



**NATIONAL CENTER ON**  
Subsidy Innovation and Accountability



**National Center on Tribal  
Early Childhood Development**

# Subsidy Eligibility and Equal Access in Tribal Child Care and Development Fund Programs

## Presentation for Tribes with Small Allocation Sizes

# Agenda

- ◆ Child Care and Development Fund (CCDF) subsidy overview
- ◆ Requirements for tribal CCDF grantees with small allocation sizes
- ◆ Flexibility for tribal CCDF grantees with small allocation sizes
  - Optional eligibility criteria
  - Optional strategies to support equal access
  - Additional program options
- ◆ Strategies for caseload management

# Presenters



**Jessica Farley**  
Technical Assistance  
Specialist, Region X



**Delores Fragua**  
Technical Assistance  
Specialist, Region VI



**Char Schank**  
Technical Assistance Specialist,  
Regions VII, VIII



NATIONAL CENTER ON  
Subsidy Innovation and Accountability



National Center on Tribal  
Early Childhood Development

# CCDF Subsidy Overview

# How Subsidy Works: An Example



**Eligible parent**



**Eligible child**



**Certificates/  
vouchers and  
family  
contribution**



**Eligible  
provider**



**Provider and  
child**



Source: Child Care State Capacity Building Center. (2018). An introduction to the fundamentals of CCDF administration [PowerPoint slides]. Washington, DC: Office of Child Care. Retrieved from <https://ccdf-fundamentals.icfcloud.com/sites/default/files/public/pdf/CCDF-Fundamentals-PPT.pdf>

# How Are Child Care Services Provided?

- ◆ Certificate programs
- ◆ Tribally operated child care centers
- ◆ Contracts and grants

Note: Tribal CCDF grantees with small allocation sizes are not required to provide direct services.



# Certificate Programs

- ◆ Families may obtain certificates that they can use to purchase the child care of their choice from the full range of available providers that meet the eligibility requirements.
- ◆ Tribal grantees with small and medium allocation sizes (\$1 million or less) are **not required** to operate a certificate program.



# Tribally Operated Child Care Center

Tribal grantees can choose to operate their own child care facilities.

For additional information on tribally operated centers, see: Technical Bulletin #14r-v2, *Reporting Clarifications for Tribally Operated Centers*: <https://www.acf.hhs.gov/occ/resource/tb14r-v2>

# Contracts and Grants

Tribal grantees can choose to contract with, or provide grants to, eligible providers to make child care slots available to families who participate in the child care assistance program.



# Poll

What kind of program do you operate?

- ◆ Certificate program
- ◆ Tribally operated center
- ◆ Contracts and grants
- ◆ A combination of the above
- ◆ None of the above (we do not provide direct services)



NATIONAL CENTER ON  
Subsidy Innovation and Accountability



National Center on Tribal  
Early Childhood Development

# Requirements for Tribal Grantees with Small Allocation Sizes

# Child Eligibility Requirements

## ◆ Indian child

- Children must meet the Tribal Lead Agency's definition of "Indian child."

## ◆ Residence

- Children receiving services must live within the Tribal Lead Agency's service area.

**Tribal Lead Agency's must define Indian Child and service area in their CCDF plans for the purpose of determining eligibility. TLAs have flexibility in how they define these requirements.**

Source: Tribal CCDF Plan  
Preprint FFY 2017-2019

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

# Examples of “Indian Child” Definitions

- ◆ A child under 13 years of age who is an enrolled member of the Tribal Lead Agency’s tribe.
- ◆ A child under 13 years of age who has verifiable American Indian or Alaska Native ancestry as determined by:
  - tribal enrollment;
  - certificate of Indian blood; or
  - birth certificate documenting lineal descent.

While TLAs have some flexibility in defining “Indian Child,” the definition must be limited to children from federally recognized Indian Tribes. This could include children who are tribal members, whose membership is pending, who are eligible for membership, and/or who are children/descendants of members. This could also include adopted children, foster children, and step- children, etc.

Source: Tribal CCDF Plan Preprint FFY 2017-2019

# Examples of “Service Area” Definitions

- ◆ Living on or near the reservation, defined as within 20 miles of the reservation.
- ◆ Where the majority of the tribal population resides, within the boundaries of Alpha, Bravo, or Charlie Counties, with the exception of the City of Delta, per a Memorandum of Agreement with the Delta Tribe.

**A TLAs service area must be “on or near the reservation,” and therefore must be within a reasonably close geographic proximity to the delineated borders of a tribe's reservation, with the exception of Alaska, California, and Oklahoma.**

**Tribes that do not have reservations must establish service areas within reasonably close geographic proximity to the area where the tribe's population resides. ACF will not approve an entire state as a Tribal Lead Agency's service area.**

**Source: Child Care and Development Fund, 45 C.F.R. § 98.83(b) (2016); Tribal CCDF Plan Preprint FFY 2017-2019**

# Record Keeping for Child's Eligibility

## Eligibility Requirement

Children must meet the Lead Agency's definition of "Indian child."

Children receiving services must live within the tribal service area.

## Documentation Examples

- ◆ Tribal identification card
- ◆ Letter describing pending eligibility
- ◆ Certificate of Degree of Indian Blood (CDIB)
- ◆ Birth certificate
- ◆ Utility bill
- ◆ Parent's identification
- ◆ Mail addressed to the parent or guardian
- ◆ Housing documentation (from mortgage, lease, etc.)

***Note: Tribal Lead Agencies have the flexibility to determine what documents they will require when determining eligibility. There are no federal requirements that specify what documents must be used.***

# Stop and Share-Eligibility Tools



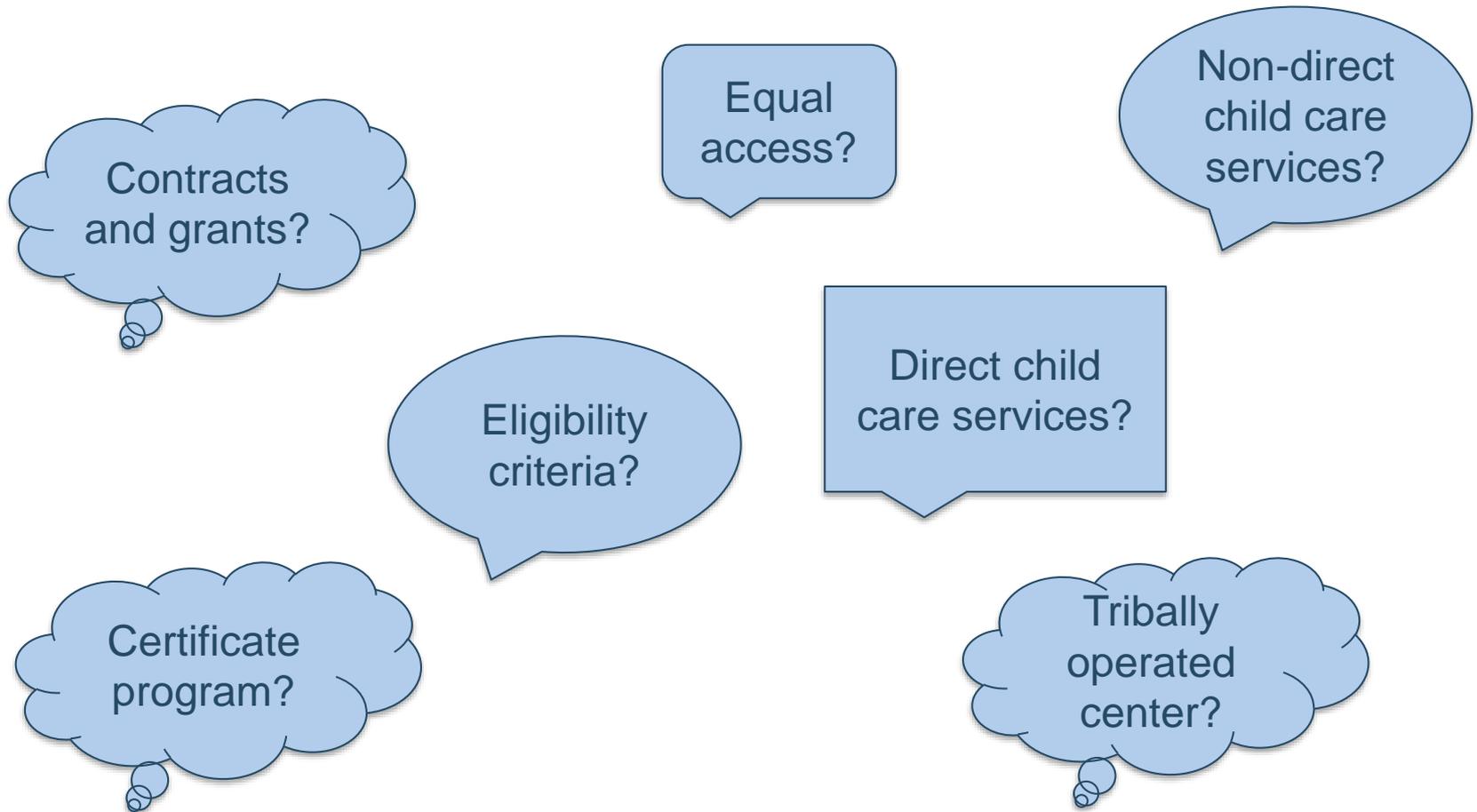
NATIONAL CENTER ON  
Subsidy Innovation and Accountability



National Center on Tribal  
Early Childhood Development

# Flexibility for Tribal Grantees with Small Allocation Sizes

# How Do You Assess Your Community's Needs and Determine Which Services to Provide?



# Flexibility for Tribal Grantees with Small Allocation Sizes: Optional Eligibility Criteria

# Optional Eligibility Criteria

- ◆ Age
- ◆ Income
- ◆ Work status
  - Working
  - Educational program
  - Attending job training
- ◆ Protective services



# Optional Eligibility Criteria: Age

- ◆ Grantees with small allocation sizes can limit age eligibility to certain populations.
- ◆ Examples:
  - School-age children attending the Lead Agency's afterschool or summer program
  - Early Head Start–aged children attending the Lead Agency's Early Head Start–Child Care Partnership program

# Discussion



Reactions?



Questions?



Current strategies?



Ideas or innovations?

# Optional Eligibility Criteria: Income

- ◆ Grantees with small allocation sizes can limit income eligibility requirements or expand them to meet the needs of their community.
- ◆ Examples:
  - Set income eligibility below 85 percent of grantee median income (GMI) without having a graduated phase-out to ensure that the lowest-income families receive services
  - Waive all income requirements to serve all Indian children within the service area if funding allows

# Examples of Potential Income Exclusions

- ◆ Federal tax credits
- ◆ Federal or state tax returns
- ◆ Temporary Assistance for Needy Families (TANF)
- ◆ Supplemental Nutrition Assistance Program (SNAP)
- ◆ Child support payments
- ◆ State tax credits
- ◆ Tribal per capita income
- ◆ Income from Alaska Native Corporation dividends
- ◆ One-time lump sum benefits
- ◆ Income from scholarships, grants, or loans
- ◆ Work deduction
- ◆ Income from certain family members
- ◆ Income earned from traditional means, such as carving or selling of native crafts

***Note: Tribal Lead Agencies have the flexibility to determine what income sources will be excluded when determining eligibility. This list is not exhaustive.***

# Record Keeping for Income Requirements

Requirement	Documentation Examples
Child must reside with a family whose income does not exceed 85 percent of GMI, based on the most recent GMI data provided by the Census Bureau for a family of the same size	<ul style="list-style-type: none"><li>◆ Parent's pay stubs</li><li>◆ Parent's tax returns</li><li>◆ Parent's 1099s</li><li>◆ Parent's W-2s</li></ul>
Family asset limit	<ul style="list-style-type: none"><li>◆ Self-certification</li></ul>

***Note: Tribal Lead Agencies have the flexibility to determine what documents they will require when determining eligibility. There are no federal requirements that specify what documents must be used.***

# Discussion



Reactions?



Questions?



Current strategies?



Ideas or innovations?

# Optional Eligibility Criteria: Work Status

- ◆ Grantees with small allocation sizes can limit work status eligibility requirements or expand them to meet the needs of their communities.
- ◆ Examples:
  - A grantee provides services only for families who are engaged in wage-earning positions, with the rationale that services are available for parents who are attending an educational or job training program through TANF or the state child care office.
  - A priority of a grantee's tribal leadership is to ensure that every tribal member has access to higher education. As such, they've aligned their CCDF priorities to provide services only to parents who are pursuing higher education initiatives.

# Record Keeping for Parental Activities

Activity	Documentation Examples
Work	<ul style="list-style-type: none"><li>◆ Pay stubs</li><li>◆ Employer verification</li><li>◆ Employer schedule</li><li>◆ Self-employed/business license</li><li>◆ Self-certification</li><li>◆ Affidavit</li></ul>
Job training	<ul style="list-style-type: none"><li>◆ School schedule</li><li>◆ Letter of acceptance</li><li>◆ Transcripts</li><li>◆ Letter from training supervisor</li><li>◆ Letter from language mentor</li><li>◆ Affidavit</li></ul>
Education program	<ul style="list-style-type: none"><li>◆ School schedule</li><li>◆ Letter of acceptance</li><li>◆ Transcripts</li></ul>

***Note: Tribal Lead Agencies have the flexibility to determine what documents they will require when determining eligibility. There are no federal requirements that specify what documents must be used.***

# Discussion



Reactions?



Questions?



Current strategies?



Ideas or innovations?

# Optional Eligibility Criteria: Protective Services

- ◆ Grantees with small allocation sizes can limit their child care services to only children who are receiving or in need of receiving protective services.
- ◆ Examples:
  - A grantee could use its CCDF funds to run a tribally operated center within a rehabilitation facility, so that children could accompany parents undergoing treatment.
  - A grantee could use its CCDF funds to provide services to children in kinship care who do not meet the state's definition of protective services, while referring all other families to the state child care office.

# Record Keeping for Protective Services

Activity	Documentation Examples
Protective services	<ul style="list-style-type: none"><li>◆ ICWA referral</li><li>◆ Letter from supervising physician</li><li>◆ Self-certification</li><li>◆ Tribal or state court document</li><li>◆ Signed affidavit of need</li></ul>

***Note: Tribal Lead Agencies have the flexibility to determine what documents they will require when determining eligibility. There are no federal requirements that specify what documents must be used.***

# Discussion



Reactions?



Questions?



Current strategies?



Ideas or innovations?

# Flexibility for Tribal Grantees with Small Allocation Sizes: Optional Strategies to Support Equal Access

# Definitions

- ◆ **Sliding fee scale** means the chart used by the Tribal Lead Agency to determine the fee schedule based on income and size of the family.
- ◆ **Payment rate** means the amount authorized by the Tribal Lead Agency to pay to the eligible provider.
- ◆ **Parent co-payment** means the portion of the care paid for by the parent as determined by the Tribal Lead Agency's sliding fee scale.

$$\frac{\text{Tribal subsidy payment} + \text{Parent co-payment}}{\text{Payment to provider}}$$

# Payment Rates

- ◆ Tribal grantees are exempt from the market rate survey, but are still required to have rates that support quality.
- ◆ Grantees may not establish payment rates based on a family's eligibility status or circumstances (for example, a family is receiving Temporary Assistance for Needy Families (TANF) or a parent is a student rather than working).
- ◆ Tribal grantees may set differential payment rates.

Source: Child Care and Development Fund, 45 C.F.R. §§ 98.45, 98.83 (2016).

# Example: Differential Payment Rates by Provider Type (Monthly Rates)

## Center-Based Care



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

## In-Home Care

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

## Licensed Home Care

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



## Differentiated Rates for Children with Special Needs

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



# Copayment

- ◆ Applies to tribal CCDF grantees with medium and large allocation sizes.
- ◆ Tribal CCDF grantees must have a sliding fee scale.
- ◆ Copayments are the family's contribution to the cost of care.
- ◆ Copayments cannot be based on the type of care.
- ◆ Affordable copayments are generally less than 7 percent of family income.
- ◆ Copayments can be waived in specific circumstances.
- ◆ Copayments cannot be based on the cost or price of care, or subsidy payment.
- ◆ Copayments cannot be increased during the eligibility period, unless the family is in graduated phase-out.

Co-payments are optional for Tribal Lead Agencies with Small Allocation Sizes.

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

# Example Sliding Fee Scale: Percentage Based

100% of Grantee Median Income (GMI)		→		\$5,000	\$6,000		
Percentage	GMI or federal poverty level (FPL)	Copay % of income	Two-person family gross monthly income	Two-person family copay amount	Three-person family gross monthly income	Three-person family copay amount	
100.00	FPL	0.0%	\$2,085	\$0	\$2,625	\$0	
50.00	GMI	0.1%	\$2,500	\$2.50	\$3,000	\$3.00	
55.00	GMI	1.0%	\$2,750	\$27.50	\$3,300	\$33.00	
60.00	GMI	2.0%	\$3,000	\$60.00	\$3,600	\$72.00	
65.00	GMI	3.0%	\$3,250	\$97.50	\$3,900	\$117.00	
70.00	GMI	4.0%	\$3,500	\$140.00	\$4,200	\$168.00	
75.00	GMI	5.0%	\$3,750	\$187.50	\$4,500	\$225.00	
80.00	GMI	6.0%	\$4,000	\$240.00	\$4,800	\$288.00	
85.00	GMI	7.0%	\$4,250	\$297.50	\$5,100	\$357.00	

Note: Tribal Lead Agencies should contact their Office of Child Care (OCC) Regional Office for assistance with sliding fee scales.

# Payment Practices

- ◆ Applies to tribal grantees with medium and large allocation sizes.
- ◆ Practices should reflect the generally accepted practices of local providers.
- ◆ Payments must be delinked from children's occasional absences:
  - Make payments based on enrollment versus attendance,
  - Provide full payment if 85 percent attendance or if absent for 5 or fewer days in a month, or
  - Use an alternative approach, subject to approval by the Office of Child Care.
- ◆ Prompt notice to provider must be given when there is a change to a family's eligibility status that will affect payment.
- ◆ Payment policies must support providers' fixed costs.

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

# Stop and Share – State Median Income/Federal Poverty Level

# Timeliness of Payments

- ◆ Applies to tribal grantees with medium and large allocation sizes.
- ◆ Tribal CCDF grantees 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.



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

# Discussion



Reactions?



Questions?



Current strategies?



Ideas or innovations?

# Flexibility for Tribal Grantees with Small Allocation Sizes: Additional Program Options

# Not Providing Direct Services?

Tribal Lead Agencies can use their CCDF funding to:

- ◆ Operate a child care resource and referral (CCR&R) office, coordinate with a local CCR&R agency, or become a training or resource hub for eligible providers.
- ◆ Provide quality funding to licensed child care centers to increase cultural competency within centers that provide services to tribal children.

# Not Providing Direct Services? (continued)

- ◆ Provide training and resources to non-tribal providers to help meet the needs of tribal children.
- ◆ Pay for quality grants within partner centers.
- ◆ Provide annual programming related to revitalizing language and culture for young children.

# Discussion



Reactions?



Questions?



Current strategies?



Ideas or innovations?

# Dual Eligibility

- ◆ Tribal children's eligibility for a tribal program does not affect their eligibility for a state program.
- ◆ Dual eligibility provides tribes and states a unique opportunity to coordinate services to ensure that high-quality child care is available to and affordable for eligible tribal children.



# Dual Eligibility Examples

- ◆ A tribal grantee could use its CCDF funds to cover some of its tribally operated center's operating costs, while using state CCDF funds to pay for other expenses.
- ◆ A tribal grantee could use its CCDF funds to pay for certificates only for certain populations of children not covered by the state CCDF program.

# Discussion



Reactions?



Questions?



Current strategies?



Ideas or innovations?



NATIONAL CENTER ON  
Subsidy Innovation and Accountability



National Center on Tribal  
Early Childhood Development

# Strategies for Caseload Management

# How Many Children Can be Served?

- ◆ State-tribal coordination
- ◆ Tribal funds
- ◆ Waiting lists
- ◆ Application freezes

# Questions



# Questions and Answers Session

**Tuesday, July 7<sup>th</sup>, from 2:00 p.m. to 3:30 pm**

**EST: Question-and-Answer Session for Tribes with Small Allocations. You can register via this Web link:**

**<https://ccssn.adobeconnect.com/eld3axpo71g6/event/registration.html>**



# We Appreciate Your Feedback!

<https://www.surveymonkey.com/r/Q3RH67J>



**NATIONAL CENTER ON**  
Subsidy Innovation and Accountability



**National Center on Tribal  
Early Childhood Development**

**National Center on Subsidy Innovation and Accountability  
A Service of the Office of Child Care**

12300 Twinbrook Parkway, Suite 310  
Rockville, MD 20852  
Phone: 301-881-2590, ext. 273  
Email: [ncccsia@ecetta.info](mailto:ncccsia@ecetta.info)

**National Center on Tribal Early Childhood Development  
A Service of the Office of Child Care**

9300 Lee Highway  
Fairfax, VA 22031  
Phone: 877-296-2401  
Email: [nctecd@ecetta.info](mailto:nctecd@ecetta.info)

**Subscribe to Updates**

[http://www.occ-cmc.org/occannouncements\\_sign-up/](http://www.occ-cmc.org/occannouncements_sign-up/)



ADMINISTRATION FOR  
**CHILDREN & FAMILIES**