/AN CCDF Monitoring Toolkit

Toolkit Components

- ◆ Three guides
 - Developing Monitoring Systems
 - Monitoring Centers
 - Monitoring Homes
- ◆ Sample forms
- ◆ Three videos
 - Tribally operated centers
 - Center-based providers
 - Home providers



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Sample Memorandum of Understanding

Monitoring Appendix D

Sample Memorandum of Understanding

I. PURPOSE

The purpose of this agreement is to establish and maintain an effective cooperative relationship between the _____ Tribal Nation and the State of _____, Department of Human Services, Division of Child Care, and to share information regarding licensed child care facilities in the _____ counties with which the _____ Tribal Nation has children in state licensed facilities and to share client information concerning child care assistance.

II. LEGAL BASIS

The Department of Health and Human Services, Administration for Children and Families has promulgated certain rules promoting coordination and consultation of said parties. Specifically, Federal Register/Vol. 57 No. 150/Tuesday, August 4, 1992/Rules Regulations 98.12 Coordination and Consultation. The lead agency must: © Coordinate to the maximum extent feasible, with any Indian tribes in the state submitting applications in accordance with subpart 1 of this part. Coordination (Section 98.82 of the Regulations) Section 8500(c) (2) (A) of the Act requires Tribal applicants to coordinate to the maximum extent feasible, with the lead agency in the state or states in which the applicant will carry out the Block Grant Program.

The _____ Child Care Licensing Program and the Department of Human Services, Division of Child Care agree to consult, coordinate, and share case documents to promote, support and service licensed child care facilities and the children they serve in the service delivery area of the _____ Nation.

The _____ Nation Licensing Program and the Department of Human Services, Division of Child Care agree to maintain standards of confidentiality with regard to interagency communication concerning joint clientele. Division of Child Care supervisors assigned to the identified service area and the _____ will be key individuals to assure that agreed upon information is shared.

The both agencies agree to share monitoring information on mutually licensed and contracted facilities, exchange of case documents, the coordination of complaint investigations, and to notify each other of denials, revocations, or injunctions against the operation of any contracted facilities in the service area.

III. MISCELLANEOUS PROVISIONS

- A. All provisions of the agreement will become effective upon the signature of all persons shown below.
- B. Media and technical information releases which involve the cooperative efforts of the _____ Nation Licensing Program and the _____ Department of Human Services, Division of Child Care will be mutually agreed upon by the respective agencies prior to their release.
- C. All information regarding child care assistance clients is confidential and will be safeguarded by both agencies, except what is designated as public record.

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Additional Resources

Health and Safety Resource Lists

- ◆ Staff Training and Support (handout)
- ◆ Standards, Policies, and Monitoring Systems (handout)
- ◆ Health and Safety Program Practice (handout)



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Next Steps

Action Planning Time

Implementation Planning Notes

◆ Action steps



Reflective Evaluation

What worked today?

What do you want more of?

**National Center on Tribal Early Childhood Development,
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