

LEGISLATIVE SUMMARY SHEET

Tracking No. 0281-16

DATE: August 18, 2016

TITLE OF RESOLUTION: AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, BUDGET AND FINANCE AND NAABIK'ÍYÁTI'; APPROVING NAVAJO NATION CHILD CARE AND DEVELOPMENT FUND PLAN FOR FEDERAL FISCAL YEARS 2017 -2019

PURPOSE: This resolution will approve the Navajo Nation Child Care and Development Fund Plan for Federal Fiscal Years 2017 -2019.

This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate to review each proposed resolution in detail.

5-DAY BILL HOLD PERIOD: None
Website Posting Time/Date: 3:31pm 8/22/16
Posting End Date: 8/27/2016
Eligible for Action: 8/28/2016

Health, Education & Human Services Committee

THENCE

Budget & Finance Committee

THENCE

Naa'bik'íyáti' Committee

PROPOSED STANDING COMMITTEE RESOLUTION
23rd NAVAJO NATION COUNCIL -- Second Year, 2016

INTRODUCED BY


(Sponsor)

TRACKING NO. 0281-16

AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, BUDGET AND
FINANCE AND NAABIK'ÍYÁTI'; APPROVING NAVAJO NATION CHILD CARE
AND DEVELOPMENT FUND PLAN FOR FEDERAL FISCAL YEARS 2017 -2019

BE IT ENACTED:

Section One. Authority

A. The Health, Education and Human Services Committee (HEHSC) is a standing committee of the Navajo Nation Council. It is empowered to review and recommend resolutions regarding certain matters, including health, education and social services. 2 N.N.C. §§ 164 (A)(9), 400 (A), 401 (B)(6)(a) (2012); *see also* CO-45-12.

B. The Budget and Finance Committee is a standing committee of the Navajo Nation Council. It is empowered to "[a]uthorize, review, approve and accept agreements, including contracts and grants, between the Navajo Nation and any federal, state or regional authority upon the recommendation of the standing committee which has oversight of the division, department or program which has applied for the agreement, or upon recommendation of the Chapter." 2 N.N.C. § 301(B)(15).

C. The Naabik'íyáti' Committee is a standing committee of the Navajo Nation Council. Among other statutory powers, the committee has the delegated responsibility to "review and continually monitor the programs and activities of federal and state

1 departments and to assist development of such programs designed to serve the Navajo
2 People and the Navajo Nation through intergovernmental relationships between the
3 Navajo Nation and such departments." 2 N.N.C. § 701 (A)(7) (2012).

4 5 **Section Two. Findings**

6 A. The Child Care and Development Fund (CCDF) is authorized by the federal Child
7 Care and Development Block Grant Act and Section 418 of the Social Security Act.
8 CCDF assists low-income families in obtaining child care so they can work or attend
9 training/education. Purposes of the program include improving the quality of child care
10 and promoting coordination among early childhood development and afterschool
11 programs. See *www.acf.hhs.gov*.

12 B. The Navajo Nation Division of Social Services has prepared the Navajo Nation's
13 Child Care and Development Fund Plan for Federal Fiscal Years 2017 - 2019. See
14 Exhibit "A," Plan documents. The CCDF Plan covers the period October 1, 2016 to
15 September 30, 2019, with an estimated annual funding amount of \$8,477,372. *Id.*

16 17 **Section Three. Approving Child Care and Development Fund Plan**

18 The Navajo Nation hereby approves the Navajo Nation Child Care and
19 Development Fund Plan for Federal Fiscal Years 2017 - 2019, attached hereto as Exhibit
20 "A."



CHILD CARE AND DEVELOPMENT FUND

for

TRIBE: Navajo Nation

FFY 2017-2019



This Plan describes the CCDF program to be administered by the Tribes for the period 10/1/2016 – 9/30/2019. As provided for in the applicable statutes and regulations, the Tribal Lead Agency has the flexibility to modify this program at any time, including amending the options selected or described herein.

For purposes of simplicity and clarity, the specific provisions printed herein of applicable laws and regulations are sometimes paraphrases of, or excerpts and incomplete quotations from, the full text. The Tribal Lead Agency acknowledges its responsibility to adhere to them regardless of these modifications.

Public reporting burden for this collection of information is estimated to average 120 hours per response, including the time for reviewing instructions, gathering and maintaining the data needed, and reviewing the collection of information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

(Form ACF 118-A; OMB Approval Number: 0970-0198, expires 06/30/2019)



TABLE OF CONTENTS

Tips for Completing the Tribal CCDF Plan Preprint

Preprint Design
Technical Assistance

1 Define CCDF Leadership and Coordination with Relevant Systems

- 1.1 Tribal CCDF Applicant
- 1.2 Designated Tribal Lead Agency
- 1.3 Administration through Contracts or Agreements
- 1.4 Consultation in the Development of the Tribal CCDF Plan
- 1.5 Consultation in the Development of the State CCDF Plan
- 1.6 Coordination of Services

2 Provide Stable Child Care Financial Assistance to Families

- 2.1 Eligible Children and Families
- 2.2 Application and Eligibility Determination/Redetermination Processes
- 2.3 Improving Access for Vulnerable Children and Families

3 Ensure Equal Access to High Quality Child Care for Low-Income Children

- 3.1 Description of Direct Child Care Services
- 3.2 Assessing Child Care Market Rates
- 3.3 Setting Payment Rates for Child Care Services
- 3.4 Payment Practices and Timeliness of Payments to Providers
- 3.5 Family Contribution to Payment
- 3.6 Supply Building Strategies to Meet the Needs of Certain Populations

4 Ensuring the Health and Safety of Children in Child Care Settings

- 4.1 Requirements and Standards
- 4.2 Disaster Preparedness and Response
- 4.3 Monitoring and Enforcement Policies and Practices
- 4.4 Criminal Background Checks
- 4.5 Exemption of Relative Providers

5 Supporting Continuous Quality Improvement

- 5.1 Child Care Quality Improvement Goals
- 5.2 Quality Improvement through Provider Training and Professional Development
- 5.3 Other Quality Improvement Activities
- 5.4 Funding for Quality Activities

6 Program Integrity and Accountability

- 6.1 Program Integrity and Accountability Measures



Plan for: Navajo Nation

CHILD CARE & DEVELOPMENT FUND - Plan Period: 10/1/2016 – 9/30/2019

7 Tribal CCDF Funding

7.1 Child Count

7.2 Estimated FY 2017 CCDF Funding Allocation

8 Optional Abbreviated Plan for Tribes Receiving Allocations under \$250,000

Tips for Completing the Tribal CCDF Plan Preprint

Preprint Design

Technical Assistance

Section 1 – Administration

Section 2 – Child Care Services Offered

APPENDIX 1: Child Count Declaration Form

APPENDIX 2: CCDF Program Assurances and Certifications

APPENDIX 3: List of Certifications

APPENDIX 4: Amendments Log

CCDF Plan Effective Date: October 1, 2016

Amended Effective Date: [Insert Date as Amended] _____



Tips for Completing the Tribal CCDF Plan Preprint

Preprint Design

The Tribal CCDF Plan Preprint is organized into seven critical areas:

- Section 1 identifies the Tribe or Tribal Organization applying for CCDF funds, including how that applicant entity delegates the administration of the CCDF program, how it develops its CCDF Plan, and how it plans to coordinate CCDF-funded services with other relevant entities;
- Section 2 details how the grantee decides who is eligible for CCDF-funded services, the means by which parents are informed and can apply for services, and how the grantee gives priority to children with special needs;
- Section 3 describes CCDF-funded services available, how assessment of market rates is determined, how payment rates for services are computed, how timely payments are made to providers, how family co-payments are determined, and the strategies used to increase the supply and quality of services;
- Section 4 identifies what health and safety standards the grantee applies to which categories of providers, what plans the grantee has for disaster preparedness, how policies and procedures are monitored and enforced, what type of criminal background checks are required, and what exemption of health and safety requirements is available to relative providers;
- Section 5 details the grantee's goals for quality improvement, describes professional development opportunities and strategies for retention of providers, lists types of consumer information offered to parents, and other quality improvement activities;
- Section 6 describes the program's integrity and accountability measures; and
- Section 7 identifies whether a grantee has policies and procedures for conducting a child count, what level of CCDF funding the grantee expects to receive in FY 2017, and whether the grantee intends to use CCDF funds for construction/renovation.
- Section 8 is an optional abbreviated Plan that Tribes or Tribal Consortia receiving annual CCDF allocations of less than \$250,000 may choose to complete and submit. Tribes that select this option are not required to complete Sections 1-7 of the Plan. However, Tribes with allocations of less than \$250,000 can choose to complete Sections 1-7 and in doing so will be required to complete all parts/sections unless specifically exempted as noted in the instructions. Note: Tribes can use their FY 2015 or FY2016 allocations to determine whether a Tribe is below the \$250,000 threshold.

Within each section, questions are grouped by topic to make the Preprint easier to read and complete.



When a question requires a “yes” or “no” response, the order of the yes/no options changes depending on the question so that the simplest response is first and the more complex response follows. For example, if a “yes” response would require an explanation and a “no” response would not, the “no” option will appear first. Similarly, if a “no” response has additional sub-questions that need to be answered but a “yes” response does not, the “yes” option would appear first. This structure is used to simplify the Plan development process by allowing the person completing the Plan Preprint to skip over response choices that are not relevant; it is **NOT** designed to imply that the first answer is the correct answer or the default answer. All questions should be answered in the way that best reflects what is actually happening in the Tribal CCDF program.

Guidance boxes are provided after questions that require additional clarification. These boxes may include definitions of unfamiliar terms or phrases, suggestions for details to include in a narrative response, explanations of Office of Child Care (OCC) policy on the topic, and/or references to related questions. It is important to read the relevant Guidance box before answering each question.

Where appropriate, instructions are included that allow Tribes/Tribal Organizations to skip over certain optional questions that do not apply.

In some cases, OCC has included questions in the Preprint that are optional—meaning a Tribe can respond with a “no”—for all Tribes/Tribal Organizations; these questions do not yet apply to Tribal grantees and are **for informational purposes ONLY**. They are designated by a bold, red, delta symbol (**Δ**). The answers provided will help OCC understand how prepared Tribal CCDF programs are to implement the forthcoming CCDF regulations and what kinds of training and technical assistance may be most helpful during the implementation process.

Technical Assistance

Tribes and Tribal Organizations should contact the appropriate OCC Regional Office for guidance and support in completing the Tribal CCDF Plan Preprint. Contact information for the OCC Regional Program Managers can be found online at <https://www.acf.hhs.gov/programs/occ/resource/regional-child-care-program-managers>.

Tribes and Tribal Organizations having additional needs for technical assistance can report their projected needs in the annual ACF-700 report (Question #4).



1 Define CCDF Leadership and Coordination with Relevant Systems

This section provides information on how the CCDF program is administered, including the designated Tribal Lead Agency and the administrative structure. It also addresses who was consulted in the development of the Tribal CCDF Plan and how the Tribal Lead Agency plans to coordinate CCDF services with other entities.

1.1 Tribal CCDF Applicant

1.1.1 Tribe (i.e., the official name of the Tribe as listed in the Federal Register) or Tribal Consortium Applicant

- a) Name of the Tribe (or Tribal Consortium): Navajo Nation
- b) Name of Tribal Chair/President/Leader: Russell Begaye
- c) Title: President
- d) Address: P.O. Box 7440
- e) City, State, Zip Code: Window Rock, Arizona 86515
- f) Telephone Number: (928) 871-6352 Ext: 7194
- g) Fax Number: (928) 871-4025
- h) Email Address: russellbegaye@navajo-nsn.gov

Note: ACF will send official grant correspondence such as grant awards, grant adjustments, Plan approvals, and disallowance notifications to the designated contact identified here. (658D(a))

1.1.2 Are you a Tribal Consortium?

☒ No. (skip to Section 1.2)

☐ Yes. **Provide a comprehensive list with each new Plan of the participating member Tribes/Alaska Native Villages and include demonstrations** from the consortium's participating Tribes indicating that the consortium has the authority to seek funding on their behalf. Examples of demonstrations include a Tribal Resolution, a letter signed by the Tribal Leader, or another official document from the Tribal/Village government. (98.80(c)(1), 98.81(b)(8)(i))

Guidance: For Alaska Native Regional Nonprofit Corporations, the list and demonstrations are for purposes of Discretionary Funds only.

The list is provided as Attachment #: _____

The demonstrations are provided as Attachment #: _____

Note: If there is any change in the consortium membership, the Tribal Lead Agency must notify ACF through an amendment to the Plan.



- 1.1.3 A Tribal consortium must describe how it coordinates services on behalf of each of its participating member Tribes/Villages. Include a brief summary of how the consortium is coordinating services (including direct services) on behalf of each participating member. (98.81(b)(8)(ii), 98.83(c)(1))

Guidance: The description should address how child care services are provided to each member Tribe/Village. The description should reference all Tribal CCDF-Operated Centers that receive CCDF funds as part of the consortium and those should be listed in the table in Section 3.1.2.

Describe: _____

1.2 Designated Tribal Lead Agency

The Tribe or Tribal consortium will designate an agency to represent the Tribe/consortium as the Tribal CCDF Lead Agency. This designated agency agrees to administer the Tribal CCDF program in accordance with applicable Federal laws and regulations and the provisions of this Plan, including the attached assurances and certifications. (Appendix 2). (658D, 658E(c)(1))

- 1.2.1 Identify the Lead Agency designated by the Tribe or Tribal consortium to administer the CCDF program.

- a) Name of Tribal Lead Agency: Navajo Nation Division of Social Services - Child Care and Development Fund Program
- b) Web Address for Tribal Lead Agency (if any): None

- 1.2.2 Who is the Tribal CCDF Administrator?

Identify the CCDF Administrator designated by the Tribal Lead Agency, the day-to-day contact, or the person with responsibility for administering the Tribal CCDF program. If there is more than one designated contact with shared responsibility for administering the CCDF program, please identify the co-administrator/assistant administrator and include contact information.

Note: ACF will send programmatic communications such as program announcements, program instructions, and data collection instructions to the designated contact identified here.

- a) Contact Information for the Tribal CCDF Administrator:

Name of Tribal CCDF Administrator: Grace M. Boyne

Title: Program Manager II

Mailing address: P.O. Box 2425, Window Rock, Arizona 86515

Physical address (if different than mailing address): Hogan Tso Complex at the intersection of Arizona Highway 264 and Navajo Route 12 in Window Rock.

Telephone Number: (928) 871-6629 Ext: _____

Fax Number: (928) 871-7077

Email Address: gboyne@navajo-nsn.gov



- b) Contact Information for Tribal CCDF Co-Administrator/Assistant Administrator (if applicable):

Name of Tribal CCDF Co-Administrator/Assistant Administrator: _____

Title: _____

Telephone Number: (____)____-____ Ext: _____

Email Address: _____

Describe the role of the Co-Administrator/Assistant Administrator: _____

1.3 Administration through Contracts or Agreements

The Tribal Lead Agency has broad authority to administer the CCDF program through contracts or agreements with other governmental, non-governmental, or other public or private local agencies. The Tribal Lead Agency remains the single point of contact and retains overall responsibility for the administration of the CCDF programs. (658D(b)(1)(A), 658E(c)(3)(C), 98.11, 98.16(c)(1)) Examples of such agreements could include:

- The Tribal Lead Agency has a written agreement with another Tribal department to operate Tribal child care centers or to conduct background checks, etc.;
- The Tribal Lead Agency may contract with the local child care resource and referral agency to operate the Tribe's child care program (including determining family eligibility and issuing payments to child care providers or providing high quality activities).

1.3.1 Will the Tribal Lead Agency **directly** administer and operate the CCDF program? (98.16(c)(1))

Guidance: This question does not pertain to the demonstrations referenced in Section 1.1.2 between a consortium and its participating/constituent member Tribes/Villages.

☒ Yes, the Tribal Lead Agency will directly administer and operate **all** aspects of the CCDF program. (skip to Section 1.4)

☐ No, the Tribal Lead Agency **will not** directly administer and implement all aspects of the CCDF program.

- a) List the names of those entities that will administer/operate aspects of the CCDF program and describe which aspects of the CCDF program they will administer/operate:

- b) Describe how the Tribal Lead Agency will maintain overall control of the CCDF-funded program components administered and operated by the entities listed above:

- c) Attached copies of the contracts or agreement as Attachment #: _____



1.4 Consultation in the Development of the Tribal CCDF Plan

In the development of the Tribal CCDF Plan, the Tribal Lead Agency is required to consult with representatives of general purpose local/Tribal government. (658D(b)(2), 98.14(b)) Tribal Lead Agencies are also required to conduct a public hearing to provide the public an opportunity to comment on the provision of the child care services under the CCDF Plan.

Note: For the purposes of developing this Plan, consultation involves meeting with, or obtaining input from, appropriate representatives of the Tribal community.

1.4.1 Check the boxes to describe how the Tribal Lead Agency consulted with representatives of local/Tribal government, on the development of the Plan:

☒ Regular meetings: Navajo Nation Legislative body - the Health, Education and Human Services Committee of the Navajo Nation Tribal Council

☒ Conference Calls: Navajo Nation Department of Self Reliance (TANF)

☒ Emails: Navajo Nation Department of Self Reliance (TANF)

☐ Working committees: _____

☒ Other: Describe: Coordination with the local communities such as the chapters at Leupp, Pinon and St. Michaels, Arizona as well as Pueblo Pintado and Shiprock, New Mexico.

1.4.2 Did the Tribal Lead Agency consult with any other Tribal or non-Tribal organizations or entities on the development of the Plan?

☒ No.

☐ Yes. Describe: _____

1.4.3 Tribal Lead Agencies are required to conduct a public hearing to provide the public an opportunity to comment on the provision of child care services under the CCDF Plan. (658D(b)(1)(C), 98.14(c)(1-3), 98.16(e))

Guidance: The Tribal Lead Agency must conduct at least one public hearing prior to the submission of the Tribal CCDF Plan, but no earlier than January 1, 2016. Lead Agency must provide a notice of the hearing throughout the Tribal Lead Agency's service area. This notice must be provided no later than 20 days prior to the date of the hearing. Tribal Lead Agencies must make the contents of the Plan available to the public in advance of the hearing. (98.14(c)(3))

Describe the Tribal Lead Agency's public hearing process:

- a) Date(s) of public hearing notice(s) *(at least 20 calendar days prior to the public hearing)*:
Hearing notices were placed in the local tribal newspaper (The Navajo Times) on April 21, 2016, the Gallup Independent and the Daily Times (Farmington, NM) which services the surrounding tribal communities.
- b) Date(s) of public hearing(s) *(no earlier than January 1, 2016)*:



Plan for: **Navajo Nation**

CHILD CARE & DEVELOPMENT FUND - Plan Period: 10/1/2016 – 9/30/2019

May 10, 2016 (Pueblo Pintado, New Mexico), May 12, 2016 (St. Michaels, Arizona), May 17, 2016 (Shiprock, New Mexico), May 19, 2016 (Leupp, Arizona) and May 26, 2016 at Pinon, Arizona.

- c) Location(s) of the public hearing(s):
Pueblo Pintado and Shiprock, New Mexico and St. Michaels, Leupp and Pinon, Arizona.
- d) How was the public notified of the public hearing? Check all that apply.
- ☐ Parent newsletter
 - ☒ Tribal/local media
 - ☐ Internet. List website address(es): _____
 - ☐ Social media (such as Facebook, Twitter, etc.)
 - ☒ Posting on community bulletin board, etc.
 - ☒ Other: Word of mouth, invitations were extended to family, friends and neighbors.
- e) How the content of the Plan was made available throughout the service area prior to the public hearing? Check all that apply.
- ☒ Tribal offices (including CCDF offices)
 - ☐ Internet (provide website(s)): _____
 - ☐ Email
 - ☐ Other: _____
- f) Describe how the input from the public hearing(s) was taken into consideration in the development of the final Plan:
Public comments, ideas, and recommendations were requested from the public; they were documented and, if changes are necessary, the changes will be incorporated into the tribal plan.

1.4.4 **▲** Does the Tribal Lead Agency make the final CCDF Plan and any subsequent Plan Amendments available to the public?

- ☒ No.
- ☐ Yes. Describe: _____

1.5 Consultation in the Development of the State CCDF Plan

The CCDBG Act of 2014 requires States, at the option of the Tribe or Tribal organization to collaborate and coordinate with Tribes and Tribal organizations in the development of the **State CCDF Plan** in a timely manner. (658D (b)(1)(E))

1.5.1 Did the Tribe provide input into the development of the State's CCDF Plan?

- ☒ No. Describe: _____

CCDF Plan Effective Date: **October 1, 2016**

Amended Effective Date: [Insert Date as Amended] _____



☐ Yes. Describe: _____

1.6 Coordination of Services

As part of its CCDF Plan development process, the Tribal Lead Agency is required to coordinate services with other Tribal, Federal, State, and/or local child care and early childhood development programs and with agencies responsible for public health, employment services/workforce development, public education, and Temporary Assistance for Needy Families. (658D(b)(1)(D), 98.14(a), 98.16(d))

1.6.1 Describe how the Tribal Lead Agency coordinates the delivery of CCDF services with the following agencies or entities and the results of those coordination efforts:

- a) Other Tribal, Federal, State and local child care and early childhood development programs, including, to the extent possible, Head Start/Early Head Start; Early Head Start – Child Care Partnerships; Maternal, Infant, and Early Childhood Home Visiting; State CCDF; Child and Adult Care Food Program (CACFP); Summer Food Service Program; and programs serving infants and toddlers, preschool-age children, children with disabilities, homeless children, and children in foster care

Describe: Meetings were coordinated with Headstart and a formal agreement was written and shared with Headstart for facility usage and cost sharing.

- b) Employment services/workforce development

Describe: Meetings on a quarterly basis to discuss collaboration and to coordinate services.

- c) Public health (including the agency responsible for immunizations and dental care)

Describe: Use of health care professional to train the NNCCDF staff in areas such as the Health and Safety topics. The Indian Health Services are located in several communities including Fort Defiance, Tuba City, Window Rock, Arizona and in New Mexico, Shiprock and Crownpoint. Fort Defiance Service Unit is involved with Little Miss Muffet Child Care Center with summer gardening activities.

- d) Public education

Describe: Coordinate with community educators and service providers to conduct training for CCDF staff. Utilized Northland Pioneer College for CDA certification of NNCCDF staff.

- e) Social services (including agencies providing mental health services)

Describe: Coordination with programs within the Division of Social Services to provide child care services on their referrals and to access training on prevention of child abuse and neglect.

- f) Temporary Assistance for Needy Families (TANF)

Describe: A formal agreement is in process to coordinate child care services for their clientele. CCDF accepts referrals from Navajo Nation Program for Self Reliance for child care services.

- g) Public-private partnerships

Describe: _____



h) Other

Describe: _____

- 1.6.2 Did the Tribal Lead Agency coordinate with Head Start/Early Head Start or other programs/agencies to assess the needs and what resources are available to support early childhood development?

☒ No.

☐ Yes. Describe: _____

- 1.6.3 **▲** How does the Tribal Lead Agency determine the Tribal community's child care needs, including the needs of any underserved populations, such as infants and toddlers, special needs children, and non-traditional hour care? For example, does the Tribal Lead Agency conduct a needs assessment, survey community members, etc.?

Describe: The NNCCDF child care centers and Casework Unit work in tandem to monitor the waiting list to ascertain the child care needs of parents.



2 Provide Stable Child Care Financial Assistance to Families

2.1 Eligible Children and Families

At the point in time when eligibility is determined, children must: (1) be under the age of 13; (2) meet the Tribal Lead Agency's definition of "Indian Child"; (3) reside within the Tribal Lead Agency's defined "service area"; (4) reside with a family whose income does not exceed 85 percent of the Grantee Median Income (GMI) for a family of the same size; and (5)(a) reside with a parent or parents who are working or attending a job training or educational program; or (b) receive, or need to receive, protective services and reside with a parent or parents not described in (5)(a) above. (658P(4))

2.1.1 Eligibility Criteria Related to the Child

- a) Programs and activities are to be carried out for the benefit of Indian children. 98.81(b)(2)(i)

Guidance: While Tribal Lead Agencies have some flexibility in defining "Indian Child," the definition must be limited to children from federally recognized Indian Tribes, consistent with the Child Care and Development Block Grant Act's definition of Indian Tribe. 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.

The Tribal Lead Agency defines an "Indian child" as: A child who is an enrolled member of the Navajo Nation, eligible for enrollment or whose enrollment is pending or a child of or a descendant of an enrolled member of Navajo Nation. This includes adopted children, foster children, step-children or children placed with a person standing in loco parentis.

- b) Programs and activities are to be carried out for the benefit of Indian children living **on or near** the Indian reservation or, for those Tribes that do not have reservations, the Tribe's existing service area. If a Tribal Lead Agency establishes a different service area for CCDF purposes, it must be within a reasonably close geographic proximity to the borders of the Tribe's reservation or existing service area. (658O(c)(2)(B), 98.80(e), 98.81(b)(2)(ii), 98.81(b)(3)(ii), 98.83(b))

Guidance: There is an expectation that the Tribal Lead Agency will be able to provide services to families throughout the service area. ACF will not approve an entire state as a Tribe's service area. Tribes can limit services within the reservation boundaries or can go beyond the reservation boundaries. For example: "permanent residence is within the reservation boundaries, however the participant is temporarily attending school outside of the reservation area," or "resides within 20 miles of the reservation boundaries," etc.

Define the Tribal Lead Agency's CCDF Service Area: The Navajo Nation Reservation and designated "near reservation" communities as approved by the Navajo Nation Tribal Council Resolution No. HHSC-AU-40-89 and permanent residence is within the Navajo Nation reservation boundaries and "near reservation" designated communities, but the parent(s) or person standing in loco parentis is temporarily attending a job training or educational program



outside of the reservation or "near reservation" area.

Optional: In addition to the description above, a clearly labeled map of the service area is attached. Attachment # 01

- c) The Tribal CCDF program serves children from birth (weeks/months/years) to 12 years, 11 months (weeks/months/years) (**Note:** Maximum age is through age 12).
- d) Does the Tribal Lead Agency allow CCDF-funded child care for children age 13 and above but below age 19 years who are physically and/or mentally incapable of self-care? (658P(3), 98.20(a)(1)(ii))
- ☐ Yes, and the upper age is _____ (maximum age is through age 18).
Define "physical or mental incapacity": _____
- ☒ No.
- e) Does the Tribal Lead Agency allow CCDF-funded child care for children age 13 and above but below age 19 years who are under court supervision? (98.20(a)(1)(ii))
- ☐ Yes, and the upper age is _____ (maximum age is through age 18).
- ☒ No.

2.1.2 How does the Tribal Lead Agency define the following terms for CCDF eligibility purposes?

- a) "residing with":
Living in the same household with parent(s) or person standing in loco parentis during the period that child care assistance and services is needed. This includes primary physical and/or joint-custody arrangements/agreements.
- b) "in loco parentis" (refers to an individual who assumes parental status and responsibilities for another child, such as a foster parent or other guardian):
A person standing in place of a parent(s) who is granted care and control of a child through formal or informal guardianship or agreement to provide legal responsibility in maintaining the child's basic need for food, clothing, shelter, medical care and educational and child care needs.

2.1.3 Eligibility Criteria Based on Reason for Care

- a) In order to be eligible to receive CCDF services, children must reside with a parent(s) who are working, attending a job training program, or attending an educational program. Check all parent participation options below that the Tribal Lead Agency allows; for each option checked, provide a brief definition of the term as used for CCDF eligibility purposes.

Guidance: Tribal Lead Agencies have broad flexibility in defining "working," "attending a job training program," and "attending an educational program." The definitions provided below should include any allowable activities, including travel time and study time. For example, a definition of "working" could include working for a salary or wages, self-employment, subsistence activities, job search, and/or volunteering, as well as the travel time to and from the activity. Definitions should also



address any limitations, such as minimum hours required or maximum hours allowed.

☒ Eligibility based on working

Define "working": Parents who are on salary or receiving wages through documented employment or self-employment and/or other documented work activities such as with the State or Tribal TANF (Navajo Nation Department of Self Reliance) and Workforce Development Programs (Navajo Nation Department of Workforce Development), and/or volunteering; it includes travel time to and from the work activity site. The following work activities are included in the definition of "working":

*Job search for a period of ninety (90) days (excluding weekends, federal and tribal holiday) and for periods of unemployment due to resignation, lay-off, termination or furlough. Job search is limited to ten (10) hours per day, five (5) days per week.

*Parent(s) temporarily absent from employment or work due to sick, maternity or extended medical leave granted by their employer, will continue to be considered as working and child care assistance and services will continue. Parents must submit a copy of the approved leave from employer and a medical statement for extended medical leave.

*Parent(s) temporarily absent from employment or work due to annual or personal time off /leave granted by the employer will continue to be considered as working and child care assistance will continue.

☒ Eligibility based on attending a job training program

Define "attending a job training program": Documented verification of enrollment, acceptance or participation in a structured activity outside of the home on a regular schedule from a job training site/entity. The job training activities, topics, course of study or classes must lead to a certificate, diploma, degree, license or certification. The goal or outcome is to gain skilled trade or skills in preparation for employment. This includes travel time to and from the job training site. This also include participants with the State or Tribal TANF (Navajo Nation Department of Self Reliance) and Workforce Development Program (Navajo Nation Department of Workforce Development).

☒ Eligibility based on attending an educational program

Define "attending an educational program": Documented verification of enrollment, acceptance or participation in a program at an educational institution or program such as high school, college, university, trade or vocational school, General Education Equivalency (GED) classes, remedial educational classes. Includes travel, class, study time, tutoring time and final exams. Study time for non-class days and hours is determined by student, assigned caseworker and, at time, Casework Supervisor and/or Program Supervisor.

b) Does the Tribal Lead Agency provide child care to children who receive, or need to receive,



protective services?

☐ No (skip to 2.1.4).

☒ Yes. Complete 1-4 below.

Guidance: Tribal Lead Agencies have the flexibility to define protective services beyond formal child welfare or foster care cases, including but not limited to, homeless children. If the Tribal Lead Agency provides CCDF-funded child care to children in foster care whose foster care parents are not working, or who are not in education/training activities, for CCDF purposes, these children are considered to be in protective services and must be included in this definition.

- 1) Define “protective services” for the purposes of eligibility:

A child in need of child care services due to abuse, neglect or is at risk for abuse or neglect. The risk of abuse or neglect may be due to a parent's inability to care for a child due to addiction, substance abuse, age, disability, physical, mental or medical condition, or in a crisis situation due to domestic violence or homelessness, participation in a drug treatment, mental health treatment or drug rehabilitation program or court-ordered community service.

- 2) Does the Tribal Lead Agency waive the co-payment and income eligibility requirements on a case-by-case basis for cases in which children receive, or need to receive, protective services? (658E(c)(5), 98.20(a)(3)(ii)(A-B))

☒ Yes.

☐ No.

- 3) Does the Tribal Lead Agency provide CCDF-funded child care to children in foster care whose foster care parent(s) are not working, or who is not in education/training activities? (98.20(a)(3)(ii), 98.16(f)(7))

☒ Yes, and foster care is included under the Tribal Lead Agency's definition of protective services in 2.1.3(b)(1) above. (This means that, for CCDF purposes, the Tribal Lead Agency considers these children to be served under the protective services eligibility category.)

☐ No.

- 4) Does the Tribal Lead Agency provide respite child care for children in protective services? (98.16(f)(7))

Guidance: CCDF allows for “respite care” only for brief, occasional periods in excess of the normal “less than 24 hr. period” allowed for CCDF child care. Respite care is available for parents in protective services cases (including foster parents, if the Tribal Lead Agency checks “yes” under 2.1.3(b)(3) above) who need relief from caretaking responsibilities. For example, CCDF could pay a provider to care for a protective services child for one weekend a month. This definition of “respite child care” may differ from how Tribes define it for other purposes (e.g., child welfare). Since respite care is provided to give parents time off from parenting, rather than care to allow the parent to participate in work or in education or training, CCDF cannot be used for respite care for children with



Plan for: Navajo Nation

CHILD CARE & DEVELOPMENT FUND - Plan Period: 10/1/2016 – 9/30/2019

disabilities unless the child also needs or is receiving protective services.

CCDF Plan Effective Date: October 1, 2016

Amended Effective Date: [Insert Date as Amended]



☐ Yes, and respite care is included under the Tribal Lead Agency's definition of protective services in 2.1.3(b)(1) above.

☒ No.

2.1.4 Eligibility Criteria Based on Family Income

a) How does the Tribal Lead Agency define "income" for the purposes of eligibility?

Guidance: Tribal Lead Agencies have flexibility in defining "income." This flexibility allows for the exclusion or deduction of certain types of income, as defined by the Tribe, from calculations of total family incomes for purposes of eligibility determination.

Define "income": Gross monthly earnings received in a family household which includes salary, wages, tips, commission, piece rate payments, self-employment earnings and cash payments minus the following: federal tax withholding, medicare tax, FICA (Federal Insurance Contribution Act) to obtain earnings for eligibility purposes. A family household includes the applicant (primary person), any other parent or responsible person, children (includes single adult children, 18-26 years of age) and other dependents under 18 years of age as granted through guardianship documentation. This includes step-parents, step-children and siblings of the applicant who reside in the same household.

b) Tribal Lead Agencies must establish CCDF family income eligibility limits. Those limits cannot exceed 85% of the Grantee Median Income (GMI). A Tribal Lead Agency has the flexibility to use either State Median Income or Tribal Median Income as its GMI. Check the appropriate box below to indicate which option the Tribal Lead Agency has selected:

☒ State Median Income (SMI) for a family of the same size.

Source: Federal Register Year: 2016

☐ Tribal Median Income (TMI) for a family of the same size residing in the area served by the Tribal Lead Agency.

Source: _____ Year: _____

c) Complete the CCDF income eligibility table.

i. Column (a) lists the current GMI for each family size. Column (b) lists 85% of the current GMI for each family size (by law, this is the maximum allowable income for CCDF eligibility). **All Tribal Lead Agencies must complete columns (a) and (b).**

ii. Tribal Lead Agencies have the option of setting income eligibility limits below 85% of the current GMI. Has the Tribal Lead Agency chosen to set income eligibility limits below 85% of the current GMI?

☒ No (do not complete columns (c)-(f); skip to 2.1.5).



☐ Yes. Complete columns (c) and (d) to show the Tribal Lead Agency's maximum income eligibility level for each family size at the time a family applies for CCDF services.

iii. Once a family's eligibility has been determined, Tribal Lead Agencies have the flexibility to allow families to continue to receive CCDF assistance if their income increases above the eligibility limit shown in column (c), as long as their income does not exceed the eligibility limit shown in column (b) (85% of the current GMI). Does the Tribal Lead Agency allow families to continue to receive CCDF assistance during their eligibility period (as defined in 2.2.5) if their income increases but remains at or below 85% of the current GMI?

☒ No (do not complete columns (e) and (f); skip to 2.1.5).

☐ Yes, families can continue to receive assistance until their income reaches an amount up to 85% of the current GMI. Complete columns (e) and (f) to list the Tribal Lead Agency's maximum "exit" income levels; the income limit in column (e) cannot exceed the amount shown in column (b).

Table 2.1.4(c): Tribal CCDF Income Eligibility Levels						
	(a)	(b)	(c)	(d)	(e)	(f)
Family Size	100% of Grantee Median Income (GMI)	85% of GMI	(IF APPLICABLE) Maximum Income Level if lower than 85% Current GMI		(IF APPLICABLE) Maximum "Exit" Income Level (cannot exceed 85% GMI)	
	\$/month	\$/month [Multiply (a) by 0.85]	\$/month	% of GMI [Divide (c) by (a), multiply by 100]	\$/month	% of GMI [Divide (e) by (a), multiply by 100]
1*	<u>2823</u>	<u>2399</u>	_____	_____	_____	_____
2	<u>3691</u>	<u>3137</u>	_____	_____	_____	_____
3	<u>4560</u>	<u>3876</u>	_____	_____	_____	_____
4	<u>5428</u>	<u>4614</u>	_____	_____	_____	_____
5	<u>6297</u>	<u>5352</u>	_____	_____	_____	_____
6	<u>7165</u>	<u>6090</u>	_____	_____	_____	_____
7	<u>7328</u>	<u>6229</u>	_____	_____	_____	_____
8	<u>7491</u>	<u>6367</u>	_____	_____	_____	_____

***Note:** On a case-by-case basis, Tribal Lead Agencies may consider a child in foster care to be a "family of one" for purposes of determining CCDF income eligibility.

2.1.5 **Δ** During the eligibility determination or redetermination process, does the Tribal Lead Agency take into account fluctuations in family income?



Guidance: Tribal Lead Agencies have the flexibility to take into account irregular fluctuations in income when determining and redetermining eligibility. This is particularly important for families who rely on work that is unpredictable or seasonal in nature, such as agriculture, construction work, or subsistence activities such as hunting and fishing. These families may experience a temporary spike in income due to working increased hours over a short period, yet those earnings are not representative of the family's income over the course of a year.

☐ No.

☒ Yes. Describe: Families who experience a temporary increase in monthly income due to overtime, retroactive, bonus pay or increased work days or hours over a short period of time will not have the additional income counted as part of the income eligibility determination or redetermination process because these earnings are not a true reflection of the family's income over the course of the year.

2.1.6 Does the Tribal Lead Agency establish additional eligibility criteria? (98.16(g)(5), 98.20(b))

Guidance: The Tribal Lead Agency has flexibility in establishing additional eligibility criteria. Additional criteria could include, for example, application to the State CCDF program first; higher income limits in one part of the tribal service area; or an asset/resource limit.

☒ No.

☐ Yes. Describe: _____

If additional eligibility criteria include different income eligibility limits, please attach additional income eligibility tables and indicate attachment number(s): _____

2.2 Application and Eligibility Determination/Redetermination Processes

2.2.1 Tribal Lead Agencies must inform parents of eligible children and the general public of the process by which they can apply for Tribal CCDF assistance. (658E(c)(2)(E)(i)(1))

Parents are informed of the availability of child care assistance services under Tribal CCDF through (check all that apply):

☒ Tribal Lead Agency

☒ Child care providers

☐ Child care resource and referral agencies

☐ Public and/or tribal schools

☐ Early Head Start/Head Start programs

☐ Health Clinics

☒ TANF offices

☒ Other tribal offices



- ☐ Other governmental offices
- ☒ Community outreach events
- ☒ Radio and/or television
- ☐ Social media
- ☐ Internet (provide website): _____
- ☒ Other. Describe: Word of mouth, family, friends, parents of children in the CCDF program or child care centers and/or family child care providers.

2.2.2 How can parents apply for child care services? Check all that apply.

- ☒ In-person interview or orientation
- ☐ Phone
- ☒ Mail/fax
- ☐ At the child care provider's site
- ☐ Electronically via online application or email (provide website): _____
- ☐ Other. Describe: _____

2.2.3 Describe how the Tribal Lead Agency documents and verifies child and family eligibility:

An application is submitted along with required documents such as employment verification forms, check stubs, parent and child(ren) identifying documents and map to the family home location. CCDF caseworkers completes the Family Assistance Eligibility Worksheet and compares the income calculated to the Navajo Nation Income Matrix and Sliding Fee Scale and determines where the family falls on the scale. It may be either Levels 1, 2, 3 or 4.

2.2.4 **Δ** Which strategies, if any, will the Tribal Lead Agency use to assure the timeliness of eligibility determinations upon receipt of applications? Check all that apply.

- ☒ Time limit for making eligibility determinations. Define time limit: 30 business days from the date of application is received and indicated by the time-stamp demonstrating when it was received by Casework Unit. This excludes weekends, federal and tribal holidays or as soon as possible but no later than 30 business days.
- ☒ Track and monitor the eligibility determination process
- ☐ Other. Describe: _____
- ☐ None

2.2.5 **Δ** How often does the Tribal Lead Agency redetermine eligibility for CCDF families?

- ☐ Every 12 months
- ☒ Other. Describe: Redetermination period will be six months.

2.2.6 **Δ** Does the Tribal Lead Agency require CCDF families to provide information on the parents' job/



training status or income in between determination periods?

☐ No.

☒ Yes. Describe: If there is a change in income or job training/education status, parents completes a Change Report form and submit appropriate documents such as Employment Verification Form, check stubs or class schedule to document the change. If there is a change in income eligibility such as increase in copayment or family exceeds the income criteria, then they are provided 30 business days of continued child care assistance before the change is implemented.

- 2.2.7 **▲** Does the Tribal Lead Agency have redetermination policies and procedures to ensure that parents do not have their employment, education or job training unduly disrupted? Examples include: allowing telephone applications; having an abbreviated application; and reduced documentation requirements.

Guidance: Tribal Lead Agencies have the flexibility to establish procedures that help ensure that parents do not have to unduly disrupt their employment, education, or job training activities in order to comply with the Tribal Lead Agency's requirements for redetermination of eligibility for assistance.

☒ No.

☐ Yes. Describe: _____

- 2.2.8 Tribal Lead Agencies are required to inform parents who receive Temporary Assistance for Needy Families (TANF) benefits about the exception to the individual penalties associated with the work requirement for any single custodial parent who has a demonstrated inability to obtain needed child care for a child under 6 years of age (98.16(p) and 98.33(b-c)).

Guidance: The TANF agency, not the Tribal CCDF Lead Agency, is responsible for establishing the following criteria or definitions. These criteria or definitions are offered in this Plan as a matter of public record. This question is for informational purposes.

- a) Identify the TANF agency that established these criteria or definitions:

State TANF Agency: _____

Tribal TANF Agency: Navajo Nation Department of Self Reliance

- b) In the spaces below, provide the criteria or definitions used by the TANF agency to determine whether the parent has a demonstrated inability to obtain needed child care:

- i. "appropriate child care":

Child care where the provider is licensed/certified or registered by a State or Tribal child care agency or child care is provided in the child's home or home of a relative of the child, provided the home is a clean-, safe- and supervised-environment where the child will have playtime, adequate nutrition, protection for any and all kinds of harm and the environment is acceptable to the parent(s) or caretaker of the child.

- ii. "reasonable distance":



One way travel time of less than one (1) hour from a Navajo Nation Department for Self Reliance (NNSDR) customer's home, to the child care provider site and to the work activity site.

iii. "unsuitability of informal child care":

Child care deemed as inappropriate and/or unacceptable by a DSR customer and is put in writing due to the concerns that the health, safety and well-being of a child would be, or is at risk.

iv. "affordable child care arrangements":

Formal child care that is available at a cost that is equal to or less than the amount the Navajo Nation CCDF will pay or informal child care at a cost which is acceptable to parent(s) without causing undue financial hardship upon the NNSDR customer's family.

c) How are parents who receive TANF benefits informed about the exception to individual penalties associated with the TANF work requirements? Briefly describe the process:

All NNSDR customers are provided a copy of the NNSDR Pathway to Self Reliance (policy) Manual. Under "Exemption from Penalties, it states that a "customer shall not be penalized for not meeting the Minimum Work Participation Hours requirement if they provide verification of their inability to obtain the needed child care due to one of the following reasons.:

1. Appropriate child care is not available within a reasonable commuting distance from the home; or

2. Informal child care by a relative or other arrangements is unavailable or unsuitable; or

3. Appropriate and affordable formal child care arrangements are unavailable. In addition, when a Personal Responsibility Plan is developed for a customer, if child care is identified as a barrier to their participation in work activities and they are a single custodial parent caring for a child under six (6) years of age, they are informed of the above exemptions from penalties.

2.2.9 The Tribal Lead Agency must have procedures in place to ensure that providers receiving CCDF funds afford parents unlimited access to their children, and access to the providers caring for their children, during normal hours of provider operation and whenever the children are in the care of the provider. (658E(c)(2)(B)) 98.31, 98.16(n))

How does the Tribal Lead Agency ensure that parents have unlimited access? Describe: During parent and provider's orientation, parents are informed that they have unlimited access.

2.3 Improving Access for Vulnerable Children and Families

At a minimum, CCDF requires Tribal Lead Agencies to give priority for child care assistance to "children with special needs." Tribal Lead Agencies may also establish additional priority categories. (658E(c)(3)(B))



- 2.3.1 Describe how the Tribal Lead Agency will prioritize or target child care services for children with special needs. (658E(c)(3)(B))

Guidance: Tribal Lead Agencies have flexibility in how they define “children with special needs.” Tribal Lead Agencies are not limited in defining “children with special needs” to only those children with physical or mental disabilities. For example, Tribal Lead Agencies could consider children in the child welfare system, children of teen parents, or homeless children in their definition of “children with special needs.”

- a) Define “children with special needs”:

Children who receive or are in need of child protective services, who are homeless, children of teenage parents, children who live in a remote/isolated area (live more than 5 miles from the main road), children who are physically or mentally disabled or incapable of self care, children of parents who are physically or mentally disabled or incapable of self care or any developmental delays, and impairments or behavioral issues.

- b) Describe how the Tribal Lead Agency will give priority for child care services to children with special needs: (658E(c)(3)(B), 98.44(b))

Casework Unit will receive and prioritize applications for Special Needs Children and determine eligibility within five business days. The Casework Unit and child care providers collaborate for the placement of children. Priority is given for the placement of child care services as follows:

1. Children who receive or are in need of child protective services
2. Children of teenage parents
3. Families who are homeless
4. Children with developmental delays, hearing/visual impairments or behavioral issues
5. Children who live in a remote/isolated area of no less than 5 miles from the main paved road
6. Children who are physically or mentally disabled or incapable of self care
7. Parents who have disabilities and that are unable to work.

- 2.3.2 Does the Tribal Lead Agency have additional priority rules or categories? (658E(c)(3)(B), 98.16(g)(5), 98.20(b))

☒ No.

☐ Yes. Define the additional priority rules/categories and describe how priority is given:

Definition(s): _____

Describe how priority is given: _____

- 2.3.3 **▲** Does the Tribe have procedures to improve access to child care for homeless children and families? Procedures might include special outreach, grace periods for submitting documentation, etc.

Guidance: Tribal Lead Agencies have the flexibility to establish procedures to improve child care access for homeless children, including procedures allowing a grace period during which homeless children can receive CCDF assistance while their families are, for example, gathering required documentation or taking the necessary actions to comply with immunization and other health and safety requirements as described in Section 4.



Plan for: Navajo Nation

CHILD CARE & DEVELOPMENT FUND - Plan Period: 10/1/2016 – 9/30/2019

☐ No.

☒ Yes. Define "homeless" and describe your procedures.

Define "homeless": Loss of a home due to a natural disaster, loss of income or an eviction. Families living in vehicles or on the streets, temporarily living with relatives, friends or in a shelter; lack of permanent residence or unable to obtain a residence.

Describe procedures: Supporting documents unavailable at the time of application will be granted a grace period of 10 business days to submit all required documents.



3 Ensure Equal Access to High Quality Child Care for Low-Income Children

3.1 Description of Direct Child Care Services

Guidance: CCDF services may be provided through a subsidy program where the grantee offers certificates (so that parents may choose from different categories of care), through a Tribal CCDF-Operated Center, or through grants or contracts for child care slots (i.e., agreements between the grantee and provider to provide child care services). **Currently, Non-Exempt Tribal Lead Agencies are required to operate a certificate program that permits parents to choose care from all four categories of care.** Exempt Tribal Lead Agencies have the *option* of operating a certificate program, but are not required to offer all four categories of care. **Refer to Section 7.2.2 to determine whether the Tribal Lead Agency is currently considered Exempt or Non-Exempt.**

3.1.1 Child Care Services Available through Certificates (658E(c)(2)(A), 658E(c)(3)(A)&(B), 658P(6)&(7), 98.16(g)(1), 98.30, 98.50)

- a) Does the Tribal Lead Agency operate a subsidy program offering certificates that allow parents to choose from a variety of categories of care?

☐ No (skip to 3.1.2) (**Exempt Tribal Lead Agencies only**).

☒ Yes, parents can choose from the following categories of care (check all that apply; **Non-Exempt Tribal Lead Agencies must offer all four categories of care below**):

☒ Center-based child care

☒ Family child care home

☒ Group child care home

☒ In-home child care

Describe the child care certificate payment process: A child care certificate is issued if the family is determined eligible for child care. A certificate is issued to a provider as payment on behalf of the family. The certificate is deemed as an agreement for the provider to provide child care and the time sheet verifies the attendance. These documents are forwarded to the administrative office for payment.

- b) If the Tribal Lead Agency allows for in-home care (i.e., **care provided in the child's own home**), does the Lead Agency limit the use of in-home care in any way?

☐ Not applicable.

☐ No.

☒ Yes. What limits does the Tribal Lead Agency set? Check all that apply.

☐ Restricted based on minimum number of children in the care of the provider (to meet minimum wage law or Fair Labor Standards Act). Describe: _____

☒ Restricted based on provider meeting a minimum age requirement. Describe: The age requirement is 18 years of age and older.

☐ Restricted based on hours of care (a certain number of hours, non- traditional work hours, etc.). Describe: _____

☐ Restricted to care by relatives. Describe: _____



☐ Restricted to care for children with special needs or medical conditions.

Describe: _____

☐ Other. Describe: _____

3.1.2 Child Care Services Available through Tribal CCDF-Operated Centers

Does the Tribe operate one or more child care centers using CCDF funds for operational costs?

Guidance: Tribal Lead Agencies that use CCDF funds to directly support the operational costs of a child care center are said to have a "Tribal CCDF-Operated Center." The Tribe or its designee (not necessarily the Tribal Lead Agency itself) oversees operations of the child care center: paying facility costs (e.g., rent and utilities), hiring and managing staff, purchasing equipment and supplies, and screening families for eligibility.

☐ No (skip to 3.1.3).

☒ Yes. Complete the table below.

Table 3.1.2 Tribal CCDF-Operated Center(s)								
Identify Tribal CCDF-Operated Centers For each Tribal CCDF-Operated Center, provide the center's name and physical address (including City and State) One Center Per Row	Types of Services (Check all that apply)				Age Groups Served (Check all that Apply)			
	Full-Time	Part-Time	Before/After School	Other Services (Briefly Describe)	Infants	Toddler	Preschool	School Age
<u>Cottonwood - Chinle Region</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> Headstart	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Kii DooBaa I - Chinle Region</u>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Daily Drop In	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Kii Doo Baa II - Chinle Region</u>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Daily Drop In	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Note: If the Tribal Lead Agency has more than 3 Tribal CCDF-Operated Centers, please use an attachment to provide the information above for each additional center (Attachment #: <u>02</u>)								

3.1.3 Child Care Services Available through Grants or Contracts for Child Care Slots

- a) Does the Tribal Lead Agency provide child care services through grants or contracts for child care slots? (658E(c)(2)(A), 658Q(b))



Note: Do not check “yes” if every provider is simply required to sign an agreement in order to be paid in the certificate program.

☒ No (skip to 3.1.4).

☐ Yes. Describe:

i. The type(s) of child care services available through grant-/contract-funded slots (such as “center-based infant care”):

ii. How parents are informed of the availability of grant-/contract-funded slots:

iii. How parents apply for those slots:

b) **▲** Does the Tribal Lead Agency use grants or contracts for child care slots to increase the supply and/or improve the quality of child care programs? (658E(c)(2)(M))

☐ No (skip to 3.1.4).

☐ Yes, grant-/contract-funded slots are used to increase the supply and/or improve the quality of the following types of child care programs:

☐ Providers offering native language education or a culturally-based curriculum

☐ Providers to serve specific populations (such as children with disabilities, infants and toddlers, school-age children, homeless children, and children in isolated geographic areas)

☐ Providers to serve children needing care during non-traditional hours

☐ Providers offering comprehensive services, such as child care integrated into Head Start or Early Head Start

☐ Providers meeting higher quality standards, such as programs with higher Quality Rating and Improvement System (QRIS) ratings or nationally accredited programs

☐ Providers offering bonuses, higher pay, or other financial incentives to teaching staff for reaching higher levels of education and/or qualifications

☐ Other. Describe: _____

3.1.4 Are all of the direct child care services described in 3.1.1-3.1.3 available throughout the entire service area? (98.16(g)(3))

☒ Yes.

☐ No. Describe where direct services are, and are not, available within the service area:



Non-Exempt Tribes must also answer the following two questions below.

3.1.5 How are parents informed of the option to choose from the full range of child care provider categories – centers, family child care homes, group child care homes, and in-home providers? (658E(c)(2)(A)(i), 658P(2), 658Q)) Check all that apply.

- ☐ Certificate provides information about the choice of providers, including high quality providers
- ☒ Consumer education materials on choosing child care
- ☒ Verbal communication at the time of application
- ☒ Community outreach, workshops, or other in-person activities
- ☐ Other. Describe: _____

3.1.6 If the Tribal Lead Agency offers both certificates and grants/contract for slots, how are parents advised of the option of receiving a certificate or a slot? (658E(c)(2)(A)(i), 658P(2))

Describe: Inform the parents of the availability of the categories of care under the certificate program.

3.2 **Assessing Child Care Market Rates**

3.2.1 Market Rate Survey Requirements

Tribal Lead Agencies are required to establish payment rates for child care services that ensure eligible families equal access to child care services comparable to those services provided to families not eligible to receive CCDF services. At a minimum, Tribal Lead Agencies are required to show how payment rates are adequate based on a local Market Rate Survey (MRS) conducted *no earlier than* two years (07/1/2014) prior to the date of the Plan submission.

Because Market Rate Surveys might not be feasible for some Tribal Lead Agencies, Tribal Lead Agencies have three options for fulfilling the local Market Rate Survey requirements:

- 1) Conducting a local Market Rate Survey,
- 2) Using the State's local Market Rate Survey, or
- 3) Providing alternative documentation in lieu of a local Market Rate Survey (if applicable criteria are met).

Which option does the Tribal Lead Agency use in fulfilling the local Market Rate Survey requirements? Please select only ONE option. (98.16(I), 98.43)

☒ **Option 1** – The Tribal Lead Agency conducts its own Market Rate Survey.

a) Date the Market Rate Survey was conducted: June /2/2016

b) How did the Tribal Lead Agency use the results of this Market Rate Survey to assist in establishing payment rates for child care services?

Describe: Reviewed the returned surveys and determine the average payment from the



survey.

☐ **Option 2** – The Tribal Lead Agency uses the State's Market Rate Survey.

- a) Name of State(s): _____
- b) Date the State's Market Rate Survey was conducted: ____/____/____
- c) How did the Tribal Lead Agency use the results of this Market Rate Survey to assist in establishing payment rates for child care services?
Describe: _____

☐ **Option 3** – The Tribal Lead Agency provides alternative documentation in lieu of a local Market Rate Survey. The Tribal Lead Agency must identify and meet one of the two criteria listed below.

Please select only one criterion.

Criteria 1 – Check if the Tribal Lead Agency:

- ☐ Provides CCDF direct services **solely** in a Tribal CCDF-Operated Center(s) and does not provide services through certificates, grants, or contracts;

AND/OR

- ☐ Funds CCDF direct services **solely** in unregulated home-based settings such as in-home care (i.e., care in the child's own home) or unregulated family child care homes, and does not fund any CCDF services in centers, regulated family child care homes or regulated group homes.

Criteria 2 – Check if the Tribal Lead Agency:

- ☐ Documents that all child care providers in the service area that would potentially be included in a market rate survey: (a) serve only children receiving CCDF subsidies **and** (b) serve no private-pay children.

3.3 Setting Payment Rates for Child Care Services

Tribal Lead Agencies are required to establish payment rates for child care services that ensure eligible families equal access to child care services comparable to those services provided to families not eligible to receive CCDF services. (658E(c)(4), 98.16(l), 98.43(a), 98.43(b), 98.43 (b)(1) and 98.43(b)(2)).

Note: For Tribal Lead Agencies that **only** offer direct services through one or more Tribal CCDF-Operated Centers and/or grants/contracts for slots, skip to 3.3.2.

3.3.1 The Tribal Lead Agency's payment rates are attached as Attachment #: 04 and the effective date of those payment rates is: October 1, 2016.



Plan for: **Navajo Nation**

CHILD CARE & DEVELOPMENT FUND - Plan Period: 10/1/2016 – 9/30/2019

Guidance: The attached payment rates should reflect the variety of care offered in your program (for example, different rates based on the child's age, the category of care, hours of care offered). Tribal Lead Agencies are reminded that payment rates cannot be based on a family's eligibility or circumstances. This means, for example, that the Tribal Lead Agency may not establish payment rates for TANF families that differ from the payment rates for child care for the working poor, or for families in education or training.

Will the attached payment rates be used in all parts of the Tribal service area?

☒ Yes.

☐ No. Additional payment rates are attached as Attachment #: _____ and the effective date of those payment rates is: _____. Describe or list the geographic areas where each set of rates is used: _____

3.3.2 Does the Tribal Lead Agency provide child care services **solely** through a Tribal CCDF-Operated Center(s) and/or grants and contracts for child care slots?

Guidance: For Tribal Lead Agencies that only offer direct services through a Tribal CCDF-Operated Center(s) and/or grants and contracts, the Tribe could provide information about its CCDF budget, including the average cost of providing care per child, or information about what the center(s) would charge a non-subsidized child for care in lieu of a payment rate schedule.

☒ No.

☐ Yes. Complete the following and skip to 3.4:

- a) Attach information on actual cost of care per child, budget information, or other documentation regarding the cost of providing child care services (Attachment #: _____).
- b) How is the attached information used to determine the amount of CCDF funds used to pay for care provided in your Tribal CCDF-Operated Center(s) and/or for grant-/contract-funded slots? Describe: _____

3.3.3 **▲ For Programs that Offer Certificates:** Does the Tribal Lead Agency provide any type of tiered payment or differential (add-on) rates? (658E(c)(4)(B)(iii), 658E(c)(4)(C)(ii))

Guidance: Tribal Lead Agencies set payment rates based on what providers in the CCDF service area charge for care. Providers usually set their prices based on a number of factors, such as the costs of providing care, their geographic location, the age of the child, the hours when care is provided, and the quality of care. Taking those factors into account means that Tribal Lead Agencies may set different rates for different kinds of care; for example, payment rates for infants may be higher than rates for school-age care because the higher costs of providing infant care mean that providers usually charge more for that service than they do for school-age care.

In addition to these kinds of rate differences based on variations in provider prices, Tribal Lead Agencies can choose to set **tiered payment rates** or create **rate add-ons** (sometimes called "differential rates") on top of their regular payment rates. These tiered rates and add-ons are additional amounts paid to providers as a way to increase payment rates for targeted needs. For



CHILD CARE & DEVELOPMENT FUND - Plan Period: 10/1/2016 – 9/30/2019

example, a Tribal Lead Agency could try to encourage more care during non-traditional hours by paying providers who work evenings a 15% add-on over the regular payment rate. An example of tiered rates might be paying family child care providers who earn a CDA 5% more than the regular rate and paying those that earn accreditation 10% more. Tiered rates and add-ons are often used to encourage and support care for specific populations (such as children with special needs, infants and toddlers, school-age children, children in remote rural areas, or homeless children) and to encourage providers to increase or sustain their program quality.

☐ No.

☒ Yes. Check all that apply:

☒ We use a Tribally-defined system of tiered payment or differential rates. Describe: Payments for the Unregulated Relative Providers are at an amount less than the regulated or child care center provider. The rates also decrease based on the age of the child.

☐ We follow the State(s)' tiered/differential payment system. State(s): _____

Note: Include tiered/differential rates on the payment rate attachment(s) in 3.3.1.

3.3.4 For Programs that Offer Certificates: How does the Tribal Lead Agency ensure that payment rates are sufficient to ensure equal access? Equal access would offer children receiving CCDF subsidies access to the same services (type of care, quality of care) as children not receiving CCDF. Check all that apply and provide a summary of data and facts the Tribal Lead Agency used to determine equal access. (658E (c)(4)(A))

☒ Payment rates are set at the 75th percentile or higher of the most recent survey. Describe: The returns of the market rate survey and the survey information will be compiled and charted. This will determine the benchmark. This will determine the payment rate.

☒ Feedback from parents, including parent surveys or parent complaints. Describe: Comments and feedback from parents are taken into consideration in deciding on what percentile to utilize.

☐ Using tiered rates/differential rates (as described in 3.3.3) to increase access for targeted needs. Describe: _____

☐ Other. Describe: _____

3.4 Payment Practices and Timeliness of Payments to Providers

The Tribal Lead Agency should follow generally accepted payment practices for child care providers in the Tribe's CCDF service area and, to the extent practicable, implement enrollment and eligibility policies that allow providers to receive payment for a child's occasional absences. (658E(c)(2)(S)) These practices help to provide stability of funding and encourage more child care providers to participate in the subsidy program.

Note: For Tribal Lead Agencies that **only** offer direct services through one or more Tribal CCDF-Operated Centers, skip to 3.5.

3.4.1 **▲** Does the Tribal Lead Agency use any of the following payment practices? Check all that apply.

☐ Pays providers prior to the delivery of child care services. Describe: _____



- ☐ Pays providers based on enrollment instead of attendance (i.e., pays full payment even if child is occasionally absent). Examples might include paying for a set number of days in a month or making full payment if a child attends at least a certain percent of authorized time. Describe: _____
- ☒ Pays on a full-time or part-time basis (rather than smaller increments such as hourly). Describe: Payment is authorized daily at a rate of one or more hours and is limited to five (5) days of care in a week. Subsidy payment is based on child's attendance, not absences.
- ☐ Pays the standard fees that the provider charges private-paying parents (e.g., registration fees, deposits, supplies, field trips). Describe: _____
- ☒ Provides prompt notice to providers regarding any changes to the family's eligibility status that may impact payment. Describe: Providers are notified through a decision letter on changes in eligibility and a new/revised Child Care Certificate is issued.
- ☒ Has a timely appeal and resolution process for payment inaccuracies and disputes. Describe: An appeal process consists of documenting the inaccuracies and disputes which are resolved through a meeting with the parents and/or providers and staff. The appeal process includes time frames for informal or formal hearing, if necessary.
- ☐ Other. Describe: _____
- ☐ No, the Tribe does not use any of the payment practices listed above.

3.4.2 **▲** How does the Tribal Lead Agency ensure the timeliness of payments to providers? Check all that apply.

- ☒ Pays providers within a certain number of days of billing for services. Describe: There are time frames in which the providers are to submit their time sheets to the Casework Office and then an additional time frame to submit to CCDF Administrative Office for processing. Once the documents are submitted, OOC provides payment to the providers within a two-week time frame.
- ☒ Tracks and monitors the payment process. Describe: There are time frames in which the providers are to submit their time sheets to the Casework Office and then an additional time frame to submit to CCDF Administrative Office for processing. Once the documents are submitted, OOC provides payment to the providers within a two-week time frame.
- ☐ Uses electronic tools (e.g., automated billing, direct deposit). Describe: _____
- ☐ Other. Describe: _____
- ☐ The Tribe does not use any strategies to ensure the timeliness of payments to providers.

3.5 Family Contribution to Payment

The statute requires Tribal Lead Agencies to establish a sliding fee scale that varies based on family income and the size of the family to be used in determining each family's contribution (i.e., co-payment) to the cost of child care. Co-payments should not be a barrier to families receiving CCDF.



Plan for: Navajo Nation

CHILD CARE & DEVELOPMENT FUND - Plan Period: 10/1/2016 – 9/30/2019

(658E(c)(5), 98.42(b)). In addition to income and size of the family, the Tribal Lead Agency may use other factors when determining family contributions/co-payments.

3.5.1 Attach a copy of the sliding fee scale (Enter Attachment #: 03)

Will the attached sliding fee scale be used in all parts of the service area?

☒ Yes. Effective date: October 1, 2016

☐ No. Attach other sliding fee scale(s) and their effective date(s).

Attachment(s) #: _____ Effective date(s): _____

3.5.2 Does the Tribal Lead Agency use other factors in addition to income and family size to determine each family's co-payment? Examples of additional factors could include: multiple children in care.

☒ No.

☐ Yes. Describe: _____

3.5.3 **Δ** How will the family's co-payment be calculated and to whom will it be applied? Complete (a)-(c) below.

a. The co-payment is a: ☒ dollar amount ☐ percent of income.

b. The co-payment amount is applied: ☐ hourly ☒ daily ☐ weekly ☐ monthly
☐ other: _____

c. The co-payment is applied: ☐ per family ☒ per child.

3.5.4 How will the Tribal Lead Agency ensure the family's co-payment, based on a sliding fee scale, is affordable and not a barrier to families receiving CCDF? Examples could include limiting maximum co-payment to a specific percentage of family income or reducing co-payments for additional children in care. Sliding fee scale is based on a percentage of family income and size.

3.5.5 The Tribal Lead Agency may waive co-payments from families whose incomes are at or below the poverty level for a family of the same size (98.42(c)).

The poverty level used by the Tribal Lead Agency for a family of 3 is \$1680. The source of the poverty level used by the Tribal Lead Agency is (include date of publication): January 25, 2016.

Check the option which the Tribal Lead Agency has chosen to use:

☐ ALL families, including those with incomes at or below the poverty level for a family of the same size, ARE required to pay a co-payment.

☐ SOME families with incomes at or below the poverty ARE NOT required to pay a co-payment. The Tribal Lead Agency waives the co-payment for families in the following circumstances: _____



- ☒ NO families with incomes at or below the poverty level for a family of the same size are required to pay a co-payment.

3.6 Supply Building Strategies to Meet the Needs of Certain Populations

3.6.1 **▲** Will the Tribal Lead Agency develop and implement any strategies to increase the supply and improve the quality of child care services for children in underserved populations?

Underserved populations may include infants and toddlers, children with disabilities, children in underserved geographic areas, and children who receive care during non-traditional hours.

☐ No.

- ☒ Yes. Check all that apply and describe the strategies used to increase supply and improve quality for each specific population. Examples of strategies might include offering grants and contracts for slots (as discussed in 3.1.3); providing start-up or quality improvement grants; providing technical assistance and support to providers; recruiting providers; and paying tiered payment rates (as discussed in 3.3.3).

☒ Infants and toddlers. Describe: Recruits for child care providers and encourages and provide needed training on early childhood services to enhance the skills and knowledge to obtain quality providers.

☐ School-age children. Describe: _____

☒ Children with disabilities. Describe: Children who reside in remote areas.

☒ Children in underserved geographic areas. Describe: Recruit for children to receive child care in remote areas.

☐ Children who receive care during non-traditional hours. Describe: _____

☒ Homeless children. Describe: Offer immediate access to child care and allow grace period to allow the family to submit required documents.

☒ Other specific populations. Describe: Referrals received from other Navajo Nation programs such as the Program for Self Reliance (TANF) and Workforce Development.



4 Ensuring the Health and Safety of Children in Child Care Settings

4.1 Requirements and Standards

Tribal Lead Agencies must have health and safety requirements for all categories of CCDF child care providers addressed in Section 3.1. These may be Tribally-developed standards and/or a Tribal Lead Agency may choose to follow the child care licensing standards for the State(s) where the Tribal Lead Agency certifies providers. **At a minimum**, the Tribal Lead Agency must have health and safety requirements in the following topic areas: Prevention and Control of Infectious Disease, Building and Physical Premises Safety, and Health and Safety Training. (658E(c)(2)(F), 658E(c)(2)(I), and 98.41)

- 4.1.1 The Tribal Lead Agency certifies that it has requirements related to Prevention and Control of Infectious Disease, Building and Physical Premises Safety, and Health and Safety Training applicable to CCDF providers in each of the following categories of care offered by the Tribal Lead Agency; check all that apply and indicate the source of the health and safety standards:

Guidance: For each category of care offered:

- If the Tribal Lead Agency has developed its own standards (even if those standards were adapted from other sources, such as *Caring for Our Children* or State licensing standards), check "Tribal Standards."
- If the Tribal Lead Agency requires providers to meet standards established by a State Agency (such as State licensing or State department of education), check "State Standards."
- If the Tribal Lead Agency requires providers to meet standards from more than one source (for example, State licensing standards for off-reservation providers and Tribally-developed standards for providers on the reservation), check "Tribal Standards," "State Standards," and "Other Source(s)/Combination of Sources" and describe which standards apply to which providers.
- If the Tribal Lead Agency requires providers to meet standards from a source not listed in the table in columns (a), (b), and (c) (such as Indian Health Service or the Child and Adult Care Food Program), then check "Other Source(s)/Combination of Sources" and describe the source(s) of the standards.

Table 4.1.1 Health and Safety Standards Used by the Tribal Lead Agency				
Provider Categories	Tribal Standards	State Standards	Head Start/ Early Head Start Standards	Other Standards/ Combination of Standards
<input checked="" type="checkbox"/> Center-Based Child Care	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> Describe: <u>IHS, CACFP</u>
<input checked="" type="checkbox"/> Tribal CCDF-Operated Center(s) (if different)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Describe: <u>IHS, CACFP</u>
<input checked="" type="checkbox"/> Family Home Child Care	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> Describe: <u>Caring for Our Children Basic</u>
<input checked="" type="checkbox"/> Group Home Child Care	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Describe: _____
<input checked="" type="checkbox"/> In-Home Child Care	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> Describe: <u>Caring for Our Children Basic</u>
<input type="checkbox"/> Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Describe: _____



Plan for: Navajo Nation

CHILD CARE & DEVELOPMENT FUND - Plan Period: 10/1/2016 – 9/30/2019

Provide a website to your Tribal Child Care Standards (if applicable): None

CCDF Plan Effective Date: October 1, 2016

Amended Effective Date: [Insert Date as Amended] _____



4.1.2 **▲** Do your Tribal CCDF requirements include staff-to-child ratios and group size limits?

☐ No.

☒ Yes. Describe: Various sources such as Indian Health Service, Office of Environmental Health, Caring for our Children and Tribal Head Start Policies are the basis for the staff-to-child ratios and group size limits.

4.1.3 **▲** Do your Tribal CCDF requirements include qualifications for providers appropriate to the type of child care setting, such as minimum age allowed, minimum education level, health clearance, etc.?

☐ No.

☐ Yes (check all that apply):

☒ Center-based child care (including school-age care programs). Describe: Must meet state standards.

☒ Tribal CCDF Operated Center(s) (if different). Describe: Minimum age must be 18 years, educational level is high school diploma, must obtain a physical exam, TB skin test, CPR, First Aid and Criminal Background checks.

☒ Family child care home/group child care home. Describe: Must be at least 18 years of age.

☒ Group child care home. Describe: Must meet state or tribal standards and must be at least 18 years of age.

☒ In-home providers. Describe: Must be at least 18 years of age.

☐ Other. Describe: _____

4.1.4 **▲** Does the Tribal Lead Agency have child abuse reporting requirements in place? (42 U.S.C. 5106a(b)(2)(B)(i), 658E(c)(2)(L))

☐ Yes.

☒ No.

4.1.5 In addition to the requirements identified in 4.1.1, does the Tribal Lead Agency have health and safety requirements for CCDF providers (including those providers who are licensed by the State or meet State Standards) in the following areas? Check all that apply.

Health and Safety Requirements	Center-based	Tribal CCDF-Operated	Family Home	Group Home	In-Home	Other
Prevention of sudden infant death syndrome and use of safe sleep practices	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



Health and Safety Requirements	Center-based	Tribal CCDF-Operated	Family Home	Group Home	In-Home	Other
Administration of medication, consistent with standards for parental consent	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Prevention of and response to emergencies due to food and allergic reactions	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Prevention of shaken baby syndrome and abusive head trauma	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Emergency preparedness and response planning for emergencies resulting from a natural disaster or a human-caused event (such as violence at a child care facility)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Handling and storage of hazardous materials and the appropriate disposal of bio contaminants	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Precautions in transporting children (if applicable)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
First aid and cardiopulmonary resuscitation (CPR) certification	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Nutrition	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Access to physical activity	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Limiting screen time	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Caring for children with special health or development needs	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

4.1.6 Does the Tribal Lead Agency require training during a preservice or orientation period (period prior to a provider caring for CCDF-funded children or shortly after care begins) and/or ongoing training appropriate to the provider setting that addresses the requirements relating to the topics checked in 4.1.5 above?

a) Preservice/orientation training

☒ Yes. Describe the preservice/orientation training requirements, including categories of providers, topics required, and the minimum number of hours required: Preservice orientation is required for family home and in-home providers before subsidy payments are authorized. Tribally-operated center staff are required to receive training during introductory period (3 month) work status. Health and Safety training is related to the topics identified in Section 4.1.5.

☐ No.

b) Ongoing training

☒ Yes. Describe the ongoing training requirements, including categories of providers, topics required, and the minimum number of hours required: There is a no minimum



hours required; the training topics vary depending on the category of providers. The relative provider has only CPR, First Aid and background requirements. Other categories of providers have the basic health and safety training requirements as well the background criminal checks.

☐ No.

4.2 Disaster Preparedness and Response

- 4.2.1 **▲** Does the Tribe or Tribal Lead Agency have plans in place to ensure continued CCDF assistance and child care services after a disaster? (658E(c)(2)(U))

☐ Yes. Describe: _____

☒ No.

4.3 Monitoring and Enforcement Policies and Practices

Tribal Lead Agencies are required to have procedures in place to ensure that all CCDF-funded providers, including Tribal CCDF-Operated Centers and programs exempt from Tribal and/or State licensing (such as faith-based providers and school-based programs), comply with all applicable health and safety requirements. (658E(c)(2)(J))

- 4.3.1 Does the Tribal Lead Agency have in effect monitoring and enforcement policies and procedures to ensure that CCDF providers comply with applicable health and safety requirements?

☐ Yes, the Tribal Lead Agency has comprehensive, *written* monitoring and enforcement policies and procedures.

☒ Yes, the Tribal Lead Agency has monitoring and enforcement policies and procedures in place but only some are in writing.

☐ Yes, the Tribal Lead Agency has monitoring and enforcement policies and procedures in place but none are in writing.

- 4.3.2 How does the Tribal Lead Agency monitor its CCDF providers for compliance with its health and safety requirements?

a) Describe the Tribal Lead Agency's monitoring process, including whether other entities (such as State licensing or Indian Health Service) are involved in the monitoring process and how Tribal CCDF-Operated Centers are monitored OR attach a copy of the Tribal Lead Agency's written monitoring policies and procedures: Tribally operated CCDF centers are monitored by Indian Health Service's Office of Environmental Health. Within the CCDF Casework Unit, they monitor the family homes, in-home and relative providers utilizing the annual health and safety inspection report. For CCDF tribally operated centers, the CCDF Monitoring Unit conducts routine inspection including classrooms, and other safety instruments, staff to children ratio, playground safety, etc..



b) Complete the following table:

Table 4.3.2 Frequency of Monitoring and Inspections		
Provider Categories	Routine Announced Visits	Routine Unannounced Visits
<input checked="" type="checkbox"/> Center-Based Child Care	Frequency: <u>One or more visits.</u> Conducted by: <u>State, County Health Services</u>	Frequency: <u>One or more visits.</u> Conducted by: <u>State, County Health Services</u>
<input checked="" type="checkbox"/> Tribal CCDF Operated Center(s) (if different)	Frequency: <u>One or more visits.</u> Conducted by: <u>IHS, OEH and CCDF Program</u>	Frequency: <u>One or more visits.</u> Conducted by: <u>IHS, OEH and CCDF Program</u>
<input checked="" type="checkbox"/> Family Home Child Care	Frequency: <u>One or more visits.</u> Conducted by: <u>CCDF Program</u>	Frequency: <u>One or more visits.</u> Conducted by: <u>CCDF Program</u>
<input checked="" type="checkbox"/> Group Home Child Care	Frequency: <u>One or more visits.</u> Conducted by: <u>IHS, OEH</u>	Frequency: <u>One or more visits.</u> Conducted by: <u>IHS, OEH</u>
<input checked="" type="checkbox"/> In-Home Child Care	Frequency: <u>One or more visits.</u> Conducted by: <u>CCDF Program</u>	Frequency: <u>One or more visits.</u> Conducted by: <u>CCDF program</u>
<input type="checkbox"/> Other	Frequency: _____ Conducted by: _____	Frequency: _____ Conducted by: _____

4.3.3 **▲** Does the Tribal Lead Agency share provider-specific information with parents regarding the results of health and safety monitoring? For example, the Tribal Lead Agency could share summaries of Tribal/State monitoring reports with parents of children enrolled with that child care provider. (658E(c)(2)(D-E))

☐ No.

☒ Yes. Describe: Parents have access to State and County Health inspections; the results are public announcements. The annual publication of Indian Health Service's Office of Environmental Health Inspections is available.

4.3.4 Describe how the Tribal Lead Agency meets the requirement to maintain a record of substantiated parental complaints: (658E(c)(2)(C))

- a) How does the Tribal Lead Agency define "substantiated parental complaint"? A written complaint that is investigated by the Program Manager who determines the outcome based on evidence.
- b) How does the Tribal Lead Agency maintain a record of substantiated parental complaints about providers (e.g., how long are records maintained and in what format)? Written documents are filed and maintained in a binder with supporting information and stored for a period of three (3) years at the CCDF Administrative Office. Purging of documents must be approved by the Navajo Nation Department of Justice.



- c) How does the Tribal Lead Agency make substantiated parental complaints available to the public on request? Any release of documents will be consistent with the Navajo Nation Privacy Act. Substantiated documents are shared with the public after a written request to the Program Manager who allows or disallows information to be released. All individuals involved in the complaint are kept confidential and not released publicly.

- d) Does the Tribal Lead Agency maintain complaints from other individuals about providers?

☒ No.

☐ Yes. Describe: _____

4.3.5 Monitoring Inspectors (658E(c)(2)(K))

- a) **Δ** Does the Tribal Lead Agency have qualifications for the individuals who will monitor/inspect Tribal CCDF providers and facilities?

☒ Yes. Describe: Inspections are performed by Indian Health Service's Office of Environmental Health who issues building and sanitation permits on CCDF-operated child care centers. The Casework unit conducts individual inspections on in-home providers. CCDF Monitoring Unit performs inspections on CCDF-operated child care centers.

☐ No.

☐ N/A. As noted in Table 4.3.2, all monitoring visits are conducted by other entities.

- b) **Δ** Have monitors/inspectors received relevant training on the health and safety standards used by the Tribal Lead Agency?

☐ Yes

☒ No

4.4 Criminal Background Checks (658H)

- 4.4.1 **Δ** Does the Tribal Lead Agency require criminal background checks for child care center staff; family home, group home, and in-home child care providers?

☐ No (skip to 4.5).

☒ Yes. Complete the table below.

Table 4.4.1 Background Checks (Check all that apply)						
For each category of child care provider, check each type of background check that the Tribal Lead Agency requires:						
Types of Checks	Center-based	Tribal CCDF-Operated Center	Family Home	Group Home	In-Home	Other
State Child Abuse Registry	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



Tribal Criminal Background						
<input checked="" type="checkbox"/> Check if the Tribal Background Check includes fingerprints.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
State Criminal Background						
<input checked="" type="checkbox"/> Check if the State Background Check includes fingerprints.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
FBI Criminal Background (including fingerprints)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
National Crime Information Center	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
State Sex Offender Registry	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (Such as Tribal Registries) Describe: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
None	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4.4.2 **▲** Do you require background checks for others residing in a home-based child care setting?☐ No.

☒ Yes. Describe: All adults with the exception of the eligible parent or older siblings (18 years or older) of the eligible child(ren) in the household and residing in the provider's home are required to obtain federal criminal background check. Clearance to provide child care is determined by the Tribal Lead Agency.

4.4.3 **▲** Describe the process and procedures for conducting background checks, including the following:

- How background checks are conducted in a timely manner. Describe: Timely is determined by the entity that is conducting the background checks.
- How often individuals are required to receive a background check. Describe: The CCDF staff is required to receive a background check every three (3) years. The independent providers are required to update their background check every five (5) years or by the expiration date (provided that there is no lapse in service). State providers are to comply with their respective state regulations.
- How the Tribal Lead Agency makes determinations about an individual's eligibility to be a CCDF child care provider/staff member, including the criteria for disqualifying someone from eligibility to be a provider/staff member (such as conviction of certain crimes, refusing a background check, providing false information in connection with a background check, being a registered sex offender, etc.).
Describe: For the tribally operated centers, the Navajo Nation Office of Background Investigations makes the determination. In others, the Regional Casework Unit makes their determination based on a source which provided the training.
- How individuals are notified about the results and the process for appealing the findings.
Describe: The individual is notified in writing from the respective organizations conducting the background checks. If individuals are informed that there is criminal information, the



individual is provided an opportunity to dispute the information. For the tribally operated centers, the Office of Background Investigation makes the final determination. For all others, it is the CCDF office.

- 4.4.4 **Δ** Does the Tribal Lead Agency have a review process for individuals who have been convicted of a felony drug offense to determine if that individual is eligible to be a provider or if that adult who lives in the family child care home may have unsupervised contact with children in care?

☒ No.

☐ Yes. Describe: _____

4.5 Exemption of Relative Providers

Tribal Lead Agencies have the option to exempt specific relative providers (defined in CCDF regulations as grandparents, great-grandparents, siblings if living in a separate residence, aunts, and uncles) from some or all of the Tribal CCDF health and safety requirements, including applicable requirements related to background checks, health and safety training, and monitoring/inspections. Note this exception only applies if the individual cares ONLY for relative children. (98.41(A)(ii)(A))

- 4.5.1 Does your Tribal Lead Agency exempt some or all relative providers (as defined above) from some or all of the Tribal CCDF health and safety requirements?

☐ Not applicable.

☐ Yes, **all** relative providers (as defined above) are exempt from **all** Tribal CCDF health and safety requirements, including applicable requirements related to background checks, health and safety training, and monitoring/inspections.

☒ Yes, **some** or all relative providers (as defined above) are exempt from some or all Tribal CCDF health and safety requirements. Describe which relatives are exempt from which requirements (be sure to address any exemptions related to background checks, health and safety training, and monitoring/inspections): These types of providers are required to obtain a federal criminal background check. Health and Safety requirements are exempt. Physical exam, tuberculosis skin test and immunizations are also exempt for this group of providers.

☐ No, **none** of the relative providers defined above are exempt from the Tribal CCDF health and safety requirements, including applicable requirements related to background checks, health and safety training, and monitoring/inspections.



5 Supporting Continuous Quality Improvement

Tribal CCDF funds can be used for activities designed to improve the quality of child care services and increase parental options for, and access to, high-quality child care. Throughout this section of the Plan, Tribal Lead Agencies are asked to describe their goals and activities for child care quality improvement. Tribes are encouraged, regardless of size, to take an intentional approach to quality improvement – assessing the current quality of care available and the training and technical assistance needs of providers; investing their quality funds and efforts in accordance with the needs; and reviewing the success of their activities to improve quality and making adjustments as necessary. The Tribal Lead Agency should consider its child care quality improvement goals for all Tribal children in child care, not just those receiving assistance under CCDF. (658G, 658E(c)(3)(B), 98.16(h), 98.51, 98.83(f))

Guidance: In completing this section, the Tribal Lead Agency should describe activities funded with Tribal CCDF dollars, as well as those funded through other sources. Currently, CCDF regulations require Non-Exempt Tribal Lead Agencies (those receiving \$500,000 or more) to spend at least 4 percent of their CCDF funds on quality activities. Exempt Tribal Lead Agencies are strongly encouraged, but are not required, to expend CCDF funds on quality activities. If an Exempt Tribal Lead Agency has no quality activities planned, the questions in Section 5 may be completed with "N/A." **Non-Exempt Lead Agencies must complete Section 5.**

Note: In completing this section, the Tribal Lead Agency should describe activities funded with Tribal CCDF dollars, as well as those funded through other sources.

5.1 Child Care Quality Improvement Goals

5.1.1 What are the Tribal Lead Agency's child care quality improvement goals? Check all that apply and describe below.

- ☒ Supporting the training and professional development of the child care workforce
- ☐ Improving on the development or implementation of early learning and development guidelines
- ☐ Developing, implementing, enhancing, or participating in a quality improvement system for child care providers and services
- ☐ Improving the supply and quality of child care programs and services for infants and toddlers
- ☐ Establishing a Tribal system or participating in the Statewide system of child care resource and referral services
- ☒ Supporting compliance with State or Tribal requirements for licensing, inspection, monitoring, training, and health and safety
- ☐ Evaluating the quality of child care programs in the Tribe, including evaluating how programs positively impact children
- ☐ Supporting providers in the voluntary pursuit of accreditation
- ☐ Supporting the development or adoption of high-quality program standards related to health, mental health, nutrition, physical activity, and physical development
- ☒ Other activities to improve the quality of child care services: Purchase of clothing for child care providers which identifies and distinguish them from other tribal workforce. Enhances a



professional work environment and safeguard the workers from biocontaminants such vomitus and bodily fluids. Promotes a sense of professional work environment.

Describe: To obtain and maintain CDA credentials and costs associated with obtaining early childhood development credentials. This also support obtaining other credentials including associate, undergraduate and graduate degrees in early childhood development and other degrees or credentials for the administrative and other support staff. The costs associated includes tuition, books, and certification or re-certification fees.

Provide stipends to include meals, lodging and mileage for independent home, family home, in-home and relative providers to obtain and maintain their health and safety requirements.

Provide costs for all background checks, CPR, First Aid and Fire Safety for all child care providers. Equipment such as fire extinguishers, first-aid supplies, smoke and carbon monoxide detectors will be purchased for the providers.

- 5.1.2 How did the Tribal Lead Agency identify the goals described in 5.1.1? For example, did the Tribal Lead Agency conduct provider surveys or assessments that identified the need for quality improvements?

Describe: Identified the needs from daily activities and utilized external resources to conduct assessments on child care staff to determine the needs. Conducted a survey which determined the number of the staff who wished to pursue credentials. Utilized the internal sources such as IDP which described their request for professional development.

- 5.1.3 List the activities the Tribal Lead Agency intends to implement during this Plan period in an effort to meet the overall child care quality improvement goals described in 5.1.1, as well as any other planned quality improvement activities.

a) Quality Training and Professional Development Activities

☒ Provide training on the following topics:

☒ Prevention and control of infectious diseases (including immunizations)

☐ Administration of medication, consistent with standards for parental consent

☐ Prevention of shaken baby syndrome and abusive head trauma

☒ Emergency preparedness and response planning for emergencies resulting from a natural disaster or a human-caused event (such as violence at a child care facility)

☒ Prevention of sudden infant death syndrome and use of safe sleeping practices

☒ Prevention of and response to emergencies due to food and allergic reactions

☐ Handling and storage of hazardous materials and the appropriate disposal of bio contaminants

☐ Building and physical premises safety, including identification of and protection from hazards that can cause bodily injury such as electrical hazards, bodies of water, and vehicular traffic



Plan for: **Navajo Nation**

CHILD CARE & DEVELOPMENT FUND - Plan Period: 10/1/2016 – 9/30/2019

- | | |
|--|---|
| <input type="checkbox"/> Precautions in transporting children (<i>if applicable</i>) | <input checked="" type="checkbox"/> First aid and cardiopulmonary resuscitation (CPR) certification |
| <input type="checkbox"/> Family engagement | <input checked="" type="checkbox"/> Access to physical activity |
| <input checked="" type="checkbox"/> Nutrition | <input checked="" type="checkbox"/> Promotion of child development |
| <input type="checkbox"/> Language and literacy | <input checked="" type="checkbox"/> Caring for children with special health or developmental needs |
| <input type="checkbox"/> Fiscal management | <input type="checkbox"/> Administration and program management |
| <input type="checkbox"/> Curriculum development and instruction | <input type="checkbox"/> Child care as a business |
| <input type="checkbox"/> Other topic(s): _____ | |
|
<input type="checkbox"/> Supports for Career Development Pathways: | |
| <input type="checkbox"/> Credit towards required training hours | <input checked="" type="checkbox"/> Certificate |
| <input checked="" type="checkbox"/> Credential | <input checked="" type="checkbox"/> Degree |
| <input type="checkbox"/> Other: Describe: _____ | |

Optional: Describe any of the activities checked above: _____

b) Assisting Providers in Meeting Licensing and Health and Safety Standards

- ☒ Provide health and safety materials/equipment
- ☐ Grants/mini-grants for health and safety equipment/materials
- ☒ Classroom materials and resources
- ☐ Financial assistance in meeting licensing requirements
- ☐ Other: Describe: _____

Optional: Describe any of the activities checked above: _____

c) Consumer Education for Parents and Providers

- ☒ Written materials, including newsletters, brochures, checklists, etc., on child care topics
- ☒ Local/tribal media
- ☐ Social media, such as Facebook, Twitter, Instagram
- ☐ Counseling from Resource and Referral Agencies, including information about other early childhood and social/human services programs for which families and providers may also qualify
- ☐ Internet, including electronic media, publications, and webcasts on child care topics
- ☒ Postings on community bulletin boards
- ☐ Other: Describe: _____



Plan for: **Navajo Nation**

CHILD CARE & DEVELOPMENT FUND - Plan Period: 10/1/2016 – 9/30/2019

Optional: Describe any of the activities checked above: _____

d) Culturally Relevant Activities

- ☒ Incorporating tribal language into child care settings
- ☐ Modifying curriculum to reflect tribal culture
- ☒ Serving traditional Native foods in child care programs
- ☐ Culturally-based training opportunities for parents and providers
- ☐ Providing information and training to non-Native providers about working with Native children and families.
- ☐ Other: Describe: _____

Optional: Describe any of the activities checked above: _____

Describe any other quality activities, besides the activities checked above, that the Tribal Lead Agency intends to implement during this Plan period: _____

5.1.4 **▲** Does the Tribal Lead Agency evaluate progress toward meeting the overall child care quality improvement goals described in 5.1.1? (658G(d)(3))

☐ No.

☒ Yes. Describe: Request information about the progress of the CCDF staff in their educational goals and certification as well as maintain their health and safety requirements.

5.2 **Quality Improvement through Provider Training and Professional Development**

5.2.1 **▲** How does the Tribal Lead Agency interact with State training and professional development systems? (658E(c)(2)(G)(ii)(IV-V))

a) Do Tribal CCDF providers participate in the State's training and professional development system? For example, Tribal CCDF providers might participate in trainings offered by the local child care resource and referral agencies or state-funded training organizations.

☐ Yes. Describe: _____

☒ No. Check all that apply:

- ☒ The Tribal Lead Agency does not have sufficient information about the State's training and professional development opportunities to share with Tribal CCDF providers.
- ☒ The State's training and professional development opportunities are not accessible to Tribal CCDF providers.
- ☐ The State's training and professional development opportunities are not affordable for Tribal CCDF providers.



Plan for: **Navajo Nation**

CHILD CARE & DEVELOPMENT FUND - Plan Period: 10/1/2016 – 9/30/2019

☐ Other. Describe: _____

☐ Unknown.

- b) Has the Tribal Lead Agency been contacted by the State for input on how to make the State's trainings and professional development opportunities more culturally relevant for Native American children?

☐ Yes. Describe: _____

☒ No.

5.3 Other Quality Improvement Activities

- 5.3.1 **▲** Does the Tribal Lead Agency operate a child care resource and referral program, assisting parents with finding and choosing a child care provider; collecting and analyzing child care provider supply and demand data; and providing training and support to providers? (658E(c)(3)(B)(iii), 658G(b)(5))

☒ No.

☐ No, but we collaborate with the State's child care resource and referral system. State(s): _____

☐ Yes. Describe: _____

- 5.3.2 **▲** Has the Tribal Lead Agency developed early learning and developmental guidelines describing what children should know and be able to do at each stage of their development? (658E(c)(2)(T), 658G(b)(2))

☒ No.

☐ No, but the Tribal Lead Agency has adopted, in whole or in part, the State(s) early learning and developmental guidelines. State(s): _____

☐ Yes. Describe: _____

- 5.3.3 **▲** Does your Tribe have a system for assessing and improving quality, such as a quality rating and improvement system (QRIS)? (658G(b)(3))

Guidance: A QRIS is a systemic approach to assess, improve, and communicate the level of quality in early and school-age care and education programs. Similar to rating systems for restaurants and hotels, QRIS award quality ratings to early and school-age care and education programs that meet a set of defined program standards. By participating in their State's QRIS, early and school-age care providers embark on a path of continuous quality improvement. Even providers that have met the standards of the lowest QRIS levels have achieved a level of quality that is beyond the minimum requirements to operate.

☐ No.

☒ No, but the Tribal CCDF program has providers that participate in the State system of assessing and improving quality, such as QRIS. Describe: Some of the providers participate in the Arizona QRIS, Arizona's Quality First Program and New Mexico's Aim High.



- ☐ Yes, the Tribe has a system of assessing and improving quality, such as QRIS, operating throughout the service area. Describe: _____

5.4 Funding for Quality Activities

- 5.4.1 **Δ** Tribal Lead Agencies may leverage other funds to support their quality improvement goals and activities. Other funding sources might include tribal funds, state funds, foundation funds, public-private partnerships, etc. Are all of the activities that are checked or described in this section funded solely with Tribal CCDF dollars?

- ☐ Yes.
- ☒ No. List which activities are funded with other sources and indicate the source of funds used (specific funding amounts are not required): Nutrition - improve the quality of food purchased and ensuring the children receive adequate nourishment (FDA approved). This is achieved through the tribe's general funds. Partnership with the State of Arizona's Quality First to assess and enhance the quality improvement of the child care facilities and providers.



6 Program Integrity and Accountability

The Tribal Lead Agency, as the single point of contact for the administration of the Tribal CCDF program, is responsible for ensuring that policies and procedures are in place to monitor programs and services, ensure compliance with rules of the program, and provide oversight in the expenditure of all funds, including identifying improper payments and fraud prevention and recovery. (98.11(b), 98.60(i), 98.66, 98.67)

6.1 Program Integrity and Accountability Measures

6.1.1 Does the Tribe or Tribal Lead Agency have written policies and procedures in place to ensure that the Tribal CCDF program is in compliance with all Federal and Tribal rules and regulations?

☐ No.

☒ No, but written policies and procedures are in the process of being developed.

☐ Yes.

6.1.2 **Δ** How does the Tribal Lead Agency prevent and identify improper payments? Check all that apply.

Guidance: An improper payment is any payment that should not have been made or that was made in an incorrect amount under statutory, contractual, administrative, or other legally applicable requirements. Incorrect amounts are overpayments or underpayments that are made to eligible recipients (including inappropriate denials of payment or service, any payment that does not account for credit for applicable discounts, payments that are for an incorrect amount, and duplicate payments). An improper payment also includes any payment that was made to an ineligible recipient or for an ineligible good or service, or payments for goods or services not received (except for such payments authorized by law). In addition, when an agency's review is unable to discern whether a payment was proper as a result of insufficient or lack of documentation, this payment must also be considered an improper payment. Improper payments may result from administrative error, unintentional client/provider program violations, or fraud.

☒ Train staff on CCDF policies and regulations

☒ Conduct supervisory staff reviews or quality assurance reviews

☐ Share data with other programs (e.g., State CCDF, Tribal or State TANF, Head Start, Child and Adult Care Food Program (CACFP), other Tribal offices)

☐ Run system reports that flag errors

☒ Review enrollment documents, attendance or billing records

☒ Review provider records

☐ Other. Describe: _____



6.1.3 The Tribal Lead Agency is required to recover improper payments that are the result of fraud. How does the Tribal Lead Agency investigate and collect improper payments resulting from fraud? Check all that apply.

- ☐ Coordinate with, and refer to, other Tribal, State, or federal agencies (e.g., Tribal Council, law enforcement)
- ☐ Require recovery if the improper payment exceeds a specific dollar amount. Identify the minimum dollar amount: _____
- ☒ Recover through repayment plans
- ☒ Reduce payments in subsequent months
- ☐ Recover through payroll deductions (for CCDF clients/providers/staff employed by the Tribe)
- ☐ Other. Describe: _____

6.1.4 **▲** The Tribal Lead Agency has the flexibility to recover improper payments that are the result of unintentional errors/program violations. Does the Tribal Lead Agency choose to investigate and collect improper payments resulting from unintentional errors/program violations?

- ☐ No.
- ☒ Yes. How will the Tribal Lead Agency investigate and collect improper payments resulting from unintentional errors/program violations? Check all that apply.
 - ☐ Coordinate with, and refer to, other Tribal, State, or federal agencies (e.g., Tribal Council, law enforcement)
 - ☐ Require recovery if the improper payment exceeds a specific dollar amount. Identify the minimum dollar amount: _____
 - ☒ Recover through repayment plans
 - ☒ Reduce payments in subsequent months
 - ☐ Recover through payroll deductions (for CCDF clients/providers/staff employed by the Tribe)
 - ☐ Other. Describe: _____



7 Tribal CCDF Funding

7.1 Child Count

For the purposes of determining a Tribe/Tribal Organization's annual CCDF funding level, the Tribal Lead Agency must conduct and submit a child count that indicates the number of Indian children under age 13 (as defined in 2.1.1a) who reside on or near the reservation or service area (as defined in 2.1.1b). **The Tribal Lead Agency may not count any children who are included in the child count of another CCDF Tribal Lead Agency.** The Tribal Lead Agency is required to confer with all other CCDF Tribal Lead Agencies that have overlapping or neighboring service areas. (98.61(c), 98.62(c), 98.80(b)(1), 98.81 (b)(4))

7.1.1 Is the CCDF service area (as defined in 2.1.1b) adjacent to, or overlapping with, the CCDF service area(s) of any other Tribal Lead Agencies?

☐ No.

☒ Yes. Identify those other Tribal Lead Agencies and describe the Tribal Lead Agency's process for ensuring unduplicated child counts: The Navajo Nation does not include surrounding tribal groups in its child count. Neighboring tribes include Hopi, Southern Paiutes, Northern and Southern Pueblos and Utes.

7.1.2 Does the Tribal Lead Agency have in effect policies and procedures for conducting the CCDF child count?

☒ Yes, the Tribal Lead Agency has comprehensive, *written* child count policies and procedures.

☐ Yes, the Tribal Lead Agency has child count policies and procedures in place but only some are in writing.

☐ Yes, the Tribal Lead Agency has child count policies and procedures in place but none are in writing.

7.1.3 Complete and attach the "Child Count Declaration" at **Appendix #1**.

Guidance: A tribal consortium must submit:

1. An individual Child Count Declaration for each participating Tribe signed by an individual authorized to act for the Tribe; and
2. A summary listing:
 - o The name of each participating Tribe;
 - o Each participating Tribe's individual child count; and
 - o The total child count for the entire consortium.



7.2 Estimated FY 2017 CCDF Funding Allocation

7.2.1 What is your expected level of funding for the first year of the FY 2017 – FY 2019 Plan period?

Guidance: This is a preliminary ESTIMATE for information and planning purposes; actual CCDF allocations may be larger or smaller once the final grant awards are issued. Current CCDF Tribal grantees should use their **total** FY 2016 allocation (mandatory and discretionary) as their estimate for FY 2017 (10/1/2016 thru 9/30/2017). Do not include any unobligated and/or unliquidated CCDF balances from previous years.

The Tribal Lead Agency estimates that the following amount will be available for child care services and related activities during the 1-year period from October 1, 2016 through September 30, 2017. (98.13(a))

\$8,477,372 Estimated federal Child Care and Development Fund (CCDF) FY 2017 allocation

7.2.2 Based on the Tribe's anticipated CCDF allocation, does the Tribal Lead Agency expect to be considered an Exempt or Non-Exempt Tribal CCDF program in FY 2017? (Check only one)

Guidance: Currently, Tribal Lead Agencies are classified as either Non-Exempt or Exempt based on their annual CCDF allocations.

- **Non-Exempt Tribes** (CCDF allocations equal to or greater than \$500,000) are required to operate a certificate program. Certificates must permit parents to choose from a variety of child care categories including center-based care, group home care, family child care and in-home care. (98.30(e))
- **Exempt Tribes** (CCDF allocations less than \$500,000) are not required to operate a certificate program unless the Tribe chooses to include such services and the associated requirements in its program. (98.81(b)(5))

☒ Non-Exempt (CCDF allocations equal to or greater than \$500,000 for a fiscal year)

☐ Exempt (CCDF allocations less than \$500,000 for a fiscal year)

7.2.3 In FY 2017, does the Tribal Lead Agency expect to supplement the CCDF grant with dollars from other sources to help run the child care program?

☒ No.

☐ Yes, we expect to supplement the CCDF grant with the following: (check all that apply)

☐ Tribal funds

☐ Grant/foundation funds

☐ Private donations

☐ State funds

☐ Other federal funds

☐ Other. Describe: _____

SURNAME	7-2
LEWIS	7-2
WILLIAMS	7-2
WILLIAMS	7-2
WILLIAMS	7-2

MHSC-AU-40-8

RESOLUTION OF THE
HEALTH AND HUMAN SERVICES COMMITTEE
OF THE NAVAJO TRIBAL COUNCIL

Updating and Approving Designated "Near Reservation" Communities
for BIA Financial Assistance and Social Services Purposes.

WHEREAS:

1. The Navajo Tribal Council by Resolution ACMA-35-84, authorized the Health and Human Services Committee of the Navajo Tribal Council to review services contracts, proposals, monitor services programs and shall promote service objectives of the Navajo Nation; and
2. By Navajo Tribal Council Resolution CAP-28-78, the Health and Human Services Committee of the Navajo Tribal Council is delegated authority to maintain and update the list of designated "near reservation" communities; and
3. Additional communities have been identified and other communities are recommended to be deleted and pursuant to 25 CFR 20.1 (r), the Navajo Nation must designate specific communities as "near reservation" to enable social services to be delivered to eligible clients in accordance with the United States Supreme Court decision, RUIZ VS. MORTON, 415 U.S. 199 (1974).

NOW THEREFORE BE IT RESOLVED THAT:

1. The Health and Human Services Committee of the Navajo Tribal Council hereby updates and approves designated "near reservation" communities as set forth in Exhibit A for the purposes and under the criteria of CFR 20.1(r).
2. The Health and Human Services Committee of the Navajo Tribal Council in updating "near reservation" communities deletes those communities identified as having no Navajo residents by direct service workers as set forth in Exhibit B.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Health and Human Services Committee of the Navajo Tribal Council at a duly called meeting at Window Rock, Navajo Nation (Arizona), at which a quorum was present and that same was passed by a vote of 4 in favor and 0 opposed this 15th day of August, 1989.

Motioned by: Virgil Kirk, Sr.
Seconded by: Thomas Barbone

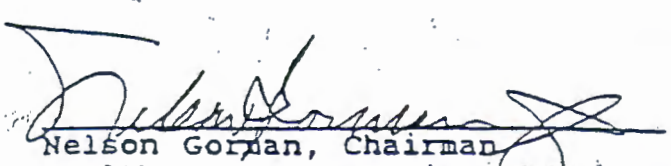

Nelson Gorman, Chairman
Health & Human Services Committee

EXHIBIT A

"NEAR RESERVATION" DESIGNATED COMMUNITIES

ARIZONA:

1. Winslow
2. Holbrook
3. Flagstaff
4. Wupatki
5. Marble Canyon
6. Page
7. Joseph City
8. Snowflake
9. Grand Canyon
10. Gray Mountain
11. Springerville
12. Sanders
13. Chambers
14. Navajo
15. St. Johns

COLORADO:

1. Cortez
2. La Plata
3. Towaoc
4. Ignacio
5. Durango
6. Mancos
7. Delores
8. Dove Creek
9. Hesperus
10. Naturita

NEW MEXICO:

1. Farmington
2. Gallup
3. Milan
4. Grants
5. Socorro
6. Bloomfield
7. Aztec
8. Kirtland
9. Magdalena
10. Albuquerque
11. Cuba
12. Waterflow
13. Gamero
14. Fort Wingate
15. Mentmore
16. Thoreau
17. Prewitt

UTAH:

1. Blanding
2. Bluff City
3. Monticello
4. Laselle

ATTACHMENT TWO

Navajo Nation Child Care Centers

<u>Region - Fort Defiance</u>	Service Capacity	Current Enrollment	Ages Served
Karigan	120	116	0-12
Little Miss Muffet	78	41	0-12
Fort Defiance Child Care	20		0-12
Leupp Early Learning Center	60	10	0-12
 <u>Region - Crownpoint</u>			
T'iists'ozí Child Care Center	60	29	0-12
 <u>Region - Shiprock</u>			
Hogback Child Care Center	15	12	0-12
Alchini Nizhoni	50	40	0-12
Shiprock After School	15	8	0-12
Two Grey Hills	50	9	0-12
 <u>Region - Chinle</u>			
Pinon Child Care Center	51	12	0-12
Cottonwood/Tselani CC	50	20 (Headstart)	0-12
Kii Doo Baah I Child Care Center	40	31	0-12
Kii Doo Baah II Child Care Center	24	26	0-12
Many Farms Child Care Center	51	18	0-12
Neoselti Child Care Center	35	12	0-12
Tsaile Child Care Center	27	11	0-12
Rock Point Child Care Center	108	0	0-12
Rough Rock Child Care Center	117	0	0-12
 <u>Region - Tuba City</u>			
Shonto Child Care Center	40	0	0-12

NAVAJO NATION INCOME MATRIX & SLIDING FEE SCALE

ACF - 700 Data Field; applied 2016 Federal Poverty Level (FPL)

ACF-700 Data Field	7a: At or below poverty threshold*	7b: Above threshold but below 150% of threshold	7c: Above 150% of threshold and below 200% of threshold	threshold and below 85% AZ SMI
Calculation	Less than or equal to the number in the table	Multiply Threshold under 7a x 1.5	Multiply Threshold under 7a x 2.0	
Family Size	Level 1	Level 2	Level 3	Level 4
1	1 - 11,880	11,881 - 17,820	17,821 - 23,760	23,761 - 29,735
2	1 - 16,020	16,021 - 24,030	24,031 - 32,040	32,041 - 38,884
3	1 - 20,160	20,161 - 30,240	30,241 - 40,320	40,321 - 48,033
4	1 - 24,300	24,301 - 36,450	36,451 - 48,600	48,601 - 57,182
5	1 - 28,440	28,441 - 42,660	42,661 - 56,880	56,881 - 66,331
6	1 - 32,580	32,581 - 48,870	48,871 - 65,160	65,161 - 75,480
7	1 - 36,730	36,731 - 55,095	55,096 - 73,460	73,461 - 77,196
8	1 - 40,890	40,891 - 61,335	61,336 - 78,911	Not Eligible
9	1 - 45,050	45,051 - 67,575	67,576 - 80,627	Not Eligible
10	1 - 49,210	49,211 - 73,815	73,816 - 82,342	Not Eligible

Monthly Net Income Matrix for Eligibility Determination

Family Size	Level 1	Level 2	Level 3	Level 4
	Less than or equal to 100% FPL*	Above 100% FPL to 150% FPL	Above 150% FPL to 200% FPL	Above 200% FPL and below 85% of **AZ SMI for FFY2017
1	1 - 990	991 - 1,485	1,486 - 1,980	1,981 - 2,478
2	1 - 1,335	1,336 - 2,003	2,004 - 2,670	2,671 - 3,240
3	1 - 1,680	1,681 - 2,520	2,521 - 3,360	3,361 - 4,003
4	1 - 2,025	2,026 - 3,038	3,039 - 4,050	4,051 - 4,765
5	1 - 2,370	2,371 - 3,555	3,556 - 4,740	4,741 - 5,528
6	1 - 2,715	2,716 - 4,073	4,074 - 5,430	5,431 - 6,290
7	1 - 3,061	3,062 - 4,591	4,592 - 6,122	6,123 - 6,433
8	1 - 3,408	3,409 - 5,111	5,112 - 6,576	Not Eligible
9	1 - 3,754	3,755 - 5,631	5,632 - 6,719	Not Eligible
10	1 - 4,101	4,102 - 6,151	6,152 - 6,862	Not Eligible

Sliding Fee Scale for Co-Pay Fee

Level 1	Level 2	Level 3	Level 4
Less than or equal to 100% FPL*	Above 100% FPL to 150% FPL	Above 150% FPL to 200% FPL	Above 200% FPL and below 85% of AZ SMI
No Copayment required for Level 1 Category.	2% of Family Unit Net Income is required as Co-payment.	4% of Family Unit Net Income is required as Co-payment.	6% of Family Unit Net Income is required as Co-payment.

References:

* 2016 Poverty Guidelines,
Federal Register
Vol. 81, No. 15
Monday, January 25, 2016
Notices; pp 4036 - 4037

**Arizona State Median Income
LIHEAP IM 2016-03 State Median
Income Estimates for Optional Use in
FFY 2016 and Mandatory Use in FFY
2017; Date: July 05, 2016

Revised: 07.19.2016 sbc

Sample of calculation base on percentage for Co-Payment is below:

(Note: be careful to enter the correct percentage amount for Level of Eligibility)

A. Family Unit Size	Example: 5
B. Total Family Unit - Net Monthly Income (NMI)	Example: \$2,863.00
Family qualifies for Income Level, chose from the table above. Example: Level 2	
C. Apply Percentage base on Level of Category for Family Unit	
Required CoPay, Multiply NMI X 2%= Example: \$2,863.00* .02=\$57.26	
D. Monthly CoPay Rate for each eligible child	
Required CoPay Rate from "C" divide by number of children with subsidy. Example: \$57.26/3 children=\$19.09 (Monthly CoPay Rate per child)	
E. Daily CoPay Rate for each eligible child	
Each child's CoPay Rate from "D" is divided by 22 monthly average days = Per Child Daily CoPayment Rate. Example: \$19.09/22 days=\$0.87 (Daily CoPay Rate)	
F. Payment to the Child Care Provider:	
Daily CoPayment Rate per child x No. of days of child care service = Payment to Provider Example: \$0.87*20 days=\$17.40	

NAVAJO NATION DIVISION OF SOCIAL SERVICES
Child Care & Development Fund Program

PAYMENT RATES for Fiscal Years: 2017-2019

Effective: 10.01.2016 to 09.30.2019

FULL TIME DAILY RATE

Parameter: Child care provided for six (6) or more hours in a day

AGE OF CHILD	CENTER	GROUP HOME	FAMILY HOME OR CHILD HOME	RELATIVE CARE
1-12 Months	30.00	27.00	25.00	16.00
12-36 Months	28.00	26.00	25.00	15.00
3-5 Years Old	26.00	25.00	20.00	15.00
5-13 Years Old	20.00	18.00	18.00	15.00

PART TIME DAILY RATE

Parameter: Child care provided for One (1) or more hours but less than six (6) hours of child care in a day

AGE OF CHILD	CENTER	GROUP HOME	FAMILY HOME OR CHILD HOME	RELATIVE CARE
1-12 Months	23.00	21.00	18.00	12.00
12-36 Months	23.00	20.00	18.00	10.00
3-5 Years Old	21.00	19.00	14.00	10.00
5-13 Years Old	15.00	15.00	14.00	10.00

The maximum weekly benefits are authorized for payment up to five (5) full-time or part-time days. The payment days selected will be limited to five (5) days in a week.

Regulated/Licensed centers, group, family home, and child home on Navajo Nation and near Navajo Nation (pursuant to HHSC-AU-40-89) are subject to use this subsidy payment rate.

If the provider's rate is less than the CCDF Rate, the provider's rate will be approved.

If the provider's rate is higher than the CCDF Rate, the CCDF Rate will be approved.

Parent(s)/Legal Guardian(s) will be responsible for paying the cost difference between what the provider's rate are and what the CCDF program's approved rate are.

Children who require nontraditional hours of care i.e. care provided to children at times outside of the traditional work day, between 6:00 pm and 7:00 am, and between 7:00 am and 6:00 pm on Saturday and Sunday are paid at a full time or part time rate.

CERTIFICATION REGARDING DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS (LOWER TIER)

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Covered Transactions

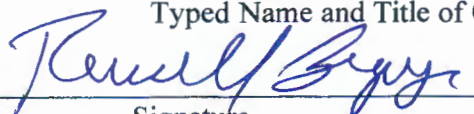
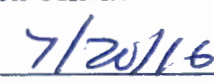
Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or had become erroneous by reason of changed circumstances.
4. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meaning set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that, [[Page 33043]] should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled ``Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from covered transactions, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.

CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS

The grantee certifies that it will provide a drug-free workplace by:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) Establishing a drug-free awareness program to inform employees about—
 - (1) The dangers of drug abuse in the workplace;
 - (2) The grantee's policy of maintaining a drug-free workplace;
 - (3) Any available drug counseling, rehabilitation and employee assistance programs; and
 - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
- (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will—
 - (1) Abide by the terms of the statement; and
 - (2) Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after each conviction;
- (e) Notifying the agency within ten days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction;
- (f) Taking one of the following actions, within 30 days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted—
 - (1) Taking appropriate personnel action against such an employee, up to and including termination; or
 - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

<hr/>	
Typed Name and Title of Certification Official	
	
Signature	Date

CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS

This certification is required by the regulations implementing the Drug-Free Workplace Act of 1988: 45 CFR Part 76, Subpart, F. Sections 76.630(c) and (d)(2) and 76.645 (a)(1) and (b) provide that a Federal agency may designate a central receipt point for STATE-WIDE AND STATE AGENCY-WIDE certifications, and for notification of criminal drug convictions. For the Department of Health and Human Services, the central point is: Division of Grants Management and Oversight, Office of Management and Acquisition, Department of Health and Human Services, Room 517-D, 200 Independence Avenue, SW Washington, DC 20201.

Certification Regarding Drug-Free Workplace Requirements (Instructions for Certification)

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification set out below.
2. The certification set out below is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, the agency, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
3. For grantees other than individuals, Alternate I applies.
4. For grantees who are individuals, Alternate II applies.
5. Workplaces under grants, for grantees other than individuals, need to be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.
6. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio studios).
7. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph five).
8. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

Controlled substance means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

Conviction means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

Criminal drug statute means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

Employee means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All direct charge employees; (ii) All indirect charge employees unless their impact or involvement is insignificant to the performance of the grant; and, (iii) Temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).

Certification Regarding Drug-Free Workplace Requirements

Alternate I. (Grantees Other Than Individuals)

The grantee certifies that it will or will continue to provide a drug-free workplace by:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) Establishing an ongoing drug-free awareness program to inform employees about - -
 - (1) The dangers of drug abuse in the workplace;
 - (2) The grantee's policy of maintaining a drug-free workplace;
 - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will - -
 - (1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency in writing, within 10 calendar days after receiving notice under paragraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under paragraph (d)(2), with respect to any employee who is so convicted - -

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

(B) The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

Navajo Nation Child Care and Development Fund Program

P.O. Box 2425; Window Rock, Arizona 86515

Check if there are workplaces on file that are not identified here.

Alternate II. (Grantees Who Are Individuals)

(a) The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant;

(b) If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to every grant officer or other designee, unless the Federal agency designates a central point for the receipt of such notices. When notice is made to such a central point, it shall include the identification number(s) of each affected grant.

[55 FR 21690, 21702, May 25, 1990]

Russell Begay 7/20/16
Signature and Date
Russell Begay
Printed Name
President
Title
Navajo Nation
Organization



Plan for:

CHILD CARE & DEVELOPMENT FUND - Plan Period: 10/1/2016 – 9/30/2019

APPENDIX 1

CHILD COUNT DECLARATION

Federal Fiscal Year: 2016

Name of Tribe/Tribal Lead Agency: Navajo Nation Child Care and Development Fund Program

This certifies that the number of Indian children under age 13 (as defined in CCDF Plan) who reside on or near the reservation or service area (as defined in CCDF Plan) is: 54,026 (number).

The Tribal Lead Agency may not count any children who are included in the child count of another CCDF Tribal Lead Agency. To ensure unduplicated child counts, a Tribal Lead Agency is required to confer with all other CCDF Tribal Lead Agencies that have overlapping or neighboring service areas.

This count shows the number of Indian children under age 13 as of 06.20.2016 (date).

Date: 06/20/2016

Official Signature of Individual Authorized to Act for the Tribe

Terrelene Massey

Print Name

Navajo Nation Division of Social Services, Executive Director

Print Title

CCDF Plan Effective Date: October 1, 2016

Amended Effective Date: [Insert Date as Amended] _____

NNCCDF CHILD COUNT - COLLABORATION WITH COMMUNITY RESOURCES

Estimate for Federal Fiscal Year 2017

Annual Time Period: July 01, 2015 to June 30, 2016

No.:	Community Resources:	0 to 1 Year	1 Year Up to 2 Years	2 Years Up to 3 Years	3 Years Up to 4 Years	4 Years Up to 5 Years	5 Years Up to 6 Years	6 Years Up to 13 Years	Total Child Count Per Program	Months applied to count children
1	Navajo Nation Division of Community Development	0	0	0	0	0	0	0	0	0
2	Navajo Department of Dine Education Head Start	3	19	53	438	1,788	0	0	2,301	12 mos
3	Navajo Department of Dine Education, Educational Research & Statistics								0	
4	Navajo Department of Health, Women, Infant & Children (WIC) Program	2,530	1,929	1,806	1,636	1,660	1	0	9,562	12 mos
5	Navajo Division of Human Resources; Office of Vital Records	603	472	325	288	278	256	32,641	34,863	12 mos
6	Navajo Division of Economic Development								0	
7	Navajo Division of Social Services School Children Clothing	0	0	734	2,061	4,136	4,514	33,495	44,940	12 mos
8	Navajo Division of Social Services Navajo Treatment Center for Children and Their Families	0	0	0	1	3	12	177	193	12 mos
9	Navajo Division of Social Services Navajo Dept of Self Reliance	157	274	316	325	346	376	2,902	4,696	12 mos
10	Navajo Area Indian Health Services	2,893	3,388	3,645	3,559	3,677	3,759	28,086	49,007	12 mos
11	Albuquerque Area Indian Health Service	132	227	269	221	258	254	1,913	3,274	11 mos
12	Phoenix Area Indian Health Service	108	107	90	83	91	85	564	1,128	11 mos
13	Alamo Navajo Health Clinic	27	37	48	51	54	47	353	617	12 mos

Resources selected for DATA to Region IX -

CHILD COUNT DECLARATION

Navajo Area Indian Health Services	49,007
Albuquerque Area Indian Health Service	3,274
Phoenix Area Indian Health Service	1,128
Alamo Navajo Health Clinic	617
TOTAL:	54,026

CHILD COUNT

Status: No response from resources as 06.20.2016

Child Count Data Report compiled by:

Selena B. Curley, PSW 06.20.16
Selena B. Curley, PSW; CCDF Monitoring Unit Date

APPROVAL OF DATA FOR CHILD COUNT DECLARATION:

Grace M. Boyne 6/20/16
Grace M. Boyne, PM II Date

The service providers do not serve this age categories.

ATTACHMENTS

Navajo Nation CCDF Award Calculation Grant 16

CAN/CFDA#		93.575		93.575		93.575	
Discretionary		93.575		93.575		93.575	
Mandatory		93.596		93.575		93.575	
TOTAL Grant		\$8,477,372					
CFDA#		93.596		93.575		93.575	
Total Grant Amount:		\$ 8,477,372	\$ 4,000,668	\$ -	\$ 4,476,704	Information:	
Discretionary Base Amount:		\$ (20,000)	\$ -	\$ -	\$ (20,000)	In accordance to the CCDF calculations of award the amount and calculations indicates the administrative cost of 15% and remaining CCDF funds including the discretionary base amount (\$20,000) to be used on direct services, non-direct services and quality activities.	
Per Child Amt.		\$ 8,457,372	\$ 4,000,668	\$ -	\$ 4,456,704		
Per Child Amt.		\$ 8,457,372	\$ 4,000,668	\$ -	\$ 4,456,704		
Administrative Cap 15%		\$ 1,268,606	\$ 600,100	\$ -	\$ 668,506		
Subtotal:		\$ 20,000.00	\$ -	\$ -	\$ 20,000.00		
Base Amount-Admin. cost		\$ 1,288,606	\$ 600,100	\$ -	\$ 688,506		
TOTAL Administrative Cost		\$ 1,288,606	\$ 600,100	\$ -	\$ 688,506		
Administrative Cost		\$ 1,288,606	\$ 600,100	\$ -	\$ 688,506		
NN IDC		\$ 1,099,681	\$ 512,118	\$ -	\$ 587,562		
TOTAL for IDC		\$ 188,925	\$ 87,982	\$ -	\$ 100,943		

MANDATORY		DISCRETIONARY		MANDATORY		DISCRETIONARY	
93.596		93.575		93.596		93.575	
ADMIN W/O IDC	\$512,118	\$587,562	\$1,099,681	TOTAL GRANT AWARD	\$ 4,000,668	\$ 4,476,704	\$ 8,477,372
NN IDC	\$87,982	\$100,943	\$188,925	ADMINISTRATIVE COST	\$ (600,100)	\$ (688,506)	\$ (1,288,606)
ADMINISTRATION	\$600,100	\$688,506	\$1,288,606	DS/OPERATING COST	\$ 3,400,568	\$ 3,788,198	\$ 7,188,766

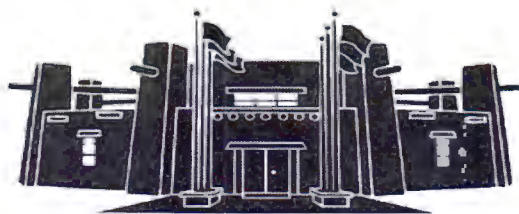
PLEASE SIGN BELOW: Upon review of grant award allocation and prepared calculations, which indicate Administration cost of 15% and remaining for operating, signature indicates that a budget can be prepared currently for the amount shown within this worksheet. To begin

Minimum 4% Quality \$ 8,477,372.00

Calculations \$ 339,094.88 Reviewed By: Grace M. Boyne, PMII

Reviewed By: Contract Accounting *mt 7/6/16*

Reviewed By: OMB Contract & Grants Sec.



MEMORANDUM

To : Jonathan Hale, Council Delegate
Navajo Nation Council

From : 
Ron Haven, Attorney
Office of Legislative Counsel

Date : August 18, 2016

Re : AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN
SERVICES, BUDGET AND FINANCE AND NAABIK'ÍYÁTI';
APPROVING NAVAJO NATION CHILD CARE AND DEVELOPMENT
FUND PLAN FOR FEDERAL FISCAL YEARS 2017 -2019

As requested, I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction. Although the resolution is presumably legally sufficient, it, as with all actions of government, is subject to review by the courts in event of challenge. Also, the Speaker may assign the legislation to other committees (other than HEHSC) as he deems necessary.

If you are satisfied with the proposed resolution, please sign the proposed resolution where it indicates "INTRODUCED BY" and submit it to the Office of Legislative Services where it will be given a tracking number and sent to the Office of the Speaker for assignment.

If the proposed resolution is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like made to the proposed resolution. Ahéhee'.

OLC # 16-573-1

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0281-16_____ SPONSOR: Jonathan Hale

TITLE: An Action Relating To Health, Education And Human Service; Budgets And Finance And Naabik'iyati; Approving Navajo Nation Child Care And Development Fund Plan For Federal Fiscal Years 2017-2019

Date posted: August 22, 2016 at 3:31pm

Digital comments may be e-mailed to comments@navajo-nsn.gov

Written comments may be mailed to:

Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7590

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

Please note: This digital copy is being provided for the benefit of the Nav, ajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. §374 *et. seq.*

**THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY**

LEGISLATION NO.: 0281-16

SPONSOR: Honorable Jonathan Hale

TITLE: An Action Relating To Health, Education And Human Service; Budgets And Finance And Naabik'iyati; Approving Navajo Nation Child Care And Development Fund Plan For Federal Fiscal Years 2017-2019.

Posted: August 22, 2016 at 3:31pm

5 DAY Comment Period Ended: August 28, 2016

Digital Comments received:

Comments Supporting	<i>None</i>
Comments Opposing	<i>None</i>
Inclusive Comments (1)	1. Grace M. Boyne; Suggest amount change.



**Executive Director
Office of Legislative Services**



Date/Time

0281-16

Grace Boyne <gboyne@navajo-nsn.gov>

comments - <comments@navajo-nsn.gov>

The amount should be changed to \$9,973,379 This is Section Two. Findings, "B". This is the current allocation for this year. The amount usually changed annually. It is dependent on the child count that CCDF submits on a yearly basis.

Grace M. Boyne

Committee Report

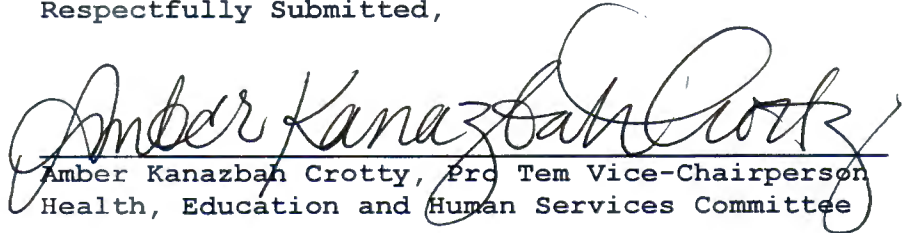
THE HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE OF THE NAVAJO
NATION COUNCIL to who has been assigned;

LEGISLATION NO. 0281-16

AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, BUDGET AND
FINANCE AND NAABIK'IYATI'; APPROVING NAVAJO NATION CHILD CARE AND
DEVELOPMENT FUND PLAN FOR FEDERAL FISCAL YEARS 2017 - 2019 Sponsor:
Honorable Jonathan L. Hale

Has had under consideration and report the same with the recommendation
that Legislation 0281-16 PASS no amendment and no directive; and
therefore referred the same to the BUDGET AND FINANCE COMMITTEE OF THE
NAVAJO NATION COUNCIL

Respectfully Submitted,


Amber Kanazban Crotty, Pro Tem Vice-Chairperson
Health, Education and Human Services Committee

Dated: August 29, 2016

Main Motion - Legislation 0281-16

Motion by: Honorable Nathaniel Brown

Seconded by: Honorable Jonathan L. Hale

Vote: 2 in favor; 0 Opposed and 1 Abstain;

Pro Tem Chairperson Not Voting