

Promoting Partnerships in Tribal Programs

In tribal communities, the Child Care and Development Fund (CCDF), Head Start, and Early Head Start offer early care and education services to low-income families and their children; however, there are differences in policies, operations, and funding between these federal programs. Tribal communities, often serving the same children but in different programs, benefit from strategies to bridge these differences. As of August 2017, there were more than 260 Tribal CCDF grantees and more than 150 Tribal Head Start or Early Head Start grantees. The following strategies, which include aligning policies to encourage stability and continuity of care, streamlining administrative procedures, and identifying opportunities to support partnerships and providers, may benefit partnerships between these different tribal programs and support Tribal CCDF grantees that partner within traditional non-tribal Head Start or Early Head Start programs.

This document highlights areas in which CCDF and Head Start and Early Head Start policies closely align and can support partnerships in tribal communities. It reflects changes that are required under the Child Care Development Block Grant (CCDBG) Act of 2014 and new regulations specific to Tribal Lead Agencies receiving medium and large CCDF allocations (those receiving \$250,000 or more) and the requirements outlined in the Head Start Program Performance Standards (Revised, 9/15/2016).

Small allocation grantees (those receiving \$250,000 or less in CCDF) have broad flexibility in meeting the goals and purposes of CCDF, but are not required to meet the majority of the CCDF requirements because they may not have sufficient resources or infrastructure to comply. While they are exempt from many specific provisions, they are subject to health and safety, monitoring and background check requirements. They also must meet eligibility requirements such as age of child, definitions of Indian child and service area requirements.

Align Eligibility – Tribal Lead Agencies may align policies so that children can be dually enrolled in CCDF, Head Start or Early Head Start programs.

CCDF, Head Start, Early Head Start, including Early Head Start-Child Care Partnership programs serve families below the federal poverty level (FPL), though both programs can serve some families with higher income limits. Tribal CCDF programs can set income limits up to 85% of State Median Income (SMI) or Tribal Median Income (TMI). Tribal Head Start and Early Head Start programs may fill up to 49 percent of their enrolled slots with children whose family incomes exceed the poverty guidelines, if it has adequate resources and has served all eligible families who wish to be enrolled from Indian and non-Indian families within the approved service area of the tribal agency. While there can be differences between the two programs regarding which income is counted, families with incomes below poverty who apply for CCDF most likely will find they are also eligible for Tribal Head Start and Early Head Start.

The increased flexibility in these provisions may provide a greater opportunity for collaboration and support of cross-program enrollment goals. Tribes maintain the flexibility to define countable “income” and parents’ employment, education, and training requirements in ways that allow more CCDF families to be eligible for Head Start and Early Head Start programs, which do not have similar parent participation requirements. The new CCDF regulations clarify that Tribal CCDF Lead Agencies do not have to limit authorized hours of care to a

parent's work, education, or training schedule and can authorize care through Head Start or Early Head Start even if the parent works nights or works a flexible schedule.

As part of the reauthorization of CCDBG, tribes with medium and large CCDF allocations are required to establish an eligibility period of 12 months, at minimum. This includes initial and subsequent eligibility periods, and is regardless of income changes (if income remains below 85% of SMI or TMI) and temporary changes in work, education, or training status. In most circumstances, the CCDF parental co-payment cannot be raised during the initial and subsequent 12-month eligibility periods, which further supports continuity of care and family stability.

Under the CCDBG Act of 2014, tribes with medium and large CCDF allocations may choose to terminate assistance during the minimum 12-month eligibility period due to a **non-temporary** job loss or cessation in training or education activity. However, they must continue eligibility for a period of at least three months, if the family's income is less than 85% of SMI or TMI. Retaining eligibility during a job search can help reduce stress, assist parents returning to the workforce, and support children's development and continuity of care.

CCDF Tribal Lead Agencies may establish longer eligibility periods (i.e., longer than 12 months), which allows for alignment with Head Start or Early Head Start eligibility periods. Tribal Lead Agencies can further support continuity of care and provide greater stability for children, families, and providers by aligning the beginning and ending dates of the eligibility period with Head Start and/or Early Head Start enrollment dates, and by easing requirements for reporting changes in circumstances. Policies that stabilize access to child care assistance for families and bring financial stability to child care providers play an important role in supporting the success of Head Start and Early Head Start-Child Care (EHS-CC) Partnerships.

The final rule allows a tribe whose TMI is below 85% of SMI the option of considering any Indian child in the tribe's service area to be eligible to receive CCDF funds regardless of the family's income, work, or training status, if services still go to those with the highest need. If tribes choose to take advantage of this option, they can create opportunities to align CCDF programs with other tribal early childhood programs, including Tribal Home Visiting, Head Start, and Early Head Start. This provision allows for further flexibility and opportunity for eligibility alignment, and allows tribes to take advantage of Early Head Start-Child Care Partnership grants.

Serve Vulnerable Populations – Special eligibility considerations can help the neediest children receive care

Tribes can allow special eligibility considerations for vulnerable populations. For CCDF purposes, this can include a child who is receiving, or in need of receiving, protective services. The new CCDF regulations clarify that the definition of "protective services" may include specific populations of vulnerable children identified by the Lead Agency. These children do not need to be formally involved with child protective services or the State or Tribal child welfare system. The Lead Agency can also include those children defined as "at risk" to be eligible under this category. CCDF continues to allow tribes to waive participation requirements, and in some cases, income requirements, for these families. The definition of "protective services" can also include other populations that are particularly vulnerable, such as families who may be experiencing homelessness or children in foster care. Both are categories that allow for families to be automatically eligible for Head Start or Early Head Start services. Children in the foster care system and children experiencing homelessness are eligible for Head Start and Early

Head Start services regardless of their family's income. These changes allow Tribal CCDF and Head Start and Early Head Start Lead Agencies to further align eligibility and offer services to those who have the greatest need. They also reduce the burden associated with eligibility determinations for vulnerable families.

The CCDBG Act of 2014 included several provisions to increase access to CCDF services for children and families experiencing homelessness. Consistent with the spirit of these additions, the final rule adds “children experiencing homelessness” to the requirements related to prioritizing services. This includes the possibility of aligning CCDF with Head Start’s requirement for prioritizing homeless children for enrollment. In Head Start, this priority comes with automatic eligibility, regardless of family income or activity; something that Tribal CCDF programs could also adopt. Using the McKinney-Vento definition of “homelessness,” which is the same definition used by Head Start programs, will ultimately lead to better consistency in identifying and serving children and families.

Refer Eligible Families – Tribes should refer families to Head Start and Early Head Start through their CCDF eligibility process

Tribes can strive to make the eligibility process more family-friendly through a variety of methods, such as extending office hours, setting up call centers, and allowing a variety of application submission methods. The CCDBG Act also requires that Lead Agencies take into consideration children’s development and learning and promote continuity of care when authorizing child care. For example, Tribal CCDF Lead Agencies can partner with Head Start or EHS-CC Partnership programs to meet families’ child care needs. At a minimum, Lead Agencies are expected to collect sufficient information during the CCDF intake process to make necessary referrals for child development and learning services. Families can be referred to Head Start or Early Head Start, through the child care eligibility process. For example, if the Tribal CCDF Lead Agency finds a family ineligible for child care, they can refer them to a Head Start or Early Head Start program, if available and age-appropriate. When a family is eligible for child care, the Tribal Lead Agency can refer them to a high-quality partnership program that uses layered funds.

Waive Parent Fees – Co-payments can be waived for families in partnerships

Families receiving child care subsidies are generally responsible for a co-payment based on a sliding fee scale. The CCDBG Act requires Lead Agencies to set co-payment scales that are not a barrier to families. Tribal Lead Agencies may waive co-payments for families at or below poverty and children that receive or need to receive protective services. Under the Act, Tribal Lead Agencies now have the option to waive co-payments for families that meet other criteria established by the Tribal Lead Agency. This could include waiving co-payments for vulnerable families, such as those enrolled in Head Start and Early Head Start, including EHS-CC Partnerships. Since Head Start and Early Head Start are provided at no cost to eligible families, waiving CCDF fees for families also served by Head Start or Early Head Start can support continuity.

Early Head Start-Child Care Partnership grantees should examine the impact of the subsidy and parent fee policies when developing their partner agreements and corresponding budgets. Grantees and their partners may only charge co-payments in those circumstances where the tribe has not agreed to waive co-pays. Some partner agencies may have another revenue source that can cover families who cannot meet the co-pay. On a case-by-case basis, Early Head Start-Child Care Partnership funds may be used to pay the cost of the parent co-payment, but only after it is determined that the parent is financially unable to make the required payment and all other potential funding sources have been explored. The Early Head Start-Child Care Partnership program should set expectations for the parent to eventually resume the responsibility for required payments once their individual circumstances have improved.

Establish Grants or Contracts – Grants and contracts for child care slots can help build supply and promote accountability

Tribal programs can use grants and contracts to purchase child care slots with CCDF providers, Head Start, Early Head Start, and EHS-CC Partnerships that offer full-day, full-year care with comprehensive, high quality services. This method of providing direct child care services can also be a powerful tool to build supply in underserved areas, provide stable funding, and ensure accountability. Grants and contracts for child care slots normally include a written contract or agreement outlining the scope of services and responsibilities, which may be negotiated to ensure high quality services for children.

Employ Payment Rates that Support Quality and Provider Stability – High quality providers can receive higher rates via tiered reimbursement

Tribal Lead Agencies typically set payment rates based on the type of provider and age of the child. The CCDBG Act requires Tribal Lead Agencies to establish base provider rates that adequately support quality care, including health and safety and staffing requirements. Tribal Lead Agencies can design provider payment practices to support and work effectively with Head Start, Early Head Start, and EHS-CC Partnerships. The CCDBG Act requires tribes with medium and large CCDF allocations to adopt payment practices that are timely, generally accepted, and to the extent practicable delink payment from a child's occasional absences. Ensuring timely payments, paying based on enrollment (versus attendance), and aligning attendance policies with Early Head Start are examples of strategies that support providers with stable, predictable, and sustainable financing.

Layer Funding – Inherent in designing the financing of Early Head Start-Child Care Partnership is the idea of layering funds

Tribes can layer Early Head Start and CCDF funds for the same child enrolled in EHS-CC Partnerships if there is no duplication in payments for the exact same part of the service. Some tribes are already

implementing this option for their Early Head Start-Child Care Partnerships. EHS-CC Partnerships grants offer a new opportunity to implement this strategy to expand access to high-quality child care. Other methods of combining funds, such as braiding or blending CCDF with Head Start or Early Head Start funds from traditional grants are also widely-used options.