



ADMINISTRATION FOR  
**CHILDREN & FAMILIES**



# Tribal CCDF Plan review and approval: Where are we now?

*December 11, 2019*

*National Webinar with Tribal Lead Agencies*



# Welcome



- **Shannon Christian**
- Director of the Office of Child Care
- U.S. Department for Health and Human Services
- Administration for Children and Families

# Presenters



**Dawn Ramsburg**  
Division Director of  
Program Operations



**Ginny Gipp**  
Division Director of Training  
and Technical Assistance



**Stephanie Murray**  
Child Care Program  
Specialist

# Agenda

- Timeline of Tribal Child Care and Development Fund (CCDF) Plan Review and Approval Process
- Approval letters
- Technical assistance
- Background checks
- Timeline for coming into compliance



# OCC Grantees – FY 2020

**RO VIII**  
6-States  
27-Tribes

9

**RO VII**  
4-States  
9-Tribes

1

**RO V**  
6-States  
31-Tribes

2

**RO I**  
6-States  
9-Tribes

1

**RO X**  
4- States  
68 Tribes

20

**RO IX**  
4-States  
55-Tribes  
2-Native Hawaiian  
3-Territories

2

**RO II**  
2-States  
3-Tribes  
2-Territories

1

**RO III**  
6-States  
1-Tribes



**RO VI**  
5-States  
57-Tribes

6

**RO IV**  
8-States  
5-Tribes

477  
Tribes

# What is the Tribal CCDF Plan?



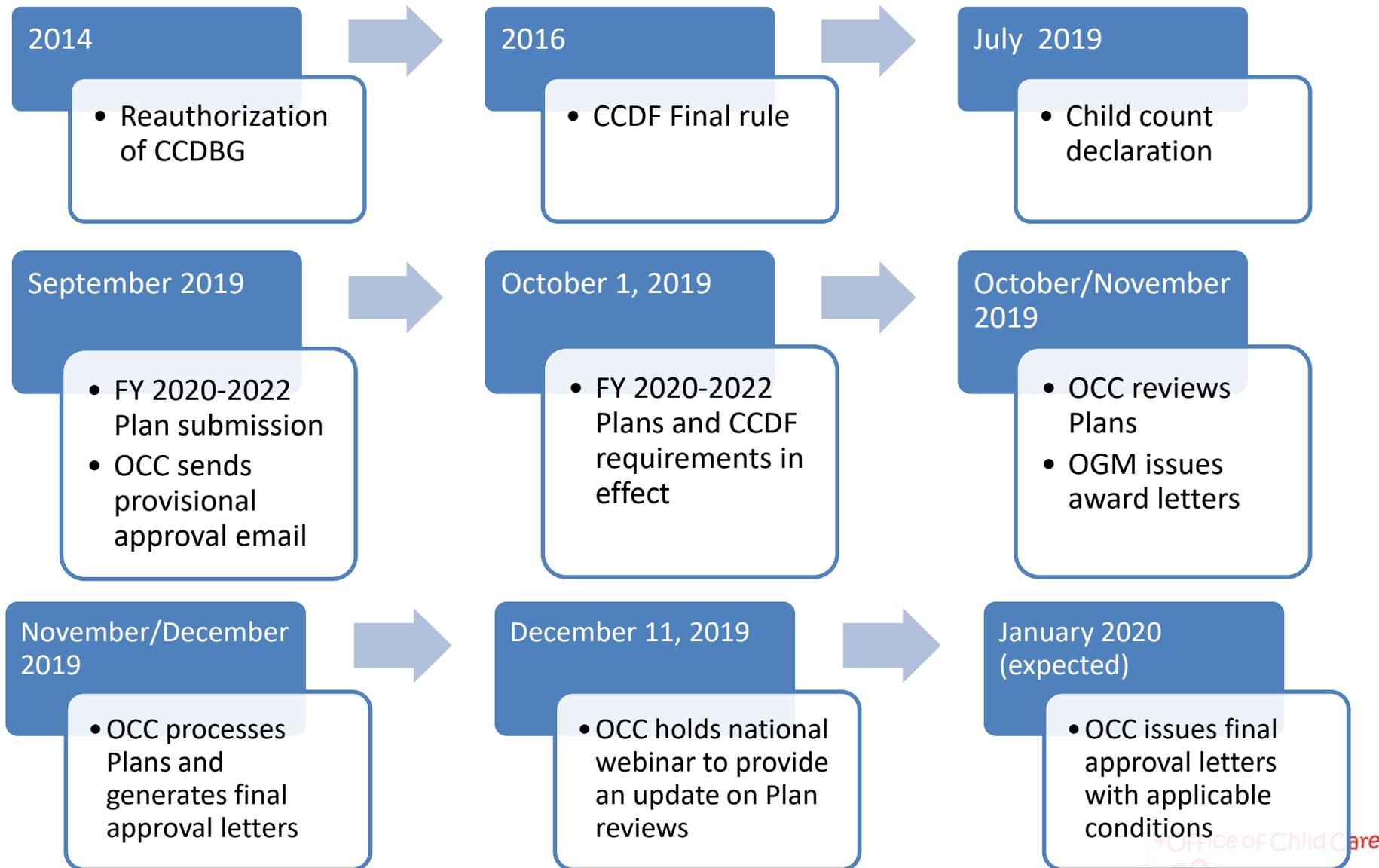
- The Tribal Lead Agency's application for CCDF funds:
  - Describes the Tribal Lead Agency's child care program and services available to eligible families
  - Contains specific assurances and certifications required by CCDBG Act of 2014 and accompanying rule
  - Provides information about the overall management of CCDF services

# FY 2020-2022 Tribal CCDF Plan

- This is the first Tribal CCDF Plan submitted according to both CCDBG Act of 2014 and CCDF Final Rule
- Historic increases in CCDF funds to Tribal Lead Agencies in the last two fiscal years
  - Consolidated Appropriations Act of 2018 included an overall increase in CCDF Discretionary funds from \$137 million in FY 2017 to **\$359 million** in FY 2018 and **\$360 million** in FY2019
  - This includes a 2.75% set-aside from discretionary funds and a 2% set-aside from mandatory funds
  - The FY 2018 and FY 2019 appropriation laws also allocated an additional \$157 million specifically for Tribal Lead Agencies
- Obligation and liquidation periods

	FY ending Sept. 30, 2018	FY ending Sept. 30, 2019	FY ending Sept. 30, 2020	FY ending Sept. 30, 2021
FY 2018 Award	Obligate		Liquidate	
FY 2019 Award		Obligate		Liquidate

# Timeline for Tribal CCDF Plans



# Tribal Allocation Sizes

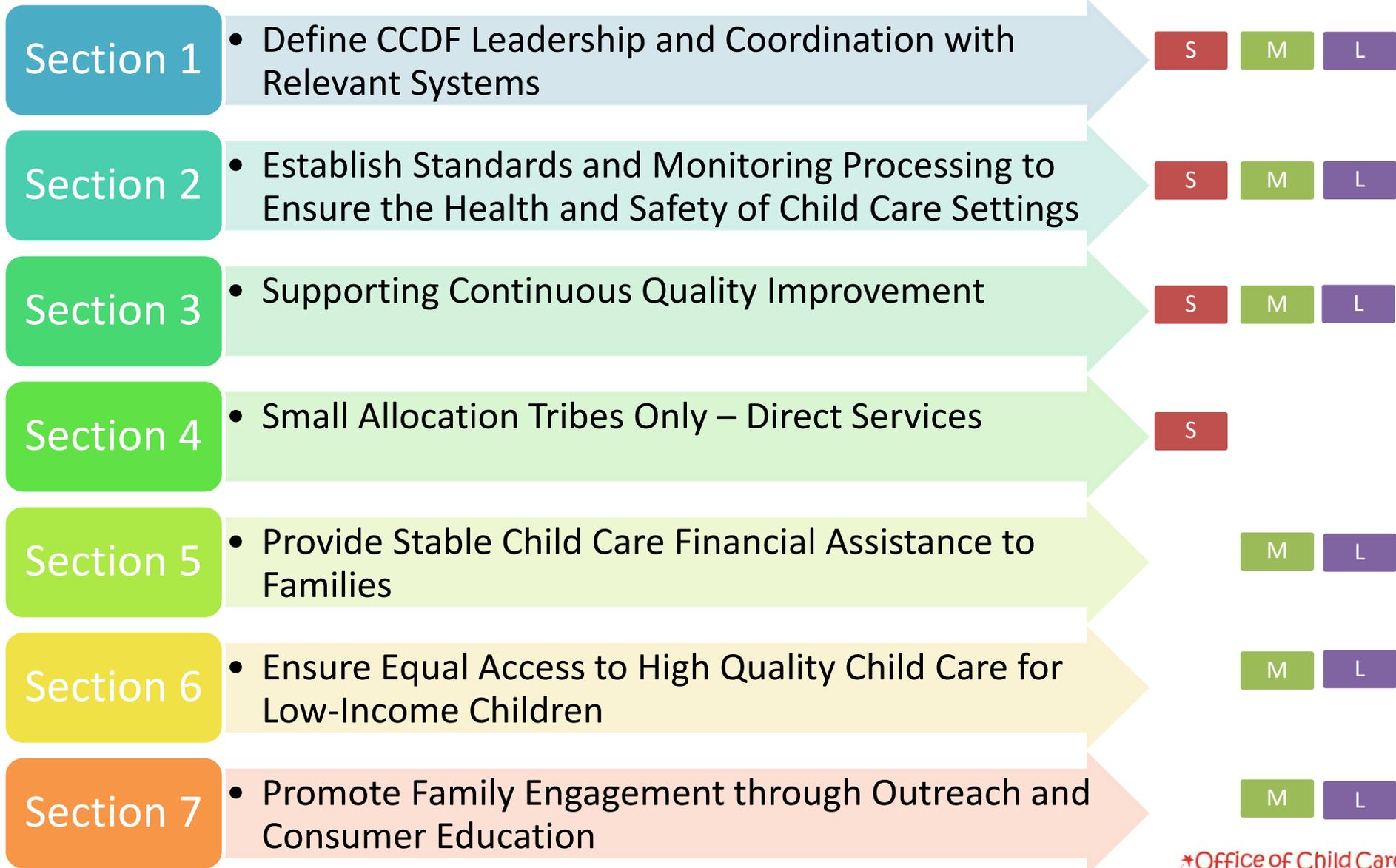
(Based on the FY 2016 CCDF Tribal Allocations)

Establishes 3 tiers of Tribal Lead Agencies based on the size of their allocation using the FY 2016 CCDF Allocation Table

<b>Small Allocation Tribes</b> (Under \$250,000)	<b>Medium Allocation Tribes</b> (\$250,000 - \$1 million)	<b>Large Allocation Tribes</b> (Over \$1 million)
<p style="text-align: center;"><b>S</b></p> <p>Must spend their funds in alignment with CCDF Goals and Purposes</p> <p>Exempt from the majority of CCDF requirements (must meet quality and health and safety requirements)</p> <p>Option to submit an abbreviated CCDF Plan</p>	<p style="text-align: center;"><b>M</b></p> <p>Allowed the same exemptions as the Large allocation category</p> <p>Exempt from operating a certificate program</p>	<p style="text-align: center;"><b>L</b></p> <p>Subject to the majority of CCDF requirements</p> <p>Some Tribal-specific exemptions</p>



# FY 2020-2022 Tribal CCDF Plan Structure

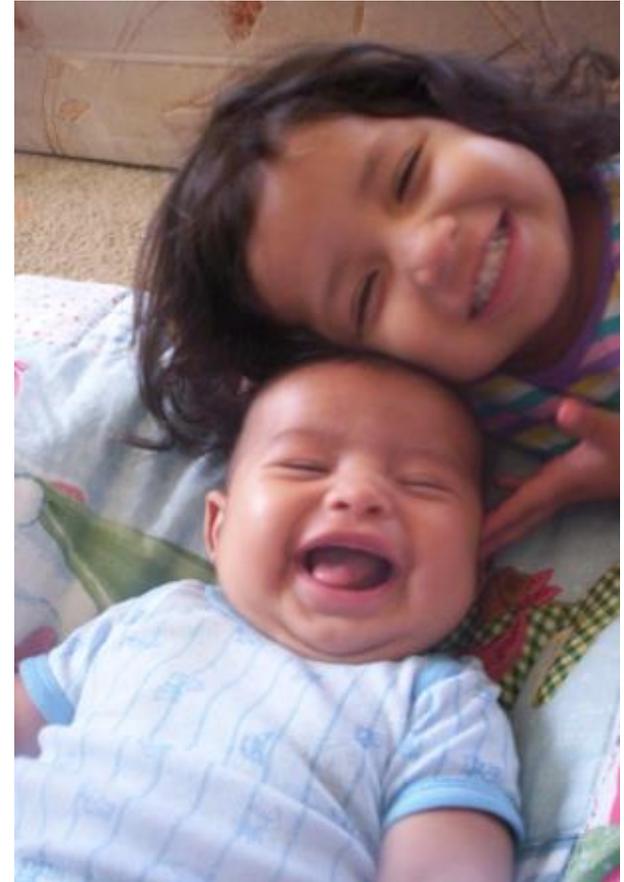


# Final Approval Letters

- Each Tribal Lead Agency will be notified of their FY 2020-2022 CCDF Plan approval status through a letter from the OCC Director
  - Approved
  - Approved with conditions, pending additional corrective action by the Tribal Lead Agency or by the state
    - Conditions will be deemed fully met once all provisions in the CCDBG Act of 2014 and final rule are fully implemented
- The letter will also list the provisions requiring corrective action
  - In some cases, Tribal Lead Agencies rely on partnerships with states for some requirements and *states* will need to take corrective actions for Tribal CCDF Plans to be in compliance

# Ongoing Monitoring of CCDF Program

- The CCDF Plan includes questions that encompass all elements as required by regulations at 45 CFR 98.81
- However, the Plan does not ask about all aspects of Federal requirements
- Recognizing that the information in the Plans is not exhaustive, OCC will monitor Tribes' compliance through multiple mechanisms



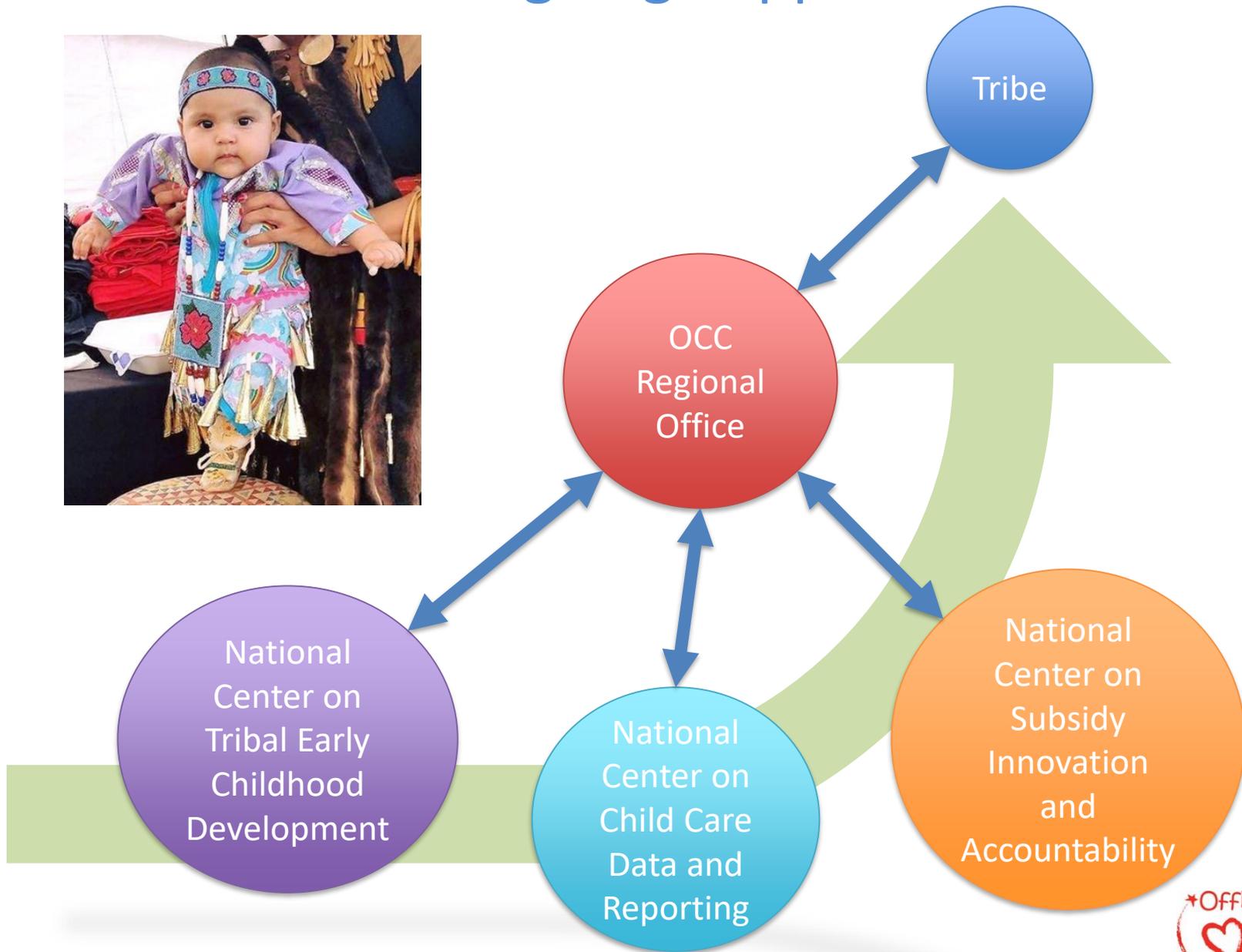
# Plan Amendments

- Any substantial changes to your CCDF program must be submitted as a plan amendment to your Regional Office for approval in accordance with 45 CFR 98.18(b)
- See the Program Instruction for more information about Plan Amendments: <https://www.acf.hhs.gov/occ/resource/ccdf-acf-pi-2019-03>

# TA Support

- OCC and its TA network supporting CCDF grantees are committed to working together with Tribal Lead Agencies to provide technical assistance aimed at supporting full compliance with CCDF requirements
- This commitment includes ensuring that policies and procedures are compliant with the criminal background check requirements
- OCC TA is available for *all* Tribal grantees

# Ongoing Support



# Criminal Background Checks

**Tribal Programs that are not  
State-Licensed**

**Tribal Programs that are  
State-Licensed**



## Tribal Programs that are not State-Licensed

Must make an attempt to determine the following for each staff member:

 Criminal History

 Sex Offender History

 Child Abuse and Neglect History

## Tribal Programs that are State-Licensed

Must conduct the following checks for each staff member:

### In-State Checks

In-State Criminal History Check\*

In-State Sex Offender Check

In-State Child Abuse and Neglect Check

### National Checks

FBI Fingerprint Check\*

National Crime Information Center National Sex Offender Registry Check (NCIC NSOR)

### Interstate Checks

Interstate Criminal History Check

Interstate Sex Offender Check

Interstate Child Abuse and Neglect Check

(\*) Fingerprint Required

# Approval/Conditional Approval

## Tribal Programs that are not State-Licensed

### Approved

- CCDBG background check provisions in CCDBG Act and Final Rule are fully implemented.

### Approved with Conditions

- Approved with conditions, pending additional corrective action by the Tribal Lead Agency.
- TA will be made available to support implementation.

**Note:** For Tribes with a mix of non-State licensed programs and State licensed programs, Final Approval Letters will specifically indicate who must take corrective action (Tribe or State).

## Tribal Programs that are State-Licensed

### Approved

- CCDBG background check provisions in CCDBG Act and Final Rule are fully implemented.

### Approved with Conditions

- Approved with conditions, pending additional correction action by the State.
- OCC will determine the State's status on any non-compliant provisions and will provide TA.
- The Tribe will not be required to propose any alternative approaches to satisfy/meet any of State's non-compliant provisions.

# Timeline for Compliance

- **October 1, 2019:** CCDBG Act of 2014 and final rule requirements in effect
- **January 2020:** FY 2020-2022 Plans approved (with conditions)
- **2020-2021:** Ongoing effort with OCC and TA partners for Tribes to come into full compliance with CCDF requirements
- **July 2022:** FY 2023-2025 CCDF Plan submission
- **October 1, 2022:** FY 2023-2025 CCDF Plan in effect
  - FULL compliance with CCDF requirements
  - Non-compliance may result in possible penalties

# Next Steps

- FY 2020-2022 CCDF Plan approval letter
- Reach out to OCC Regional Office staff to start TA plan



# Resources

- **American Indian and Alaska Native CCDF Administrators' Resource Notebook**
- <https://childcareta.acf.hhs.gov/american-indian-and-alaska-native-ccdf-administrators-resource-notebook>
- **American Indian and Alaska Native Child Care and Development Fund: Guide to Financial Management, Grants Administration, and Program Accountability**
- [https://childcareta.acf.hhs.gov/sites/default/files/public/american\\_indian\\_alaska\\_native\\_ccdf\\_fiscal\\_guide\\_0.pdf](https://childcareta.acf.hhs.gov/sites/default/files/public/american_indian_alaska_native_ccdf_fiscal_guide_0.pdf)
- **Adapting, Designing, and Implementing Child Care and Development Fund Health and Safety Standards**
- <https://childcareta.acf.hhs.gov/resource/adapting-designing-and-implementing-child-care-and-development-fund-health-and-safety>