

# Checklist: Getting Ready for Your Child Care and Development Fund Plan Submission

## Background

In order to receive the Child Care and Development Fund (CCDF) funding, Tribes must develop and submit a Tribal CCDF Plan to the Administration for Children and Families (ACF) Office of Child Care (OCC) **every 3 years.**<sup>1</sup>

The completed CCDF Plan serves as each Tribe's application for CCDF funds by providing a description of its child care program and services available to eligible families. The CCDF Plan contains specific assurances and certifications regarding the Tribe's CCDF program, as required by the Child Care and Development Block Grant Act of 2014 and the regulations in the 2016 CCDF Final Rule. The Tribal CCDF Plan is the application Tribes use to apply for their block grant funding by providing a description of, and assurances about, the Tribal Lead Agency's CCDF program and services for children, families and communities. The Plan also presents an opportunity for Tribes to list the many activities and services they are providing to meet the needs of low-income children and families.

The CCDF Plan process operates on a triennial cycle, with Plans due every 3 years. Tribes are currently within the fiscal year (FY) 2017–2019 CCDF Plan cycle, which is effective through September 30, 2019. In 2019, Tribes will submit new CCDF Plans for the FY 2020–2022 cycle that becomes effective October 1, 2019. **FY 2020–2022 Tribal CCDF Plans are due on September 6, 2019. As part of the CCDF Plan process, Tribes must submit a triennial child count declaration by July 1, 2019.**

**Note:** Tribes with an approved Public Law (P.L.) 102-477 Plan receive their CCDF funding through the Department of the Interior (DOI). All program and financial reporting for CCDF funds awarded under a P.L. 102-477 consolidated plan is made to the DOI. P.L. 102-477 Plans are submitted to the DOI and operate on a different timeline than the triennial CCDF Plans. For Tribes with current P.L. 102-477 Plans, compliance with the CCDF Final Rule will be determined based on the Tribe's next P.L. 102-477 Plan submission with an effective date of October 1, 2019 or later. Separate guidance will provide instructions on how to submit the next P.L. 102-477 Plans.

### Helpful Terms

- **Child Care and Development Block Grant (CCDBG) Act of 2014, or “CCDF reauthorization”:** The law that reauthorized the CCDF program and introduced legal changes to strengthen the health, safety, and quality of child care and provide more stable child care assistance to families. The CCDBG Act of 2014, along with Section 418 of the Social Security Act, authorizes the CCDF program.
- **Child Care and Development Fund Final Rule:** The CCDF Final Rule, published in 2016 by the Office of Child Care, defines how the Act applies to Tribes and outlines the federal regulations for implementing the CCDBG Act of 2014 and administering the CCDF program.
- **CCDF Plan Preprint:** The formatted planning document, provided triennially by the Administration for Children and Families' Office of Child Care, that contains all the questions Lead Agencies must answer in order to apply for CCDF funding.
- **CCDF Plan:** The completed CCDF Plan Preprint that serves as each Tribe's application for CCDF funds by providing a description of its child care program and services available to eligible families.

<sup>1</sup> Child Care and Development Fund, 45 C.F.R. § 98.81 (2016).

## Checklist

The key tasks outlined in this checklist are suggestions for Tribes as they develop their CCDF Plans. All policy and compliance questions should be directed to the OCC regional offices.

### Conduct Child Count – Due by July 1, 2019

Every three years, Tribes are required to submit a child count declaration form that certifies the number of Indian children under age 13 who reside within their service area [45 C.F.R § 98.81(b)(4)]. Tribes are required to submit their child count declaration by July 1, 2019. Conducting a child count involves the following:

- Make sure you have written policies and procedures for conducting your child count.
- Confirm definitions of “Indian child” and “service area.”
- Consortia only:** Submit requests to each participating Tribe to collect individual child counts.
  - ◆ **Tip:** Each child count must be signed by an individual authorized to act for that Tribe.
- Identify data sources and submit requests for data as needed.
- Determine your child count and document your methodology.
  - ◆ **Tip:** The child count must be completed no later than June 30, 2019, and no earlier July 1, 2018.
  - ◆ **Tip:** Tribes should document their child count methodology. Steps used to calculate the final count should be detailed enough that they are replicable and can be verified by an outside source such as an auditor.
- Consortia only:** Calculate total child count that is the sum of the child counts for all participating Tribes.
- Coordinate with all other Tribes that have overlapping or neighboring service areas to ensure an unduplicated count.
  - ◆ **Tip:** Tribes with neighboring or overlapping service areas will need to share information to ensure that they are aware of each other’s definitions of Indian child and service area. They will need to cross-reference their definitions and service areas to identify and resolve any duplicative counts.
  - ◆ **Tip:** Strategies include writing a letter, sending a formal email, conducting an in-person or virtual meeting, and developing a memorandum of understanding.
- Complete your child count declaration form.
- Obtain an official signature from an individual authorized to act for the Tribe.
- Submit your child count declaration to OCC by July 1, 2019.

## Gather Information

Compile resources and data that will help you understand the current state of program operations, CCDF Final Rule requirements, and your Tribe's priorities and goals.

- Confirm your allocation size for the FY 2020–2022 CCDF Plan cycle.
  - ◆ Tip: Allocation size for the FY 2020–2022 CCDF Plan cycle is based on FY 2016 funding amount. Small allocations are less than \$250,000, medium allocations are between \$250,000 and \$1 million, and large allocations are more than \$1 million. CCDF allocation information is available on the Office of Child Care website: <https://www.acf.hhs.gov/occ/resource/ccdf-funding-allocations>.
- Obtain a copy of your current CCDF Plan as a reference.
  - ◆ Tip: For drafting purposes, it is helpful to obtain an electronic copy of your CCDF Plan that allows you to copy and edit text.
- Locate your CCDF policies and procedures.
- Review the [2016 CCDF Final Rule](#) and gather related resources applicable based on the Tribe's allocation size.
  - ◆ Tip: The [Roadmap to Reauthorization Self-Assessment Tool](#) outlines CCDF Final Rule regulations and provides Tribes with a way to assess and track their readiness to meet the requirements.
- Access your Tribal Lead Agency's CCDF budget and expenditure reports and ACF 696-T reports from at least the past 3 years.
- Access your ACF-700 reports (Tribal Annual Report) from at least the past 3 years.
- Obtain information about your Tribe's priorities (Examples may include Tribal strategic plan, Tribal annual report, Tribal leadership directives, or Tribal initiatives).

## Plan and Schedule

Determine the individuals who need to be involved, identify key milestones, and develop a timeline to support a smooth Plan development process.

- Convene an internal workgroup to provide input and support the development of the CCDF Plan.
  - ◆ Tip: An internal workgroup may include, but is not limited to CCDF Lead Agency staff, Tribal administration representatives, fiscal department staff, directors of Tribally operated child care centers, child care providers, CCDF-eligible or participating families, and Head Start and Early Head Start policy council member(s) and family service coordinators, if relevant.
- Identify who will be responsible for major components of the Plan development process.
  - ◆ Tip: Establish a detailed timeline for the full CCDF Plan development process.

- Confirm deadlines for required approvals within the Tribe for the final CCDF Plan.
  - ◆ Tip: The CCDF Plan must include a signed cover letter from Tribal leadership.
- Identify and reach out to representatives from the Tribal or local government, state CCDF Lead Agency, and other federal, state, local, and Tribal partners to schedule meetings for the purposes of consultation and coordination (see the [Consult and Coordinate](#) section of this checklist for more information). [45 C.F.R. §§ 98.12, 98.14, 98.82].
- Tribal consortia only<sup>2</sup>:** Reach out to participating Tribes to begin collecting Tribal documentation that authorizes the consortium to receive CCDF funds on behalf of that Tribe or community [45 C.F.R. § 98.80(c)(1)].
- Develop a schedule for your CCDF Plan draft public hearing that allows for 20 days of notice (see the [Hold Public Hearing](#) section for more information) [45 C.F.R. § 98.14(c)].

## Plan Public Hearing

As part of the development of the CCDF Plan, Tribes are required to hold a public hearing to provide their communities with an opportunity to comment on the draft CCDF Plan and the proposed provision of child care services as outlined in the draft. Steps includes:

- Schedule the public hearing no earlier than January 1, 2019. [45 C.F.R § 98.14(c)(2)].
  - ◆ Tip: Make arrangements for virtual participation (for example, through a phone line or web conference) or for community members who are unable to attend the public hearing to submit their comments regarding the CCDF Plan in other ways.
- Provide at least 20 days' notice about the public hearing throughout the service area [45 C.F.R § 98.14(c)(1)].
- Make the contents of the draft CCDF Plan available throughout the service area [45 C.F.R § 98.14(c)(3)].
- Host public hearing.
- Compile and analyze feedback from the public hearing and submitted comments.
- Update the CCDF Plan to ensure that public input is reflected.

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<sup>2</sup> In order to be eligible to apply for CCDF funds, Tribes must be federally recognized and the Tribal population must include at least 50 children under age 13 living on or near the reservation or service area (the reservation requirement does not apply to Tribes in Alaska, California, and Oklahoma). A Tribe with fewer than 50 children under age 13 may participate in a consortium of eligible Tribes.

## Assess

Collect and review required data to inform your planning decisions.

- Collect and assess information and data about your community's child care needs, supply, and quality.
  - ◆ Tip: Consider whether you can partner with other programs within the service area that conduct community needs assessments, such as Head Start, Administration for Native Americans (ANA) language grant programs, the Community Health Representative program and the local Indian Health Service (IHS).
  - ◆ Tip: Tribes can also use their own needs assessment or conduct community and provider surveys to collect data on child care needs, supply, and quality. For example, possible questions for a community survey include, "Are you in need of child care while you are working, in school, or attending a training program?" "What hours do you need child care for your children?" "What are the ages of children who need child care?"
  - ◆ Tip: Consider current priorities or initiatives within your Tribal community that could be supported through CCDF quality goals and activities. Examples include supporting language revitalization, addressing opioid misuse, supporting suicide prevention, or increasing access to healthy foods and physical activity.
- TRIBES WITH MEDIUM AND LARGE ALLOCATIONS ONLY:** Collect and assess information and data about the cost or price of care within the Tribal service area (not required for Tribes with small allocations).
  - ◆ Tip: Tribes are exempt from the requirement to conduct a market rate survey. However, Tribes with medium and large allocations must include a description of their payment rates, how they are established, and how they support quality, including, where applicable, cultural and linguistic appropriateness [45 C.F.R. § 98.81(b)(5)].
  - ◆ Tip: Strategies for assessing rates could include, but are not limited to, conducting your own market rate survey or alternative methodology (although this is not required), using the state CCDF program's market rate survey or alternative methodology, or conducting an informal provider survey. Possible questions to ask providers include, "How much do you charge for child care for certain ages of children?" "What, if any, discounts do you offer to parents?" "Do you charge enrollment fees or late fees?"

## Review and Identify Updates Needed

Review your current CCDF Plan, policies and procedures, and the CCDF Final Rule requirements. Identify areas where you need to update the Plan in order to accurately reflect how your CCDF program operates, align to CCDF Final Rule requirements, and address the needs of the community.

- ◆ The [Roadmap to Reauthorization Self-Assessment Tool](#) is a helpful resource for assessing your readiness to meet CCDF Final Rule requirements and identifying areas where updates are needed.

- Review your current CCDF Plan and identify updates needed. Key areas to review include the following:

### All Tribes (Tribes with Small, Medium, and Large Allocations)

- Health and safety requirements, training, and monitoring processes
- Quality goals and activities

- ◆ Tip: Plan goals and activities with spending requirements in mind. All Tribal Lead Agencies must spend 7 percent of their expenditures on quality activities in FY 2019, 8 percent in FY 2020 and FY 2021, and 9 percent in FY 2022 and each year after. Starting in FY 2019, Tribes with medium and large allocations are subject to a 3 percent infant and toddler quality spending requirement [45 C.F.R. § 98.83(g)].

### Tribes with Medium and Large Allocations Only

- Additional eligibility determination and redetermination definitions and processes (not required for Tribes with small allocations)
- Sliding fee scales and payment rates and practices (not required for Tribes with small allocations)
- Consumer education activities (not required for Tribes with small allocations)
- Review CCDF policies and procedures and identify updates needed.
  - ◆ Tip: [Policies and Procedures Checklist for CCDF Tribal Lead Agencies](#) is a useful resource for assessing the comprehensiveness of your written policies and procedures in relationship to the CCDF Final Rule requirements.

## Begin Drafting

Begin the process of updating or drafting your CCDF Plan sections and corresponding written policies and procedures.

- Develop a draft CCDF Plan based on updates identified in the planning process and input from your internal workgroup.
  - ◆ Tip: The Office of Child Care will release a program instruction (along with the final approved CCDF Plan Preprint) with information and guidance for completing and submitting the CCDF Plan.
  - ◆ Tip: Tribes with small allocations will submit an abbreviated version of the Plan (i.e., Part 1 and Appendices).
- Develop or update corresponding written policies and procedures.
  - ◆ Tip: It is helpful to have policies and procedures that are organized by the major topics in the CCDF Plan: leadership and coordination, health and safety, quality, providing stable child care financial assistance (required for Tribes with medium and large allocations), ensuring equal access to quality child care (required for Tribes with medium and large allocations), and consumer education (required for Tribes with medium and large allocations).

## Consult and Coordinate

Tribes are required to consult in the development of the CCDF Plan, and coordinate the provision of services, with the following entities:

- Representatives of the Tribal or local government [45 C.F.R § 98.14(b)].
  - ◆ Tip: This may include, but is not limited to, Tribal leadership, Tribal officials from the Tribal administration, and Tribal boards and committees.
- To the extent feasible, the CCDF Lead Agency in the state or states in which the Tribe will carry out the CCDF program [45 C.F.R § 98.12(a)].
- Other federal, state, local, and Tribal child care and childhood development programs [45 C.F.R § 98.14(a), 98.83(b)], including the following:
  - Public health, including the agency responsible for immunizations
  - Employment services or workforce development
  - Public education (including agencies responsible for prekindergarten services, if applicable, and early intervention and preschool services provided under Part B and C of the Individuals with Disabilities Education Act)
  - Temporary Assistance for Needy Families

- Tribal or state child care licensing
- Tribal or state Head Start
- Statewide afterschool network or other coordinating entity for out-of-school-time care (if applicable)
- Entities responsible for emergency management and response
- Child and Adult Care Food Program and other relevant nutrition programs
- Entities responsible for services for children experiencing homelessness
- Entities responsible for Medicaid and children's health insurance programs
- Entities responsible for mental health services
- Entities responsible for child care resource and referral agencies, child care consumer education organizations, and providers of early childhood education training and professional development.

## Complete Drafts

Finalize all CCDF Plan sections.

- Incorporate feedback from the public hearing, internal workgroup, and consultation with representatives from the Tribal or local government, state CCDF Lead Agency, and other federal, state, local, and Tribal partners.
- Complete all required components of the CCDF Plan:
  - CCDF Plan, with all applicable required sections filled out
  - Triennial child count declaration (due by July 1, 2019)
  - CCDF program assurances and certifications
  - Obtain Necessary Tribal Approvals
  - Share your CCDF Plan with Tribal leadership for approval.
- Submit your CCDF Plan through required Tribal approvals (for example, boards and committees and the Tribal council).
- Obtain a signed cover letter from the Tribe or Tribal consortium to acknowledge official submission of the CCDF Plan.

## Submit

Submit your CCDF Plan by the deadline set by OCC.

- Submit your completed CCDF Plan and attachments to OCC by September 6, 2019.
- ◆ Tip: Use the final approved CCDF Plan Preprint. OCC will issue the final approved Preprint through a Program Instruction. The Program Instruction will provide instructions on how to submit the completed CCDF Plan.

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