

June 3, 2003

Dear Tribal Child Care Lead Agency:

The enclosed Program Instruction (ACYF-PI-CC-03-03) contains application procedures for fiscal year (FY) 2004 Child Care and Development Fund (CCDF) monies and materials necessary to submit a new tribal plan preprint. The child count declaration required for FY 2004 CCDF funding and the CCDF plan preprint for the FY 2004-2005 biennium must be received by the Administration for Children and Families (ACF) no later than July 1, 2003.

Please be reminded that all Tribes receiving CCDF funds must first request and receive ACF approval through a separate application process before using CCDF funds for construction or major renovation. Program Instruction ACYF-PI-CC-01-01 (dated February 5, 2001), containing the application procedures, can be found on the Child Care Bureau's website at:

<http://www.acf.hhs.gov/programs/ccb/policy1/current/pi0101/pi0101.htm>. We would also like to remind you of upcoming deadlines related to the construction and renovation procedures:

- If you plan to submit an application to use FY 2003 CCDF funds for construction or renovation, your ACF Regional Office must receive your construction/renovation application prior to July 1, 2003.
- Tribal Lead Agencies with FY 2001 funds in a separate grant award for construction or renovation must liquidate these funds by September 30, 2003.

Sincerely,

Shannon Christian  
Associate Commissioner  
Child Care Bureau

Enclosure

<h1>ACF</h1> <p>Administration For Children And Families</p>	<b>U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES</b> <b>Administration on Children, Youth and Families</b>	
	<b>1. Log No: ACYF-PI-CC-03-03</b>	<b>2. Issuance Date: June 3, 2003</b>
	<b>3. Originating Office: Child Care Bureau</b>	
	<b>4. Key Words: Child Care and Development Fund (CCDF) Fiscal Year 2004 Funding; Indian Tribes and Tribal Consortia</b>	
	<b>Child Care and Development Fund Tribal Plan Preprint</b>	

**CHILD CARE AND DEVELOPMENT FUND**

**PROGRAM INSTRUCTION**

- To:** Tribal Lead Agencies administering child care programs under the Child Care and Development Block Grant (CCDBG) Act of 1990, as amended, and other interested parties.
- Purpose:** This Program Instruction (PI) conveys the pre-printed Tribal Plan for Child Care and Development Fund (CCDF) services for the FY 2004 – 2005 biennium and provides guidance for completing and submitting it. This Plan is required by Section 658E of the CCDBG Act.
- References:** Section 418 of the Social Security Act; the Child Care and Development Block Grant Act of 1990 (CCDBG), as amended. 45 CFR Parts 98 and 99.
- Background:** Tribes are required to submit a complete tribal Plan preprint for the FY 2004 - 2005 biennium (October 1, 2003 - September 30, 2005). The Plan preprint will be effective for a two-year period beginning October 1, 2003.
- The attached tribal Plan preprint format is the same as the one used for the FY 2002 - 2003 biennium. We strongly recommend that you review the “**Guidance for Completing the Plan**” (Attachment C) as you develop your tribal Plan for the FY 2004 – 2005 Plan period. Tribal Lead Agencies should also be guided by the amended CCDBG Act and the CCDF regulations. Each Plan section includes a statutory citation or reference to the applicable regulation.
- CCDF Eligibility:** Pursuant to 45 CFR 98.62, a Tribe is eligible to receive CCDF funds if the Tribe is federally recognized and the tribal population includes at least 50 children under age 13.

A Tribe with fewer than 50 children under age 13 may participate in a consortium of eligible tribes. In order to be eligible to receive CCDF funds on behalf of its member Tribes, a consortium must:

- Consist of Tribes that meet the eligibility requirements for the CCDF program or that would meet the eligibility requirements if the Tribe or tribal organization had at least 50 children under age 13; and
- Adequately demonstrate it has authorization from each participating Tribe to receive CCDF funds on behalf of the Tribe.

Special Rule for Indian Tribes in Alaska - Only the Metlakatla Indian Community of the Annette Islands Reserve and the 12 Alaska Native Regional Nonprofit Corporations are eligible to receive Tribal Mandatory Funds. New Tribal Applicants in Alaska should contact ACF Region X (Attachment A) with questions about this Special Rule.

### **Tribal Child Counts:**

For funds that become available in FY 2004, ACF will calculate grant awards based on the number of children under age 13. A Tribe must submit a self-certified Child Count Declaration for children **under age 13** (not age 13 and under), in order to receive FY 2004 CCDF funds.

The Child Count Declaration must certify the number of Indian children (as defined by a Tribal Lead Agency in Appendix 2, #2 of the Plan), under age 13, who reside on or near the reservation or service area (as defined by a Tribal Lead Agency in Appendix 2, #3 of the Plan). The Child Count Declaration must be signed by the governing body of the Tribe or a person authorized to act for the applicant Tribe or organization.

An application submitted without a Child Count Declaration will be treated as an incomplete application. Therefore, to facilitate the approval process, a signed, completed Child Count Declaration must be submitted to the ACF Regional Office by July 1, 2003 (Attachment A).

**PLEASE BE ADVISED: 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.

Tribal Lead Agencies are reminded that CCDF funds are allocated based on child counts of children from Federally recognized Indian Tribes, consistent with the Child Care and Development Block Grant Act's definition of Indian Tribe.

Tribal Lead Agencies are also advised that ACF will not accept declarations based on child counts that were conducted prior to July 1 of the previous year. For FY 2004 funding, the child count of children under age 13 must be completed **no later than** June 30, 2003 and **no earlier than** July 1, 2002.

### **Special**

**Individual Child Counts Required** - A tribal consortium must submit an

**Instructions  
For Tribal  
Consortia:**

individual Child Count Declaration, signed by an individual authorized to act for the Tribe, for each Tribal member in a tribal consortium. A tribal consortium must also provide a summary section listing each tribal member's name and child count, and the total child count for all members.

Because of the statutory "Special Rule for Indian Tribes in Alaska" under Tribal Mandatory Funding, some Alaska Native Regional Nonprofit Corporations will have to provide a separate child count certification for Discretionary Funding purposes. This count will consist of its self-certified Tribal Mandatory Funding count, minus the child count number for any Alaska Tribal grantee in its Region which applies directly for Discretionary Funding. In instances where a Regional Corporation has separate child counts for Discretionary and Tribal Mandatory Funds, both counts may be reported on the Child Count Declaration.

**Membership Changes** – It is the responsibility of a tribal consortium to notify ACF of any changes in its membership for CCDF funding purposes during the approved plan period. For example - - if a new Tribe joins a tribal consortium to receive FY 2004 CCDF funds, or if a current tribal consortium member elects not to receive FY 2004 CCDF funds through that tribal consortium - - these changes must be conveyed to ACF in writing by the tribal consortium.

**Exempt vs.  
Non-Exempt  
Grantee Status:**

ACF recognizes that a number of small CCDF grantees do not have the necessary infrastructure to support certain CCDF requirements, such as a certificate program. Similarly, in many small rural communities child care options are often limited. Consequently, additional flexibility has been provided for smaller Tribes and tribal organizations by "exempting" them from certain CCDF requirements (see 45 CFR 98.83(f)).

Tribal Lead Agencies with CCDF allocations equal to or greater than \$500,000 for a fiscal year are considered non-exempt grantees; therefore: 1) no less than 4 percent of the aggregate CCDF funds expended for a fiscal year must be used for quality activities; and 2) the Tribal Lead Agency must operate a certificate program that offers parental choice from a full range of providers (i.e., center-based, group home, family and in-home care).

**Transition Period Moving into Non-Exempt Status**

A Tribal Lead Agency that moves from the exempt to non-exempt category has a phase-in period of **up to one year** to meet the CCDF non-exempt requirements. For example, if a Tribal Lead Agency's FY 2003 allocation moved it into the non-exempt category, the Tribal Lead Agency must meet the non-exempt requirements by October 1, 2003. Please contact your ACF Regional Office (Attachment A) if you have questions about exempt or non-exempt grantee status.

**Funding Estimates  
and Allocation  
Formulas:**

ACF estimates that \$96,339,880 in FY 2004 CCDF funds will be available for tribal grantees on October 1, 2003 (\$41,999,880 in Discretionary Funds and \$54,340,000 in Tribal Mandatory Funds).

Grants from Discretionary Funds will include a base amount of \$20,000 plus a

per child amount (approximately \$61 per child in FY 2003) for each Tribe or tribal consortium with a minimum of 50 children. Grants from Tribal Mandatory Funds are calculated solely on a per-child basis (approximately \$104 per child in FY 2003) and do not include a base amount.

Since the per-child amount for both Discretionary and Tribal Mandatory Funds depends upon the total number of children in all participating Tribes, ACF cannot calculate in advance the exact per-child amount. However, Tribes and tribal organizations may use the FY 2004 Tribal Estimates Chart (See Attachment B) as a guide. A new applicant should use the base amount plus approximately \$61 per child to estimate its allotment for Discretionary funding, and should use approximately \$104 per child to estimate its allotment for Tribal Mandatory funding.

A tribal consortium should estimate its allotment for Discretionary funding for each of its members by calculating a portion of the base amount that is equivalent to the ratio of the number of children in each member Tribe to 50, plus the additional per child amount. For example, a Tribe with 49 children is allotted 49/50ths of \$20,000, or \$19,600. The per child amount is then multiplied by 49 and added to the \$19,600 base amount.

Important Note: These amounts are provided for the purpose of estimating the allotments that will become available on October 1, 2003 and may increase or decrease when updated data become available before the final grant awards are issued. The estimates reflect the Administration's FY 2004 budget request.

**Discretionary  
Earmark:**

The Administration's FY 2004 budget request includes an earmark for school age care and resource and referral care activities. The FY 2004 Tribal Estimates Chart (Attachment B) shows the estimated earmark requirement for FY 2004. The column labeled Discretionary Earmark shows the estimated amount that must be spent on resource and referral activities and school-age care. The column labeled Discretionary After Earmark is the amount of Discretionary Funds remaining after the earmark that can be spent on any allowable CCDF activities (assuming quality expenditure, administrative cost, and other Federal requirements are met). The earmark for resource and referral activities and school-age care is based on a \$500 amount per Tribe plus a per child amount. Amounts in the FY 2004 Tribal Estimates Chart (Attachment B) are estimates that may increase or decrease when final grant awards are issued.

Note to Non-Exempt Tribal Lead Agencies: The earmarked funds are to be used in addition to the "not less than 4 percent" required to be spent on activities that improve the quality and availability of child care.

**Administrative  
Costs:**

Tribal Lead Agencies are reminded that no more than 15 percent of the aggregate CCDF funds expended from each year's allotment may be used for administrative costs. Tribal Lead Agencies are advised to review the CCDF regulations at 45 CFR 98.52 for a discussion of administrative costs. Note: the Discretionary Funds base amount is neither subject to the 15 percent limitation, nor included in the calculation for the 15 percent limitation.

**Construction and Renovation:**

In order to use CCDF funds for construction or major renovation projects, all Tribes receiving CCDF funds are required to follow ACF's construction and renovation application procedures (Program Instruction ACYF-PI-CC-01-01, dated February 5, 2001). Early in the planning process, Tribes are advised to contact their appropriate ACF Regional Office (Attachment A). If a Tribe constructs or renovates more than one facility, it must seek ACF approval for each project (even if the projects use identical plans and specifications).

**Obligation and Liquidation Periods:**

For FY 2004 Tribal Mandatory and Discretionary CCDF Funds (other than funds approved for construction/renovation), Tribal Lead Agencies must obligate all funds by September 30, 2005 and liquidate all funds by September 30, 2006. FY 2002 CCDF funds approved for construction/renovation must be liquidated by September 30, 2006 -- with no separate obligation deadline.

**Deadlines and Effective Dates:**

The Plan must be submitted for ACF review by July 1, 2003. When approved by the ACF Regional Office, the Plans are effective on October 1, 2003.

**Electronic Format:**

The Plan is available in word processing format from the ACF Regional Offices. If you would like a copy of the Plan in an electronic format, or to submit the Plan electronically, contact your ACF Regional Office. If submitting a Plan electronically, a Tribal Lead Agency should: (1) "write protect" the Plan, and (2) submit a letter signed by the program administrator to the appropriate Regional Office confirming that on a specific date the Plan is submitted for review and approval. A copy of the Plan is also available on the Child Care Bureau's website at: <http://www.acf.dhhs.gov/programs/ccb/policy1/triblist.htm>.

**Submitting the Plan:**

Submit copies of the Plan as follows:

**One (1) copy to:**  
ACF Regional Administrator  
(see Attachment A)

**One (1) copy to:**  
ACYF Operations Center  
Attn: Child Care Bureau  
CCDF 2004 Tribal Plan  
1150 Connecticut Ave., NW, Suite 1100  
Washington, DC 20036  
Telephone: 1-800-351-2293  
CCB@esilsg.org

**Public Law 102-477 Option:**

The "Indian Employment, Training and Related Services Demonstration Act of 1992" (P.L. 102-477) permits tribal governments to consolidate a number of Federal programs to integrate their federally funded employment, training, and related services programs into a single, coordinated comprehensive program. The CCDF is one of the programs that may be consolidated under P.L. 102-477.

The instructions contained in this Program Instruction (i.e., for the tribal Plan preprint) do not apply to those Tribes and tribal organizations that apply to have CCDF funds consolidated under P.L. 102-477. A separate Program Instruction (ACYF-PI-CC-03-02) contains 102-477 application and plan instructions.

Tribes interested in learning more about the 102-477 process are encouraged to contact Ginny Gorman in ACF's Child Care Bureau at (202) 401-7260. A copy of the 102-477 Program Instruction is also available on the Child Care Bureau's website at: <http://www.acf.dhhs.gov/programs/ccb/policy1/triblist.htm>.

**Reporting Requirements:** By the end of December each year, Tribal Lead Agencies are required to report CCDF aggregate program data on the ACF-700 report form, and CCDF financial expenditures on the ACF-696T report. Separate Program Instructions are issued each year providing information on the ACF-700 and ACF-696-T reporting requirements. These Program Instructions are also available on the Child Care Bureau's website at: <http://www.acf.dhhs.gov/programs/ccb/policy1/triblist.htm>.

**Audits:** Tribes must follow the audit requirements established in OMB Circular A-133 "Audits of States, Local Governments and Non-Profit Organizations," pursuant to the Single Audit Act Amendments of 1996.

**Paperwork Reduction Act:** 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. The information collection required under this Program Instruction is approved under OMB Number 0970-0198, which expires June 30, 2005.

**Inquiries:** Direct all inquiries to the ACF Regional Offices (see Attachment A)

Joan E. Ohl  
Commissioner

Attachments:

- Attachment A - ACF Regional Administrators List
- Attachment B - FY 2004 Tribal Estimates Chart
- Attachment C - Guidance for Completing the Plan

## ACF Regional Administrators

- |   |   |
|---|---|
| I. Hugh Galligan<br>DHHS/ACF<br>John F. Kennedy Building<br>Room 2000<br>Boston, MA 02203<br>(617) 565-1020                                       | VI. Leon R. McCowan<br>DHHS/ACF<br>1301 Young Street<br>Suite 914<br>Dallas, TX 75202<br>(214) 767-9648   |
| II. Mary Ann Higgins<br>DHHS/ACF<br>26 Federal Plaza<br>Room 4114<br>New York, NY 10278<br>(212) 264-2890   | VII. Linda Lewis<br>DHHS/ACF<br>601 East 12 <sup>th</sup> Street<br>Room 384<br>Kansas City, MO 64106<br>(816) 426-3981                               |
| III. David Lett<br>DHHS/ACF<br>150 S. Independence<br>Mall West—Suite 864<br>Public Ledger Bldg.<br>Philadelphia, PA 19104-3499<br>(215) 861-4000 | VIII. Thomas Sullivan<br>DHHS/ACF<br>Federal Office Building<br>1961 Stout Street<br>9 <sup>th</sup> Floor<br>Denver, CO 80294-3538<br>(303) 844-2622 |
| IV. Carlis Williams<br>DHHS/ACF<br>61 Forsyth Street, S.W.<br>Suite 4M60<br>Atlanta, GA 30303<br>(404) 562-2900                                   | IX. Sharon M. Fujii<br>DHHS/ACF<br>50 United Nations Plaza<br>Room 450<br>San Francisco, CA 94102<br>(415) 437-8400                                   |
| V. Joyce Thomas<br>DHHS/ACF<br>233 N. Michigan Ave.<br>Suite 400<br>Chicago, IL 60601<br>(312) 353-4237   | X. Stephen Henigson<br>DHHS/ACF<br>Blanchard Plaza<br>2201 Sixth Avenue<br>Room 610-M/S RX-70<br>Seattle, WA 98121<br>(206) 615-2547                  |



**FY 2004 ESTIMATED CCDF TRIBAL ALLOCATION**

<u>TRIBE</u>	<u>EST. FY 2004 MANDATORY ALLOCATION</u>	<u>ESTIMATED FY 2004 DISC. BASE</u>	<u>ESTIMATED FY 2004 DISC. PER CHILD</u>	<u>ESTIMATED DISCRETIONARY BEFORE EARMARK</u>	<u>ESTIMATED DISCRETIONARY EARMARK</u>	<u>ESTIMATED DISCRETIONARY AFTER EARMARK</u>	<u>TOTAL EST. FY 2004 CCDF FUNDING</u>
<b>ALABAMA</b>							
Poarch Band of Creeks	15,338	20,000	9,075	29,075	571	28,504	44,413
<b>ALASKA</b>							
Agdaagux Tribal Council		20,000	7,161	27,161	556	26,605	27,161
Akaichak Native Community		20,000	12,347	32,347	597	31,750	32,347
Akiak Native Community		20,000	6,667	26,667	552	26,115	26,667
Aleutian/Pribilof Island Association, Inc.	37,249	104,000	22,039	126,039	673	125,366	163,288
Arctic Slope Native Association	168,926	120,000	36,300	156,300	785	155,515	325,226
Asa'carsarmiut Tribal Council		20,000	18,520	38,520	646	37,874	38,520
Association of Village Council Presidents, Inc.	695,529	644,800	288,423	933,223	2,768	930,455	1,628,752
Bristol Bay Native Association	170,074	334,800	100,627	435,427	1,291	434,136	605,501
Chilkat Indian Village		20,000	3,148	23,148	525	22,623	23,148
Chugachmiut	38,606	64,400	22,842	87,242	680	86,562	125,848
Cook Inlet Tribal Council, Inc.	835,658	78,400	431,338	509,738	3,892	505,846	1,345,396
Copper River Native Association	17,946	52,000	10,618	62,618	583	62,035	80,564
Hoonah Indian Assoc.		20,000	15,495	35,495	622	34,873	35,495
Kawerak, Inc.	240,921	341,600	142,545	484,145	1,621	482,524	725,066
Kenaitze Indian Tribe IRA		20,000	15,989	35,989	626	35,363	35,989

**FY 2004 ESTIMATED CCDF TRIBAL ALLOCATION**

<u>TRIBE</u>	<u>EST. FY 2004 MANDATORY ALLOCATION</u>	<u>ESTIMATED FY 2004 DISC. BASE</u>	<u>ESTIMATED FY 2004 DISC. PER CHILD</u>	<u>ESTIMATED DISCRETIONARY BEFORE EARMARK</u>	<u>ESTIMATED DISCRETIONARY EARMARK</u>	<u>ESTIMATED DISCRETIONARY AFTER EARMARK</u>	<u>TOTAL EST. FY 2004 CCDF FUNDING</u>
Kivalina IRA Council		20,000	7,099	27,099	556	26,543	27,099
Knik Tribal Council		20,000	58,030	78,030	956	77,074	78,030
Kodiak Area Native Association	140,441	100,800	83,095	183,895	1,153	182,742	324,336
Maniilaq Manpower, Inc	253,546	173,600	142,915	316,515	1,624	314,891	570,061
Metlakatla Indian Community	57,387	20,000	33,954	53,954	767	53,187	111,341
Mt. Sanford Tribal Consortium		20,400	3,148	23,548	525	23,023	23,548
Native Village of Barrow		20,000	49,449	69,449	889	68,560	69,449
Native Village of Point Hope		20,000	14,199	34,199	612	33,587	34,199
Ninilchik Traditional Council		20,000	12,347	32,347	597	31,750	32,347
Organized Village of Kwethluk		20,000	21,731	41,731	671	41,060	41,731
Orutsararmuit Native Council		20,000	94,701	114,701	1,245	113,456	114,701
Sitka Tribe of Alaska		20,000	31,546	51,546	748	50,798	51,546
Tanana Chiefs Conference, Inc.	559,783	484,000	331,205	815,205	3,104	812,101	1,374,988
Tlingit & Haida Tribes of Alaska	668,610	244,800	336,206	581,006	3,144	577,862	1,249,616
Tuluksak Native Village		20,000	9,878	29,878	578	29,300	29,878
Yakutat Tlingit Tribe		20,000	8,396	28,396	566	27,830	28,396
<b>ARIZONA</b>							
Cocopah Indian Tribe							

FY 2004 ESTIMATED CCDF TRIBAL ALLOCATION							
<u>TRIBE</u>	<u>EST. FY 2004 MANDATORY ALLOCATION</u>	<u>ESTIMATED FY 2004 DISC. BASE</u>	<u>ESTIMATED FY 2004 DISC. PER CHILD</u>	<u>ESTIMATED DISCRETIONARY BEFORE EARMARK</u>	<u>ESTIMATED DISCRETIONARY EARMARK</u>	<u>ESTIMATED DISCRETIONARY AFTER EARMARK</u>	<u>TOTAL EST. FY 2004 CCDF FUNDING</u>
	21,494	20,000	12,717	32,717	600	32,117	54,211
Fort McDowell Mohave-Apache	229,443	20,000	135,754	155,754	1,568	154,186	385,197
Gila River Indian Community	597,972	20,000	353,800	373,800	3,282	370,518	971,772
Havasupai Tribal Council	14,816	20,000	8,766	28,766	569	28,197	43,582
Hopi Tribe	234,139	20,000	138,532	158,532	43,124	115,408	392,671
Hualapai Tribal Council	184,369	20,000	109,085	129,085	1,589	127,496	313,454
Navajo Nation	9,159,685	20,000	5,419,483	5,439,483	1,358	5,438,125	14,599,168
Pascua Yaqui	298,934	20,000	176,869	196,869	1,884	194,985	495,803
Quechan Indian Tribe	69,803	20,000	41,300	61,300	825	60,475	131,103
Salt River Pima-Maricopa	252,502	20,000	149,397	169,397	1,675	167,722	421,899
San Carlos Apache Tribe	301,542	20,000	178,412	198,412	1,903	196,509	499,954
Tohono O'Odham	594,737	20,000	351,886	371,886	3,267	368,619	966,623
White Mountain Apache Tribe	598,389	20,000	354,047	374,047	3,284	370,763	972,436
Yavapai-Apache Tribe (Camp Verde)	52,066	20,000	30,805	50,805	742	50,063	102,871
<b>CALIFORNIA</b>							
Bear River Band of Rohnerville	12,521	20,000	7,408	27,408	558	26,850	39,929
Bishop Paiute Tribe	43,301	20,000	25,620	45,620	701	44,919	88,921
California Indian Manpower, Inc	164,961	231,200	97,602	328,802	1,267	327,535	493,763

FY 2004 ESTIMATED CCDF TRIBAL ALLOCATION							
<u>TRIBE</u>	<u>EST. FY 2004 MANDATORY ALLOCATION</u>	<u>ESTIMATED FY 2004 DISC. BASE</u>	<u>ESTIMATED FY 2004 DISC. PER CHILD</u>	<u>ESTIMATED DISCRETIONARY BEFORE EARMARK</u>	<u>ESTIMATED DISCRETIONARY EARMARK</u>	<u>ESTIMATED DISCRETIONARY AFTER EARMARK</u>	<u>TOTAL EST. FY 2004 CCDF FUNDING</u>
California Rural Indian Health Board	47,370	80,000	28,027	108,027	720	107,307	155,397
Campo Consortia	51,753	75,200	30,620	105,820	741	105,079	157,573
Chico Rancheria (Mechoopda)	51,440	20,000	30,435	50,435	739	49,696	101,875
Chukchansi Tribe of Picayane Rancheria	23,059	20,000	13,643	33,643	607	33,036	56,702
Cloverdale Rancheria	13,460	20,000	7,964	27,964	563	27,401	41,424
Cortina Indian Rancheria	13,042	20,000	7,717	27,717	561	27,156	40,759
Dry Creek Rancheria	18,051	20,000	10,680	30,680	584	30,096	48,731
Enterprise Rancheria	24,520	20,000	14,508	34,508	614	33,894	59,028
Fort Mojave Tribe	44,657	20,000	26,422	46,422	708	45,714	91,079
Hoopa Tribe	65,734	20,000	38,893	58,893	806	58,087	124,627
Hopland Band of Pomo Indians	23,163	20,000	13,705	33,705	608	33,097	56,868
Inter Tribal Council of California	203,984	367,600	120,691	488,291	1,449	486,842	692,275
Karuk Tribe	89,524	20,000	52,968	72,968	917	72,051	162,492
La Jolla Tribe	6,156	20,000	3,642	23,642	529	23,113	29,798
Lytton Rancheria	11,060	20,000	6,544	26,544	551	25,993	37,604
Mooretown Rancheria	22,224	20,000	13,149	33,149	603	32,546	55,373
Pala Band of Mission Indians	21,390	20,000	12,656	32,656	600	32,056	54,046

FY 2004 ESTIMATED CCDF TRIBAL ALLOCATION

<u>TRIBE</u>	<u>EST. FY 2004 MANDATORY ALLOCATION</u>	<u>ESTIMATED FY 2004 DISC. BASE</u>	<u>ESTIMATED FY 2004 DISC. PER CHILD</u>	<u>ESTIMATED DISCRETIONAR Y BEFORE EARMARK</u>	<u>ESTIMATED DISCRETIONA RY EARMARK</u>	<u>ESTIMATED DISCRETIONA RY AFTER EARMARK</u>	<u>TOTAL EST. FY 2004 CCDF FUNDING</u>
Pauma Band of Mission Indians	8,243	20,000	4,877	24,877	538	24,339	33,120
Pechanga Indian Reservation	19,929	20,000	11,791	31,791	593	31,198	51,720
Pinoleville Indian Community	6,782	20,000	4,013	24,013	532	23,481	30,795
Pit River Tribe	45,284	20,000	26,793	46,793	532	46,261	92,077
Potter Valley Little Lake	5,426	20,000	3,210	23,210	711	22,499	28,636
Quartz Valley Indian Commun.	6,782	20,000	4,013	24,013	525	23,488	30,795
Redding Rancheria	202,315	20,000	119,703	139,703	1,441	138,262	342,018
Rincon San Luiseno Band	5,843	20,000	3,457	23,457	527	22,930	29,300
Round Valley Indian Tribe	78,777	20,000	46,609	66,609	867	65,742	145,386
Scotts Valley Band of Pomo	6,365	20,000	3,766	23,766	530	23,236	30,131
Shingle Springs Rancheria	6,678	20,000	3,951	23,951	531	23,420	30,629
Soboba Band of Mission Indians	22,224	20,000	13,149	33,149	603	32,546	55,373
Southern California Tribal Chairmen's Association	15,755	41,600	9,322	50,922	573	50,349	66,677
Susanville Rancheria/Lassen	28,172	20,000	16,668	36,668	631	36,037	64,840
Table Bluff Rancheria	9,078	20,000	5,371	25,371	542	24,829	34,449
Torres Martinez Desert Cahuilla	14,608	20,000	8,643	28,643	568	28,075	43,251
Tyme Maidu Berry Creek Rancheria	11,999	20,000	7,099	27,099	556	26,543	39,098

FY 2004 ESTIMATED CCDF TRIBAL ALLOCATION

<u>TRIBE</u>	<u>EST. FY 2004 MANDATORY ALLOCATION</u>	<u>ESTIMATED FY 2004 DISC. BASE</u>	<u>ESTIMATED FY 2004 DISC. PER CHILD</u>	<u>ESTIMATED DISCRETIONAR Y BEFORE EARMARK</u>	<u>ESTIMATED DISCRETIONA RY EARMARK</u>	<u>ESTIMATED DISCRETIONA RY AFTER EARMARK</u>	<u>TOTAL EST. FY 2004 CCDF FUNDING</u>
Yurok Tribe	156,301	20,000	92,478	112,478	1,227	111,251	268,779
<b>COLORADO</b>							
Southern Ute	74,603	20,000	44,140	64,140	847	63,293	138,743
Ute Mountain Ute Tribe	61,561	20,000	36,423	56,423	786	55,637	117,984
<b>FLORIDA</b>							
Miccosukee Corporation	29,215	20,000	17,286	37,286	636	36,650	66,501
<b>HAWAII</b>							
ALU LIKE, Inc.				1,000,000	-	1,000,000	1,000,000
<b>IDAHO</b>							
Coeur d'Alene Tribes	141,902	20,000	83,959	103,959	1,160	102,799	245,861
Nez Perce Tribe	124,999	20,000	73,958	93,958	1,082	92,876	218,957
Northwestern Band of Shoshoni Nation	18,259	20,000	10,804	30,804	585	30,219	49,063
Shoshone-Bannock Tribes	223,705	20,000	132,359	152,359	1,541	150,818	376,064
<b>KANSAS</b>							
Kickapoo	28,902	20,000	17,100	37,100	634	36,466	66,002
Prairie Band of Potawatomi	37,562	20,000	22,224	42,224	675	41,549	79,786
Iowa Tribe of Kansas and Nebraska	17,946	20,000	10,618	30,618	583	30,035	48,564
<b>LOUISIANA</b>							
Chitimacha Tribe	25,981	20,000	15,372	35,372	621	34,751	61,353
Coushatta Tribe	23,894	20,000	14,137	34,137	611	33,526	58,031

FY 2004 ESTIMATED CCDF TRIBAL ALLOCATION							
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Tunica Biloxi	9,808	20,000	5,803	25,803	546	25,257	35,611
<b>MAINE</b>							
Aroostook Band of Micmac Indians	17,738	20,000	10,495	30,495	583	29,912	48,233
Houlton Band of Maliseet Indians	32,450	20,000	19,199	39,199	651	38,548	71,649
Indian Township Passamaquoddy	17,529	20,000	10,371	30,371	582	29,789	47,900
Penobscot Nation	33,806	20,000	20,002	40,002	657	39,345	73,808
Pleasant Point Passamaquoddy	37,875	20,000	22,410	42,410	676	41,734	80,285
<b>MASSACHUSETTS</b>							
Wampanoag of Gay Head	8,243	20,000	4,877	24,877	538	24,339	33,120
<b>MICHIGAN</b>							
Bay Mills Indian Community	36,623	20,000	21,669	41,669	670	40,999	78,292
Grand Traverse Band of Ottawa/Chippewa	38,606	20,000	22,842	42,842	680	42,162	81,448
Hannahville Indian Community (Potawatomi)	27,650	20,000	16,360	36,360	629	35,731	64,010
Keweenaw Bay Indian Community	33,180	20,000	19,632	39,632	654	38,978	72,812
Lac Vieux Desert	16,486	20,000	9,754	29,754	577	29,177	46,240
Little Traverse Bay Bands of Odawa Indians	20,659	20,000	12,223	32,223	596	31,627	52,882
Pokagon Band of Potawatomi Indians	72,412	20,000	42,844	62,844	837	62,007	135,256
Sault St. Marie Tribe of Chippewas	302,586	20,000	179,030	199,030	1,908	197,122	501,616
<b>MINNESOTA</b>							

FY 2004 ESTIMATED CCDF TRIBAL ALLOCATION							
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Bois Forte Reservation (Nett Lake)	73,768	20,000	43,646	63,646	843	62,803	137,414
Fond Du Lac	275,249	20,000	162,855	182,855	1,781	181,074	458,104
Grand Portage	11,477	20,000	6,791	26,791	553	26,238	38,268
Leech Lake	434,471	20,000	257,062	277,062	2,521	274,541	711,533
Lower Sioux Indian Tribe of Minnesota	24,729	20,000	14,631	34,631	615	34,016	59,360
Mille Lacs Band of Chippewa	71,681	20,000	42,412	62,412	834	61,578	134,093
Prairie Island Indian Community of Minn.	21,181	20,000	12,532	32,532	599	31,933	53,713
Red Lake	315,106	20,000	186,438	206,438	1,966	204,472	521,544
Shakopee Mdewakanton Sioux Community	22,955	20,000	13,582	33,582	607	32,975	56,537
White Earth	366,859	20,000	217,058	237,058	2,207	234,851	603,917
<b>MISSISSIPPI</b>							
Mississippi Band of Choctow	216,297	20,000	127,975	147,975	1,506	146,469	364,272
<b>MONTANA</b>							
Blackfeet Nation	305,298	20,000	180,635	200,635	1,920	198,715	505,933
Chippewa-Cree Tribe (Rocky Boys)	110,705	20,000	65,500	85,500	1,015	84,485	196,205
Confederated Tribe of Salish & Kootenai	401,709	20,000	237,677	257,677	2,369	255,308	659,386
Crow Tribe	352,460	20,000	208,539	228,539	2,140	226,399	580,999
Fort Belknap Community Council	260,850	20,000	154,336	174,336	1,714	172,622	435,186



FY 2004 ESTIMATED CCDF TRIBAL ALLOCATION							
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Fort Peck Assiniboine & Sioux	357,677	20,000	211,626	231,626	2,164	229,462	589,303
Northern Cheyenne Tribe	218,383	20,000	129,210	149,210	1,516	147,694	367,593
<b>NEBRASKA</b>							
Omaha	78,255	20,000	46,301	66,301	864	65,437	144,556
Ponca Tribe of Nebraska	51,961	20,000	30,744	50,744	742	50,002	102,705
Santee Sioux	40,693	20,000	24,076	44,076	689	43,387	84,769
Winnebago	102,253	20,000	60,500	80,500	976	79,524	182,753
<b>NEVADA</b>							
Ely Shoshone Duck Water Tribe	8,347	31,200	4,939	36,139	539	35,600	44,486
Fallon Paiute-Shoshone Tribe	37,771	20,000	22,348	42,348	676	41,672	80,119
Inter Tribal Council of Nevada	258,972	204,800	153,225	358,025	1,705	356,320	616,997
Las Vegas Paiute	170,700	20,000	100,997	120,997	1,294	119,703	291,697
Pyramid Lake Paiute Tribal Council	5,843	20,000	3,457	23,457	527	22,930	29,300
Reno-Sparks Indian Colony	34,119	20,000	20,187	40,187	659	39,528	74,306
Shoshone-Paiute Tribe of Duck Valley	44,344	20,000	26,237	46,237	706	45,531	90,581
Walker River Piate Tribe	8,556	20,000	5,062	25,062	540	24,522	33,618
<b>NEW MEXICO</b>							
Eight Northern Indian Pueblos	145,241	140,000	85,934	225,934	1,176	224,758	371,175
Mescalero Apache							

**FY 2004 ESTIMATED CCDF TRIBAL ALLOCATION**

<u>TRIBE</u>	<u>EST. FY 2004 MANDATORY ALLOCATION</u>	<u>ESTIMATED FY 2004 DISC. BASE</u>	<u>ESTIMATED FY 2004 DISC. PER CHILD</u>	<u>ESTIMATED DISCRETIONARY BEFORE EARMARK</u>	<u>ESTIMATED DISCRETIONARY EARMARK</u>	<u>ESTIMATED DISCRETIONARY AFTER EARMARK</u>	<u>TOTAL EST. FY 2004 CCDF FUNDING</u>
	118,843	20,000	70,315	90,315	1,053	89,262	209,158
Pueblo of Acoma	215,879	20,000	127,728	147,728	1,504	146,224	363,607
Pueblo of Cochiti	21,703	20,000	12,841	32,841	601	32,240	54,544
Pueblo of Isleta	80,550	20,000	47,659	67,659	875	66,784	148,209
Pueblo of Jemez(Jemus Pueblo)	75,020	20,000	44,387	64,387	849	63,538	139,407
Pueblo of Laguna	164,127	20,000	97,108	117,108	1,264	115,844	281,235
Pueblo of Sandia	11,060	20,000	6,544	26,544	551	25,993	37,604
Pueblo de San Felipe	85,350	20,000	50,499	70,499	897	69,602	155,849
Pueblo of Zia	17,633	20,000	10,433	30,433	582	29,851	48,066
Pueblo of Zuni	216,401	20,000	128,037	148,037	1,507	146,530	364,438
Santa Ana Pueblo	17,842	20,000	10,557	30,557	583	29,974	48,399
Santo Domingo Pueblo	136,998	20,000	81,057	101,057	1,137	99,920	238,055
Taos Pueblo	75,646	20,000	44,757	64,757	852	63,905	140,403
<b>NEW YORK</b>							
St. Regis Mohawk	203,358	20,000	120,320	140,320	1,446	138,874	343,678
Seneca Nation	164,231	20,000	97,170	117,170	1,264	115,906	281,401
<b>NORTH CAROLINA</b>							
Eastern Band of Cherokee	344,113	20,000	203,600	223,600	2,101	221,499	567,713
<b>NORTH DAKOTA</b>							

FY 2004 ESTIMATED CCDF TRIBAL ALLOCATION							
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Spirit Lake Nation	320,010	20,000	189,339	209,339	1,989	207,350	529,349
Standing Rock Sioux Tribe	935,929	20,000	553,758	573,758	4,854	568,904	1,509,687
Three Affiliated Tribes	205,341	20,000	121,493	141,493	1,455	140,038	346,834
Trenton Indian Service Area	70,012	20,000	41,424	61,424	826	60,598	131,436
Turtle Mountain Band of Chippewa	431,341	20,000	255,210	275,210	2,507	272,703	706,551
<b>OKLAHOMA</b>							
Absentee Shawnee Tribe	239,878	20,000	141,927	161,927	1,616	160,311	401,805
Alabama-Quassarte Tribal Town	63,856	20,000	37,781	57,781	797	56,984	121,637
Apache Tribe of Oklahoma	70,429	20,000	41,671	61,671	828	60,843	132,100
Caddo Indian Tribe of Oklahoma	121,765	20,000	72,044	92,044	1,067	90,977	213,809
Central Tribes of Shawnee Area, Inc.	321,054	20,000	189,957	209,957	1,994	207,963	531,011
Cherokee Nation	4,667,122	20,000	2,761,380	2,781,380	22,214	2,759,166	7,448,502
Cheyenne & Arapaho	221,618	20,000	131,124	151,124	1,531	149,593	372,742
Chicksaw Nation	775,976	20,000	459,119	479,119	4,110	475,009	1,255,095
Choctaw Nation	2,339,091	20,000	1,383,962	1,403,962	11,383	1,392,579	3,743,053
Citizen Band Potawatomi	1,039,121	20,000	614,813	634,813	5,335	629,478	1,673,934
Comache Tribe of Oklahoma	155,675	20,000	92,108	112,108	1,224	110,884	267,783
Delaware Tribe of Indians							

FY 2004 ESTIMATED CCDF TRIBAL ALLOCATION							
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	741,543	20,000	438,746	458,746	3,950	454,796	1,200,289
Delaware Tribe of Western Oklahoma	13,877	20,000	8,211	28,211	565	27,646	42,088
Eastern Shawnee	421,116	20,000	249,160	269,160	2,459	266,701	690,276
Fort Sill Apache Tribe	14,712	20,000	8,705	28,705	568	28,137	43,417
Iowa Tribe of Oklahoma	100,375	20,000	59,388	79,388	967	78,421	179,763
Kaw	120,826	20,000	71,488	91,488	1,062	90,426	212,314
Kialegee	6,365	20,000	3,766	23,766	530	23,236	30,131
Kickapoo	77,212	20,000	45,683	65,683	859	64,824	142,895
Kiowa	193,550	20,000	114,517	134,517	1,401	133,116	328,067
Miami Tribe of Oklahoma	424,455	60,000	251,136	311,136	2,475	308,661	735,591
Modoc Tribe of Oklahoma	314,689	20,000	186,191	206,191	1,964	204,227	520,880
Muscogee-Creek Nation	2,545,476	20,000	1,506,073	1,526,073	12,343	1,513,730	4,071,549
Osage Nation	670,175	20,000	396,520	416,520	3,618	412,902	1,086,695
Otoe-Missouria	53,005	20,000	31,361	51,361	747	50,614	104,366
Pawnee	39,962	20,000	23,644	43,644	686	42,958	83,606
Ponca Tribe	87,332	20,000	51,672	71,672	906	70,766	159,004
Quapaw Tribe	431,132	20,000	255,087	275,087	2,506	272,581	706,219
Seminole Tribe of Oklahoma							

FY 2004 ESTIMATED CCDF TRIBAL ALLOCATION							
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	274,623	20,000	162,485	182,485	1,778	180,707	457,108
Seneca Cayuga Tribe of Oklahoma	421,116	20,000	249,160	269,160	2,459	266,701	690,276
Thlopthlocco Tribal Town	18,781	20,000	11,112	31,112	587	30,525	49,893
Tonkawa Tribe	43,301	20,000	25,620	45,620	701	44,919	88,921
United Keetowah Band of Cherokee	278,274	20,000	164,646	184,646	1,795	182,851	462,920
Wichita and Affiliated Tribes	68,238	20,000	40,374	60,374	817	59,557	128,612
Wyandotte Tribe	421,116	20,000	249,160	269,160	2,459	266,701	690,276
<b>OREGON</b>							
Burns Paiute Tribe	6,365	20,000	3,766	23,766	530	23,236	30,131
Confederated Tribes of Coos, Lower Umpqua, Siuslaw	11,164	20,000	6,606	26,606	552	26,054	37,770
Conderated Tribes of Grande Ronde	85,767	20,000	50,746	70,746	899	69,847	156,513
Conf. Tribes of Siletz Indians	179,465	20,000	106,183	126,183	1,335	124,848	305,648
Confederated Tribes of Umatilla Indian Reservation	117,695	20,000	69,636	89,636	1,048	88,588	207,331
Conf. Tribes of Warm Springs	130,947	20,000	77,477	97,477	1,109	96,368	228,424
Coquille Indian Tribe	13,042	20,000	7,717	27,717	561	27,156	40,759
Cow Creek Band Of Umpqua Tribe	16,173	20,000	9,569	29,569	575	28,994	45,742
Klamath Tribes	107,574	20,000	63,648	83,648	1,000	82,648	191,222
<b>RHODE ISLAND</b>							
Narragansett							

FY 2004 ESTIMATED CCDF TRIBAL ALLOCATION							
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	58,848	20,000	34,818	54,818	774	54,044	113,666
<b>SOUTH CAROLINA</b>							
Catawba Indian Nation	99,853	20,000	59,080	79,080	965	78,115	178,933
<b>SOUTH DAKOTA</b>							
Cheyenne River Sioux	377,710	20,000	223,479	243,479	2,257	241,222	621,189
Crow Creek Sioux Tribe	117,591	20,000	69,575	89,575	1,047	88,528	207,166
Flandreau Santee Sioux Tribe	74,290	20,000	43,955	63,955	846	63,109	138,245
Lower Brule Sioux	50,918	20,000	30,126	50,126	737	49,389	101,044
Oglala Sioux	1,773,987	20,000	1,049,608	1,069,608	8,754	1,060,854	2,843,595
Rosebud Sioux	468,590	20,000	277,249	297,249	2,680	294,569	765,839
Sisseton-Wapheton Sioux Tribe	151,084	20,000	89,391	109,391	1,203	108,188	260,475
Yankton Sioux Tribe	175,917	20,000	104,084	124,084	1,318	122,766	300,001
<b>TEXAS</b>							
Alabama-Coushatta	15,860	20,000	9,384	29,384	574	28,810	45,244
Ysleta Del Sur Pueblo	26,920	20,000	15,927	35,927	625	35,302	62,847
<b>UTAH</b>							
Paiute Indian Tribe	24,624	20,000	14,569	34,569	615	33,954	59,193
Ute Indian Tribe	149,519	20,000	88,465	108,465	1,196	107,269	257,984
<b>WASHINGTON</b>							
Confederated Tribes of Colville	117,174	20,000	69,328	89,328	1,045	88,283	206,502

FY 2004 ESTIMATED CCDF TRIBAL ALLOCATION							
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Confederated Tribes of Yakima Indian Nation	516,587	20,000	305,647	325,647	2,903	322,744	842,234
Jamestown S'Klallam Tribe	82,428	20,000	48,770	68,770	884	67,886	151,198
Kalispel Tribe of Indians	12,208	20,000	7,223	27,223	557	26,666	39,431
Lower Elwha Tribal Council	104,027	20,000	61,549	81,549	984	80,565	185,576
Lummi Indian Nation	110,287	20,000	65,253	85,253	1,013	84,240	195,540
Makah Tribal Council	68,343	20,000	40,436	60,436	818	59,618	128,779
Muckleshoot Indian Tribe	174,352	20,000	103,158	123,158	1,311	121,847	297,510
Nooksack Indian Tribe	32,032	20,000	18,952	38,952	649	38,303	70,984
Port Gamble S'Klallam	25,146	20,000	14,878	34,878	617	34,261	60,024
Puyallup Tribe of Indians	581,904	20,000	344,293	364,293	3,207	361,086	946,197
Quileute Tribal Council	22,329	20,000	13,211	33,211	604	32,607	55,540
Quinault Indian Nation	155,466	20,000	91,984	111,984	1,223	110,761	267,450
Samish Indian Tribe	13,669	20,000	8,087	28,087	564	27,523	41,756
Sauk Suiattle Indian Tribe	5,947	20,000	3,519	23,519	528	22,991	29,466
Skokomish Indian Tribe	74,290	20,000	43,955	63,955	846	63,109	138,245
Snoqualmie Tribe	8,765	20,000	5,186	25,186	541	24,645	33,951
South Puget Intertribal Planning Agency	260,954	80,000	154,398	234,398	1,714	232,684	495,352

FY 2004 ESTIMATED CCDF TRIBAL ALLOCATION							
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Spokane Tribe of Indians	92,341	20,000	54,635	74,635	930	73,705	166,976
Stillaguamish	73,873	20,000	43,708	63,708	844	62,864	137,581
Suquamish	45,597	20,000	26,978	46,978	712	46,266	92,575
Swinomish Tribal Community	24,416	20,000	14,446	34,446	614	33,832	58,862
Tulalip Tribes	208,158	20,000	123,160	143,160	1,468	141,692	351,318
Upper Skagit Indian Tribe	22,537	20,000	13,335	33,335	605	32,730	55,872
<b>WISCONSIN</b>							
Bad River of Lake Superior	33,389	20,000	19,755	39,755	655	39,100	73,144
Forest County Potawatomi	34,328	20,000	20,311	40,311	660	39,651	74,639
Ho-Chunk Nation (Winnebago)	133,764	20,000	79,144	99,144	1,122	98,022	232,908
Lac Court Oreilles	66,465	20,000	39,325	59,325	809	58,516	125,790
Lac Du Flambeau Chippewa	48,205	20,000	28,521	48,521	724	47,797	96,726
Menominee Indian Tribe of Wisconsin	165,066	20,000	97,664	117,664	1,268	116,396	282,730
Oneida Tribe	179,778	20,000	106,368	126,368	1,336	125,032	306,146
Red Cliff Chippewas	46,223	20,000	27,348	47,348	715	46,633	93,571
Sokaogan Chippewa	14,503	20,000	8,581	28,581	567	28,014	43,084
St. Croix Chippewa	48,205	20,000	28,521	48,521	724	47,797	96,726
Stockbridge-Munsee Tribal Council							



**FY 2004 ESTIMATED CCDF TRIBAL ALLOCATION**

<u>TRIBE</u>	<u>EST. FY 2004 MANDATORY ALLOCATION</u>	<u>ESTIMATED FY 2004 DISC. BASE</u>	<u>ESTIMATED FY 2004 DISC. PER CHILD</u>	<u>ESTIMATED DISCRETIONARY BEFORE EARMARK</u>	<u>ESTIMATED DISCRETIONARY EARMARK</u>	<u>ESTIMATED DISCRETIONARY AFTER EARMARK</u>	<u>TOTAL EST. FY 2004 CCDF FUNDING</u>
	35,267	20,000	20,866	40,866	664	40,202	76,133
<b>WYOMING</b>							
Eastern Shoshone	86,185	20,000	50,993	70,993	901	70,092	157,178
Northern Arapaho	219,740	20,000	130,013	150,013	1,522	148,491	369,753
<b>TOTALS</b>	<b>54,340,000</b>	<b>8,775,200</b>	<b>32,224,680</b>	<b>41,999,880</b>	<b>382,400</b>	<b>41,617,480</b>	<b>96,339,880</b>



# GUIDANCE FOR COMPLETING THE PLAN

The examples used in this guidance are illustrative only. They are not intended to prescribe approaches or limit Tribal Lead Agency flexibility. Examples are not provided for all sections.

**COVER PAGE** Insert the Tribe's name on the line: Tribal Plan For \_\_\_\_\_.

## **AMENDMENTS**

**LOG** This page is left blank when submitting the initial plan. The Amendments Log is only for plan amendments that are submitted after the plan has been approved by the appropriate ACF Regional Office.

### PART 1 - ADMINISTRATION

Tribal grantees must designate a Lead Agency to administer the CCDF. If a tribal grantee applies for both Tribal Mandatory Funds and Discretionary funds, the programs must be integrated and administered by the same Lead Agency.

#### Tribal Consortia

If a Tribe participating in a consortium arrangement elects to receive only part of the CCDF (e.g., Discretionary Funds), it may not join a different consortium to receive the other part of the CCDF (Tribal Mandatory Funds), or apply as a direct grantee to receive the other part of the fund. **Note:** an Alaska Native village that must receive Tribal Mandatory funds indirectly through an Alaska Native Regional Nonprofit Corporation may still apply directly for Discretionary Funds.

#### Questions

1.1 - 1.4 The purpose of sections 1.1 - 1.4 is to provide the public with an indication of the amount of funding available for child care and related activities through the CCDF. The amounts provided in response to these sections are informational only and will not be subject to compliance actions, nor will ACF distribute funds based on these estimates. Pursuant to section 658K(a)(1) of the Act, information on the actual use of funds must be provided to ACF on other designated financial management forms and reports.

Estimates are for the one year period 10/1/03 -- 9/30/04 (FY 2004) even though the Plan covers a 2 year period. Collecting information on FY 2004 CCDF funds in the Plan replaces the need to collect it in a separate application.

1.1 In section 1.1 the Tribal Lead Agency provides an estimate of the total funds that will be received in FY 2004 for CCDF child care services and related activities from the Federal CCDF, i.e., the Discretionary Fund and Tribal Mandatory Fund (including CCDF funds used for administration, quality and construction and renovation activities). This estimate does not include any carry-over funds from previous fiscal years.

1.3 In section 1.3 the Tribal Lead Agency estimates the amount (or percentage) of CCDF funds awarded in FY 2004 that will be used to administer all services and activities under the CCDF (i.e., for administrative costs).

Tribal Lead Agencies are reminded that no more than 15 percent of the aggregate CCDF funds expended from each year's allotment may be used for administrative costs. Tribal Lead Agencies are advised to review the CCDF regulations at 45 CFR 98.52 for a discussion of administrative costs. Note: the Discretionary Funds base amount is neither subject to the 15 percent limitation, nor included in the calculation for the 15 percent limitation.

1.6 A tribal consortium is not considered a non-governmental entity for purposes of this section. However, if a tribal consortium delegates responsibility for administering or implementing any part of its CCDF program to another non-governmental organization or entity, answer "yes" to this question and list the non-governmental entity(ies).

1.7 Examples of how the Tribal Lead Agency can demonstrate that it maintains overall control when services and activities are provided through other agencies include:

- A discussion of how frequently and in what manner the Tribal Lead Agency monitors the other agencies.
- Whether other agencies must certify that Tribal Lead Agency guidelines are followed.
- What benchmarks, performance indicators, or standards are applied to the other agency.
- A discussion of the contract process, including an indication of how often a contract is opened to new competition.
- Requirements specified in interagency agreements or memoranda of understanding.

1.8 A tribal consortium is required to provide a list of its participating Tribes in this section. In addition, a tribal consortium must demonstrate that it has the authority to seek funding on behalf of its constituent Tribes. A "demonstration" of this authority for the 10/1/03 – 9/30/05 plan period must be provided for each individual consortium member in the 2-year plan. A tribal consortium can "demonstrate" members' agreement to participate in several ways, including: submission of a tribal resolution or other agreement signed by the tribal leader, or submission of supporting documentation that a tribal leader participated in a vote adopting the agreement to participate in the consortium.

It is the responsibility of a tribal consortium to notify ACF, in writing, of any changes in its consortium membership for purposes of CCDF funding during this 2-year period.

1.9 For funds that become available for FY 2004, ACF will calculate grant awards based on the number of children under age 13. A Tribe must submit a self-certified child count declaration for children **under age 13** (not age 13 and under). The declaration must certify the number of Indian children (as defined in Appendix 2, #2 in the Tribal Lead Agency's CCDF Plan), under age 13, who reside on or near the reservation or service area (as defined in Appendix 2, #3 in the Tribal Lead Agency's CCDF Plan).

The Tribal Lead Agency should use the "Child Count Declaration" format at Appendix 3. The declaration must be signed by the governing body of the Tribe or a person authorized to act for the applicant Tribe or organization.

**IMPORTANT NOTE REGARDING CHILD COUNTS:** In prior years, ACF had an established procedure to determine the child count for those Tribal Lead Agencies that elected not to include a child count with their plan preprint or annual CCDF funding application. However, beginning with FY 2002, **all Tribal Lead Agencies were required to submit a self-certified child count** with their Plan preprint submission. A CCDF Plan preprint submitted without a child count will be treated as an incomplete application. Therefore, to facilitate the approval process, the information requested on the child count declaration at Appendix 3 of the Plan preprint must be included with the Plan submission due by July 1. This new policy (which was originally announced in 2000 in ACYF-PI-CC-00-02) is designed to ensure that funds are equitably distributed based on the most recent data.

**PLEASE BE ADVISED:** 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.

Tribal Lead Agencies are reminded that CCDF funds are allocated based on child counts of children from Federally recognized Indian Tribes, consistent with the Child Care and Development Block Grant Act's definition of Indian Tribe.

Tribal Lead Agencies are also advised that ACF will **not** accept declarations based on child counts that were conducted **prior to** July 1 of the previous year. For FY 2004 funding, the child count of children under age 13 must be completed **no later than** June 30, 2003 and **no earlier than** July 1, 2002.

**Special Note for Tribal Consortia:** A tribal consortium must submit **Individual** self certified child count declarations signed by the governing body of the Tribe, or an individual authorized to act for the Tribe, for **each** of its members participating in the consortium. Also include a summary section listing each member's name and child count, and the **total** child count for all members.

Because of the statutory "Special Rule for Indian Tribes in Alaska" under Tribal Mandatory Funding, some Alaska Native Regional Nonprofit Corporations will have to provide a separate child count certification for Discretionary Funding purposes. This count will consist of its self-certified Tribal Mandatory Funding count, minus the child count number for any Alaska Tribal grantee in its Region which applies directly for Discretionary Funding. In instances where a Regional Corporation has separate child counts for Discretionary and Tribal Mandatory Funds, both counts may be reported on the declaration, which is requested as an attachment under 1.9.

## PART 2 - DEVELOPING THE CHILD CARE PROGRAM

- 2.1 In this section, the Tribal Lead Agency is requested to describe its consultation efforts in developing the CCDF plan. Extensive resources are available on the Child Care Bureau's website to assist you in designing your plan at: <http://www.acf.hhs.gov/programs/ccb/ta/index.htm>. **NOTE:** In many tribal communities Tribal Colleges and Universities are a valuable resource for professional development opportunities. Tribal Lead Agencies are encouraged to consult with Tribal Colleges and Universities, and other local higher education institutions, as appropriate, as they design their CCDF program activities.
- 2.2.1 The Tribal Lead Agency must describe how it coordinates the delivery of services with other tribal, Federal, State, and local child care, early childhood development programs, and before and after-school care services. For example, a Tribal Lead Agency may need to coordinate with the following local entities, if applicable, before designing its CCDF plan:
- Tribal Head Start program;
  - Tribal Early Head Start program
  - 21st Century Community Learning Centers program;
  - Bureau of Indian Affairs school programs; and
  - the local school system's before and after-school program(s).
- 2.2.2 The Tribal Lead Agency must coordinate with agencies responsible for: 1) health (including the agency responsible for immunizations); 2) education; 3) employment services or workforce development; and 4) the State TANF agency, and/or tribal TANF agency -- if the Tribe is operating its own TANF program. The Tribal Lead Agency must specifically describe efforts in these four categories and include any results of these coordination activities.
- 2.3 All Tribal Lead Agencies are required to conduct public hearings before the revised tribal plan preprint is submitted to ACF by July 1, 2003, but no earlier than January 1, 2003. The hearings are meant to solicit public comment and input into the services that will be provided through the CCDF. Tribal Lead Agencies must provide public notice of the hearing at least 20 days prior to the hearing. The notice must be made available across the reservation or service area. Tribal Lead Agencies shall make the contents of the plan available to the public in advance of the hearing. The required hearing must be held before the Plan is submitted to ACF. The description of the public hearing process must include: 1) the date(s) and location(s) of the hearing(s); and 2) how and when the public was notified of the hearing.
- 2.4 Provide only examples of partnerships or planned activities with the business community or other private organizations (such as foundations). **NOTE:** Coordination activities with Head Start programs and schools for before and after-school care should be described under section 2.2.1.

## PART 3 – CHILD CARE SERVICES OFFERED

### 3.1.1

Examples of child care services include, but are not limited to: full day child care; early childhood development; and before and after-school care. Examples of child care providers include: center-based; group home; and family and in-home providers; or other providers (including faith-based providers) of child care services for compensation which meet licensing and regulatory requirements.

**Certificate vs. Voucher** – Exempt Tribal Lead Agencies are reminded that they are not required to operate certificate programs that offer parental choice from a full range of child care providers (i.e., center-based, group home, family and in-home care). Since the law is clear about parental choice and certificates, exempt Tribal Lead Agencies that offer some type of parent reimbursement system, but do not offer the full choice of child care providers are advised to refer to this type of payment system as a “voucher” program, **not** a certificate program.

A Tribe is operating a certificate program if it offers parents the choice of all of the following types of child care categories:

- 1) Center-based child care;
- 2) Group-home child care;
- 3) Family child care; and
- 4) In-home care.

To promote parental choice under each of the above categories, care by sectarian providers (i.e., faith-based) may not be limited or excluded.

If a Tribal Lead Agency is offering all 4 types of care listed above, then check “Yes” under 3.1.1. **REMINDER:** Tribal Lead Agencies with CCDF allocations of \$500,000 or more must offer all four types of care. If a Tribal Lead Agency does not offer all four types of care listed above, then check “No” under 3.3.1. A Tribal Lead Agency that also provides care through grants or contracts for child care slots will check “Yes” by that option.

3.1.2 Section 98.30(e)(1)(iv) now provides additional flexibility for limiting in-home care. If a Tribal Lead Agency intends to limit in-home care, it must describe the limits and the reasons for these limits. Non-exempt Tribal Lead Agencies must respond to this question. If you checked "yes," you must describe how you limit access to care provided in the home of the child.

3.1.3 The Lead Agency is not required to offer CCDF services, or the same services, throughout the entire reservation or service area (as defined in Appendix 2, #3. If all services are not offered throughout the area defined in Appendix 2, #3, indicate which services are not available and the area where the services are not offered. For example, a Tribal Lead Agency may contract for infant care in only one village or in one child care center on its reservation or tribal service area.

3.2 Section 98.43(b)(2) now requires that the Lead Agency provide a summary of the facts relied on to determine that its payment rates ensure equal access to comparable child care services provided to children whose parents are not eligible to receive child care assistance under the CCDF and other governmental programs. The payment rates must be based on a local market rate survey “conducted no earlier than 2 years prior to the effective date of the currently approved plan.” For plans due by July 1, 2003, the survey must have been conducted no earlier than October 1, 2001 and no later than September 30, 2003.

A Tribal Lead Agency may base its payment rates on the State’s market rate survey rather than conducting its own survey if the Tribe’s reservation or tribal service area is included in the State’s survey. If a Tribal Lead Agency elects to use the State’s survey, they must indicate which State and the date (including year) of the survey under 3.2. While Tribal Lead Agencies have additional flexibility in meeting this requirement, they are strongly encouraged to survey their local providers in order to establish a payment rate which is an accurate reflection of the child care market in their area – especially if their respective State survey(s) does not reflect local market rates or conditions.

NOTE: A technical assistance document “A Guide to Market Rate Surveys for CCDF Tribal Lead Entities” provides guidance for Tribes in developing a market rate survey. This document can be found on the Tribal Child Care Technical Assistance Center’s website at: <http://nccic.org/tribal/market/toc.html>.

3.3.3 If a Tribal Lead Agency checks "yes," indicating that it has established additional eligibility criteria, a definition or description of this criteria must be provided in Appendix 2, #11. Examples of additional eligibility could include: the Tribal Lead Agency serves children ages 0-4 (infants, toddlers and pre-schoolers); and/or the Tribal Lead Agency only serves tribal members who live **and** work on the reservation, but not those who live on the reservation and work off the reservation.

3.3.4 If a Tribal Lead Agency checks "yes," indicating that it will waive the co-payment and income eligibility requirements for children receiving or in need of receiving child protective services, "protective services" must be defined in Appendix 2, #7.

3.3.5 If a Tribal Lead Agency checks "yes," indicating that it will serve children age 13 and above who are physically and/or mentally incapable of self-care, "physical or mental incapacity" must be defined in Appendix 2, #6.

3.3.5 &

3.3.6 The upper age limit may not be over age 19 (e.g., not 19 years, 1 month or “up to age 20”).

3.3.7 &

3.3.8

A Tribal Lead Agency must include foster care and respite care in its definition of protective services (Appendix 2, #7) if the Tribal Lead Agency proposes to provide CCDF-funded protective services child care in those circumstances. CCDF child care can be provided in two circumstances: 1) for children of parents who are working or in education and training; or 2) for children in protective services. Respite care is allowable only for children in protective services.

3.4.1 Tribal Lead Agencies are reminded that they are required to give priority for child care services to children with special needs. However, the definition of "special needs" provided in Appendix 2, #9 does not have to be limited to children with disabilities. For instance, children of teenage parents or children in foster care could



be considered children with special needs. Ways to prioritize services could include: special recruitment efforts for children with special needs; and/or earmarking part of the CCDF grant award to ensure sufficient services are available for these children.

- 3.4.2 A Tribal Lead Agency may elect to establish other priorities, in addition to children with special needs. Any other priority rules and categories must be defined in Appendix 3, #11. Examples could include: children of teenage parents; children of homeless parents; children in foster care; TANF families; and/or students.
- 3.4.3 A Tribal Lead Agency must describe how it is coordinating child care with the State TANF and/or tribal TANF programs and how it plans to serve the needs of TANF participants, including individuals who are transitioning off TANF or "at risk" of receiving TANF assistance. Note: this question is for informational purposes only.
- 3.5.1 An example of an "additional factor" used to determine the family co-payment would be reducing the family co-payment for each additional child in a family receiving CCDF services.
- 3.5.3 The 2003 HHS Poverty Guidelines for the 48 contiguous States and the District of Columbia for a family of 1 = \$8,980. Add \$3,140 for each additional family member (e.g., family of 3 = \$15,260). In Alaska, a family of 1 = \$11,210. Add \$3,930 for each additional family member (e.g., family of 3 = \$19,070).
- A Tribal Lead Agency is not required to use the 2003 HHS Poverty Guidelines, but must indicate the poverty level it is using if it elects to waive the required family co-payment. The 2003 HHS Poverty Guidelines are located on HHS' website at: <http://aspe.hhs.gov/poverty/03fedreg.htm>.
- 3.5.4 The preamble to the regulations suggests that copayments which are no more than 10 percent of family income would be considered "affordable." It should be noted, however, that the regulations do not establish this or any other standard or criteria that copayments must meet. The Tribal Lead Agency explanation, at a minimum, should indicate the percent of family income that typically would be used to meet its required copayment.
- 3.6 A Tribal Lead Agency completes this section only if it operates a certificate program. Non-exempt Tribal Lead Agencies must complete this section. A Tribal Lead Agency is considered non-exempt if it received a FY 2003 CCDF grant allotment of \$500,000 or greater.

## **PART 4 – PROCESSES WITH PARENTS**

- 4.4 The regulations do not establish, nor has ACF suggested, any criteria or standard against which the requested TANF definitions may be judged. This section is asked as a means of providing information to the public. ACF recognizes that the TANF definitions requested are not the responsibility of the CCDF Lead Agency. Therefore, the section also asks that the TANF agency/agencies be identified.

In this section, as is true of many sections of the Plan, approval of the Plan means that the Tribal Lead Agency has submitted the required information, not that ACF approves of the definitions provided.

## **PART 5 – ACTIVITIES AND SERVICES TO IMPROVE THE QUALITY OF CHILD CARE**

- 5.1 The list provided reflects the options Tribal Lead Agencies have selected in the past. It is not intended to be all inclusive nor is it intended to exclude other services or activities that meet the intent of the Act. The Tribal Lead Agency may include other services or activities not on the list by indicating "Yes" in the last selection. All activities and services (including culturally-based activities) must be described in 5.2. Non-exempt Tribal Lead Agencies are reminded that no less than 4 percent of the aggregate CCDF funds expended must be used for quality activities.

Tribal Lead Agencies are reminded that these activities must reflect the estimate for quality activities at section 1.4. If a Tribal Lead Agency lists activities in this section that are paid for with other funding sources (i.e., not with CCDF funds), this should be stated under section 5.2.

Extensive resources for professional development are available on the National Child Care Information Center's website at: <http://nccic.org/links.html>. Tribal Lead Agencies are encouraged to explore quality enhancement activities at Tribal Colleges and Universities, and other local higher education institutions, where applicable.

## **PART 6 – HEALTH AND SAFETY REQUIREMENTS FOR PROVIDERS**

The three health and safety requirements (prevention and control of infectious disease, building and physical premises safety, and health and safety training) must be described separately by category of care. The requirements for all care, whether licensed, regulated, or otherwise legal, that is paid for with CCDF funds must be described. Non-exempt grantees, who are required to operate certificate programs, must fill out Parts 6.1 through 6.4. **NOTE:** Health and Safety requirements must be listed for all child care categories listed in 3.1

The CCDBG Act (658E(c)(2)(E)(ii)) requires the development of minimum child care standards for Indian Tribes and tribal organizations. In 2000, the Child Care Bureau issued Tribal Child Care Minimum Standards as "guidance." During this interim period, Tribal Lead Agencies must have in place: requirements designed to protect the health and safety of children (in accordance with section 98.41 of the regulations, as referenced above); and State or tribal licensing requirements, in accordance with section 98.40.

- 6.5 Tribal Lead Agencies have the option to exempt only those relatives specifically mentioned in the Act from its health and safety requirements -- Tribal Lead Agencies are not required to exempt them. Tribal Lead Agencies should indicate the policy they follow regarding relative providers. If relative providers are subject to different requirements than apply to licensed providers, describe the requirements that do apply to the relative providers.
- 6.6 Tribal Lead Agencies must describe how they will ensure that all providers of child care services will comply with applicable health and safety standards. Examples could include: all licensed and regulated centers are periodically inspected for building and physical premises safety; exempt or unlicensed providers provide a completed and signed "safety" checklist semi-annually; and/or all providers are monitored by tribal child care staff semi-annually.

## APPENDIX 2 – ELIGIBILITY AND PRIORITY TERMINOLOGY

The Lead Agency must complete the required definitions in Appendix 2, and include any special terms that are used. The following provides Tribal Lead Agencies with additional guidance in defining these terms.

(1) Attending (a job training or educational program) – Tribal Lead Agencies must list the criteria they will apply in determining whether a parent's participation in a job training or educational program is sufficient to be considered attendance for purposes of establishing eligibility (See section 98.20). Examples include any educational institution's definition of full-time attendance. The definition could also specify whether child care is available for travel and study time, as well as class time.

(2) Indian Child - Tribal Lead Agencies have broad latitude in defining this term. Since the definition is used to determine eligibility, it can be used to limit or expand eligibility. **Note:** The certified child count described in Part 1.9 must reflect this definition. For example, if a Tribe chooses to serve only its members, the child count declaration should only include that Tribe's children, and not a count of all Indian children on the reservation or in the service area (as defined in #3, below).

(3) Indian Reservation or Service Area - Tribal Lead Agencies must define the area in which services will be offered. Examples include: reservation boundaries; on or near the reservation; or some other area determined by the Tribal Lead Agency. **Note:** The certified child count described in Part 1.9 must reflect this definition.

(4) In Loco Parentis – Tribal Lead Agencies must describe the criteria they will use to determine if an individual is “standing in place of” a parent of the child and, therefore, will be considered as the parent for the purpose of determining eligibility for CCDF services. This definition can be a previously established legal definition or can be specific for the purposes of the CCDF. For example, a person acting in loco parentis is one who has assumed guardianship and control of the child. The Tribal Lead Agency could specify whether guardianship must be formalized through a court.

(5) Job Training and Educational Program – The definition must include the criteria necessary for a program to be considered a “job training and educational program” for the purposes of determining a family’s eligibility. Examples include: the program must lead to a high school diploma (or its equivalent); the program must be accredited by the Board of Education; job training must lead to a skilled trade; or, job training must be approved by the local unemployment office.

(6) Physical or Mental Incapacity – Tribal Lead Agencies have the option to provide child care for children age 13 and older if such children have a physical or mental condition which makes the child incapable of self-care. The Tribal Lead Agency must define such condition and describe who will make such determinations.

(7) Protective Services – Tribal Lead Agencies must describe the criteria a child must meet to be considered receiving, or in need of receiving, protective services. For example, the child and the parent(s) must be receiving protective services interventions and/or under court ordered supervision. The definition must indicate who makes such determinations. **Note:** The definition of protective services must include foster care and respite care if the Tribal Lead Agency proposes to provide CCDF-funded child care in those circumstances. Respite care is available for the parents of children in protective services only for short, temporary periods. A Tribal Lead Agency that intends to include respite care must explain the circumstances under which respite care is offered.

(8) Residing With – Tribal Lead Agencies must specify the conditions under which a child will be considered to be “residing with” a parent. For example, the child must live with the parent for at least six months of the year, or the child must live in the same household as the parent during the time period for which child care services are requested.

(9) Special Needs Child – In section 3.4, Tribal Lead Agencies are asked how they will prioritize children with special needs. Tribal Lead Agencies must define or list the children they consider to have “special needs” and for whom they will give priority for service. Examples include: children who meet the definition of physical and mental incapacity; children from homeless families; children in need of protective services; or children of teenage parents.

(10) Working – The definition must describe the types of activities Tribal Lead Agencies will accept as “work” for the purpose of determining eligibility. Examples include: the parent must be paid; the parent must be paid the minimum wage; the parent is looking for work (one-time only) for a maximum of 24 hours within one calendar quarter; or, the parent must work a minimum of 20 hours per week.

### **APPENDIX 3 – CHILD COUNT DECLARATION**

Instructions for the Child Count Declaration are provided under 1.9 of this Guidance.

### **APPENDIX 4 – LIST OF CERTIFICATIONS**

Only new tribal CCDF applicants must complete and submit the certifications listed in Appendix 4. New applicants should contact their ACF Regional Office to obtain copies of the required certifications.

Tribes are reminded that even if they have changed their Lead Agency, the certifications apply to the successor agency, unless there is a change in the tribal government. In this case, new certifications must be signed and submitted by the new tribal government with the Plan preprint.

# SUMMARY SHEET

The following items must be submitted with the Tribal Plan Preprint:

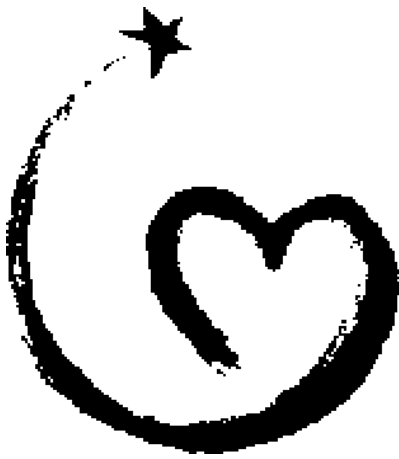
- Appendix 1 - - Assurances and Certifications
- Appendix 2 - - Eligibility and Priority Terminology
- Appendix 3 - - Child Count Declaration
- Appendix 4 - - List of Certifications

NOTE: Only **new** tribal CCDF grantees are required to submit the certifications at Appendix 4. A new tribal grantee is an Indian Tribe or Indian organization (i.e., tribal consortium) that did not receive CCDF funds in the previous federal fiscal year.









**CHILD CARE AND DEVELOPMENT FUND**

**TRIBAL PLAN FOR**

**FOR THE PERIOD 10/1/03 -- 9/30/05**

This Plan describes the program that the Lead Agency will operate on 10/1/03. As provided for in the applicable statutes and regulations, the Lead Agency has the flexibility to modify this program at any time, including changing the options selected or described herein.

The official text of the applicable laws and regulations govern, and the Lead Agency acknowledges its responsibility to adhere to them regardless of the fact that, for purposes of simplicity and clarity, the specific provisions printed herein are sometimes paraphrases of, or excerpts and incomplete quotations from, the full text.

**An ACF document “*Guidance for Completing the Plan*”** provides additional information and explanations to assist applicants in responding to items in the Tribal Plan Preprint. This document is on the Child Care Bureau’s website at: <http://www.acf.dhhs.gov/programs/ccb/policy1/triblist.htm>

(Form ACF 118-A; OMB Approval Number: 0970-0198, expires 06/30/2005)

## TABLE OF CONTENTS

Amendments Log

### PART 1 ADMINISTRATION

### PART 2 DEVELOPING THE CHILD CARE PROGRAM

- Section 2.1 - Consultation
- Section 2.2 - Coordination of Services
- Section 2.3 - Public Hearing Process
- Section 2.4 - Public-Private Partnerships

### PART 3 CHILD CARE SERVICES OFFERED

- Section 3.1 - Description of Child Care Services
- Section 3.2 - Payment Rates for the Provision of Child Care
- Section 3.3 - Eligibility Criteria for Child Care
- Section 3.4 - Priority Rules for Children
- Section 3.5 - Sliding Fee Scale for Child Care
- Section 3.6 - The Certificate Payment System

### PART 4 PROCESSES WITH PARENTS

- Section 4.1 - Family Application Process
- Section 4.2 - Record of Substantiated Parental Complaints
- Section 4.3 - Unlimited Parental Access
- Section 4.4 - TANF Agency's Criteria/Definitions - inability to obtain care.

### PART 5 ACTIVITIES & SERVICES TO IMPROVE THE QUALITY OF CHILD CARE

### PART 6 HEALTH AND SAFETY REQUIREMENTS FOR PROVIDERS

- Section 6.1 - Health and Safety Requirements for Center-Based providers
- Section 6.2 - Health and Safety Requirements for Group Home providers
- Section 6.3 - Health and Safety Requirements for Family providers
- Section 6.4 - Health and Safety Requirements for In-Home providers
- Section 6.5 - Exemptions to Health and Safety Requirements
- Section 6.6 - Enforcement of Health and Safety Requirements

### APPENDIX 1 -- ASSURANCES & CERTIFICATIONS

APPENDIX 2 -- ELIGIBILITY AND PRIORITY TERMINOLOGY

APPENDIX 3 -- CHILD COUNT DECLARATION

APPENDIX 4 -- LIST OF CERTIFICATIONS

### REQUIRED ATTACHMENTS

Public reporting burden for this collection of information is estimated to average 35 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.

**AMENDMENTS LOG**  
Child Care and Development Fund Plan  
For the period: 10/1/03 -- 9/30/05

**GRANTEE NAME:**

<b>Section Amended</b>	<b>Effective/ Proposed Effective Date</b>	<b>Grantee Signature <u>and</u> Date Submitted to ACF</b>	<b>ACF Approving Official's Signature <u>and</u> Date</b>

Instructions:

- 1) Lead Agency completes the first 3 columns and sends a photocopy of this log (showing the latest amendment sent to ACF) and the amended section(s) to the ACF Regional contact. A copy of the log, showing the latest amendment pending in ACF, is retained in the Lead Agency's Plan.
- 2) ACF completes column 4 and returns a photocopy of the log to the Lead Agency.
- 3) The Lead Agency replaces this page in the Plan with the copy of the log received from ACF showing the approval date.

Note: This process depends on repeated subsequent use of the same log page over the life of the Plan. At any time the log should reflect all amendments, both approved and pending in ACF. The Lead Agency is advised to retain those "old" plan pages that are superseded by amendments in a separate appendix to its Plan.



**PLAN FOR  
CHILD CARE & DEVELOPMENT FUND SERVICES  
10/1/03 - 9/30/05**

**PART 1 – ADMINISTRATION**

The Lead Agency has been designated by the applicant Tribe or tribal consortium to represent the Tribe or tribal organization as the Lead Agency. The Lead Agency agrees to administer the program in accordance with applicable Federal laws, regulations and in accordance with the provisions of this Plan, including the assurances and certifications appended hereto. (658D, 658E)

Name of Lead Agency:
Address of Lead Agency:
Name and Title of the Lead Agency's Administrator:
Phone Number:  Fax Number:  E-Mail Address (if applicable):

- 1.1) The Tribal Lead Agency estimates the following amount of funds to be awarded in fiscal year 2004 (October 1, 2003 through September 30, 2004) based on the estimated CCDF allotment for the applicant (see funding estimates section in the Program Instruction and Attachment B, FY 2004 Tribal Estimates Chart).

Federal Child Care & Development Fund \$\_\_\_\_\_.

**NOTE:** estimated allotments are provided for planning purposes and may increase or decrease when updated data becomes available before the final grant awards are issued.

- 1.2) The Tribal Lead Agency estimates that the following amount of CCDF funds awarded in FY 2004 will be used for construction or renovation purposes:

\$\_\_\_\_\_

**Effective Date: October 1, 2003 – Amended Date:\_\_\_\_\_**



**PLAN FOR**

**CHILD CARE & DEVELOPMENT FUND SERVICES**

**10/1/03-- 9/30/05**

This Application does not give approval to spend funds on construction or renovation. Funds for this purpose cannot be spent until a Tribe has applied for and received approval, through a separate application process, from the Administration for Children and Families). As a part of the separate construction/ renovation application process, a Tribe must show that adequate facilities are not otherwise available to carry out child care programs, and that the lack of facilities will inhibit future program operations. Furthermore, a Tribe cannot reduce the level of child care services, as compared to the preceding fiscal year, in order to spend funds on construction or renovation. Procedures regarding the separate construction/renovation application process are contained in ACYF-PI-CC-01-01, dated February 5, 2001 and regulations at 45 CFR 98.2 and 98.84

- 1.3) The Lead Agency estimates that the following amount (or percentage) of the CCDF funds awarded in FY 2004 will be used to administer the program ((658E(c)(3)(C)) \$  
—.
- 1.4) The Lead Agency estimates that the following amount (or percentage) of CCDF funds awarded in FY 2004 will be used on quality activities , as described in Section 5 of the plan (658G, 98.51, 98.83(f))  
\$\_\_\_\_\_.
- 1.5) Will the Lead Agency directly administer and implement all programs funded under the Child Care and Development Fund? ((658D(b)(1)(A), 658E(c)(3)(C), 98.11, 98.16(c)(1))
- ( ) Yes. Go to 1.8 and/or 1.9  
( ) No, the following entity(ies) is/are responsible to administer/implement all or a part of the:
- provision of child care services (including the payment to child care providers)
  - activities to improve the quality of child care described in Part 5 of this Plan, if applicable

**Effective Date: October 1, 2003 - Amended Date: \_\_\_\_\_**

- 1.6) Is any entity named in response to 1.5 a non-governmental entity (e.g., an entity outside of the tribal government)?
- ( ) No.  
( ) Yes. The non-governmental entities are: (list each)
- 1.7) Describe:
- the operational aspects of administering and implementing the program through such entities (listed in 1.5 and 1.6), and



**PLAN FOR  
CHILD CARE & DEVELOPMENT FUND SERVICES  
10/1/03-- 9/30/05**

- how the Lead Agency will maintain overall control of the program.

**NOTE: These descriptions should be 1-2 paragraphs, or less, and should provide sufficient detail to enable a reader to understand how this process works.**

- 1.8) A tribal consortium must provide a list of its participating members and include demonstrations from these participating members ((98.80(c)(1), 98.81(b)(8)(i))

These demonstrations are provided as Attachment \_\_\_\_\_.

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

- 1.9) The Tribal Lead Agency has determined the number of Indian children, under age 13, as defined in Appendix 2, #2 who reside on or near the reservation, or service area (defined in Appendix 2,#3) (98.81(a)(4), 98.81(b)(4))

Complete and attach the "Child Count Declaration" at Appendix 3.

**NOTE:** See "Guidance for Completing the Plan" regarding age of children to be counted and time frames for the child count.

**Effective Date: October 1, 2003 - Amended Date:\_\_\_\_\_**

## **PART 2 -- DEVELOPING THE CHILD CARE PROGRAM**

**NOTE: With the exception of 2.2.3, responses under Part 2 should provide sufficient detail to enable a reader to understand the Tribal Lead Agency's coordination/consultation activities.**

### **Section 2.1 - Consultation:**

Describe when and with whom the Lead Agency consulted in developing this Plan. At a minimum, the description must state what representatives of the tribal community (or tribal communities in the case of a consortium) were consulted. (658D(b)(2), 98.12(b), 98.16(d))

### **Section 2.2 - Coordination of Services:**

- 2.2.1) Describe how the Lead Agency is coordinating the delivery of CCDF-funded child care services with other tribal, Federal, State, and local child care, early childhood development



**PLAN FOR**

**CHILD CARE & DEVELOPMENT FUND SERVICES**

**10/1/03-- 9/30/05**

programs, and before and after-school care services. (658D(b)(1)(D), 658O(c)(2)(A), 98.16(d),98.82(b))

- 2.2.2) Describe the results of the Tribal Lead Agency's coordination activities with agencies responsible for health (including the agency responsible for immunizations), education, employment services or workforce development, and the State TANF agency and/or tribal TANF agency – if the Tribe is operating its own TANF program (98.14(a), 98.16(d))

**Effective Date: October 1, 2003 – Amended Date:\_\_\_\_\_**

- 2.2.3) A tribal consortium must describe how it is coordinating services on behalf of its participating members, including a brief summary of the direct child care services funded by CCDF for each of its participating members (or "constituent" members in the case of Alaskan entities) (98.81(b)(8)(ii),98.83(c)(1))

**NOTE: The general description should be 1-2 paragraphs, or less. Provide one to two sentences (or more, if necessary) describing the services provided to each individual tribal consortium member.**

This description may be provided in this space, or as Attachment \_\_\_\_\_.

**Section 2.3 - Public Hearing Process:**

Describe the public hearing process held to provide the Tribe (or member Tribes, in the case of a tribal consortium) an opportunity to comment on the provision of child care services under the Tribe's (or tribal consortium's) Plan. The description must include the date(s) and location(s) of the hearing(s), and how and when the public was notified of the hearing(s). (658D(b)(1)(C), 98.14(c), 98.16(e))

**Section 2.4 - Public-Private Partnerships:**

Describe any activities, including planned activities, to encourage public-private partnerships which promote private-sector involvement in meeting child care needs. (98.16(d))



**PLAN FOR  
CHILD CARE & DEVELOPMENT FUND SERVICES  
10/1/03-- 9/30/05**

Effective Date: October 1, 2003 - Amended Date: \_\_\_\_\_

**PART 3 -- CHILD CARE SERVICES OFFERED**

**Section 3.1 - Description of Child Care Services:**

REMINDER: Non-Exempt Tribes are required to operate certificate programs. 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))

3.1.1) Does the Lead Agency offer child care services through:

- A certificate program ( ) Yes ( ) No
- A voucher program (exempt Tribes only) ( ) Yes ( ) No
- A tribally-operated center ( ) Yes ( ) No
- Grants or contracts for child care slots ( ) Yes ( ) No

For those marked "yes," describe the types of child care services and the range of providers available (658A(b)(1), 658E(c)(3)(A)&(B), 658P(5)&(6), 98.16(g)(1), 98.30, 98.50)

3.1.2) **Answer this question only if your Tribe operates a certificate program. Non-exempt tribal Lead Agencies must answer this question.** The Lead Agency must allow for in-home care, but may limit its use.

Does the Lead Agency limit the use of in-home care in any way?

- ( ) No.
- ( ) Yes, and the limits and the reasons for those limits are:  
(98.16(g)(2), 98.30(e)(1)(iv))

Effective Date: October 1, 2003 - Amended Date: \_\_\_\_\_





PLAN FOR

CHILD CARE & DEVELOPMENT FUND SERVICES

10/1/03-- 9/30/05

3.1.3) Are all of the child care services described in #3.1.1 above available throughout the entire service area? (658E(a), 98.16(g)(3))

Yes

No, and the following are the areas in which these services are not offered:

**Section 3.2 - Payment Rates for the Provision of Child Care:**

The Statute (at 658E(c)(4)) requires the Lead Agency to establish payment rates for child care services that ensure eligible children equal access to comparable care. The payment rates are provided as Attachment \_\_\_\_.

The following is a summary of the facts relied on by the Tribal Lead Agency to determine that the attached rates are sufficient to ensure equal access to comparable child care services provided to children whose parents are not eligible to receive child care assistance under the CCDF and other governmental programs. Include, at a minimum: (98.16(l), 98.43)

- The date of the local market rate survey(s):
- How the payment rates are adequate to ensure equal access based on the results of the required local market rate survey (i.e., the relationship between the attached payment rates and the market rates observed in the survey). Indicate if the Tribal Lead Agency based its rates on the State survey(s):
- **For Non-Exempt Tribes Only** – If the payment rates do not reflect individual rates for the full range of providers -- center-based, group home, family and in-home care -- explain how the choice of the full range of providers is made available to parents:
- Additional facts:

Effective Date: October 1, 2003 - Amended Date: \_\_\_\_\_



**PLAN FOR  
CHILD CARE & DEVELOPMENT FUND SERVICES**

**10/1/03-- 9/30/05**

**Section 3.3 - Eligibility Criteria for Child Care:**

By statute, all eligible children must be under the age of 13 and reside with a family whose income does not exceed 85% of the Grantee Median Income (GMI) for a family of the same size and whose parent(s) are working or attending a job training or educational program or who receive or need to receive protective services. (658E(c)(3)(B), 658P(4), 98.20, 98.80(f), 98.81(b)(1))

3.3.1) Tribal Lead Agencies must select one of the following two definitions of Grantee Median Income (GMI):

\_\_\_\_\_ Tribal Median Income (TMI) for a family of the same size residing in the area served by the tribal Lead Agency; or

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

3.3.2) Complete column (a) of the matrix below based on the definition of Grantee Median Income (GMI) selected above (TMI or SMI).

Complete column (b) ONLY IF the Lead Agency is using income eligibility limits lower than 85% of the GMI.

<b>Family Size</b>	<b>(a) 85% of Grantee Median Income (GMI) (\$/month)</b>	<b>(b) Income Level, lower than 85% GMI, if used to limit eligibility (\$/month)</b>
<b>1</b>		
<b>2</b>		
<b>3</b>		
<b>4</b>		
<b>5</b>		

**Effective Date: October 1, 2003 - Amended Date:\_\_\_\_\_**



PLAN FOR

CHILD CARE & DEVELOPMENT FUND SERVICES

10/1/03-- 9/30/05

- 3.3.3) Has the Lead Agency established additional eligibility criteria, for example higher income limits in one part of the tribal service area? (658E(c)(3)(B), 98.16(g)(5), 98.20(b))
- No  
 Yes, and the additional eligibility criteria that the Lead Agency has established are:  
(Terms must be defined in Appendix 2)
- 3.3.4) Has the Lead Agency elected to waive, on a case-by-case basis, the fee and income eligibility requirements for cases in which children receive or need to receive protective services, as defined in Appendix 2? (658P(4), 658E(c)(3)(B), 98.20(a)(3)(ii)(A))
- No  
 Yes  
 Not Applicable
- 3.3.5) Does the Lead Agency allow child care for children age 13 and above who are physically and/or mentally incapable of self-care? (If so, physical and mental incapacity must then be defined in Appendix 2.) (658P(4), 658E(c)(3)(B), 98.20(a)(1)ii)
- No  
 Yes, and the upper age is \_\_\_\_.
- 3.3.6) Does the Lead Agency allow child care for children age 13 and above who are under court supervision? (658P(4), 658E(c)(3)(B))
- No  
 Yes, and the upper age is \_\_\_\_.
- 3.3.7) Does the Tribe choose to provide CCDF-funded child care to children in foster care whose foster care parent(s) are not working, or who are not in education/training activities? (98.20, 98.16(f)(7))
- Yes. (**NOTE:** This means that for CCDF purposes the Tribe considers these children to be in protective services.)  
 No.

Effective Date: October 1, 2003 - Amended Date: \_\_\_\_\_



**PLAN FOR**

**CHILD CARE & DEVELOPMENT FUND SERVICES**

**10/1/03-- 9/30/05**

3.3.8) Does the Tribe choose to provide respite child care to children in protective services? (98.16(f)(7))

Yes.

No.

**Section 3.4 - Priority Rules for Children:**

**NOTE: Responses under Section 3.4 should provide sufficient detail to enable a reader to understand the Tribal Lead Agency's priority rules.**

3.4.1) Describe how the Lead Agency will give priority for child care services to children with special needs (as defined in Appendix 2, # 9) (658E(c)(3)(B), 98.44)

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

No

Yes, and the following are the additional priority rules or categories. (Terms must also be defined in Appendix 2)

3.4.3) Demonstrate the manner in which the Tribe will meet the specific child care needs of families who are receiving Temporary Assistance for Needy Families, families who are attempting through work activities to transition off of such assistance program, and families that are at risk of becoming dependent on such assistance program. (658E(c)(2)(H))

**Effective Date: October 1, 2003 - Amended Date:\_\_\_\_\_**



**PLAN FOR**

**CHILD CARE & DEVELOPMENT FUND SERVICES**

**10/1/03-- 9/30/05**

**Section 3.5 - Sliding Fee Scale for Child Care Services:**

3.5.1) A sliding fee scale, which is used to determine each family's contribution to the cost of child care, must vary based on income and the size of the family (98.42(b))

A copy of the Lead Agency's sliding fee scale for child care services is provided as Attachment \_\_\_\_.

Will the Lead Agency use additional factors to determine each family's contribution to the cost of child care?

(658E(c)(3)(B), 98.16(l))

No

Yes, and the following describes those additional factors, including how they will be used to determine the family's contribution:

3.5.2) Is the same sliding fee scale provided in the attachment in response to question 3.5.1 above in use in all parts of the tribal service area? (658E(c)(3)(B), 98.42)

Yes

No, and other scale(s) are provided as Attachment \_\_\_\_.

3.5.3) The Lead Agency may waive contributions 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 a Lead Agency for a family of 3 is \$\_\_\_\_.

The Lead Agency must elect ONE of these options:

ALL families with income at or below the poverty level for a family of the same size ARE NOT required to pay a fee.

ALL families, including those with incomes at or below the poverty level for families of the same size, ARE required to pay a fee.

SOME families with income at or below the poverty level for a family of the same size ARE NOT required to pay a fee. A description of these families is:

**Effective Date: October 1,2001 - Amended Date:\_\_\_\_\_**

3.5.4) The following is an explanation of how the copayments required by the Tribal Lead Agency's sliding fee scale(s) are affordable:(98.43(b)(3))

**Section 3.6 - Certificate Payment System:**

**NOTE: Responses under Section 3.6 should provide sufficient detail to enable a reader to understand how the Tribal Lead Agency's Certificate Payment System works.**



**PLAN FOR**

**CHILD CARE & DEVELOPMENT FUND SERVICES**

**10/1/03-- 9/30/05**

**Complete this section only if your Tribe operates a certificate program. Non-exempt tribal Lead Agencies must complete this section.**

A child care certificate means a certificate, check or other disbursement, that is issued by the Lead Agency to a parent who may use it to pay for child care services from a variety of providers (including center-based, group home, family and in-home child care) or as a deposit for services. (658E(c)(2)(A)(iii)), 658P(2), 98.2, 98.30, 98.16(k))

Describe the overall child care certificate payment process, including, at a minimum:

- 3.6.1) A description of the form of the certificate (a copy of the certificate, if applicable, is included as Attachment \_\_\_\_\_);
  
- 3.6.2) A description of how the certificate program permits parents to choose from a variety of child care settings by explaining how a parent moves from receipt of the certificate to choice of care; and
  
- 3.6.3) If the Lead Agency is also providing child care services through grants and contracts, explain how it ensures that parents offered child care services are given the option of receiving a child care certificate.

**Effective Date: October 1, 2003 - Amended Date: \_\_\_\_\_**



PLAN FOR

CHILD CARE & DEVELOPMENT FUND SERVICES

10/1/03-- 9/30/05

#### PART 4 - PROCESSES WITH PARENTS

**NOTE: Responses under Part 4 should provide sufficient detail to enable a reader to understand how the Tribal Lead Agency interacts with CCDF-eligible families.**

##### **Section 4.1 – Family Application Process**

- 4.1) Describe the process involved for a family to apply to receive child care services (658E(c)(2)(D), (658D(b)(1)(A), (658E(c)(3)(B), 98.16(h), 98.30))

The description must include:

- How parents are informed of the availability of child care services and of available child care options;
- Where and how applications are made; and
- Who makes the eligibility determination.

##### **Section 4.2 – Record of Substantiated Parental Complaints**

- 4.2) Provide a detailed description of how the Lead Agency maintains a record of substantiated parental complaints and how it makes the information regarding such parental complaints available to the public on request. (658E(c)(2)(C), 98.32, 98.16(m))

##### **Section 4.3 – Description of Procedures for Unlimited Parental Access**

- 4.3) Provide a detailed description of the procedures in effect in the tribal service area for affording parents unlimited access to their children whenever their children are in the care of a provider who receives CCDF funds. (658E(c)(2)(B), 98.31, 98.16(n))

**Effective Date: October 1, 2003 – Amended Date: \_\_\_\_\_**



PLAN FOR

CHILD CARE & DEVELOPMENT FUND SERVICES

10/1/03-- 9/30/05

**Section 4.4 – TANF Agency’s Criteria/Definitions Regarding Inability to Obtain Care**

- 4.4) The regulations at section 98.33(b) require the Lead Agency to inform parents who receive 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), 98.33(b))

In fulfilling this requirement, the following criteria or definitions are applied by the TANF agency -- which include both the Tribal TANF agency and the State TANF agency if both provide TANF to tribal members -- to determine whether the parent has a demonstrated inability to obtain needed child care.

NOTE: The TANF agency, not the CCDF Care 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.

**The TANF agency/agencies responsible for these criteria or definitions is/are:**

\_\_\_\_\_  
**Tribal TANF Agency (if applicable)**

\_\_\_\_\_  
**State TANF Agency (if applicable)**

Effective Date: October 1, 2003 – Amended Date: \_\_\_\_\_





**PLAN FOR  
CHILD CARE & DEVELOPMENT FUND SERVICES  
10/1/03-- 9/30/05**

**Tribal TANF Agency Definitions** (if Tribal TANF agency serves tribal members)

- "appropriate child care":
- "reasonable distance":
- "unsuitability of informal child care":
- "affordable child care arrangements":

**State TANF Agency Definitions** (if State TANF agency serves tribal members)

- "appropriate child care":
- "reasonable distance":
- "unsuitability of informal child care":
- "affordable child care arrangements":

**Effective Date:** October 1, 2003 - **Amended Date:** \_\_\_\_\_

**PART 5 - ACTIVITIES & SERVICES TO IMPROVE  
THE QUALITY OF CHILD CARE**

- 5.1) Check either "Yes" or "No" for each listed activity indicating which of the following activities the Lead Agency will undertake to improve the availability and quality of child care. (658G, 658E(c)(3)(B), 98.16(h), 98.51, 98.83(f))

**Yes No**



**PLAN FOR  
CHILD CARE & DEVELOPMENT FUND SERVICES**

**10/1/03-- 9/30/05**

- resource and referral programs;
- grants or loans to providers to assist in meeting standards;
- monitoring of compliance with licensing and regulatory requirements;
- training and technical assistance;
- compensation for child care providers;
- comprehensive consumer education;
- other quality activities consistent with the purposes and requirements of the CCDF, including: (list each activity)

5.2) Describe each activity that is checked "Yes" above.

**NOTE: Responses under 5.2 should provide sufficient detail to enable a reader to understand how the activities are improving the availability and quality of child care.**

Effective Date: October 1, 2003 - Amended Date: \_\_\_\_\_



PLAN FOR

CHILD CARE & DEVELOPMENT FUND SERVICES

10/1/03-- 9/30/05

## PART 6 - HEALTH AND SAFETY REQUIREMENTS FOR PROVIDERS

**NOTE:** Responses under Part 6 should provide sufficient detail to enable a reader to understand what Health and Safety requirements the Tribal Lead Agency has in place under each applicable subsection (i.e., 6.1, 6.2, 6.3 and 6.4).

**Section 6.1 - Health and Safety Requirements for Center-Based Providers** (658E(c)(2)(F), 98.16(j), 98.41)

6.1) For all Center-Based Child Care Providers, the following health and safety requirements apply to child care services provided under the CCDF (98.16(j), 98.41):

- Prevention and control of infectious disease (including immunizations)

- Building and physical premises safety

- Health and safety training

Effective Date: October 1, 2003 - Amended Date: \_\_\_\_\_



PLAN FOR

CHILD CARE & DEVELOPMENT FUND SERVICES

10/1/03-- 9/30/05

**Section 6.2 - Health and Safety Requirements for Group Home Providers** (658E(c)(2)(F), 98.16(j), 98.41)

6.2) For all Group Home Child Care Providers, the following health and safety requirements apply to child care services provided under the CCDF:

- Prevention and control of infectious disease (including immunizations)

- Building and physical premises safety

- Health and safety training

Effective Date: October 1, 2003 - Amended Date: \_\_\_\_\_



PLAN FOR

CHILD CARE & DEVELOPMENT FUND SERVICES

10/1/03-- 9/30/05

**Section 6.3 - Health and Safety Requirements for Family Providers** (658E(c)(2)(F), 98.16(j), 98.41)

6.3) For all Family Child Care Providers, the following health and safety requirements apply to child care services provided under the CCDF:

- Prevention and control of infectious disease (including immunizations)

- Building and physical premises safety

- Health and safety training

Effective Date: October 1, 2003 - Amended Date: \_\_\_\_\_



PLAN FOR

CHILD CARE & DEVELOPMENT FUND SERVICES

10/1/03-- 9/30/05

**Section 6.4 - Health and Safety Requirements for In-Home Providers** (658E(c)(2)(F), 98.16(j), 98.41)

6.4) For all In-Home Child Care Providers, the following health and safety requirements apply to child care services provided under the CCDF:

- Prevention and control of infectious disease (including immunizations)
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
- Building and physical premises safety
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
- Health and safety training

Effective Date: October 1, 2003 - Amended Date: \_\_\_\_\_



PLAN FOR

CHILD CARE & DEVELOPMENT FUND SERVICES

10/1/03-- 9/30/05

### **Section 6.5 - Exemptions to Health and Safety Requirements**

At Grantee option, the following relatives; grandparents, great grandparents, aunts, uncles, or siblings who live in a separate residence from the child in care, may be exempted from health and safety requirements (658P(5)(B), 98.41(g)). Indicate the Lead Agency policy regarding these relative providers:

- ( ) All relative providers are subject to the same requirements as described in sections 6.1 - 6.4 above, as appropriate; there are no exemptions for relatives or different requirements for them.
- ( ) All relative providers are exempt from all health and safety requirements.
- ( ) Some or all relative providers are subject to different health and safety requirements from those described in sections 6.1 - 6.4 and the following describes those different requirements and which relatives they apply to):

### **Section 6.6 - Enforcement of Health and Safety Requirements**

The following is a description of how health and safety standards are effectively enforced by the Lead Agency: (658E(c)(2)(E), 98.41(d))

**NOTE: Responses under Section 6.6 should provide sufficient detail to enable a reader to understand how the Tribal Lead Agency is effectively enforcing the Health and Safety requirements described under Section 6.**

Effective Date: October 1, 2003 - Amended Date: \_\_\_\_\_



PLAN FOR  
CHILD CARE & DEVELOPMENT FUND SERVICES  
10/1/03-- 9/30/05

**APPENDIX 1 -- ASSURANCES AND CERTIFICATIONS**

The Tribal Lead Agency, named in Part 1 of this Plan, assures that:

- 1) Upon approval, it will have in effect a program that complies with the provisions of the Plan printed herein, and is administered in accordance with the Child Care and Development Block Grant Act of 1990 as amended, Section 418 of the Social Security Act, and all other applicable Federal laws and regulations. (658D(b), 658E(a), 98.15(a)(1))
- (2) The parent(s) of each eligible child within the Tribe or tribal service area who receives or is offered child care services for which financial assistance is provided is given the option either to enroll such child with a child care provider that has a grant or contract for the provision of the service or to receive a child care certificate. (658E(c)(2)(A)(i), 98.2, 98.30, 98.15(a)(2)) **[Exempt Tribal Lead Agencies are not required to operate certificate programs.]**
- (3) In cases in which the parent(s) elect(s) to enroll the child with a provider that has a grant or contract with the Tribal Lead Agency, the child will be enrolled with the eligible provider selected by the parent to the maximum extent practicable. (658E(c)(2)(A)(ii), 98.15(a)(3), 98.30)
- (4) The child care certificate offered to parents shall be of a value commensurate with the subsidy value of child care services provided under a grant or contract. (658E(c)(2)(A)(iii), 98.15(a)(4), 98.30) **[Exempt Tribal Lead Agencies are not required to operate certificate programs.]**
- (5) The Tribe, or tribal consortium, will coordinate, to the maximum extent feasible, with the Lead Agency(ies) in the State(s) in which the child care programs or activities will be carried out. (98.12, 98.14(a)&(b), 98.81(b)(3)(i), 98.82)
- (6) Tribal Child Care and Development Fund (CCDF) programs and activities will be carried out for the benefit of Indian children on an Indian reservation (except for Programs located in Alaska, California, or Oklahoma). (98.81(b)(3)(ii), 98.83(b))
- (7) With respect to State and local regulatory requirements (or tribal regulatory requirements), health and safety requirements, payment rates, and registration requirements, State or local (or tribal) rules, procedures or other requirements promulgated for the purpose of the CCDF will not significantly restrict parental choice from among categories of care or types of providers (658E(c)(2)(A), 98.15(a)(5), 98.15(p), 98.30(e)&(f), 98.40(b)(2), 98.41(b), 98.43(d), 98.45(d)).





**PLAN FOR  
CHILD CARE & DEVELOPMENT FUND SERVICES**

**10/1/03-- 9/30/05**

The Tribal Lead Agency also certifies that:

- (1) It has procedures in place to ensure that providers of child care services for which assistance is provided under the Child Care and Development Fund (CCDF) afford parents unlimited access to their children and to the providers caring for their children during the normal hours of operations and whenever such children are in the care of such providers. (658E(c)(2)(B), 98.15(b)(1), 98.31)
- (2) It maintains a record of substantiated parental complaints and makes information regarding such complaints available to the public on request. (658E(c)(2)(C), 98.15(b)(2), 98.32)
- (3) It will collect and disseminate to parents of eligible children and the general public, consumer education information that will promote informed child care choices. (658E(c)(2)(D), 98.15(b)(3), 98.33)
- (4) There are in effect licensing requirements applicable to child care services provided within the area served by the Tribal Lead Agency pursuant to §98.40. (98.15(b)(4), 98.40)
- (5) There are in effect, under tribal, local or State law, requirements designed to protect the health and safety of children; these requirements are applicable to child care providers that provide services for which assistance is made available under the CCDF. (658E(c)(2)(F), 98.15(b)(5), 98.41)
- (6) Procedures are in effect to ensure that child care providers that provide services for which assistance is provided under the CCDF comply with all applicable health and safety requirements. (658E(c)(2)(G), 98.15(b)(6), 98.41)
- (7) Payment rates under the CCDF for the provision of child care services will be sufficient to ensure equal access for eligible children to comparable child care services in the Tribe or tribal service area that are provided to children whose parents are not eligible to receive assistance under this program or under any other Federal or State child care assistance programs. (658E(c)(4)(A), 98.15(b)(7), 98.43)
- (8) By the end of each three year funding period (expenditure period for each Federal fiscal year's grant funding), the Tribe must have expenditures that are equal to grant funds received for that fiscal year. (98.67(c))

**Effective Date: October 1, 2003 - Amended Date: \_\_\_\_\_**



**PLAN FOR  
CHILD CARE & DEVELOPMENT FUND SERVICES  
10/1/03-- 9/30/05**

**APPENDIX 2 - ELIGIBILITY AND PRIORITY TERMINOLOGY:**

For purposes of determining eligibility and priority for CCDF-funded child care services, Tribal Lead Agencies must define the following terms. (658E(a), 98.16(f), 98.81(b)(2))

- (1) attending (a job training or educational program)-
- (2) Indian child -
- (3) Indian reservation or service area -
- (4) in loco parentis -
- (5) job training and educational program -
- (6) physical or mental incapacity (if the Lead Agency provides such services to children age 13 and older).
- (7) protective services -
- (8) residing with -

**Effective Date: October 1, 2003 - Amended Date:\_\_\_\_\_**

- (9) special needs child -
- (10) working -
- (11) Additional terminology related to conditions of eligibility or priority established by the Tribal Lead Agency:

**Effective Date: October 1, 2003 - Amended Date:\_\_\_\_\_**



PLAN FOR

CHILD CARE & DEVELOPMENT FUND SERVICES

10/1/03-- 9/30/05

**APPENDIX 3 – CHILD COUNT DECLARATION**

Name of Tribal Lead Agency

This certifies that the number of Indian children under age 13 (as defined in Appendix 2, #2) who reside on or near the reservation or service area (as defined in Appendix 2, #3) is: \_\_\_\_\_.  
number

This count shows the number of Indian children under age 13 as of \_\_\_\_\_.

date

Signature of Individual Authorized to  
Act for the Tribe

Effective Date: October 1, 2003 - Amended Date: \_\_\_\_\_



PLAN FOR

CHILD CARE & DEVELOPMENT FUND SERVICES

10/1/03-- 9/30/05

## APPENDIX 4 – LIST OF CERTIFICATIONS

New tribal CCDF applicants must complete and submit the following certifications as Appendix 4 of their tribal plan preprint:

- Assurance of compliance with Title VI of the Civil Rights Act of 1964;
- Certification regarding debarment (includes definitions for use with the certification of debarment);
- HHS certification regarding drug-free workplace requirements; and
- Certification of compliance with the Pro-Child Act of 1994.

New applicants should contact their ACF Regional Office to obtain copies of the required certifications.

Current Tribal Lead Agencies were previously required to submit these certifications with their 2-year plan preprint. Therefore, the certifications do not need to be submitted again. Tribes are reminded that even if they have changed their Lead Agency, the certifications apply to the successor agency.