Christopher Jones, Executive Director
North Dakota Department of Human Services
600 East Boulevard Avenue, Dept. 325
Bismarck, ND 58505-0250

Dear Mr. Jones:

The Office of Child Care has completed its review of the proposed amendments to North Dakota’s conditionally approved Child Care and Development Fund (CCDF) Plan for 2019-2021, submitted on October 1, 2019.

This letter is to inform you that the following CCDF Plan amendments were approved.

- **Section 1.1.2 – CCDF Administrator** – amended to update the CCDF co-Administrator for the Lead Agency.

- **Section 2.3.3 – Consumer and Provider Education – Widest Possible Access for Persons with Disabilities** - Amended to reflect that the Lead Agency’s consumer education website ensures the widest possible access to services for persons with disabilities. Approval of this amendment indicates that North Dakota’s CCDF Plan demonstrates compliance with the Final Rule.

- **Section 2.3.4 – Consumer and Provider Education – Processes Related to Child Care** - Amended to reflect that the Lead Agency’s consumer education website includes a description of policies and procedures relating to child care. Approval of this amendment indicates that North Dakota’s CCDF Plan demonstrates compliance with the Final Rule.

- **Section 2.3.7 - Consumer and Provider Education – Monitoring and Inspection Results for All CCDF Providers** - Amended to reflect that the Lead Agency has posted monitoring and inspection reports on the consumer education website for some licensed and non-relative CCDF providers eligible to provide CCDF services. Please note, North Dakota remains out of compliance for Sections 2.3.7c, 2.3.7e, and 2.3.7g
for your FY 2019-2021 CCDF Plan, and, therefore still subject to the notice of non-compliance issued on April 12, 2019 until all CCDF requirements are met.

- Section 2.3.8 - Consumer and Provider Education – Aggregate Data on Serious Injuries, Deaths, and Substantiated Cases of Child Abuse - Amended to reflect that aggregate data on serious injuries, deaths, and substantiated cases of child abuse that have occurred in child care settings each year are posted for licensed child care programs on the Lead Agency’s consumer education website. North Dakota remains out of compliance for Section 2.3.8 for your FY 2019-2021 CCDF Plan, and, therefore still subject to the notice of non-compliance issued on April 12, 2019 until all CCDF requirements are met.

- Section 2.6.1 - Consumer and Provider Education – Consumer Statement - Amended to reflect that the Lead Agency provides CCDF parents with a consumer statement that contains specific information about the child care provider they select. North Dakota remains out of compliance for Section 2.6.1c for your FY 2019-2021 CCDF Plan, and, therefore still subject to the notice of non-compliance issued on April 12, 2019 until all CCDF requirements are met.

- Section 3.4.1 – Family Contribution to Payment/Sliding Fee Scale - Amended to reflect an increase in the Lead Agency’s family co-payments based on family size and income.

- Section 5.2.2 – Health and Safety Standards for CCDF Providers - Amended to reflect that health and safety standards for programs serving children receiving CCDF assistance are defined and established on some required topics. Please note, North Dakota remains out of compliance for Section 5.2.2a 7 for your FY 2019-2021 CCDF Plan, and, therefore still subject to the notice of non-compliance issued on April 12, 2019 until all CCDF requirements are met.

- Section 5.2.5 – Health and Safety Requirements – Ongoing Health and Safety Training - Amended to reflect the ongoing health and safety training requirements for programs serving children receiving CCDF assistance. Approval of this amendment indicates that North Dakota’s CCDF Plan demonstrates compliance with the Final Rule.

- Section 5.3.1 – Enforcement of Licensing and Health and Safety Requirements - Amended to reflect that the Lead Agency has procedures to ensure CCDF providers comply with applicable health and safety requirements. Approval of this amendment indicates that North Dakota’s CCDF Plan demonstrates compliance with the Final Rule.

Additionally, this letter also documents the updated status for Section 5.4, Criminal Background Checks. We acknowledge your efforts in implementing milestone requirements
and congratulate you on this achievement. Approval of these amendments indicates that North Dakota’s CCDF Plan demonstrates compliance with the Final Rule and is no longer under a waiver for these requirements.

- Checks of the National Crime Information Center (NCIC) National Sex Offender Registry (NSOR)
  - Conducting checks on all current (existing) staff (5.4.5b)

- Checks of the criminal registry or repository in any other state where the individual has resided in the past five years
  - Establishing requirements and procedures (5.4.6a)
  - Conducting checks on all new (prospective) staff (5.4.6a)
  - Conducting checks on all current (existing) staff (5.4.6b)

- Checks of the sex offender registry in any other state where the individual has resided within the past five years
  - Conducting checks on all current (existing) staff (5.4.7b)

The effective dates of September 30, 2019, October 1, 2019, and October 29, 2019 for these amendments to the North Dakota CCDF Plan are noted on the amendments log within the ACF-118 electronic submission site. If you have any questions or need further assistance, please feel free to contact Karen Knoll-Moran, Child Care Program Manager in our Denver Regional Office at (303) 844-1164 or Karen.KnollMoran@acf.hhs.gov.

We appreciate your efforts to meet the child care needs of eligible families in the State of North Dakota, and look forward to our continued partnership in the administration of your Child Care and Development Fund Program.

Sincerely,

[Signature]

Ellen C. Wheatley, Ph.D.
Deputy Director
Office of Child Care

cc: Amanda Carlson, Early Childhood Services Administrator, North Dakota Department of Human Services
Emily Hakanson, Child Care Assistance Program Administrator, North Dakota Department of Human Services
Karen Knoll-Moran, Regional Program Manager, Office of Child Care, Region VIII
Valentina Asare-Adjobeng, Regional Liaison, Office of Child Care