



Comparison: Tribal Child Care and Development Fund and American Indian and Alaska Native Head Start Requirements

This chart compares Child Care and Development Fund (CCDF) and Head Start regulations for American Indian and Alaska Native (AIAN) grantees, tribal leadership, and stakeholders to further their collaboration efforts. Tribes are required to coordinate the delivery of services with other tribal, federal, state, and local early childhood development programs. Specific requirements are outlined in their three-year CCDF plans and five-year Head Start grants.

Review helpful summaries of the CCDF and Head Start regulations below. These summaries are not a replacement for the actual regulations, which should be consulted for further information.

	<p style="text-align: center;">Child Care </p> <p style="text-align: center;"><u>Child Care Development Block Grant Act of 2014</u></p> <p style="text-align: center;"><u>CCDF Final Rule</u></p>	<p style="text-align: center;">Head Start </p> <p style="text-align: center;"><u>Head Start Act</u></p> <p style="text-align: center;"><u>Head Start Program Performance Standards (HSPPS)</u></p>
<p>Standards and Regulations</p>	<p><u>General procedures and requirements, 45 CFR §98.80</u></p> <p>The CCDF Final Rule established three categories with tiered requirements based on CCDF funding amount, referred to as "allocation size." All Tribal Lead Agencies have requirements based on the size of their CCDF allocation.</p> <p>Tribes with medium allocations receiving between \$250,000 and \$1 million, and tribes with large allocations receiving over \$1 million, are subject to the majority of CCDF requirements.</p> <p>Tribes with small allocations, or those receiving allocations under \$250,000, are exempt from specific provisions to account for the size of the grant awards. This approach provides greater flexibility to tribes with lower levels of funding.</p> <p>All Tribal Lead Agencies must certify that health and safety requirements applicable to providers serving CCDF children, appropriate to provider setting, are in effect.</p>	<p>The HSPPS and other applicable federal regulations (e.g., <u>Head Start Act</u>, <u>Uniform Administrative Requirements, Cost Principles, and Audit Requirements for HHS Awards</u>) apply in full for all AIAN Head Start and Early Head Start-funded programs with the exceptions noted below.</p> <p>Exceptions:</p> <ul style="list-style-type: none"> • <u>Impasse procedures, 45 CFR §1301.6(c)</u> • <u>Determining program structure, 45 CFR §1302.20(c)(4)</u> • <u>Community partnerships and coordination with other early childhood and education programs, 45 CFR §1302.53</u>
<p>Health and Safety</p>	<p><u>Health and safety requirements, 45 CFR §98.41</u></p> <p>All Tribal Lead Agencies must certify that child care programs receiving CCDF funds meet the health and safety requirements in the final rule for standards, training, group size limits, ratios, emergency preparedness, and compliance with child abuse reporting</p>	<p><u>Safety practices, 45 CFR §1302.47</u></p> <p>Programs must establish, train staff on, implement, and enforce a system of health and safety practices that ensure children are kept safe at all times. <u>Caring for Our Children Basics</u> contains information to develop and implement adequate safety policies and practices.</p>

	<p>requirements. Tribes may establish health and safety standards they think would best meet the needs of their community. There are several recommendations offered as options for tribes to choose from, including:</p> <ul style="list-style-type: none"> • Selecting to implement Tribal health and safety standards • Adopting the CCDF Minimum Standards for Tribes, which are adapted from the recommended Caring for Our Children Basics with input from Tribal CCDF grantees • Selecting state licensing standards • Implementing a combination of standards from these recommendations 	
<p>Child Enrollment Levels</p>	<p>Tribal Lead Agencies submit self-certified child counts once every three years along with their Tribal CCDF Plans. They determine their definitions of "Indian Child" and the "Indian Reservation/Service Area" to justify their child counts, as required in CCDF-ACF-PI-2019-02. Child counts help determine Tribal Lead Agencies' funding levels and reflect the number of children residing in or near the service area. Child enrollment levels vary from year to year.</p>	<p>Child enrollment levels are specified in each grant award. ACF-PI-HS-18-04 Full Enrollment Initiative emphasizes that a grantee must maintain and report monthly the funded enrollment level and fill any vacancy as soon as possible.</p>
<p>Child and Family Eligibility Criteria</p>	<p>A child's eligibility for child care services, 45 CFR §98.20</p> <p>Tribal Lead Agencies with medium and large allocations must include the basis for determining family eligibility through standard or categorical eligibility options when providing financial assistance to eligible low-income families. Categorical eligibility is defined as follows: if a Tribe's Tribal Median Income (TMI) is below 85% of the State Median Income (SMI), then the Tribe can consider any Indian child in the Tribe's service area to be eligible to receive CCDF funds, regardless of the family's income, work, or training status. These Tribal Lead Agencies also have flexibility in defining "income." It allows for the exclusion or deduction of certain types of income from calculations of total family incomes, and periodically revising a sliding-fee scale based, at a minimum, on income and family size when determining family contributions or co-payments.</p> <p>Tribal Lead Agencies with small allocations have the option to offer direct services and determine their own eligibility requirements.</p>	<p>Eligibility requirements, 45 CFR §1302.12(c)</p> <p>Additional allowances for Indian tribes, 45 CFR §1302.12(e) includes the following:</p> <ol style="list-style-type: none"> 1. A tribal program may fill more than 10% of its enrollment with participants who are not eligible with some specifications. 2. If another program does not serve the approved service area, the program must serve all eligible Indian and non-Indian pregnant women or children who wish to enroll before serving over-income pregnant women or children. 3. A program must annually set criteria approved by the Policy Council and the Tribal Council. 4. An Indian tribe that operates both an Early Head Start (EHS) program and a Head Start program may reallocate funds between the EHS program and the Head Start program to address fluctuations in client populations.

	A child must meet a federally recognized tribe's definition of "Indian child" and reside within the tribe's service area.	Exception: Selection process, 45 CFR §1302.14(a)(3)
Child and Family Eligibility Periods	<p>Eligibility determination processes, 45 CFR §98.21</p> <p>Tribal Lead Agencies with medium and large allocations must include the basis for determining family eligibility through standard or categorical eligibility options when providing financial assistance to eligible low-income families. The CCDF Final Rule established a minimum 12-month eligibility period for families receiving child care services through CCDF. These Tribal Lead Agencies must ensure families receiving CCDF will be considered eligible and receive assistance for at least 12 months before their eligibility redetermination. They have the flexibility to have eligibility periods that are longer than 12 months.</p> <p>Tribal Lead Agencies with small allocations have the option to offer direct services and determine their own eligibility requirements. A child must meet a federally recognized Tribe's definition of "Indian child" and reside within the tribe's service area.</p>	<p>Families must meet eligibility criteria.</p> <ul style="list-style-type: none"> • Pregnant women are eligible throughout pregnancy • EHS children are eligible until age 3 • Head Start children are eligible from ages 3–5 and can maintain enrollment until entry into kindergarten
Comprehensive Services	Tribal Lead Agencies have the flexibility to coordinate with other programs to meet the needs of their communities. Partners must provide comprehensive services consistent with the CCDF goals of promoting families' financial stability and fostering healthy child development.	<p>Required comprehensive program services include:</p> <ul style="list-style-type: none"> • Eligibility, Recruitment, Selection, Enrollment, and Attendance (ERSEA) • Education and Child Development • Health • Family and Community Engagement • Mental Health
Funding Mechanism	Federal block grant to tribe	Federal grant to tribe
Group Size and Child-Teacher Ratio	<p>Health and safety requirements, 45 CFR §98.41</p> <p>Specified by the tribe.</p> <p>Tribal Lead Agencies set group size limits for the ages served and specify the staff-child ratio by children's ages. The Preamble to the CCDF Final Rule includes recommendations from the Caring for Our Children Basics for group size limits and the ratio between children and caregivers.</p>	<p>Center-based option, 45 CFR §1302.21</p> <p>Regulates ratios and group size maximums determined by the age of the majority of children and the needs of all children present.</p> <p>An EHS or Migrant or Seasonal Head Start class that serves children under 36 months old must have two teachers with no more than eight children, or three teachers with no more than nine children.</p> <p>A class that serves a majority of children who are 3 years old must have no more</p>

		<p>than 17 children with a teacher and teaching assistant or two teachers.</p> <p>A double session class that serves a majority of children who are 3 years old must have no more than 15 children with a teacher and teaching assistant or two teachers.</p> <p>A class that serves a majority of children who are 4 and 5 years old must have no more than 20 children with a teacher and a teaching assistant or two teachers.</p> <p>A double session class that serves a majority of children who are 4 and 5 years old must have no more than 17 children with a teacher and a teaching assistant or two teachers.</p>
<p>Non-Federal Match Requirements</p>	<p>100% federal; no non-federal match required.</p>	<p>In accordance with Sec. 640(b) of the Act, federal financial assistance to a grantee will not exceed 80% of the approved total program costs. A grantee must contribute 20% as non-federal match each budget period. The responsible U.S. Department of Health and Human Services (HHS) official may approve a waiver of all or a portion of the non-federal match requirement on the basis of the grantee's written application submitted for the budget period. It must include any supporting evidence the responsible HHS official requires.</p>
<p>Parent Fees</p>	<p>Equal access, 45 CFR §98.45</p> <p>Tribes can waive fees for families:</p> <ul style="list-style-type: none"> • Whose incomes are at or below poverty level • That have children who receive or need protective services • That meet other criteria established by the Tribal Lead Agency 	<p>Fees, 45 CFR §1302.18</p> <p>A program must not charge eligible families a fee to participate in Head Start services, including special events such as field trips. It cannot in any way condition an eligible child's enrollment or participation in the program upon the payment of a fee. A program must only accept a fee from families of enrolled children for services that are in addition to services funded by Head Start, such as child care before or after funded Head Start hours.</p>
<p>Parent Involvement and Decision-Making</p>	<p>Parental choice, 45 CFR §98.30</p> <p>Parents make the ultimate decision regarding care for their children. Tribal Lead Agencies with large allocations allow parents to choose from three categories of care. All Tribal Lead Agencies are required to conduct public hearings. Parents have the opportunity to comment on the provision of child care services under the CCDF Plan during the public hearing every three years.</p>	<p>Parent and family engagement in education and child development services, 45 CFR §1302.34</p> <p>Programs must structure education and child development services to recognize parents' roles as children's lifelong educators, and to encourage parents to engage in their child's education.</p> <p>Policy council and policy committees, 45 CFR §1301.3</p>

		<p>Parents of currently enrolled children are an integral part of the Policy Council and Policy Committee. These groups have the responsibility for program decision-making and play an important role in program governance.</p>
<p>Purpose/Mission</p>	<p>The CCDF Final Rule defines how the law applies to tribes and clarifies the provisions for CCDF tribal grantees. It balances the CCDF dual goals of promoting families' financial stability and fostering healthy child development, while providing flexibility for tribal communities.</p> <p>The CCDF Final Rule:</p> <ul style="list-style-type: none"> • Strengthens the requirement to protect the health and safety of children in child care • Helps parents make informed consumer choices and have access to information to support child development • Enables equal access to stable child care for low-income children • Enhances the quality of child care and the early childhood workforce 	<p>The HSPPS are the foundation for Head Start's mission. They provide the roadmap to delivering comprehensive, high-quality, individualized services for Head Start children and families and to supporting the school readiness and healthy development of children from low-income families. The HSPPS set forth the requirements local grantees must meet to support the healthy cognitive, social, emotional, and physical development of children from birth to age 5. They encompass requirements to provide education, health, mental health, nutrition, and family and community engagement services, as well as standards for local program governance and aspects of federal administration of the program.</p>
<p>Quality Assurance</p>	<p>Activities to improve the quality of child care, 45 CFR §98.53</p> <p>Tribal CCDF enhances the quality of child care and the early childhood workforce. All Tribal Lead Agencies are required to spend a percentage of their total CCDF expenditures in increasing minimum amounts on quality improvement activities, reaching 9% in 2022. Tribes must spend quality funds on at least one of 10 allowable quality activities. Tribes with medium and large allocations must spend an additional 3% on infant and toddler quality improvement activities.</p>	<p>Program Operations, 45 CFR §1302</p> <p>Covers the full range of operations from enrolling eligible children and providing program services to managing programs to ensure staff are qualified and supported to effectively provide services. This part also focuses on using data to inform ongoing program improvement to ensure high-quality service. These regulations raise the quality standard to reflect science and best practices and streamline and simplify requirements so programs can better understand what is required for quality services.</p> <p>Monitoring, 45 CFR §1304.2</p> <p>Intends to assure quality of program operations.</p>
<p>Revenues to Tribe</p>	<p>Revenues to Tribal Lead Agencies are based on tribal child counts and the aggregate amount of funding available for tribes. Tribal flexibility includes tiered requirements based on tribes' fiscal year 2016 CCDF allocation, resulting in small, medium, and large allocations.</p>	<p>Grantees receive the total approved costs or the sum of all costs of the Head Start program approved in the grant award for a given budget period by the Administration for Children and Families, as indicated on the Notice of Award. Total approved costs consist of the federal share plus any approved non-federal match, including non-federal match above the statutory minimum.</p>

<p>Staff Qualifications</p>	<p>Health and safety requirements, 45 CFR §98.41</p> <p>Training and professional development, 45 CFR §98.44</p> <p>Tribal Lead Agencies are required to have minimum pre-service and orientation training requirements (to be completed within three months) for caregivers, teachers, and directors, as appropriate to the provider setting and the age of children served. The trainings must address health, safety, and child development requirements. Tribal Lead Agencies must also meet ongoing training requirements on the health and safety topics for caregivers, teachers, and directors of children receiving CCDF funds.</p> <p>Tribal Lead Agencies are required to establish child care staff qualifications for providers receiving CCDF funds based on the type of child care setting and the age of the children in care. They have flexibility in defining provider qualifications that are reflective of tribal culture and language and that meet the needs of the children and families served.</p>	<p>Staff qualifications and competency requirements, 45 CFR §1302.91</p> <p>Minimum qualifications and competency requirements for staff:</p> <ul style="list-style-type: none"> • Head Start or Early Head Start director: a baccalaureate degree and experience in supervision of staff, fiscal management, and administration. • Fiscal officer: Certified public accountant or a baccalaureate degree in accounting, business, fiscal management, or a related field. • Family, health, and disabilities management: a baccalaureate degree, preferably related to one or more of the disciplines they oversee. • Education management: a baccalaureate or advanced degree in early childhood education (ECE) or equivalent coursework in ECE with early education teaching experience. • EHS center-based teacher: Child Development Associate (CDA) or comparable credential and trained or have equivalent coursework in ECE with a focus on infant and toddler development. • Head Start center-based teacher: an associate's or bachelor's degree in child development or ECE, or equivalent coursework. • Head Start assistant teacher: CDA credential or a state-awarded certificate that meets or exceeds the requirements for a CDA credential or enrolled in a program that will lead to an associate or baccalaureate degree or CDA to be completed within two years of the time of hire. • Family child care provider: previous early child care experience and enrolled in a family child care CDA program or state equivalent, or an associate's or baccalaureate degree program in child development or ECE prior to beginning service provision, and acquire the credential within 18 months of beginning to provide services. • Home visitors: Home-based CDA or comparable credential, or equivalent coursework as part of an associate's or bachelor's degree; demonstrate competency to plan and implement
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<p>Tribal Languages</p>	<p>Activities to improve the quality of child care, 45 CFR §98.53</p> <p>Tribal Lead Agencies can choose to implement activities to improve the quality of child care, including culturally relevant activities such as:</p> <ul style="list-style-type: none"> Incorporating tribal language into child care settings, modifying curricula to reflect tribal culture Implementing tribal language immersion classrooms or language nests Training teachers to learn how to implement tribal language and culture in the classrooms and provider settings <p>The CCDF funds spent towards these activities count towards the quality spending requirements.</p>	<p>Tribal language preservation and revitalization, 45 CFR §1302.36</p> <p>A program that serves AIAN children may integrate efforts to preserve, revitalize, restore, or maintain the tribal language for these children into program services. Such language preservation and revitalization efforts may include full immersion in the tribal language for the majority of the hours of planned class operations. If children's home language is English, exposure to English as described in 45 CFR §1302.31(b)(2)(i-ii) is not required.</p>

Find more information about Tribal CCDF grantee requirements from the Office of Child Care: <https://www.acf.hhs.gov/occ>. For training and technical assistance resources specific to Tribal CCDF grantees, visit the [National Center on Tribal Early Childhood Development](#) website.



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