

Child Care and Development Fund (CCDF) Plan For North Dakota FFY 2019-2021

1 Define CCDF Leadership and Coordination with Relevant Systems

This section identifies the leadership for the CCDF program in each Lead Agency and the entities and individuals who will participate in the implementation of the program. It also identifies the stakeholders that were consulted to develop the Plan and who the Lead Agency collaborates with to implement services. In this section respondents are asked to identify how match and maintenance-of-effort (MOE) funds are identified. Lead Agencies explain their coordination with child care resource and referral (CCR&R) systems, and outline the work they have done on their disaster preparedness and response plans.

1.1 CCDF Leadership

The Governor of a State or Territory shall designate an agency (which may be an appropriate collaborative agency), or establish a joint inter-agency office, to represent the State (or Territory) as the Lead Agency. The Lead Agency agrees to administer the program in accordance with applicable Federal laws and regulations and the provisions of this Plan, including the assurances and certifications appended hereto. (658D, 658E(c)(1)). Note: An amendment to the CCDF State Plan is required if the Lead Agency changes or if the Lead Agency official changes.

1.1.1 Which Lead Agency is designated to administer the CCDF program?

Identify the Lead Agency or joint interagency office designated by the state or territory. ACF will send official grant correspondence, such as grant awards, grant adjustments, Plan approvals, and disallowance notifications, to the designated contact identified here (658D(a)).

Effective Date: 10/01/2018

a) Lead Agency or Joint Interagency Office Information:

Name of Lead Agency: North Dakota Department of Human Services

Street Address: 600 East Boulevard Avenue, Dept. 325

City: Bismarck

State: ND

ZIP Code: 58505-0250

Web Address for Lead Agency: <http://www.nd.gov/dhs/>

b) Lead Agency or Joint Interagency Official Contact Information:

Lead Agency Official First Name: Christopher

Lead Agency Official Last Name: Jones

Title: Executive Director

Phone Number: 701-328-2538

Email Address: dhsdeo@nd.gov

1.1.2 Who is the CCDF Administrator?

Identify the CCDF Administrator designated by the Lead Agency, the day-to-day contact, or the person with responsibility for administering the state's or territory's CCDF program. ACF will send programmatic communications, such as program announcements, program instructions, and data collection instructions, to the designated contact identified here. If there is more than one designated contact with equal or shared responsibility for administering the CCDF program, please identify the Co-Administrator or the person with administrative responsibilities and include his or her contact information.

Effective Date: 05/08/2020

a) CCDF Administrator Contact Information:

CCDF Administrator First Name: Carmen

CCDF Administrator Last Name: Traeholt

Title of the CCDF Administrator: ND Early Childhood Services Statewide Manager

Phone Number: 701-328-4010

Email Address: ctraeholt@nd.gov

Address for the CCDF Administrator (if different from the Lead Agency):

Street Address: 600 E. Boulevard Ave, Dept. 201

City: Bismarck

State: ND

ZIP Code: 58505-0440

b) CCDF Co-Administrator Contact Information (if applicable):

CCDF Co-Administrator First Name: Emily

CCDF Co-Administrator Last Name: Hakanson

Title of the CCDF Co-Administrator: Child Care Assistance Program Administrator

Description of the role of the Co-Administrator: Subsidy Administrator

Phone Number: 701-328-2337

Email Address: ehakanson@nd.gov

Address for the CCDF Co-Administrator (if different from the Lead Agency):

Street Address:

City:

State:

ZIP Code:

1.2 CCDF Policy Decision Authority

The Lead Agency has broad authority to administer (i.e., establish rules) and operate (i.e., implement activities) the CCDF program through other governmental, non-governmental, or public or private local agencies as long as it retains overall responsibility for the administration of the program (658D(b)). Administrative and implementation responsibilities undertaken by agencies other than the Lead Agency must be governed by written agreements that specify the mutual roles and responsibilities of the Lead Agency and other agencies in meeting the program requirements.

1.2.1 Which of the following CCDF program rules and policies are administered (i.e., set or established) at the state or territory level or local level? Identify whether CCDF program rules and policies are established by the state or territory (even if operated locally) or whether the CCDF policies or rules are established by local entities, such as counties or workforce boards (98.16(i)(3)). Check one.

Effective Date: 10/01/2018

- All program rules and policies are set or established at the state or territory level. If checked, skip to question 1.2.2.
- Some or all program rules and policies are set or established by local entities. If checked, indicate which entities establish the following policies. Check all that apply.

1. Eligibility rules and policies (e.g., income limits) are set by the:

- State or territory
- Local entity (e.g., counties, workforce boards, early learning coalitions).

If checked, identify the entity and describe the type of eligibility policies the local entity(ies) can set.

Other.

Describe:

2. Sliding-fee scale is set by the:

- State or territory
- Local entity (e.g., counties, workforce boards, early learning coalitions).

If checked, identify the entity and describe the type of eligibility policies the local entity(ies) can set.

Other.

Describe:

3. Payment rates are set by the:

- State or territory
- Local entity (e.g., counties, workforce boards, early learning coalitions).

If checked, identify the entity and describe the type of eligibility policies the local entity(ies) can set.

Other.

Describe:

4. Other. List and describe other program rules and policies and describe (e.g., quality rating and improvement systems [QRIS], payment practices):

1.2.2 How is the CCDF program operated? In other words, which entity(ies) implement or perform these CCDF services? Check all that apply

Effective Date: 10/01/2018

a) Who conducts eligibility determinations?

- CCDF Lead Agency
- Temporary Assistance for Needy Families (TANF) agency

- Other state or territory agency
- Local government agencies, such as county welfare or social services departments
- Child care resource and referral agencies
- Community-based organizations
- Other.

Describe

b) Who assists parents in locating child care (consumer education)?

- CCDF Lead Agency
- TANF agency
- Other state or territory agency
- Local government agencies, such as county welfare or social services departments
- Child care resource and referral agencies
- Community-based organizations
- Other.

Describe

c) Who issues payments?

- CCDF Lead Agency
- TANF agency
- Other state or territory agency
- Local government agencies, such as county welfare or social services departments
- Child care resource and referral agencies
- Community-based organizations
- Other.

Describe

1.2.3 Describe the processes the Lead Agency uses to monitor CCDF administration and implementation responsibilities performed by other agencies as reported above in 1.2.2, including written agreements, monitoring and auditing procedures, and indicators or measures to assess performance of those agencies (98.16(b)). Note : The contents of the written agreement may vary based on the role the agency is asked to assume or type of project, but must include at a minimum, tasks to be performed, schedule for completing tasks, budget which itemizes categorical expenditures in accordance with CCDF requirements, and indicators or measures to assess performance (98.11(a)(3)).

Effective Date: 10/01/2018

The Lead Agency utilizes local county social service offices to carry out the eligibility determination process for the Child Care Assistance Program (CCAP). The responsibilities and duties of the county social service boards are defined in North Dakota Century Code 50-01.2.

The Lead Agency utilizes a quality control unit to assess the performance of the county social services offices for the eligibility determination. The Quality Control Unit reviews a random sample of 30 cases from across the state each month. The results of the case reviews are shared with the CCAP Administrator. Based on the results of the case findings, policies and procedures may be reevaluated or trainings may be developed as necessary.

The Lead Agency has contracted with Lutheran Social Services of ND (LSSND) to delegate specific tasks of the CCDF grant. LSSND houses Child Care Aware of ND (Consumer Education and Referrals), Bright and Early ND [Quality Rating Improvement System (QRIS)] and ND Growing Futures (EC Workforce Registry). Each system listed reports to Lead Agency independently and is monitored per ND contract regulations, to include monthly monitoring of expenditures, scope of work activities, and addressing concerns regarding execution of contracted expectations.

Bright & Early ND (QRIS) reports to Lead Agency on a monthly basis the number of Coaching Visits; including time and content. Bright & Early ND reports on a quarterly basis the number of programs participating in QRIS - at each Step of the QRIS; program location according to designated regions; number of children (divided out by age group) being

impacted by QRIS; number of children receiving subsidy and number of children diagnosed with a special need. Report also lists current program movement within the system.

Child Care Aware of North Dakota provides quarterly reports to the Department of Human Services. These reports include referral statistics (# of phone and online referrals as well as unduplicated clients); provider activities that trigger database entries(# of completed business profile forms, change of address/phone, change of licensing status, entries related to licensing correction orders, new licenses/renewals and outgoing contacts to update provider files); professional learning services (count of web based and face to face courses by level, hours offered by type, completions by type, count of events by core competency, unique attendees, count of completions by attendee county, training completions by course and training type, and scholarships awarded); and child care technical assistance and coaching (# of consultation requests by service type, community inquiries, technical assistance and coaching onsite visits, and compliance referrals). Whenever possible mission moments are included that capture results or benefits of services.

Bright & Early ND (Quality Rating & Improvement System) and Child Care Aware of ND have an MOU for Child Care Aware of ND to conduct required coaching tied to the QRIS. Bright & Early ND monitors coaching and technical assistance given to QRIS programs and collects data for a monthly report showing coaching tied to QRIS activity. This report is shared with Child Care Aware of ND and submitted to the Lead Agency monthly.

Lead Agency meets with managers of Child Care Aware of ND, Bright & Early ND and ND Growing Futures monthly for program updates and ongoing communication efforts along with progress updates on the CCDF Work Plan.

1.2.4 Lead Agencies must assure that, to the extent practicable and appropriate, any code or software for child care information systems or information technology for which a Lead Agency or other agency expends CCDF funds to develop must be made available on request to other public agencies, including public agencies in other States, for their use in administering child care or related programs (98.15(a)(11)).

Effective Date: 10/01/2018

Assure by describing how the Lead Agency makes child care information systems available to public agencies in other states to the extent practicable and appropriate.

The Lead Agency will be maintaining two systems for the the Child Care Assistance Program (CCAP) due to the Lead Agency developing a new combined program eligibility system. The Lead Agency maintains the current system and utilizes CCDF funds for system changes. The new eligibility system is currently not funded with CCDF funds during the development phase of the project. Upon completion of the new system, CCDF funds will be utilized for changes and maintenance of the new system. Upon request, coding or software related to both systems will be made available to public agencies and other states.

The Growing Futures Early Childhood Workforce Registry is the state system for approving, tracking, and reporting training that is accepted for child care licensing as well as participation in state programs such as Bright & Early ND and various Child Care Aware ND projects. Growing Futures maintains permanent records of all training attendance since 2008 and makes those records available to the Lead Agency and to licensers online 24/7. Licensers are able to log in to the Growing Futures data system to view an individual's training history, updated in real time to provide the most current information. A special report has been developed specific to licensing, called the DHS Licensing Report. The report is organized to allow licensers to quickly see an individual's completion of state required training such as the 15-hour introductory training called Getting Started, and annual training organized in yearly blocks by Core Competency areas and training tiers. The report also shows formal credits in Early Childhood when that data has been verified by the Growing Futures Registry. Duplicate or repeated training is highlighted to assist licensers in correctly determining compliance with annual training completion. In addition to tracking and reporting all training attendance, Growing Futures maintains professional profiles for individuals who have chosen to expand their basic training record to include additional professional information. A membership profile may include verification of professional qualifications such as credentials and degrees, formal coursework completed in Early Childhood and/or applicable to working with children in the early childhood period, employment history, and professional involvements. Currently, there are over 4300 active membership accounts in the Growing Futures Registry. The Registry also maintains data on organizations, including licensed child care programs and other entities involved in early childhood services. Organizations that provide training to the Early Childhood workforce

must be pre-approved by the Growing Futures Registry before the training they provide can be accepted for child care licensing. All data related to the training these organizations deliver is verified by the Registry. Growing Futures has developed a series of reports specific to CCDF reporting for the Lead Agency, which provide data on the early childhood workforce pulled from Registry basic and membership accounts as well as organization and training information. Growing Futures is in the process of establishing a link to the reports that will be available online to the Lead Agency via a private login. These reports address total numbers of approved training, training attendance at all approved event, work force demographics, work force employment data, and work force career development such as verified completion of credentials, degrees, and other professional qualifications. The reports are searchable by data range. This information, including total number of active memberships, listing of approved trainings, organizations able to provide Growing Futures approved trainings, etc., is available to public entities and other states via the Lead Agency.

Effective Date: 10/01/2018

1.2.5 Lead Agencies must have in effect policies to govern the use and disclosure of confidential and personally identifiable information about children and families receiving CCDF assistance and child care providers receiving CCDF funds (98.15(b)(13)).

Effective Date: 10/01/2018

Certify by describing the Lead Agency's policies related to the use and disclosure of confidential and personally identifiable information.

The Lead Agency maintains policies on confidentiality regarding families receiving CCDF through an Administrative Procedures for Economic Assistance and Health Care Coverage Programs combined policy manual. The policy prohibits the disclosure of any information about persons applying for or receiving assistance under any program administered by the department if the information is not for purposes directly connected with the administration of an Economic Assistance program, Medicaid, or Healthy Steps. If a CCDF family would like their information to be accessible to any person, child care provider, or program administered outside of Economic Assistance or Medicaid, the household must sign an authorization of

disclosure before the information can be shared. The Lead Agency maintains policies on confidentiality regarding providers receiving CCDF through the Early Childhood Services Policies and Procedures policy manual. The policy dictates the information that may not be disclosed to the public, the information that may be used in determining corrective action, and the public nature of licensing records. A provider's licensing record is generally an open record under North Dakota law. However, there is likely information contained in the records that is considered confidential and must be redacted if an open records request is made.

Effective Date: 10/01/2018

1.3 Consultation in the Development of the CCDF Plan

The Lead Agency is responsible for developing the CCDF plan, which serves as the application for a 3-year implementation period. As part of the Plan development process, Lead Agencies must consult with the following:

(1) Appropriate representatives of units of general purpose local government-(658D(b)(2); 98.10(c); 98.12(b); 98.14(b)). General purpose local governments are defined by the U.S. Census at https://www.census.gov/newsroom/cspan/govts/20120301_cspan_govts_def_3.pdf.

(2) The State Advisory Council (SAC) on Early Childhood Education and Care (pursuant to 642B(b)(1)(A)(i) of the Head Start Act) (658E(c)(2)(R); 98.15(b)(1)) or similar coordinating body pursuant to 98.14(a)(1)(vii).

(3) Indian tribe(s) or tribal organization(s) within the state. This consultation should be done in a timely manner and at the option of the Indian tribe(s) or tribal organization(s) (658D(b)(1)(E)).

Consultation

involves meeting with or otherwise obtaining input from an appropriate agency in the development of the state or territory CCDF Plan. Describe the partners engaged to provide

services under the CCDF program in question 1.4.1.

1.3.1 Describe the Lead Agency's consultation in the development of the CCDF plan.

Effective Date: 10/01/2018

a) Describe how the Lead Agency consulted with appropriate representatives of general purpose local governments.

The Lead Agency regularly meets with the Regional Representatives for Early Childhood Services and the County Social Service Directors Licensors. During these ongoing quarterly meetings, discussion of relevant issues pertinent to North Dakota's CCDF plan occur. Input by local governments is provided, much of which was included within this state plan submission. The Lead Agency involves local governments in such program areas as proposed policy/rule/law changes, training requirements and needs, increasing efficiencies in the licensing process, and growing high-quality child care options in the state. Whenever changes are proposed, the Lead Agency confers with and solicits input from county social service licensors, ECS regional representatives, and child care providers. Additionally, partners in the statewide delivery of early childhood services are included in these consultations.

An example of this process is the ongoing discussion and subsequent decisions made regarding revisions to the criminal background check policy for licensed child care providers. ECS regional representatives and county licensors provided needed feedback to the Lead Agency, which resulted in revisions to support local implementation of the policy, as well as supporting the state in coming into compliance with federal background check requirements.

b) Describe how the Lead Agency consulted with the State Advisory Council or similar coordinating body.

A State Advisory Council meeting was held on May 30 , 2018 to review the draft CCDF plan. Discussion took place around many aspects of the plan and the comments and feedback garnered from that discussion were taken into account and incorporated into the CCDF plan before it's submission.

c) Describe, if applicable, how the Lead Agency consulted with Indian tribes(s) or tribal organizations(s) within the state. Note: The CCDF regulations recognize the need for States to conduct formal, structured consultation with Tribal governments, including Tribal leadership. Many States and Tribes have consultation policies and procedures in place.

The Lead Agency meets with representatives from the four federally recognized ND tribes during the quarterly State and Tribes Enhancing Partnership Strategies (STEPS) meetings. These four tribes are: Mandan, Hidatsa, & Arikara Nation (Three Affiliated Tribes), the Spirit Lake Nation, the Standing Rock Sioux Tribe, and the Turtle Mountain Band of Chippewa Indians.

As part of these meetings, the CCDF plan is shared. The Lead Agency and Tribes determine common needs, identify opportunities for sharing resources, and discuss training opportunities available to child care providers located within the state's reservation communities.

d) Describe any other entities, agencies, or organizations consulted on the development of the CCDF plan.

The Lead Agency consulted with contracted agencies as well as the North Dakota Department of Public Instruction.

1.3.2 Describe the statewide or territory-wide public hearing process held to provide the public with an opportunity to comment on the provision of child care services under this Plan (658D(b)(1)(C); 98.16(f)).

Reminder:

Lead Agencies are required to hold at least one public hearing in the state or territory, with sufficient statewide or territory-wide distribution of notice prior to such a hearing to enable the public to comment on the provision of child care services under the CCDF Plan. At a minimum, this description must include:

Effective Date: 10/01/2018

a) Date of the public hearing. 07/30/2018

Reminder: Must be no earlier than January 1, 2018, which is 9 months prior to the October 1, 2018, effective date of the Plan. If more than one public hearing was held,

please enter one date (e.g. the date of the first hearing, the most recent hearing or any hearing date that demonstrates this requirement).

b) Date of notice of public hearing (date for the notice of public hearing identified in (a).
07/11/2018

Reminder: Must be at least 20 calendar days prior to the date of the public hearing. If more than one public hearing was held, enter one date of notice (e.g. the date of the first notice, the most recent notice or any date of notice that demonstrates this requirement).

c) How was the public notified about the public hearing? Please include specific website links if used to provide notice.

On July 11, 2018, a public notice was posted to the Lead Agency's website at <http://www.nd.gov/dhs/info/publicnotice/index.html>. On July 17, 2018 a press release was issued.

d) Hearing site or method, including how geographic regions of the state or territory were addressed. A hearing site was booked in most populous city in each of the state's identified regions. Each location was connected via a video conferencing system, with the hearing originating from Bismarck.

e) How the content of the Plan was made available to the public in advance of the public hearing. (e.g. the Plan was made available in other languages, in multiple formats, etc.) A copy of the draft plan was posted to the Lead Agency's website.

f) How was the information provided by the public taken into consideration regarding the provision of child care services under this Plan? A summary of public comments received will be posted to the Lead Agency's website. Public comments were taken into consideration by determining if any immediate changes could be made to the plan, or if the comments would involve a more long term program and policy evaluation and implementation.

1.3.3 Lead Agencies are required to make the submitted and final Plan, any Plan amendments, and any approved requests for temporary relief (i.e., waivers) publicly available on a website (98.14(d)). Please note that a Lead Agency must submit Plan amendments within 60 days of a substantial change in the Lead Agency's program. (Additional information may be found here: <https://www.acf.hhs.gov/occ/resource/pi-2009-01>)

Effective Date: 10/01/2018

a) Provide the website link to where the Plan, any Plan amendments, and/or waivers are available. Note: A Plan amendment is required if the website address where the Plan is posted is changed.

<http://www.nd.gov/dhs/info/pubs/childcarepub.html>

b) Describe any other strategies that the Lead Agency uses to make the CCDF Plan and Plan amendments available to the public (98.14(d)). Check all that apply and describe the strategies below, including any relevant website links as examples.

Working with advisory committees.

Describe:

The Lead Agency met with the Council on May 30, 2018 to review the plan.

Discussion, comments and feedback was recorded. The draft plan is provided to the Council during the public comment period and members are encouraged to forward to other stakeholders to elicit comments.

Working with child care resource and referral agencies.

Describe:

The draft plan is provided to resource and referral agencies with encouragement to post on their websites and forward to stakeholders to elicit comments.

Providing translation in other languages.

Describe:

Sharing through social media (e.g., Twitter, Facebook, Instagram, email).

Describe:

Providing notification to stakeholders (e.g., provider groups, parent groups).

Describe:

A press release is submitted to newspapers announcing the release of the draft document encouraging the public to review and submit comments to the Lead Agency.

Other.

Describe:

1.4 Coordination with Partners to Expand Accessibility and Continuity of Care

Lead Agencies are required to describe how the state or territory will efficiently, and to the extent practicable, coordinate child care services supported by CCDF with programs operating at the federal, state/territory, and local levels for children in the programs listed below. This includes programs for the benefit of Indian children, infants and toddlers, children with disabilities, children experiencing homelessness, and children in foster care (98.14(a)(1)).

1.4.1 Describe how the Lead Agency coordinates the provision of child care services with the following programs to expand accessibility and continuity of care and to assist children enrolled in early childhood programs in receiving full-day services that meet the needs of working families (658E(c)(2)(O); 98.12(a); 98.14(a)).

This list includes agencies or programs required by law or rule, along with a list of optional partners that Lead Agencies potentially would coordinate with over the next 3 years to expand accessibility and continuity of care and to assist children enrolled in early childhood programs in receiving full-day services.

Include in the descriptions the goals of this coordination, such as:

- extending the day or year of services for families;
- smoothing transitions for children between programs or as they age into school;
- enhancing and aligning the quality of services for infants and toddlers through school-age children;
- linking comprehensive services to children in child care or school age settings; or
- developing the supply of quality care for vulnerable populations (as defined by the Lead Agency) in child care and out-of-school time settings

Check the agencies or programs the Lead Agency will coordinate with and describe all that apply.

Effective Date: 10/01/2018

- ☑ (REQUIRED) Appropriate representatives of the general purpose local government, which can include counties, municipalities, or townships/towns.

Describe the coordination goals and process:

The Lead Agency coordinates with regional representatives of ECS, county licensors, child care providers, and contracted providers to ensure the state plan goals are met. This is accomplished through regular, quarterly meetings with the ECS regional representatives, who in turn share information and solicit feedback from the county social services licensors, as well as their local child care providers. When a process or work flow is cumbersome, or not achieving desired results, the Lead Agency and regional representatives will discuss it during the quarterly meetings and make necessary revisions to the process when warranted.

In addition to the quarterly meetings, the ECS regional representatives have twice-monthly conference calls to discuss and resolve any concerns related to program areas, such as licensing, training, etc. The Lead Agency participates during these regularly-scheduled calls as needed.

Additionally, the Lead Agency meets directly with county social services licensors on an annual basis to discuss and collaborate regarding any proposed policy/rule/law changes. The ECS regional representatives and contracted providers also attend this annual meeting to facilitate communication between all entities.

- ☑ (REQUIRED) State Advisory Council on Early Childhood Education and Care (or similar coordinating body) (pursuant to 642B(b)(1)(A)(i) of the Head Start Act).

Describe the coordination goals and process:

The Early Childhood Services Advisory Board meets twice annually, and works diligently to enhance and grow early childhood services in North Dakota. The ECS Advisory Board's priorities include:

1. Reviewing the availability and provision of early childhood education, care, and services in this state;
2. Identifying opportunities for public and private sector collaboration in the provision of early childhood education, care, and services in this state;
3. Identifying ways to assist with the recruitment and retention of individuals interested in working as providers of early childhood education, care, and services, including training and continuing education or professional development opportunities;

4. Seeking the advice and guidance of individuals who are uniquely familiar with the nature, scope, and associated challenges of providing early childhood education, care, and services in geographically and socioeconomically diverse settings, and develop recommendations pertaining to the short-term and longer-term improvement and expansion of early childhood education, care, and services in this state; and
5. Providing a biennial report regarding its findings and recommendations to the governor and the legislative assembly.

The ECS Advisory Board meetings provide opportunities for public input and interagency collaboration with representation from other state departments, as well as other private and public sector agencies involved either directly or peripherally with early childhood services. The ECS Advisory Board meetings are published in advance and are open to the public.

- Check here if the Lead Agency has official representation and a decision-making role in the State Advisory Council or similar coordinating body.
- (REQUIRED) Indian tribe(s) and/or tribal organization(s), at the option of individual tribes.

Describe the coordination goals and process, including which tribe(s) was consulted:

The Lead Agency meets with representatives from the four federally recognized ND tribes during the quarterly State and Tribes Enhancing Partnership Strategies (STEPS) meetings. These four tribes are: Mandan, Hidatsa, & Arikara Nation (Three Affiliated Tribes), the Spirit Lake Nation, the Standing Rock Sioux Tribe, and the Turtle Mountain Band of Chippewa Indians.

Plans for early childhood services are discussed at these ongoing regularly scheduled meetings. In addition, the Lead Agency works closely with the North Dakota Indian Affairs Commission to enhance services and collaboration with the tribes throughout North Dakota.

- N/A-There are no Indian tribes and/or tribal organizations in the State.
- (REQUIRED) State/territory agency(ies) responsible for programs for children with special needs, including early intervention programs authorized under the Individuals with Disabilities Education Act (Part C for infants and toddlers and and Part B, Section 619 for preschool).

[Describe the coordination goals and process:](#)

The ECS Administrator serves on the Interagency Coordinating Council (ICC). The Lead Agency also leads an inclusion support program in collaboration with the ND Center for Persons with Disabilities, Child Care Aware, and the Department of Commerce. The Lead Agency consistently consults with DHS-Part C and Department of Public Instruction (DPI)-619 regarding a variety of topics, all with the intention of enhancing coordination & collaboration. DHS (to include both Early Childhood Services & Part C) and DPI collaborate to provide trainings, develop smarter systems amongst programs and agencies, as well as provide cross-department opportunities for professionals to gather, network and learn together. DHS & DPI, along with other state entities have been planning implementation for MTSS in North Dakota. "Early MTSS" has consulted with ND MTSS for initial information gathering and technical assistance and the stakeholders are currently sharing their individual program plans in order to remove duplication and combine resources.

[\(REQUIRED\) State/territory office/director for Head Start state collaboration.](#)

[Describe the coordination goals and process:](#)

The Lead Agency collaborates with federal Technical Assistance, the Head Start state collaboration office (housed in DPI), and statewide stakeholders to advance the goals of the IMPACT Project. This group is tasked with examining the current quality rating and improvement system (QRIS) in ND in order to accomplish the goal of improved and increased quality care for infants and toddlers.

In addition to this work, the Lead Agency works directly with the ND Head Start/EHS Collaboration office in the development of child care/EHS partnerships, shared professional development opportunities, and the development of alternative paths through the quality rating and improvement system.

[\(REQUIRED\) State agency responsible for public health, including the agency responsible for immunizations.](#)

[Describe the coordination goals and process:](#)

The Department of Health (State agency responsible for public health) and the Lead Agency coordinate regularly regarding a variety of topics, including inspections, licensing and providing safe and healthy environments for children. Work continues to align the inspection requirements for child care licensing and DoH in terms of

kitchen/food preparation, fire inspections, etc. Department of Health and Lead Agency consulted and agreed on the grace period allowed to obtain immunization records for families experiencing homelessness.

- (REQUIRED) State/territory agency responsible for employment services/workforce development.

Describe the coordination goals and process:

The Lead Agency, in partnership with Child Care Aware of North Dakota, coordinates with ND Job Service locations so information on finding child care, starting child care, and supporting individuals interested in job training in the field of early care and education are shared jointly. Child Care Aware of North Dakota has a link on the Jobs ND website, which links to First Link 211, a database of community resources.

- (REQUIRED) State/territory agency responsible for public education, including prekindergarten (preK).

Describe the coordination goals and process:

The Lead Agency works closely with DPI's Office of Early Learning (DPI OEL). Currently, the Lead Agency is actively involved with Impact Project, DPI's Strategic Plan and coordinating the QRIS system to include not only child care settings, but preschool setting as well. Just recently, the Lead Agency played a critical role in aligning with DPI OEL and jointly issuing the Early Learning Guidelines, to give clearer instruction and direction to professionals across ND both in educational fields and in child care.

- (REQUIRED) State/territory agency responsible for child care licensing.

Describe the coordination goals and process:

The CCDF administrator is called the Early Childhood Services Administrator in ND and is also responsible for child care licensing. The CCDF requirements are taken into account with all child care licensing decisions.

- (REQUIRED) State/territory agency responsible for the Child and Adult Care Food Program (CACFP) and other relevant nutrition programs.

Describe the coordination goals and process:

During the State Advisory Council, the Child and Adult Care Food Program (CACFP) provides updates to child care licensing stakeholders regarding nutrition

regulations/rules, which are implemented across the state in child care settings. CACFP and the Lead Agency collaborate outside of the State Advisory Council meetings as needs/questions come up. The Lead Agency also meets with the American Heart Association, to discuss their role in advocacy regarding screen time, no sugar beverages, increased physical activity, etc. and to ensure alignment with CCDF rules & regulations.

- (REQUIRED) McKinney-Vento state coordinators for homeless education and other agencies providing services for children experiencing homelessness and, to the extent practicable, local McKinney-Vento liaisons.

Describe the coordination goals and process:

The Lead Agency and Child Care Aware of North Dakota continue to meet with the McKinney-Vento State Coordinator for homeless education to work on consistently, accurately and effectively identifying families experiencing homelessness, as well as coordinating professional development for child care providers so they can best support the children and their families that are experiencing homelessness.

- (REQUIRED) State/territory agency responsible for the Temporary Assistance for Needy Families program.

Describe the coordination goals and process:

Temporary Assistance for Needy Families (TANF) is under the same division as the Child Care Assistance Program (CCAP), which is housed in the same Department (DHS) as the Lead Agency. To coordinate as effectively as possible for families, the Lead Agency maintains a joint program application with TANF and CCAP, in addition to other needs based programs. The TANF and CCAP administrators both serve in division meetings with the ECS Administrator, with the goal to align policies and procedures to the extent practicable to make the application and eligibility determination process for families simpler across programs. The Lead Agency coordinates with the TANF administrators by reviewing and providing feedback on proposed policies and procedures, participating in policy and procedure building and alignment meetings and participating in joint system development meetings.

- (REQUIRED) Agency responsible for Medicaid and the state Children's Health Insurance Program.

[Describe the coordination goals and process:](#)

Medicaid and the State's Children's Health Insurance Program (CHIP) are under the same division as the Child Care Assistance Program (CCAP), all of which are housed in the same Department (DHS) as the Lead Agency. To coordinate as effectively as possible for families, the Lead Agency maintains a joint program application that contains Medicaid, CHIP and CCAP, in addition to other needs based programs. The Medicaid and CHIP administrators both serve in division meetings along with the ECS Administrator, with the goal to align policies and procedures to the extent practicable to make the application and eligibility determination process for families simpler across programs. The Lead Agency coordinates with the Medicaid and CHIP administrators by reviewing and providing feedback on proposed policies and procedures, participating in policy and procedure building and alignment meetings and participating in joint system development meetings.

[\(REQUIRED\) State/territory agency responsible for mental health](#)

[Describe the coordination goals and process:](#)

The Lead Agency and the Behavioral Health Division are housed in the same Department (DHS) and work collaboratively to coordinate professional development opportunities for child care providers, as well as how to enhance behavioral health services in child care settings. The Children's Behavioral Health Administrator and the Lead Agency collaborate at multiple initiatives lead by both DHS & DPI to ensure coordination of services, consistent policy development and process implementation.

[\(REQUIRED\) Child care resource and referral agencies, child care consumer education organizations, and providers of early childhood education training and professional development.](#)

[Describe the coordination goals and process:](#)

The Lead Agency contracts with Lutheran Social Services of North Dakota which operates Child Care Aware of North Dakota. Child Care Aware of North Dakota assists families in their search for and understanding of quality child care(Consumer Education); builds the knowledge and skills of early childhood practitioners through professional learning services and coaching (Growing Futures); supports communities in developing innovative strategies to expand the capacity of care to meet families' needs; plus advocates for public and private investment in child care. A biennium work plan reflects CCDF requirements, shared goals and strategies for implementing them.

- (REQUIRED) Statewide afterschool network or other coordinating entity for out-of-school time care (if applicable).

Describe the coordination goals and process:

The Lead Agency and the leaders of ND's Afterschool Network continue to explore ways to collaborate & coordinate services, as well as ensure qualified personnel to provide care. . The Lead Agency contracts with Lutheran Social Services of North Dakota, which operates Child Care Aware of North Dakota, the Growing Futures Early Childhood Workforce Registry, and North Dakota's QRIS Bright and Early. The Growing Futures Registry approves and tracks training sponsored by the After-School Network and maintains records of training completion for school-aged providers who work in programs licensed by the Lead Agency.

- (REQUIRED) Agency responsible for emergency management and response.

Describe the coordination goals and process:

The Risk Manager within the Lead Agency is the liaison with the ND Department of Emergency Management. He actively works with the Department of Emergency Services (DES) to develop and enhance plans to ensure agencies licensed through the early childcare services have adequate plans in the event there is a disaster.

The following are examples of optional partners a state might coordinate with to provide services. Check all that apply.

- State/territory/local agencies with Early Head Start - Child Care Partnership grants.

Describe

The ECS Administrator and HSSCO meet regularly to discuss early childhood initiatives in ND and provide leadership to the ND Professional Development Plan and the Early Childhood Data Committee. The HSSCO is consulted during the development of the CCDF Plan and when any revisions are necessary. The Lead Agency supports Mayville State University in working with child care centers across the state as part of the Early Head Start - Child Care Partnership grants. CCAP assists EHS eligible families by paying providers who are participating in the partnership program at the full time rate, regardless of actual hours of care received by the child and waives the co-pay requirements for these families. Currently, the

Lead Agency has agreed to assist up to 50 children, ages birth through three years of age.

- State/territory institutions for higher education, including community colleges

Describe

Lead Agency is part of the Early Childhood Higher Education Consortium. This consortium consists of the Lead Agency, representation from Department of Public Instruction, Head Start, state colleges and universities, ND QRIS (Bright & Early ND), ND Workforce Registry (ND Growing Futures) and Child Care Aware of ND.

- Other federal, state, local, and/or private agencies providing early childhood and school-age/youth-serving developmental services.

Describe

- State/territory agency responsible for implementing the Maternal and Child Home Visitation programs grant.

Describe

The ECS Administrator serves on the ND Home Visiting Coalition advisory council. The Lead Agency also partners with home visiting programs through shared efforts to support implementation of the early learning guidelines and professional development opportunities.

- Agency responsible for Early and Periodic Screening, Diagnostic, and Treatment.

Describe

- State/territory agency responsible for child welfare.

Describe

- State/territory liaison for military child care programs.

Describe

- Provider groups or associations.

Describe

- Parent groups or organizations.

Describe

- Other.

Describe

1.5 Optional Use of Combined Funds, CCDF Matching and Maintenance-of-Effort Funds

Optional Use of Combined Funds:

States and territories have the option to combine CCDF funds with any program identified as required in 1.4.1. These programs include those operating at the federal, state, and local levels for children in preschool programs, tribal early childhood programs, and other early childhood programs, including those serving infants and toddlers with disabilities, children experiencing homelessness, and children in foster care (658E(c)(2)(O)(ii)). Combining funds could include blending multiple funding streams, pooling funds, or layering funds together from multiple funding streams to expand and/or enhance services for infants, toddlers, preschoolers and school-age children and families to allow for the delivery of comprehensive quality care that meets the needs of children and families. For example, state/territory agencies may use multiple funding sources to offer grants or contracts to programs to deliver services; a state/territory may allow a county/local government to use coordinated funding streams; or policies may be in place that allow local programs to layer CCDF funds with additional funding sources to pay for full-day, full-year child care that meets Early Head Start/Head Start Program Performance Standards or state/territory prekindergarten requirements in addition to state/territory child care licensing requirements.

As a reminder, CCDF funds may be used in collaborative efforts with Head Start programs to provide comprehensive child care and development services for children who are eligible for both programs. In fact, the coordination and collaboration between Head Start and CCDF is strongly encouraged by sections 640(g)(1)(D) and (E); 640(h); 641(d)(2)(H)(v); and 642(e)(3) of the Head Start Act in the provision of full working day, full calendar year comprehensive services. To implement such collaborative programs, which share, for example, space, equipment, or materials, grantees may layer several funding streams so that seamless services are provided (Policy and Program Guidance for the Early Head Start ' Child Care Partnerships:

https://www.acf.hhs.gov/sites/default/files/occ/acf_im_ohs_15_03.pdf
).

1.5.1 Does the Lead Agency choose to combine funding for CCDF services for any required early childhood program (98.14(a)(3))?

Effective Date: 10/01/2018

No (If no, skip to question 1.5.2)

Yes. If yes, describe at a minimum:

a) How you define "combine"

b) Which funds you will combine

c) Your purpose and expected outcomes for combining funds, such as extending the day or year of services available (i.e., full-day, full-year programming for working families), smoothing transitions for children, enhancing and aligning quality of services, linking comprehensive services to children in child care or developing the supply of child care for vulnerable populations

d) How you will be combining multiple sets of funding, such as at the State/Territory level, local level, program level?

e) How are the funds tracked and method of oversight

1.5.2 Which of the following funds does the Lead Agency intend to use to meet the CCDF matching and MOE requirements described in 98.55(e) and 98.55(h)?

Note:

The Lead Agency must check at least public and/or private funds as matching, even if preK funds also will be used.

Use of PreK for Maintenance of Effort: The CCDF final rule clarifies that public preK funds may

also serve as maintenance-of-effort funds as long as the state/territory can describe how it will coordinate preK and child care services to expand the availability of child care while using public preK funds as no more than 20 percent of the state's or territory's maintenance of effort or 30 percent of its matching funds in a single fiscal year (FY) (98.55(h)). If expenditures for preK services are used to meet the maintenance-of-effort requirement, the state/territory must certify that it has not reduced its level of effort in full-day/full-year child care services (98.55(h)(1); 98.15(a)(6)).

Use of Private Funds for Match or Maintenance of Effort: Donated funds do not need to be under the administrative control of the Lead Agency to qualify as an expenditure for federal match. However, Lead Agencies do need to identify and designate in the state/territory Plan the donated funds given to public or private entities to implement the CCDF child care program (98.55(f)).

Effective Date: 10/01/2018

- N/A - The territory is not required to meet CCDF matching and MOE requirements
- Public funds are used to meet the CCDF matching fund requirement. Public funds may include any general revenue funds, county or other local public funds, state/territory-specific funds (tobacco tax, lottery), or any other public funds.

-- If checked, identify the source of funds:

A combination of general revenue funds and retained funds are used.

-- If known, identify the estimated amount of public funds that the Lead Agency will receive: \$

- Private donated funds are used to meet the CCDF matching funds requirement. Only private funds received by the designated entities or by the Lead Agency may be counted for match purposes (98.53(f)).

-- If checked, are those funds:

- donated directly to the State?
- donated to a separate entity(ies) designated to receive private donated funds?

-- If checked, identify the name, address, contact, and type of entities designated to receive private donated funds:

-- If known, identify the estimated amount of private donated funds that the Lead Agency will receive: \$

- State expenditures for preK programs are used to meet the CCDF matching funds requirement.

If checked, provide the estimated percentage of the matching fund requirement that will be met with preK expenditures (not to exceed 30 percent):

-- If the percentage is more than 10 percent of the matching fund requirement, describe how the State will coordinate its preK and child care services:

-- If known, identify the estimated amount of preK funds that the Lead Agency will receive for the matching funds requirement: \$

-- Describe the Lead Agency efforts to ensure that preK programs meet the needs of working parents:

- State expenditures for preK programs are used to meet the CCDF maintenance-of-effort requirements. If checked,

-- The Lead Agency assures that its level of effort in full-day/full-year child care services has not been reduced, pursuant to 98.55(h)(1) and 98.15(6).

No

Yes

-- Describe the Lead Agency efforts to ensure that preK programs meet the needs of working parents:

-- Estimated percentage of the MOE Fund requirement that will be met with preK expenditures (not to exceed 20 percent):

-- If the percentage is more than 10 percent of the MOE requirement, describe how the State will coordinate its preK and child care services to expand the availability of child care:

-- If known, identify the estimated amount of preK funds that the Lead Agency will receive for the MOE Fund requirement: \$

1.6 Public-Private Partnerships

Lead Agencies are required to describe how they encourage public-private partnerships among other public agencies, tribal organizations, private entities, faith-based organizations, businesses or organizations that promote business involvement, and/or community-based organizations to leverage existing service delivery (i.e., cooperative agreement among providers to pool resources to pay for shared fixed costs and operation) (658E(c)(2)(P)). ACF expects these types of partnerships to leverage public and private resources to further the goals of the CCDBG Act. Lead Agencies are required to demonstrate how they encourage public-private partnerships to leverage existing child care and early education service-delivery systems and to increase the supply and quality of child care services for children younger than age 13, for example, by implementing voluntary shared service alliance models (98.14(a)(4)).

1.6.1 Identify and describe the entities with which and the levels at which the state/territory is partnering (level-state/territory, county/local, and/or programs), the goals of the partnerships, the ways that partnerships are expected to leverage existing service-delivery systems, the method of partnering, and examples of activities that have resulted from these partnerships (98.16(d)(2)).

As a result of participating in a Business Collaboratory sponsored by First Children's Finance in October 2017, the Lead Agency in partnership with Child Care Aware of North Dakota has developed a state plan to improve and support child care provider business practices. Child Care Aware of North Dakota has reviewed and updated curriculum for the Start Child Care initiative and has developed curriculum for a new initiative, Building Quality. Both initiatives have a business focus. Technical Assistance is providing in the Start Child Care Initiative and a coaching approach is used with programs participating in Building Quality to identify goals based on a business check-up involving the use of the BAS/PAS materials and a health and checklist. Child Care Aware participated on panels at the Economic Impact of Child Care in Your Community summit, held in Bismarck, ND. Community members, county directors, financial institutions, Department of Agriculture, school districts and town leaders listened to descriptions of projects successfully being implemented using the resources of every entity represented at the conference. New Americans in Region 5 are grateful for help in setting up their child care businesses, creating contracts, policies, establishing schedules and setting up their environments. A Child Care Aware consultant worked with the Jeremiah Program that opened in January. This program offers one of the nation's most successful

strategies for transforming families from poverty to prosperity two generations at a time. They help prepare determined single mothers to excel in the workforce, ready their children to succeed in school, and reduce generational dependence on public assistance. They have on-site housing and a licensed child development center.

Effective Date: 10/01/2018

1.7 Coordination With Local or Regional Child Care Resource and Referral Systems

Lead Agencies may use CCDF funds to establish or support a system of local or regional child care resource and referral (CCR&R) organizations that is coordinated, to the extent determined by the state/territory, by a statewide public or private non-profit, community-based or regionally based, lead child care resource and referral organization (such as a statewide CCR&R network) (658E(c)(3)(B)(iii); 98.52).

- If Lead Agencies use CCDF funds for local CCR&R organizations, the local or regional CCR&R organizations supported by those funds must, at the direction of the Lead Agency, provide parents in the State with consumer education information concerning the full range of child care options (including faith-based and community-based child care providers), analyzed by provider, including child care provided during non-traditional hours and through emergency child care centers, in their area.
- To the extent practicable, work directly with families who receive assistance to offer the families support and assistance to make an informed decision about which child care providers they will use to ensure that the families are enrolling their children in the most appropriate child care setting that suits their needs and one that is of high quality (as determined by the Lead Agency).
- Collect data and provide information on the coordination of services and supports, including services under Section 619 and Part C of the Individuals with Disabilities Education Act;
- Collect data and provide information on the supply of and demand for child care services in areas of the state and submit the information to the State;
- Work to establish partnerships with public agencies and private entities, including faith-based

and community-based child care providers, to increase the supply and quality of child care services in the state and, as appropriate, coordinate their activities with the activities of the state Lead Agency and local agencies that administer funds made available through CCDF (98.52(b)).

Nothing in the statute or rule prohibits States from using CCR&R agencies to conduct or provide additional services beyond those required by statute or rule.

Note: Use 1.7.1 to address if a state/territory funds a CCR&R organization, what services are provided and how it is structured and use section 7.6.1 to address the indicators of progress met by CCR&R organizations if they are funded by quality set-aside funds.

1.7.1 Does the Lead Agency fund a system of local or regional CCR&R organizations?

Effective Date: 10/01/2018

No. The state/territory does not fund a CCR&R organization(s) and has no plans to establish one.

Yes. The state/territory funds a CCR&R system. If yes, describe the following:

a) What services are provided through the CCR&R organization?

Child care referrals and consumer education are available in person, via the phone or 24/7 via the internet. A robust website includes consumer education, resources on numerous topics to support individuals operating childcare programs, data on child care, etc. Additional services include training for the childcare workforce, technical assistance for starting a child care business and continuing to run that business once in operation, technical assistance and coaching to keep children healthy and safe in child care, technical assistance to communities interested in developing innovative strategies to expand the capacity of child care, and consultation with non-compliant licensed child care programs. Child Care Aware also manages grants, scholarships, quality initiatives such as infant/toddler, and other opportunities. Child Care Aware of North Dakota is the entity that provides coaching to programs participating in the QRIS.

b) How are CCR&R services organized, include how many agencies, if there is a statewide network and if the system is coordinated?

A single statewide contract has been awarded to Lutheran Social Services of North

Dakota who operates Child Care Aware of North Dakota. Child Care Aware employees office in five hub cities across the state with a handful of teleworking employees. Child Care Aware of North Dakota has five service teams - Parent Services; Professional Learning Services; Child Care Wellness Services; Community Engagement and Building Quality Services; and Continuous Quality Improvement Services.

1.8 Disaster Preparedness and Response Plan

Lead Agencies are required to establish a Statewide Child Care Disaster Plan (658E(c)(2)(U)). They must demonstrate how they will address the needs of children'including the need for safe child care, before, during, and after a state of emergency declared by the Governor or a major disaster or emergency (as defined by Section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5122)'through a Statewide Disaster Plan that, for a State, is developed in collaboration with the State human services agency, the State emergency management agency, the State licensing agency, the State health department or public health department, local and State child care resource and referral agencies, and the State Advisory Council on Early Childhood Education and Care (designated or established pursuant to section 642B(b)(l)(A)(i) of the Head Start Act (42 U.S.C. 9837b(b)(1)(A)(i))) or similar coordinating body (98.16(aa)).

1.8.1 Describe how the Statewide Child Care Disaster Plan was developed in collaboration with the State human services agency, the State emergency management agency, the State licensing agency, the State health department or public health department, local and State child care resource and referral agencies, and the State Advisory Council on Early Childhood Education and Care or similar coordinating body:

The Lead Agency coordinates with The North Dakota Department of Emergency Services (NDDDES.) It houses the Operations and Planning Section, which develops response plans and provides planning guidance to local and tribal governments. With guidance and applicable laws, the goal is to integrate the Incident Command/Unified Command system (ICS/UCS) into incident, emergency, disaster or catastrophic response operations and plans. The North Dakota Department of Human Services Emergency preparedness plan would fall under this larger state operation. The plan was specifically developed to include the entire child care system, including licensed and nonlicensed providers in facilities or homes. The

plan also addresses communications internally and externally to recipients and providers. Child Care Aware of North Dakota, the Office of Public Assistance. DHS Disaster Preparedness Administrator, ND Regional Supervisors and county licensors also participated in the creation of the Early Childhood Services Emergency Preparedness plan.

Effective Date: 10/01/2018

1.8.2 Describe how the Statewide Disaster Plan includes the Lead Agency's guidelines for the continuation of child care subsidies and child care services, which may include the provision of emergency and temporary child care services during a disaster and temporary operating standards for child care after a disaster:

The North Dakota Department of Human Services Emergency preparedness plan would fall under this larger state operation. The plan was specifically developed to include the entire child care system, including licensed and nonlicensed providers in facilities or homes. The plan also addresses communications internally and externally to recipients and providers. Child Care Aware of North Dakota, the Office of Public Assistance. DHS Disaster Preparedness Administrator, ND Regional Supervisors and county licensors also participated in the creation of the Early Childhood Services Emergency Preparedness plan.

Effective Date: 10/01/2018

1.8.3 Describe Lead Agency procedures for the coordination of post-disaster recovery of child care services:

Below is a list of the core processes and functions which have been assessed as critical to the mission of the N. D. Department of Human Services Early Childhood Services Program and Economic Assistance Policy Division - Child Care Assistance Unit. These agencies will continue core Child Care Development Fund functions during and after a disaster. Ensure the health and safety of providers and children in care. Issue subsidy payments promptly to providers and families Ensure business continuity internally and externally Maintain

recipient/provider confidence Provide support to county social service boards.

There is a possibility that change in providers during the disaster will cause payment problems. County social services will be able to answer these questions based on direction of the state Child Care Assistance Office.

The Lead Agency has prioritized a listing of identified critical processes and functions. They have been assessed as critical to the mission of the N. D. Department of Human Services Early Childhood Services Program and Economic Assistance Policy Division - Child Care Assistance Unit. These agencies will continue core Child Care Development Fund functions during and after a disaster.

- A. Ensure the health and safety of providers and children in care.
- B. Issue subsidy payments promptly to providers and families
- B. Ensure business continuity internally and externally
- C. Maintain recipient/provider confidence
- D. Provide support to county social service boards.

Communication and distribution of information will occur with: the Governor's office, 701-328-2205, Child Care Development Fund Regional office, 303-844-1141, N. D. Department of Human Services Executive office, 701-328-1814, 800-472-2622, dhseo@nd.gov, Regional Supervisors of Early Childhood Services, Child Care Aware of ND, Director, Children and Family Services Division, Director, Economic Assistance Division, North Dakota Department of Emergency Services, North Dakota Department of Health Emergency Preparedness and Response Section, County Social Services offices, www.nd.gov/dhs/. Licensed providers will report any closure or movement to Child Care Aware of ND at referral@ndchildcare.org. Self-declared and approved relative providers will report any closings or movement to ND Department of Human Services at 1-800-245-3736. Operators who have closed and are relocating shall contact their licensing agent. Contact information for county social services office is online at <http://www.nd.gov/dhs/locations/countysocialserv/>. Operators shall follow the emergency reporting procedures listed in section 4 of the plan. If closing and unable to relocate, the operator shall direct parents to Child Care Aware of ND for assistance in finding temporary care. A disaster event causes some of the programs to close while children are present. Operators shall follow instructions for evacuation by local emergency management services. All parents and staff members shall be contacted and informed of the evacuation and where the program will be relocated. Operators shall contact 911 if children or staff

members are in danger of harm. Operators shall follow the emergency reporting procedures outlined in section 4 of the plan. If a disaster event has caused a program to close when no children or staff members are present. All parents and staff members shall be contacted and informed of the closing and where the program will be relocated to. A disaster event has occurred which prohibits access to and from the program. Operators shall respond according to their emergency plans for shelter in a building, lock-downs, or shelter-in-place, depending on the nature of the disaster event. Operators should move staff members and children to safe areas of the building that have been identified as “shelter areas,” and shall await direction from local emergency managers. All parents and staff members shall be contacted and informed of the situation. Operators shall follow emergency reporting procedures outlined in section 4 of the plan. Operators shall review the provisions of emergency food, water and first aid supplies on hand, and shall communicate the inventory to local emergency management. Programs are affected by disaster recovery. Child Care Aware of ND will maintain a shared database of providers who are closed, providers who are relocated, and providers who have capacity to provide temporary care. Child Care Aware of ND and the County Social Services Offices will work with DHS to help connect families who need temporary care with programs who are able to provide temporary care. Operators will follow guidelines for disaster recovery as directed by local emergency managers. Operators will report, as outlined in section 4, when their program is able to be reopened. County Social Services Offices will work with DHS to issue provisional licenses according to policy for emergency situations.

Effective Date: 10/01/2018

1.8.4 Describe how the Lead Agency ensures that providers who receive CCDF funds have the following procedures in place-evacuation; relocation; shelter-in-place; lockdown; communications with and reunification of families; continuity of operations; and accommodations for infants and toddlers, children with disabilities, and children with chronic medical conditions:

All licensed and self-declared providers and staff members of licensed programs must complete, as part of the basic child care requirements, two hours of training on emergency preparedness. Administrative rule also requires all licensed providers to minimum

emergency evacuation and disaster plans. All licensed providers are required by administrative rule to develop emergency evacuation and disaster plans (see Appendix A- Early Childhood Services Emergency Preparedness Plan-Template). The plan must include: 1. Emergency procedures, including the availability of emergency food, water, and first-aid supplies; 2. What will be done if parents are unable to pick up their child as a result of the emergency; and 3. What will be done if the group child care has to be relocated or must close as a result of the emergency 4. Consideration must be given to: evacuation, relocation, shelter-in-place, and lock-down procedures, communication and reunification with families, continuity of operations, and accommodations of infants and toddlers, children with disabilities and children with chronic medical conditions. Providers are required to complete SFN517: Child Care Evacuation Disaster Plan (<https://www.nd.gov/eforms/Doc/sfn00517.pdf>) and provide it to their county licenser. The county shares the form with Child Care Aware of North Dakota who enters the data into a database for electronic storage and has the ability to geocode program locations. This form is reviewed and updated at annual licensing inspections.

Effective Date: 10/01/2018

1.8.5 Describe how the Lead Agency ensures that providers who receive CCDF funds have the following procedures in place for child care staff and volunteers-emergency preparedness training and practice drills as required in 98.41(a)(1)(vii):

All licensed and self-declared providers and staff members of licensed programs must complete, as part of the basic child care requirements, two hours of training on emergency preparedness. Administrative rule also requires all licensed providers and self-declared providers, as well as their emergency back up staff, conduct monthly fire and emergency evacuation drills. County licensers review drill logs during inspection visits.

Effective Date: 10/01/2018

1.8.6 Provide the link to the website where the statewide child care disaster plan is available:

<http://www.nd.gov/dhs/info/pubs/docs/cfs/child-care-disaster-plan.pdf>

Effective Date: 10/01/2018

2 Promote Family Engagement through Outreach and Consumer Education

Lead Agencies are required to support the role of parents as child care consumers who need information to make informed choices regarding the services that best suit their needs. A key purpose of the CCDBG Act is to 'promote involvement by parents and family members in the development of their children in child care settings' (658A(b)). Lead Agencies have the opportunity to consider how information can be provided to parents through the child care assistance system, partner agencies, and child care consumer education websites.

The target audience for the consumer education information includes three groups: parents receiving CCDF assistance, the general public, and when appropriate, child care providers. In this section, Lead Agencies will address how information is made available to families to assist them in accessing high-quality child care and how information is shared on other financial assistance programs or supports for which a family might be eligible. In addition, Lead Agencies will certify that information on developmental screenings is provided and will describe how research and best practices concerning children's development, including their social-emotional development, is shared.

In this section, Lead Agencies will delineate the consumer and provider education information related to child care, as well as other services, including developmental screenings, that is made available to parents, providers, and the general public and the ways that it is made available. This section also covers the parental complaint process and the consumer education website that has been developed by the Lead Agency and the manner in which it links to the national website and hotline. Finally, this section addresses the consumer statement that is

provided to parents supported with CCDF funds.

2.1 Outreach to Families With Limited English Proficiency and Persons With Disabilities

The Lead Agency is required to describe how it provides outreach and services to eligible families with limited English proficiency and persons with disabilities and to facilitate the participation of child care providers with limited English proficiency and disabilities in the CCDF program (98.16(dd)). Lead Agencies are required to develop policies and procedures to clearly communicate program information, such as requirements, consumer education information, and eligibility information, to families and child care providers of all backgrounds (81 FR 67456).

2.1.1 Check the strategies the Lead Agency or partners utilize to provide outreach and services to eligible families for whom English is not their first language. Check all that apply.

Effective Date: 10/01/2018

- Application in other languages (application document, brochures, provider notices)
- Informational materials in non-English languages
- Website in non-English languages
- Lead Agency accepts applications at local community-based locations
- Bilingual caseworkers or translators available
- Bilingual outreach workers
- Partnerships with community-based organizations
- Other.

Describe:

2.1.2 Check the strategies the Lead Agency or partners utilize to provide outreach and services to eligible families with a person(s) with a disability. Check all that apply.

Effective Date: 10/01/2018

- Applications and public informational materials available in Braille and other communication formats for access by individuals with disabilities
- Websites that are accessible (e.g. Section 508 of the Rehabilitation Act)
- Caseworkers with specialized training/experience in working with individuals with disabilities
- Ensuring accessibility of environments and activities for all children
- Partnerships with state and local programs and associations focused on disability-related topics and issues
- Partnerships with parent associations, support groups, and parent-to-parent support groups, including the Individuals with Disabilities Education Act (IDEA) federally funded Parent Training and Information Centers
- Partnerships with state and local IDEA Part B, Section 619 and Part C providers and agencies
- Availability and/or access to specialized services (e.g. mental health, behavioral specialists, therapists) to address the needs of all children
- Other.

Describe:

2.2 Parental Complaint Process

The Lead Agency must certify that the state/territory 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)(3)). Lead Agencies must also provide a detailed description of the hotline or similar reporting process for parents to submit complaints about child care providers; the process for substantiating complaints; the manner in which the Lead Agency maintains a record of substantiated parental complaints; and ways that the Lead Agency makes information on such parental complaints available to the public on request (98.16; 98.32).

2.2.1 Describe the Lead Agency's hotline or similar reporting process through which parents can submit complaints about child care providers, including a link if it is a Web-based process:

On the Lead Agency web page, there is a link for Reporting a Complaint about a Provider. This directs the user to a list of the counties in North Dakota directing them to contact the individual county social services office. Contact information, phone, address, fax and hours of operation are provided.

2.2.2 Describe the Lead Agency's process and timeline for screening, substantiating and responding to complaints regarding CCDF providers, including whether the process includes monitoring:

Child Care Concern/Investigating Concerns 620-01-115 (Revised 3/20/12 ML #3317)
N.D.C.C. § 50-11.1-07 gives the department and the authorized agent the right to, at any time, investigate and inspect the conditions of any facility and the qualifications of the provider of early childhood services, whether licensed, self-declared, or in-home provider. Investigating concerns must be a top priority for the authorized agent. If a concern is received, the authorized agent shall investigate the child care as soon as possible. In some situations, it is advisable for staff to go as a team in order to have a back-up witness. Child Care Concern/Sentinel Event 620-01-115-01 (Revised 10/1/14 ML #3422) All concerns received regarding an early childhood services program must be documented on an SFN 1269 form and investigated. Upon receipt of a report of a concern, the authorized agent shall:

1. Complete an SFN 1269 and immediately send a copy of the SFN 1269 to the regional office.
 - a. This report must be typed, not handwritten, and sent electronically to the regional office. If the regional supervisor is not available, and there is a potential for the report to be a sentinel event, then the authorized agent shall also send the report to the ECS Administrator at the central office.
2. Complete an SFN 960, Report of Suspected Child Abuse and Neglect if the authorized agent suspects that the incident is a result of child abuse or neglect. The authorized agent may consult with the regional office if there are questions.
3. Investigate the concern, staff investigative information with the regional office, and issue appropriate corrective action.
4. Work collaboratively with CPS and law enforcement, if those agencies are involved in the investigation. CPS or law enforcement will take the lead on joint investigations.
5. Complete Part II of the SFN 1269 and submit electronically to regional office upon completion of the investigation of the concern. Send any supporting documentation (narrative correction order, follow-up letter). The regional office shall:

Early Childhood Services Division 20 Service 620 Program 600 Chapter 01 North Dakota Department of

1. Forward the electronic version of the reports to the central office, if the concern has resulted in a CPS assessment.
2. Provide guidance to the authorized agent

conducting the investigation of the concern. 3. Determine whether incident is a sentinel event: "Sentinel event" has been defined as "Any unexpected occurrence involving death or serious physical or psychological injury or risk thereof that is not related to the natural course of the individual's illness or underlying condition. Serious injury specifically includes inappropriate sexual contact." The phrase "or risk thereof" includes any process variation for which a recurrence would carry a significant chance of a serious adverse outcome. They signal the need for immediate investigation and response. Sentinel events in child care will include, but may not be limited to: a. Incidents that involve law enforcement b. Deaths c. Injuries that require medical attention and are suspected to be the result of a licensing violation If the regional supervisor is unsure of whether or not an incident is a sentinel event, the central office should be consulted. If the incident is determined to be a sentinel event, the regional office shall: a. Complete SFN 50508 and submit to Risk Management, b. Immediately send email with "sentinel event" in the subject line to DHS Executive Director, DHS Public Relations, Director of CFS, ECS Administrator, Director of Legal Advisory Unit, DHS Risk Manager, and the Risk Manager at the regional office. The email should contain as much information as you have at the time about the incident. c. Alert Child Care Aware of ND that no referrals should be made to the program until further notice. 4. Enter the concern information on the Q Drive files. The central office shall: 1. Provide guidance to regional office and authorized agent in addressing serious concerns. 2. Review Q Drive files periodically. 3. Maintain an electronic file of all the SFN 1269 reports submitted to the central office, and submit reports to DHS Risk Manager if requested.

Effective Date: 10/01/2018

2.2.3 Describe the Lead Agency's process and timeline for screening, substantiating and responding to complaints for non-CCDF providers, including whether the process includes monitoring:

The Lead Agency utilizes the same process and timelines for non-CCDF providers as it does for CCDF providers. The process and timeline are listed below.

Child Care Concern/Investigating Concerns 620-01-115 (Revised 3/20/12 ML #3317)

N.D.C.C. § 50-11.1-07 gives the department and the authorized agent the right to, at any

time, investigate and inspect the conditions of any facility and the qualifications of the provider of early childhood services, whether licensed, self-declared, or in-home provider. Investigating concerns must be a top priority for the authorized agent. If a concern is received, the authorized agent shall investigate the child care as soon as possible. In some situations, it is advisable for staff to go as a team in order to have a back-up witness. Child Care Concern/Sentinel Event 620-01-115-01 (Revised 10/1/14 ML #3422) All concerns received regarding an early childhood services program must be documented on an SFN 1269 form and investigated. Upon receipt of a report of a concern, the authorized agent shall:

1. Complete an SFN 1269 and immediately send a copy of the SFN 1269 to the regional office.
 - a. This report must be typed, not handwritten, and sent electronically to the regional office. If the regional supervisor is not available, and there is a potential for the report to be a sentinel event, then the authorized agent shall also send the report to the ECS Administrator at the central office.
2. Complete an SFN 960, Report of Suspected Child Abuse and Neglect if the authorized agent suspects that the incident is a result of child abuse or neglect. The authorized agent may consult with the regional office if there are questions.
3. Investigate the concern, staff investigative information with the regional office, and issue appropriate corrective action.
4. Work collaboratively with CPS and law enforcement, if those agencies are involved in the investigation. CPS or law enforcement will take the lead on joint investigations.
5. Complete Part II of the SFN 1269 and submit electronically to regional office upon completion of the investigation of the concern. Send any supporting documentation (narrative correction order, follow-up letter). The regional office shall: Early Childhood Services Division 20 Service 620 Program 600 Chapter 01 North Dakota Department of

1. Forward the electronic version of the reports to the central office, if the concern has resulted in a CPS assessment.
2. Provide guidance to the authorized agent conducting the investigation of the concern.
3. Determine whether incident is a sentinel event: "Sentinel event" has been defined as "Any unexpected occurrence involving death or serious physical or psychological injury or risk thereof that is not related to the natural course of the individual's illness or underlying condition. Serious injury specifically includes inappropriate sexual contact." The phrase "or risk thereof" includes any process variation for which a recurrence would carry a significant chance of a serious adverse outcome. They signal the need for immediate investigation and response. Sentinel events in child care will include, but may not be limited to:
 - a. Incidents that involve law enforcement
 - b. Deaths
 - c. Injuries that require medical attention and are suspected to be the result of a licensing violationIf the regional supervisor is unsure of whether or not an incident is a sentinel event, the central office should be consulted. If the incident is determined to be a sentinel

event, the regional office shall: a. Complete SFN 50508 and submit to Risk Management, b. Immediately send email with “sentinel event” in the subject line to DHS Executive Director, DHS Public Relations, Director of CFS, ECS Administrator, Director of Legal Advisory Unit, DHS Risk Manager, and the Risk Manager at the regional office. The email should contain as much information as you have at the time about the incident. c. Alert Child Care Aware of ND that no referrals should be made to the program until further notice. 4. Enter the concern information on the Q Drive files. The central office shall: 1. Provide guidance to regional office and authorized agent in addressing serious concerns. 2. Review Q Drive files periodically. 3. Maintain an electronic file of all the SFN 1269 reports submitted to the central office, and submit reports to DHS Risk Manager if requested.

Effective Date: 10/01/2018

2.2.4 Certify by describing how the Lead Agency maintains a record of substantiated parental complaints:

Substantiated complaints/concerns are those that result in a determination that a licensing rule has been violated and are subject to a corrective action by the provider. SFN 1269, Child Care Concern Form, which may be accessed on the Department of Human Services web site at <http://www.nd.gov/dhs/>, was developed to document child care concerns and complaints. Child Care Aware staff; food program sponsors; and county, regional, or central office licensing staff can initiate this form. The process may also be initiated by parents or concerned individuals. Licensed and self-declared providers must notify parents about how to file concerns and complaints. (NDCC 50-11.1-07.2) A sample form is available for providers to share with parents and employees to illustrate how to make a report. Complaints/concerns from parents, neighbors or any citizen regarding licensed and self-certified providers are directed to the appropriate county social service office. The county licensor investigates all concerns and complaints and provides a summary of the investigation on the 1269 form. North Dakota Page 60 of 243 Substantiated complaints/concerns that result in a determination that a licensing rule has been violated are subject to corrective action by the provider. The county social service office has the responsibility to issue correction orders. When the county office determines that a complaint merits further corrective action, the 1269 form is routed to the Department of Human

Services Early Childhood Services regional offices. The Early Childhood Services Regional Supervisor reviews the substantiated parental complaint and consults with the Early Childhood Services Administrator when considering the issuance of a denial, revocation, or suspension. The regional office is responsible for informing the provider of the final decision/corrective action and of possible penalties associated with continued operation in violation of the denial, revocation, or suspension. The Regional Supervisor documents all concerns and substantiated parental complaints and the action taken on a database shared with the Early Childhood Services Administrator.

Effective Date: 10/01/2018

2.2.5 Certify by describing how the Lead Agency makes information about substantiated parental complaints available to the public; this information can include the consumer education website discussed in section 2.3:

The Lead Agency maintains record of all complaints and concerns. Records include date, type, follow up determined, outcome, and notes specifically if it is substantiated or not. This information is provided by the authorized agent (county license inspector) to the Lead agency Regional office, who is responsible for adding and maintaining a current record.

Effective Date: 10/01/2018

2.2.6 Provide the citation to the Lead Agency's policy and process related to parental complaints:

Child Care Concern/Investigating Concerns 620-01-115 (Revised 3/20/12 ML #3317)
N.D.C.C. § 50-11.1-07 gives the department and the authorized agent the right to, at any time, investigate and inspect the conditions of any facility and the qualifications of the provider of early childhood services, whether licensed, self-declared, or in-home provider. Investigating concerns must be a top priority for the authorized agent. If a concern is received, the authorized agent shall investigate the child care as soon as possible. In some

situations, it is advisable for staff to go as a team in order to have a back-up witness.

Effective Date: 10/01/2018

2.3 Consumer Education Website

States and Territories are required to provide information to parents, the general public, and when applicable, child care providers through a State website, which is consumer-friendly and easily accessible (658E(c)(2)(E)(i)(III)). The website must include information to assist families in understanding the policies and procedures for licensing child care providers. The website information must also include provider-specific information, monitoring and inspection reports for the provider, the quality of each provider (if such information is available for the provider), and the availability of the provider (658E(c)(2)(D); 98.33(a)). The website should also provide access to a yearly statewide report on deaths, serious injuries, and the number of cases of substantiated child abuse that have occurred in child care settings. To assist families with any additional questions, the website should provide contact information for local child care resource and referral organizations and any other agencies that can assist families in better understanding the information on the website.

To certify, respond to questions 2.3.1 through 2.3.10 by describing how the Lead Agency meets these requirements and provide the link in 2.3.11. If the Lead Agency has not fully implemented the Consumer Education website elements identified in Section 2.3, then respond to question 2.3.12. Please note that any changes made to the web links provided below in this section after the CCDF Plan is approved will require a CCDF Plan amendment.

2.3.1 Describe how the Lead Agency ensures that its website is consumer-friendly and easily accessible:

The State contracts with Lutheran Social Services to provide a statewide system of Child Care Resource and Referral known as Child Care Aware of ND. Child Care Aware provides multiple services on the State's behalf, including consumer education and referrals, pre-service and ongoing training for early childhood services providers, and technical assistance for early childhood service providers and applicants. The activities included in the contract for Child Care Aware are:

- Consumer education and referrals:
- Provide a consumer-friendly and easily accessible website, which will promote informed early childhood services choices by parents, including,
 1. The availability of child care services,
 2. Information on quality of providers, if available,
 3. Research and best practices concerning children's development and meaningful parent and family engagement, and
 4. Information on developmental screenings.
- Collect and disseminate data, including annual reports of,
 1. Child care costs by state and county,
 2. Extent child care capacity meets potential demand, and
 3. Coordination of services and supports, including services under Section 619 and Part C of the Individuals with Disabilities Education Act.
- Disseminate information on early childhood services quality and options for families through participation in community and statewide events.
- Maintain a parent referral system available to parents online and by telephone.
- Training:
 1. Provide pre-service training in accordance with CCDF requirements to providers. Training must be made available in multiple formats.
 2. Provide ongoing training opportunities for providers that:

www.nd.gov/dhs/services/childcare/guidelines.html,

- Meets approval within the N.D. Growing Futures Professional Development System, [http:// www.ndgrowingfutures.org](http://www.ndgrowingfutures.org),

- Leads to progressive professional development, including the Child Development Associate or pursuit of postsecondary education,

- Reflects current research in early childhood education, and

- Is appropriate for providers of varied cultures and learning styles.

- Collaborate with other entities, as appropriate, to ensure a wide variety of meaningful training opportunities, which are accessible to all providers. The program will focus on the development of the early childhood workforce, quality improvement of early childhood programs, technical assistance for early childhood providers and staff members, and building the capacity of early childhood programs, as provided for in N.D.C.C. § 50-11.1-14.1.

Technical Assistance: Provide consultation and resources to providers on health and safety, child care business practices, child development, emergency preparedness, and maintaining licensing compliance.

- Workforce development, to include:

- 1- Progressive training and technical assistance opportunities leading to the Child Development Associate or upward movement on the Career Pathways.

2- The training delivery shall include a combination of online courses, face-to-face training, featured events, and series classes.

3- Implementation of the Growing Futures Professional Development Registry, www.ndgrowingfutures.org.

- Marketing of system to potential members, trainers, and training organizations,
- Providing technical assistance to potential members of the system, and
- Maintenance of the registry database and other technology associated with the system.

4- Grants and scholarships to early childhood providers and staff members to encourage participation in Growing Futures and upward movement on the Career Pathways.

5- Collaboration with other agencies when possible.

- Quality improvement, to include:

1- Implementation of Bright & Early ND, www.brightnd.org.

- Effectiveness of the quality improvement project must be evaluated using pre-project and post-project data obtained from reliable assessment tools, such as the Classroom Assessment Scoring System (CLASS), Program Administration Scale (PAS), School-age Care Environmental Rating Scale (SACERS), the Family Child Care Environmental Rating Scale (FCCERS), the Infant Toddler Environmental Rating Scale (ITERS), and the Early Childhood Environmental Rating Scale (ECERS).

- Work with a statewide QRIS committee to receive guidance and feedback on implementation of Bright & Early ND.

- Provide statewide training and promotion on Bright & Early ND for providers.

2- Peer coaching or mentoring program to assist with technical assistance to new providers and providers enrolled in the quality improvement projects.

- Peer coaching component must include training of interested and qualified providers or other early childhood professionals.

- Peer coaches must receive stipends for their services, reimbursement for a substitute for their program, and reimbursement for mileage, if appropriate.

3- Other quality improvement projects as determined through ongoing assessment of need.

- Recruitment and capacity building, to include:

1. Assisting communities in addressing local child care needs and promoting local collaborations to meet child care needs.
2. Incentive grants, training, and technical assistance to newly licensed providers or providers who are able to expand their current capacity.

Effective Date: 10/01/2018

2.3.2 Describe how the website ensures the widest possible access to services for families that speak languages other than English (98.33(a)):

The Lead Agency contracts with Child Care Aware of North Dakota (CCA) to provide a consumer education website. The Lead Agency and CCA work together to provide a website that is consumer-friendly. This is done for example, by allowing multiple ways to search for providers. CCA consumer website has information that defines terms for licensed and exempt care, offering frequently asked questions, and includes a description of licensing or regulatory requirements for child care providers. The website itself is not accessible in multiple languages because the state has not been able to identify an additional language that more than 1% of the states populations speaks. However, there are strategies that are in place to overcome language barriers with families. The approaches used to assist parents regarding discussions about child care options and rules vary across the state depending on demographics, languages spoken, and resources available in and to each county. They include but are not limited to: requests for translators; working with friends, family members, or neighbors; using a website for translation (such as <http://www.freetranslation.com/>); using the language software available through Microsoft. For hearing impaired clients, CCA parent resources specialists may write their conversations out, use relay North Dakota for telephone contacts, or contact the ND School for the Deaf for resource support. If an individual is visually impaired the ND School for the Blind may be contacted for resource support.

Effective Date: 10/01/2018

2.3.3 Describe how the website ensures the widest possible access to services for persons with disabilities:

The Lead Agency utilizes W3C Markup Validator, version 1.3+hg to review it's website and Child Care Aware ND utilizes WCAG 2.0 checklist to review it's website and is Level AA compliant. Alternative text is in place for meaningful images, along with closed captioning on videos and all text is readable by a screen reader. The user is able to pause, stop or hide blinking content, as well as control all forms. There is consistent navigation and flow, utilizing either a mouse or arrow/tab keys. Descriptive links and headers are used with consistent coloring for links to make navigation easier. Users are able to move through content at their own pace.

There are a variety of resources available for anyone needing assistance in accessing information contained on the website. The Lead Agency and/or Child Care Aware are available, as well as Relay North Dakota for telephone contacts, ND School for the Deaf and ND School for the Blind.

Effective Date: 10/01/2019

2.3.4 Lead Agency processes related to child care.

A required component of the consumer education website is a description of Lead Agency policies and procedures relating to child care (98.33(a) (1)). This information includes a description of how the state/territory licenses child care, a rationale for exempting providers from licensing requirements, the procedure for conducting monitoring and inspections of providers, and the policies and procedures related to criminal background checks.

Effective Date: 09/30/2019

a) Provide the link to how the Lead Agency licenses child care providers, including the rationale for exempting certain providers from licensing requirements, as described in section 5.3.6:

<http://www.nd.gov/dhs/services/childcare/info/>

-

<https://www.legis.nd.gov/cencode/t50c11-1.pdf?20140717164054>

b) Provide the link to the procedure for conducting monitoring and inspections of child care providers, as described in section 5.3.2:

<http://www.nd.gov/dhs/services/childcare/info/>

<https://www.legis.nd.gov/cencode/t50c11-1.pdf>

c) Provide the link to the policies and procedures related to criminal background checks for staff members of child care providers and the offenses that prevent individuals from being employed by a child care provider or receiving CCDF funds, as described in sections 5.4.1 and 5.4.11:

<http://www.nd.gov/dhs/services/childfamily/cbcu/child-care-index.html>

2.3.5 List of providers

The consumer education website must include a list of all licensed providers and, at the discretion of the Lead Agency, all providers eligible to deliver CCDF services, identified as either licensed or license-exempt. Providers caring for children to whom they are related do not need to be included. The list of providers must be searchable by ZIP Code.

Effective Date: 10/01/2018

a) Provide the website link to the searchable list of child care providers:

<http://ndchildcare.org/parents/find-child-care/>

After registering for an account and doing an initial search, child care settings can be searched by zip code. The Lead Agency has given instruction to Child Care Aware to remove the barrier of having to register for an account in order to search & this will take place by 12.31.18.

b) In addition to the licensed providers that are required to be included in your searchable list, which additional providers are included in the Lead Agency's searchable list of child

care providers (please check all that apply):

- License-exempt center-based CCDF providers
- License-exempt family child care (FCC) CCDF providers
- License-exempt non-CCDF providers
- Relative CCDF child care providers
- Other.

Describe

c) Identify what informational elements, if any, are available in the searchable results.

Note: Quality information (if available) and monitoring results are required on the website but are not required to be a part of the search results.

Licensed Providers

- Contact Information
- Enrollment Capacity
- Years in Operation
- Provider Education and Training
- Languages Spoken
- Quality Information
- Monitoring Reports
- Other.

Describe:

Age, days, times, type of provider, basic environment, proximity to elementary schools, pets, access for disabled, access to public transportation, and quality rating.

License-Exempt, non-CCDF Providers

- Contact Information
- Enrollment Capacity
- Years in Operation
- Provider Education and Training
- Languages Spoken

- Quality Information
- Monitoring Reports
- Other.

Describe:

License-Exempt CCDF Center Based Providers

- Contact Information
- Enrollment Capacity
- Years in Operation
- Provider Education and Training
- Languages Spoken
- Quality Information
- Monitoring Reports
- Other.

Describe:

License-Exempt CCDF Family Child Care

- Contact Information
- Enrollment Capacity
- Years in Operation
- Provider Education and Training
- Languages Spoken
- Quality Information
- Monitoring Reports
- Other.

Describe:

Age, days, times, type of provider, basic environment, proximity to elementary schools, pets, access for disabled, access to public transportation, quality rating and if there is a separate outside play space.

Relative CCDF Providers

- Contact Information
- Enrollment Capacity
- Years in Operation
- Provider Education and Training
- Languages Spoken
- Quality Information
- Monitoring Reports
- Other.

Describe:

Other.

Describe:

- Contact Information
- Enrollment Capacity
- Years in Operation
- Provider Education and Training
- Languages Spoken
- Quality Information
- Monitoring Reports
- Other.

Describe:

2.3.6 Lead Agencies must also identify specific quality information on each child care provider for whom they have this information. The type of information provided is determined by the Lead Agency, and it should help families easily understand whether a provider offers services that meet Lead Agency-specific best practices and standards or a nationally recognized, research-based set of criteria. Provider-specific quality information must only be posted on the consumer website if it is available for the individual provider.

Effective Date: 10/01/2018

a) How does the Lead Agency determine quality ratings or other quality information to include on the website?

- Quality rating and improvement system
- National accreditation
- Enhanced licensing system
- Meeting Head Start/Early Head Start requirements
- Meeting prekindergarten quality requirements
- School-age standards, where applicable
- Other.

Describe

b) For what types of providers are quality ratings or other indicators of quality available?

- Licensed CCDF providers.

Describe the quality information:

All DHS licensed providers are eligible to participate in ND QRIS (Bright & Early ND). Providers can apply for Step 1 Quality Rating at any time - Step 1 Quality Ratings are issued the first day of every month. Step 1, 2, 3 Quality Rated programs can apply to participate in a Cohort that focuses on preparedness for the next Step up in quality. Cohorts begin 4 times/year. Programs are awarded their Quality Rating the first day of the following month after they meet the Quality Standards Indicators.

- Licensed non-CCDF providers.

Describe the quality information:

- License-exempt center-based CCDF providers.

Describe the quality information:

- License-exempt FCC CCDF providers.

Describe the quality information:

- License-exempt non-CCDF providers.

Describe the quality information:

Relative child care providers.

Describe the quality information:

Other.

Describe

2.3.7 Lead Agencies are required to post monitoring and inspection reports on the consumer education website for each licensed provider and for each non-relative provider eligible to provide CCDF services on the consumer education website. These reports must include results of required annual monitoring visits and visits due to major substantiated complaints about a provider's failure to comply with health and safety requirements and child care policies. The reports must be in plain language and be timely to ensure that the results of the reports are available and easily understood by parents when they are deciding on a child care provider. Lead Agencies must post at least 3 years of reports when available, going forward (not retrospectively), beginning October 1, 2018.

Certify by responding to the questions below:

Effective Date: 10/01/2019

a) What is the Lead Agency's definition of plain language and describe the process for receiving feedback from parents and the public about readability of reports.

The Lead Agency defines plain language as communication that is clear, concise, well-organized, and consistent with other best practices appropriate to the subject or field and intended audience. Such writing avoids jargon, redundancy, ambiguity, and obscurity.

Both the Lead Agency and Child Care Aware have electronic and phone means of being contacted by parents/the public. Any feedback received will be considered as its given, in relation to the specifications, layouts, contents, etc.

b) Are monitoring and inspection reports in plain language?

If yes,

include a website link to a sample monitoring report.

The Lead Agency coordinates with Child Care Aware to link monitoring and inspection reports to providers, so that as families are searching for child care they are able to find these documents. Monitoring documents are found at:

<https://ndchildcare.org/parents/find-child-care/> when a provider is selected.

If no,

describe how plain language summaries are used to meet the regulatory requirements and include a link to a sample summary.

c) Check to certify what the monitoring and inspection reports and/or their plain language summaries include:

Date of inspection

Health and safety violations, including those violations that resulted in fatalities or serious injuries.

Describe how these health and safety violations are prominently displayed.

The monitoring and inspection reports include the date of inspection and any health and safety violations, to include violations that resulted in fatalities or serious injuries. These reports are linked to providers, so that when families are searching for child care, they are able to see this information.

Corrective action plans taken by the State and/or child care provider.

Describe

The Lead Agency has linked correction orders issued to the child care providers they were issued to and made this information available on the consumer education website that Child Care Aware of North Dakota is contracted to house. Child Care Aware of North Dakota updates their website with this information ongoing to ensure information is available to interested parties as timely as possible.

d) The process for correcting inaccuracies in reports.

The Lead Agency monitors the website monthly for any inaccuracies, as well as

investigates any reports of inaccuracies. If inaccuracies are found, the report is corrected and the website is updated. Providers can report inaccuracies to the ECS administrator, Regional Representative or Licensor via written or verbal communication. The Lead Agency then investigates the reported inaccuracy & makes any necessary corrections.

e) The process for providers to appeal the findings in reports, including the time requirements, timeframes for filing the appeal, for the investigation, and for removal of any violations from the website determined on appeal to be unfounded.

The Lead Agency does not currently have a process for providers to appeal correction orders. This work will be done with a group of stakeholders to include Regional Reps., Licensors, providers, parents and other interested parties.

f) How reports are posted in a timely manner. Specifically, provide the Lead Agency's definition of 'timely' and describe how it ensures that reports are posted within its timeframe. Note: While Lead Agencies define 'timely,' we recommend Lead Agencies update results as soon as possible and no later than 90 days after an inspection or corrective action is taken

The Lead Agency defines timely posting of reports as within 30 days from the date of inspection/visit. The Lead Agency/Child Care Aware updates the website on a monthly basis to ensure the most accurate information is available to the public. Updates to inaccuracies are made as soon as possible after the discovery.

g) Describe the process for maintaining monitoring reports on the website. Specifically, provide the minimum number of years reports are posted and the policy for removing reports (98.33(a)(4)(iv)).

The Lead Agency is in the process of establishing the policy and process regarding maintaining reports on the website. Currently all reports as of 10.1.18 are posted and the website is updated on a monthly basis, as new inspections/visits are completed. The Lead Agency is establishing a policy for removing reports, which will take into account the Lead Agency's records retention policy.

h) Any additional providers on which the Lead Agency chooses to include reports. Note - Licensed providers and CCDF providers must have monitoring and inspection reports

posted on their consumer education website.

- License-exempt non-CCDF providers
- Relative child care providers
- Other.

Describe

2.3.8 Aggregate data on serious injuries, deaths, and substantiated cases of child abuse that have occurred in child care settings each year must be posted on the consumer education website. This aggregate information on serious injuries and deaths must be organized by category of care (e.g., center, FCC, etc.) and licensing status for all eligible CCDF provider categories in the state. The information on instances of substantiated child abuse does not have to be organized by category of care or licensing status. The aggregate report should not list individual provider-specific information or names.

Certify by providing:

Effective Date: 10/29/2019

a) The designated entity to which child care providers must submit reports of any serious injuries or deaths of children occurring in child care (98.16 (ff)) and describe how the Lead Agency obtains the aggregate data from the entity.

Providers report any serious injuries or deaths of children occurring in child care to the Lead Agency, who maintains a database from which data can be aggregated from.

b) The definition of "substantiated child abuse" used by the Lead Agency for this requirement.

Substantiated child abuse is defined as a provider who has been issued a "Services Required" finding following a CPS assessment, and the finding wasn't appealed or the appeal was lost.

c) The definition of "serious injury" used by the Lead Agency for this requirement.

Serious injury is defined as "any accident or injury which occurs in the early childhood setting or as a result of care provided in the early childhood setting and results in medical attention."

d) The website link to the page where the aggregate number of serious injuries, deaths, and substantiated instances of child abuse are posted.

<http://www.nd.gov/dhs/services/childcare/>

2.3.9 The consumer education website should include contact information on referrals to local child care resource and referral organizations. How does the Lead Agency provide referrals to local CCR&R agencies through the consumer education website? Describe and include a website link to this information:

<https://ndchildcare.org/>

Effective Date: 10/01/2018

2.3.10 The consumer education website should include information on how parents can contact the Lead Agency, or its designee, or other programs that can help the parent understand information included on the website. Describe and include a website link to this information:

There are directions on how to contact the Lead Agency and other programs that can help the parent understand the information on the website.

<https://ndchildcare.org/>

Effective Date: 10/01/2018

2.3.11 Provide the website link to the Lead Agency's consumer education website. Note: An amendment is required if this website changes.

<https://ndchildcare.org/>

2.3.12 Other. Identify and describe the components that are still pending per the instructions on

CCDF Plan Response Options for Areas where Implementation is Still in Progress in the Introduction.

The Lead Agency is working to place all required elements onto the Child Care Aware of ND website. At the time of this writing, the Lead Agency is working with Child Care Aware to link to inspection reports and correction orders. This will allow consumers to search for child care providers and see the required reports. This will be operational prior to October 1, 2018. Once the full childcare licensing data system is in place, this function will be migrated to the new system.

2.4 Additional Consumer and Provider Education

Lead Agencies are required to certify that they will collect and disseminate information about the full diversity of child care services to promote parental choice to parents of eligible children, the general public, and where applicable, child care providers. In addition to the consumer education website, the consumer education information can be provided through CCR&R organizations or through direct conversations with eligibility case workers and child care providers. Outreach and counseling can also be effectively provided via information sessions or intake processes for families (658E(c)(2)(E); 98.15(b)(4); 98.33(b)).

In questions 2.4.1 through 2.4.5, certify by describing:

2.4.1 How the Lead Agency shares information with eligible parents, the general public, and where applicable, child care providers about the availability of child care services provided through CCDF and other programs for which the family may be eligible, such as state preK, as well as the availability of financial assistance to obtain child care services. At a minimum, describe what is provided (e.g., such methods as written materials, the website, and direct communications) and how information is tailored for these audiences.

Childcare Aware of North Dakota performs this function. Their website contains a section about child care assistance, online brochures, and a guidebook. This guidebook for assistance, which accompanies the application, addresses notes that “if needing childcare, check out CCA.” This guidebook is also printed at the county-level.

Effective Date: 10/01/2018

2.4.2 The partnerships formed to make information about the availability of child care services available to families.

The Lead Agency works closely with Child Care Aware of North Dakota to make information about the availability of childcare services available to families.

Effective Date: 10/01/2018

2.4.3 How the Lead Agency provides the required information about the following programs and benefits to the parents of eligible children, the general public, and where applicable, providers. In the description include, at a minimum, what information is provided, how the information is provided, and how the information is tailored to a variety of audiences and include any partners who assist in providing this information.

Effective Date: 10/01/2018

[Temporary Assistance for Needy Families program:](#)

The Care and Services section of the Child Care Aware of North Dakota website contains information about this program.

[Head Start and Early Head Start programs:](#)

The Care and Services section of the Child Care Aware of North Dakota website contains information about this program.

[Low Income Home Energy Assistance Program \(LIHEAP\):](#)

The Care and Services section of the Child Care Aware of North Dakota website contains information about this program.

[Supplemental Nutrition Assistance Programs \(SNAP\) Program:](#)

The Care and Services section of the Child Care Aware of North Dakota website contains information about this program.

[Women, Infants, and Children Program \(WIC\) program:](#)

The Care and Services section of the Child Care Aware of North Dakota website contains information about this program.

[Child and Adult Care Food Program\(CACFP\):](#)

The Care and Services section of the Child Care Aware of North Dakota website contains information about this program.

[Medicaid and Children's Health Insurance Program \(CHIP\):](#)

The Care and Services section of the Child Care Aware of North Dakota website contains information about this program.

[Programs carried out under IDEA Part B, Section 619 and Part C:](#)

The Care and Services section of the Child Care Aware of North Dakota website contains information about this program.

2.4.4 Describe how the Lead Agency makes available to parents, providers, and the general public information on research and best practices concerning children's development, including physical health and development, particularly healthy eating and physical activity. Information about successful parent and family engagement should also be shared. At a minimum, include what information is provided, how the information is provided, and how the information is tailored to a variety of audiences and include any partners in providing this information.

The Child Development section of the Child Care Aware of North Dakota website contains information about this topic.

Effective Date: 10/01/2018

2.4.5 Describe how information on the Lead Agency's policies regarding the social-emotional and behavioral issues and early childhood mental health of young children, including positive behavioral intervention and support models based on research and best practices for those from birth to school age, are shared with families, providers, and the general public. At a minimum, include what information is provided, how the information is provided, and how information is tailored to a variety of audiences and include any partners in providing this information.

The Special Needs section of the Child Care Aware of North Dakota website contains information about this topic.

Effective Date: 10/01/2018

2.4.6 Describe the Lead Agency's policies to prevent the suspension and expulsion of children from birth to age 5 in child care and other early childhood programs receiving CCDF funds (98.16(ee)), including how those policies are shared with families, providers,

and the general public.

Through contract with the Lead Agency, Child Care Aware of North Dakota can help providers develop plans and maintain environments that enable children with special needs to learn, grow and play alongside others in a child care setting. Inclusion support services are available to home and center-based providers at no-cost.

Effective Date: 10/01/2018

2.5 Procedures for Providing Information on Developmental Screenings

Lead Agencies are required to provide information on developmental screenings, including information on resources and services that the State can deploy, such as the use of the Early and Periodic Screening, Diagnosis, and Treatment program under the Medicaid program carried out under title XIX of the Social Security Act and developmental screening services available under IDEA Part B, Section 619 and Part C, in conducting those developmental screenings and in providing referrals to services for children who receive subsidies. Lead Agencies must also include a description of how a family or child care provider can use these resources and services to obtain developmental screenings for children who receive subsidies and who might be at risk of cognitive or other developmental delays, which can include social, emotional, physical, or linguistic delays (658E(c)(2)(E)(ii)). Lead Agencies are required to provide this information to eligible families during CCDF intake and to child care providers through training and education (98.33(c)).

2.5.1 Certify by describing:

Effective Date: 10/01/2018

a) How the Lead Agency collects and disseminates information on existing resources and services available for conducting developmental screenings to CCDF parents, the general public, and where applicable, child care providers (98.15(b)(3)).

The Lead Agency disseminates information regarding developmental screenings multiple ways, to include Child Care Aware and it's website, connection to the Part C Right Track program, as well as a variety of private providers that offer developmental screenings in their local communities.

b) The procedures for providing information on and referring families and child care providers to the Early and Periodic Screening, Diagnosis, and Treatment program under the Medicaid program - carried out under Title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) - and developmental screening services available under Section 619 and Part C of the Individuals with Disabilities Education Act (20 U.S.C. 1419, 1431 et seq.).

Procedures North Dakota Early Intervention System:

<http://www.nd.gov/dhs/services/disabilities/earlyintervention/stateguidelines/referral-intake.pdf>. North Dakota Early Intervention Guidelines:

<http://www.nd.gov/dhs/services/disabilities/earlyintervention/stateguidelines.html> . Early Childhood Comprehensive Systems purpose is to, expand developmental screening of young children to identify and treat concerns early, Increase referrals to needed programs for children, educate parents and caregivers about healthy child development, address the physical, emotional, and social health of children in a broad-based and coordinated way, develop seamless systems of care for children in the critical formative years from birth to age 3. This is a partnership between various state and local agencies. A free program for all North Dakota children, birth to three years of age. Right Track Consultants can meet with you in the privacy of your own home and can provide: Developmental Screenings; Ideas on stimulating your child's development; and Information and referrals to local, state, and national organizations.

<http://www.nd.gov/dhs/services/disabilities/earlyintervention/parent-info/right-track.html>

c) How the Lead Agency gives information on developmental screenings to parents receiving a subsidy as part of the intake process. Include the information provided, ways it is provided, and any partners in this work.

Child Care providers receiving CCDF may discuss the available resources with the families of the children in their care. All programs (Healthy Tracks, ND DHS 619 Part C, Right Track, and Child Care Aware inclusion specialist) will provide developmental screenings upon request for families. Individuals who apply for CCAP have access to referrals about screenings in their community through their county social service office. Individuals are provided a listing community resources in the Application for Assistance Guidebook, which informs families of the various types of services, including screenings and health care and insurance programs, that may be available in tier community and to inform their local county social service office of any interest in any of the services. The Application for Assistance Guidebook also contains information on regional human

service centers and the resources they provide which include developmental disability services, children's mental health services and psychiatric evaluations. The regional human service centers provides these services regardless of a families ability to pay for the services. Individuals applying for CCAP may also apply for Health Care Coverage which includes Medicaid/Healthy Steps using a combined program application. Children, ages 0 to 21, who are enrolled in Medicaid have access to Health Tracks, which is a free, preventative health-screening services.

d) How CCDF families or child care providers receiving CCDF can use the available resources and services to obtain developmental screenings for CCDF children at risk for cognitive or other developmental delays.

Child Care providers receiving CCDF may discuss the available resources with the families of the children in their care. All programs (Healthy Tracks, ND DHS 619 Part C, Right Track, and Child Care Aware inclusion specialist) will provide developmental screenings upon request for families. Through partnerships with Child Care Aware of ND and the ND Center for Persons with Disabilities the Lead Agency is able to offer phone and on-site assistance to child care programs who have children with special care concerns (developmental, physical, and health related). CCA team of child care health consultants have had a strong focus on helping child care programs understand the importance of care plans for children's health care needs, offering phone and on-site support as well as a variety of care plan templates on the www.ndchildcare.org website. Child care providers can access a free ASQ screening completed by an Inclusions Specialist through Child Care Aware. The inclusion specialist will then refer to appropriate agency if needed. Right Track Consultants can meet with you in the privacy of your own home and can provide: Developmental Screenings; Ideas on stimulating your child's development; and Information and referrals to local, state, and national organizations A free program for all North Dakota children, birth to three years of age. Parents have access to the Right Track Consultants or can follow the guidelines below. Children's Consultation Network and Child Care Aware of ND are currently in the process of creating a "Next Steps" document which will be a resource for parents or providers outlining Early Intervention services, resources and learning activities for the child. This resource will provide support for parents with regard to health, mental health, and developmental disabilities. Through partnerships with Child Care Aware of ND health consultants and the ND Center for Persons with Disabilities, the Lead Agency is working with programs to raise awareness of services available to families in the areas of health,

mental health, and developmental disabilities.

<http://www.nd.gov/dhs/services/disabilities/earlyintervention/stateguidelines/referral-intake.pdf> North Dakota Early Intervention Parent Information:

<http://www.nd.gov/dhs/services/disabilities/earlyintervention/parent-info/index.html>

e) How child care providers receive this information through training and professional development.

Through partnerships with Child Care Aware of ND and the ND Center for Persons with Disabilities the Lead Agency is able to offer phone and on-site assistance to child care programs who have children with special care concerns (developmental, physical, and health related). CCA team of child care health consultants have had a strong focus on helping child care programs understand the importance of care plans for children's health care needs, offering phone and on-site support as well as a variety of care plan templates on the www.ndchildcare.org website. Child care providers can access a free ASQ screening completed by an Inclusions Specialist through Child Care Aware. The inclusion specialist will then refer to appropriate agency if needed. Right Track Consultants can meet with you in the privacy of your own home and can provide: Developmental Screenings; Ideas on stimulating your child's development; and Information and referrals to local, state, and national organizations A free program for all North Dakota children, birth to three years of age.

f) Provide the citation for this policy and procedure related to providing information on developmental screenings.

Department of Human Services Policy: Service 816, Chapter 05, Division 30, Section 30.

2.6 Consumer Statement for Parents Receiving CCDF Funds

Lead Agencies must provide CCDF parents with a consumer statement in hard copy or electronically (such as referral to a consumer education website) that contains specific information about the child care provider they select. This information about the child care provider selected by the parent includes health and safety requirements met by the provider, any licensing or regulatory requirements met by the provider, the date the provider was last

inspected, any history of violations of these requirements, and any voluntary quality standards met by the provider. It must also describe how CCDF subsidies are designed to promote equal access, how to submit a complaint through a hotline, and how to contact local resource and referral agencies or other community-based supports that assist parents in finding and enrolling in quality child care (98.33(d)). Please note that if the consumer statement is provided electronically, Lead Agencies should consider how to ensure that the statement is accessible to parents and that parents have a way to contact someone to address questions they have.

2.6.1 Certify by describing:

Effective Date: 10/01/2019

a) How the Lead Agency provides parents receiving CCDF funds with a consumer statement.

The Lead Agency provides information to families by directing them to visit Child Care Aware of North Dakota's searchable provider database. This information is provided to families through the Application for Assistance Handbook, CCAP Brochure and the Lead Agency's website.

The Lead Agency will create a report regarding correction orders issued to child care providers and post this report to its website. Additionally, the Lead Agency will create a report to include the annual aggregate information about the number of deaths, number of serious injuries as defined by the State and the number of incidences of substantiated child abuse in child care settings. The Lead Agency will post the report that includes the annual aggregate to its website. The Lead Agency has a contract with Child Care Aware of North Dakota to have a consumer website. Child Care Aware of North Dakota will update their website with a link to the Lead Agencies website so that that the information is easy to access and locate. The website is consumer-friendly, for example, allowing multiple ways to search for providers, defining terms such as exempt care and corrective action plans, presents the results of monitoring inspections in plain language, providing frequently asked questions, is accessible in multiple languages upon request and to persons with disabilities through multiple formats, differentiating between violations based on risk to children, and easy to locate and navigate.

The Lead Agency will update the website on a monthly basis to ensure the most accurate information is available to the public. Updates to inaccuracies will be made as soon as

possible after the discovery.

The Lead Agency is currently working to establish the policy and process regarding maintaining reports on the website, which will take into account the Lead Agency's current records retention policy.

b) What is included in the statement, including when the consumer statement is provided to families.

The consumer statement provides families with information and resources on how to access the Child Care Assistance Program, information on how to find child care in their area, inspection and monitoring report information, information on how to identify quality rated providers, information on developmental screenings and how to report a complaint or suspected fraud on a family or child care provider.

The consumer statement is provided to families through the application for assistance handbook at the time of application and can be accessed anytime on the Lead Agency's website.

c) Provide a link to a sample consumer statement or a description if a link is not available.

<https://www.nd.gov/dhs/info/pubs/docs/fact-sheet-child-care-development-fund.pdf>

3 Provide Stable Child Care Financial Assistance to Families

In providing child care assistance to families, Lead Agencies are required to implement these policies and procedures: a minimum 12-month eligibility and redetermination periods, a process to account for irregular fluctuations in earnings, a policy ensuring that families' work schedules are not disrupted by program requirements, policies to provide for a job search of not fewer than 3 months if the Lead Agency exercises the option to discontinue assistance, and policies for the graduated phase-out of assistance. Also, procedures for the enrollment of homeless children and children in foster care, if served, pending the completion of documentation, are required.

Note: Lead Agencies are not prohibited from establishing policies that extend eligibility beyond 12 months to align program requirements. For example, Lead Agencies can allow children enrolled in Head Start, Early Head Start, state or local prekindergarten, and other collaborative programs to finish the program year. This type of policy promotes continuity for families

receiving services through multiple benefit programs.

In this section, Lead Agencies will identify how they define eligible children and families and how the Lead Agency improves access for vulnerable children and families. This section also addresses the policies that protect working families and determine a family's contribution to the child care payment.

3.1 Eligible Children and Families

At the time when eligibility is determined or redetermined, children must (1) be younger than age 13; (2) reside with a family whose income does not exceed 85 percent of the State's median income for a family of the same size and whose family assets do not exceed \$1,000,000 (as certified by a member of said family); and (3)(a) reside with a parent or parents who are working or attending a job training or educational program or (b) receives, or needs to receive, protective services and resides with a parent or parents not described in (3)(a.) (658P(4)).

3.1.1 Eligibility criteria based on a child's age

Effective Date: 10/01/2018

a) The CCDF program serves children

from 0

(weeks/months/years)

through 13

years (under age 13). . Note: Do not include children incapable of self-care or under court supervision, who are reported below in (b) and (c).

b) Does the Lead Agency allow CCDF-funded child care for children age 13 and above but below age 19 years who are physically and/or mentally incapable of self-care?(658E(c)(3)(B), 658P(3))

No

Yes,

and the upper age is 18

(may not equal or exceed age 19).

If yes, Provide the Lead Agency definition of physical and/or mental incapacity: The Lead Agency allows care for children ages 13 through 18 when the child is physically or mentally incapable of caring for themselves as verified in writing by a physician or a licensed or certified psychologist.

c) Does the Lead Agency allow CCDF-funded child care for children age 13 and above but below age 19 years who are under court supervision? (658P(3), 658E(c)(3)(B))

No.

Yes

and the upper age is 18

(may not equal or exceed age 19)

d) How does the Lead Agency define the following eligibility terms?

"residing with":

Means a child or children who are physically present in the home of a parent, legal guardian or an individual who is considered loco parentis while receiving child care services.

"in loco parentis":

An individual (relative or non-relative) who is not the natural, adoptive or stepparent of the child but who assumes parental responsibilities and is physically caring for the child in their home on a 24-hour-a-day basis when the natural, adoptive or stepparent is not caring for the child or residing in the home and when the duration is expected to last over 30 uninterrupted days.

3.1.2 Eligibility criteria based on reason for care

Effective Date: 10/01/2018

a) How does the Lead Agency define "working or attending a job training and educational

program" for the purposes of CCDF eligibility at the time of determination? Provide the definitions below for:

"Working":

Work is an activity in which an individual is engaged through employment or self-employment. Work must entail personal involvement and effort on the part of the applicant or recipient. As part of the definition of work, travel time and break time are allowed. Travel and break time are calculated by multiplying the total number of allowable work hours by 25%.

"Job training":

Job training includes basic remedial education, training and classes to assist individuals in achieving basic literacy, English as a second language (ESL), any training required to secure or retain employment, vocational or educational training and Vocational Rehabilitation (VR). As a part of the definition of job training, travel and break time are allowed. Travel and break time are calculated by multiplying the total number of allowable job training hours by 25%.

"Education":

Education includes any primary, secondary, alternative high school, GED and allowable post-secondary education. Post-secondary education includes the pursuit of a certificate, associate's degree or a bachelor's degree, provided an individual does not already have a bachelor's degree. As a part of the definition of education, travel and break time are allowed. Travel and break time are calculated by multiplying the total number of allowable education hours by 25%.

"Attending job training or education" (e.g. number of hours, travel time):

Allowable job training hours are determined based on actual hours of job training attendance. Education hours are determined based on either credit hours or actual hours of education attendance when education is not based on credit hours. Education based on credit hours is determined by multiplying the number of enrolled credit hours by 2. Both job training and education activities are allowed travel and break time by taking the total number of allowable determined hours and multiplying by 25%.

3.1.2 Eligibility criteria based on reason for care

b) Does the Lead Agency allow parents to qualify for CCDF assistance on the basis of education and training participation alone (without additional minimum work requirements)?

No.

If no, describe the additional work requirements:

Yes.

If yes, describe the policy or procedure:

The Lead Agency allows assistance based on education and training alone. There are no additional work requirements when caretakers are engaged in either education or training. Once a caretaker has a non-temporary loss of their education or training activity and is not involved in any other allowable activity, the caretaker is allowed three months of continued assistance to find another activity before the case is closed.

3.1.2 Eligibility criteria based on reason for care

c) Does the Lead Agency consider seeking employment (engaging in a job search) an eligible activity at initial eligibility determination (at application) and at the 12-month eligibility redetermination? (Note: If yes, Lead Agencies must provide a minimum of three months of job search)

No.

Yes.

If yes, describe the policy or procedure. (including any differences in eligibility at initial eligibility determination vs. redetermination of eligibility):

Effective June 1, 2020 activity search will be an allowable activity at application and review. This change is being made in response to the public health emergency, COVID-19, to help support reopening efforts and support families getting back to their allowable activities. This change will only be effective for the three months of June, July, and August 2020. Households will be eligible for three months from the month of application or review when their only allowable activity is activity search.

3.1.2 Eligibility criteria based on reason for care

d) Does the Lead Agency provide child care to children in protective services?

No.

Yes. If yes:

i. Please provide the Lead Agency's definition of "protective services":

Note: Federal requirements allow other vulnerable children identified by the Lead Agency not formally in child protection to be included in the Lead Agency's definition of protective services for CCDF purposes. A Lead Agency may elect to provide CCDF-funded child care to children in foster care when foster care parents are not working or are not in education/training activities, but this provision should be included in the protective services definition above.

ii. Are children in foster care considered to be in protective services for the purposes of eligibility at determination?

No

Yes

iii. Does the Lead Agency waive the income eligibility requirements for cases in which children receive, or need to receive, protective services on a case-by-case basis (658E(c)(5))?

No

Yes

iv. Does the Lead Agency provide respite care to custodial parents of children in protective services?

No

Yes

3.1.3 Eligibility criteria based on family income. Note: The question in 3.1.3 relates to initial determination. Redetermination is addressed in 3.1.7.

Effective Date: 05/01/2020

a) How does the Lead Agency define "income" for the purposes of eligibility at the point of determination?

Income is the gain or benefit, earned or unearned, derived from labor, business, capital, or property which is received or is available to a determined Child Care Assistance unit for current maintenance.

b) Provide the CCDF income eligibility limits in the table below at the time of initial determination. Complete columns (a) and (b) based on maximum eligibility at initial entry into CCDF. Complete columns (c) and (d) *only if* the Lead Agency is using income eligibility limits lower than 85 percent of the current state median income (SMI) at the initial eligibility determination point. Fill in the chart based on the most populous area of the state (the area serving the highest number of CCDF children). If the income eligibility limits are not statewide, please respond to c) below the table.

	(a)	(b)	(c)	(d)
Family Size	100% of SMI(\$/Month)	85% of SMI (\$/Month) [Multiply (a) by 0.85]	(IF APPLICABLE) (\$/Month) Maximum Initial or First Tier Income Limit (or Threshold) if Lower Than 85% of Current SMI	IF APPLICABLE) (% of SMI) [Divide (c) by (a), multiply by 100] Income Level if Lower Than 85% of Current SMI
1	\$4,004	\$3,403	\$2402	60%
2	\$5,236	\$4,451	\$3142	60%
3	\$6,468	\$5,498	\$3881	60%
4	\$7,701	\$6,546	\$4621	60%
5	\$8,933	\$7,593	\$5360	60%

c) If the income eligibility limits are not statewide, describe how many jurisdictions set their own income eligibility limits and provide the income limit ranges across the jurisdictions (e.g. range from [lowest limit] to [highest limit])(98.16(i)(3)).

The income limits are statewide.

Reminder: Income limits must be established and reported in terms of current SMI based on the most recent data published by the Bureau of the Census (98.20(a)(2)(i)) even if the federal poverty level is used in implementing the program. SMI guidelines are available at: <https://www.acf.hhs.gov/ocs/resource/liheap-im2017-03>.

d) SMI source and year. Federal Register Notice June 15, 2018. SMI Year 2019.

e) Identify the most populous area of the State used to complete the chart above.

Cass County

f) What was the date (mm/dd/yyyy) that these eligibility limits in column (c) became effective? 10/01/2018

g) Provide the citation or link, if available, for the income eligibility limits.

<http://www.nd.gov/dhs/info/pubs/docs/dn-241-child-care-assistance-sliding-fee-scale.pdf>

3.1.4 Lead Agencies are required to ensure that children receiving CCDF funds do not have family assets that exceed \$1,000,000, as certified by a family member (98.20(a)(2)(ii)).

Effective Date: 10/01/2018

a) Describe how the family member certifies that family assets do not exceed \$1,000,000 (e.g., a checkoff on the CCDF application).

Applicants are asked to self declare assets by providing the total estimated value of their assets on the application and review forms.

b) Does the Lead Agency waive the asset limit on a case-by-case basis for families defined as receiving, or in need of, protective services?

No.

Yes.

If yes, describe the policy or procedure and provide citation:

3.1.5 Describe any additional eligibility conditions or priority rules applied by the Lead Agency during eligibility determination or redetermination (98.20(b)).

Services are prioritized for teen parents who are also participating in the Lead Agency's Crossroads program. The Crossroads program supports teen parents by providing case management services to help them complete their high school or GED education and supports them up to age 21. CCAP will waive co-payments for Crossroads eligible participants. Services are also prioritized for TANF recipients as CCAP will waive the co-payment for those cases.

3.1.6 Lead Agencies are required to take into consideration children's development and promote continuity of care when authorizing child care services (98.21(f); 98.16(h)(6)). Check the approaches, if applicable, that the Lead Agency uses when considering children's development and promoting continuity of care when authorizing child care services.

Effective Date: 10/01/2018

- Coordinating with Head Start, prekindergarten, or other early learning programs to create a package of arrangements that accommodates parents' work schedules
- Inquiring about whether the child has an Individualized Education Program (IEP) or Individual Family Services Plan (IFSP)
- Establishing minimum eligibility periods greater than 12 months
- Using cross-enrollment or referrals to other public benefits
- Working with IDEA Part B, Section 619 and Part C staff to explore how services included in a child's IEP or IFSP can be supported and/or provided onsite and in collaboration with child care services
- Providing more intensive case management for families with children with multiple risk factors;
- Implementing policies and procedures that promote universal design to ensure that activities and environments are accessible to all children, including children with sensory, physical, or other disabilities
- Other.

Describe:

The Child Care Assistance Program (CCAP) is housed under the Lead Agency's Economic Assistance Policy Division. The division also contains Health Care Coverage, LIHEAP, SNAP and TANF. The Lead Agency provides a combined program application that contains all of these programs. The Lead Agency will also have a combined review form that contains all open programs that are due for review. Additionally, verification and information provided for one program may be used to determine eligibility for other programs. This allows clients a combined option to access multiple programs and promotes the continuity of care by making various types of assistance as accessible as possible to these populations. Applicants who apply for

CCAP and Health Care Coverage are screened for Health Tracks, a free preventative health-screening service office to children ages 0-21. These screenings include dental, hearing, vision, developmental and other types of screenings. The CCAP delinks a child absence from child care by paying up to 40 hours, or 5 days of absence hours. Once in the new eligibility system, CCAP will pay an additional 10% of the state maximum rate to providers who are caring for children with verified disabilities.

3.1.7 Policies and processes for graduated phase-out of assistance at redetermination.

Effective Date: 10/01/2018

Lead Agencies are required to provide for a graduated phase-out of assistance for families whose income has increased above the state's initial income threshold at the time of redetermination but remains below the federal threshold of 85 percent of the state median income. Providing a graduated phase-out promotes continuity by allowing for wage growth, allows for a tapered transition out of the child care subsidy program as income increases, and supports long-term self-sufficiency for families.

- i. 85 percent of SMI for a family of the same size
- ii. An amount lower than 85 percent of SMI for a family of the same size but above the Lead Agency's initial eligibility threshold that:
 - (A) Takes into account the typical household budget of a low-income family
 - (B) Provides justification that the second eligibility threshold is:
 - (1) Sufficient to accommodate increases in family income over time that are typical for low-income workers and that promote and support family economic stability
 - (2) Reasonably allows a family to continue accessing child care services without unnecessary disruption.

At redetermination, a child shall be considered eligible if his or her parents are working or attending a job training or educational program even if their income exceeds the Lead Agency's income limit to initially qualify for assistance as long as their income does not exceed the second tier of eligibility (98.21(a); 98.21(b)(1)). Note that once deemed eligible, the family shall be considered eligible for a full minimum 12-month eligibility period, even if their income

exceeds the second tier of eligibility during the eligibility period, as long as it does not exceed 85 percent of SMI.

A family eligible for services via the graduated phase-out of assistance is considered eligible under the same conditions as other eligible families with the exception of the copayment restrictions, which do not apply to a graduated phase-out. To help families transition off of child care assistance, Lead Agencies may gradually adjust copay amounts for families whose children are determined eligible under a graduated phase-out and may require additional reporting on changes in family income. However, Lead Agencies must still ensure that any additional reporting requirements do not constitute an undue burden on families.

Effective Date: 10/01/2018

a) Check and describe the option that best identifies the Lead Agency's policies and procedures regarding the graduated phase-out of assistance.

- N/A - The Lead Agency sets its initial eligibility threshold at 85 percent of SMI and, therefore, is not required to provide a graduated phase-out period.
- N/A - The Lead Agency sets its exit eligibility threshold at 85 percent of SMI and, therefore, is not required to provide a graduated phase-out period.
- The Lead Agency sets the second tier of eligibility at 85 percent of SMI.

Describe the policies and procedures.

Effective October 1, 2018, at the time of review, households will continue to be eligible for another 12 month period if the household's income is over the initial application income limit of 60% SMI but is under 85% SMI. Households are allowed one 12 month graduated eligibility period during the review cycle. At the time of second review, after being approved for a 12 month graduated eligibility period, if the household continues to be over 60% SMI, but below 85% SMI, the review is denied. If the household is allowed a 12 month graduated eligibility period and is under 60% SMI at the time of second review, the households remains eligible for another 12 month period. This is not considered a graduated eligibility period as the household is now at or below the initial eligibility income limits. If the household would submit another review (third review) and the income is above 60% SMI, but below 85% SMI, the household is eligible for another 12 months graduated eligibility period. At any point that CCAP closes and a household reapplies and is eligible at initial application, the household may be eligible for another 12 month graduated eligibility period at review. Households are not limited in the number of graduated eligibility periods they may receive, as long as the periods are not consecutive.

Provide the citation for this policy or procedure.

Graduated Eligibility 400-28-25-15.

- The Lead Agency sets the second tier of eligibility at an amount lower than 85 percent of SMI for a family of the same size but above the Lead Agency's initial eligibility threshold.

Provide the second tier of eligibility for a family of three.

Describe how the second eligibility threshold:

i. Takes into account the typical household budget of a low-income family:

ii. Is sufficient to accommodate increases in family income over time that are typical for low-income workers and that promote and support family economic stability:

iii. Reasonably allows a family to continue accessing child care services without unnecessary disruption:

iv. Provide the citation for this policy or procedure:

- Other.

Identify and describe the components that are still pending per the instructions on *CCDF Plan Response Options for Areas where Implementation is Still in Progress* in the Introduction.

3.1.7 b) To help families transition from assistance, does the Lead Agency gradually adjust copays for families eligible under the graduated phase-out period?

No

Yes

i. If yes, describe how the Lead Agency gradually adjusts copays for families under a graduated phase-out.

ii. If yes, does the Lead Agency require additional reporting requirements during the graduated phase-out period? *(Note: Additional reporting requirements are also discussed in section 3.3.3 of the plan.)*

No.

Yes.

Describe:

3.1.8 Fluctuation in earnings.

Lead Agencies are required to demonstrate how their processes for initial determination and redetermination take into account irregular fluctuations in earnings (658E(c)(2)(N)(i)(II)). The Lead Agency must put in place policies that ensure that temporary increases in income, including temporary increases that can result in a monthly income exceeding 85 percent of SMI (calculated on a monthly basis) from seasonal employment or other temporary work schedules, do not affect eligibility or family copayments (98.21(c)). Check the processes, if applicable, that the Lead Agency uses to take into account irregular fluctuations in earnings and describe, at a minimum, how temporary increases that result in a monthly income exceeding 85 percent of SMI (calculated on a monthly basis) do not affect eligibility or family copayments.

Effective Date: 10/01/2018

Average the family's earnings over a period of time (i.e. 12 months).

Describe:

Request earning statements that are most representative of the family's monthly income.

Describe:

Households are asked to provide income verifications from the month prior the application or review and any income received in the month of application or review through the date the application or review is received in the county social service office. If income from those timeframes is not reflective of anticipated income for the eligibility period, the household must verify what their expected income will be. Once a case is approved eligible, changes in income are not acted upon unless the change in income would lower the household's co-payment or if the income now exceeds 85% of SMI. In instances where reported changes in income exceed 85% of SMI, the household may supply verification that income is not expected to continue to exceed

85% SMI, in which case no action is taken and eligibility will continue.

- Deduct temporary or irregular increases in wages from the family's standard income level.

Describe:

- Other.

Describe:

3.1.9 Lead Agencies are required to have procedures for documenting and verifying that children receiving CCDF funds meet eligibility criteria at the time of eligibility determination and redetermination (98.68(c)). Check the information that the Lead Agency documents and verifies and describe, at a minimum, what information is required and how often. Check all that apply.

Effective Date: 10/01/2018

- Applicant identity.

Describe:

The identity of any caretaker must be verified at initial application. Once identity verification is received and retained in the casefile, it does not need to be supplied for future eligibility determinations. Identity verification includes, but is not limited to: driver's license, picture ID, school, work, hospital or health care identification, pay stubs, bank records, utility records, mortgage/rent receipt or agreements, birth certificates.

- Applicant's relationship to the child.

Describe:

The relationship of the applicant must be verified at initial application. Once relationship verification is received and retained in the casefile, it does not need to be supplied for future eligibility determinations. Relationship verification includes, but is not limited to: birth certificates, vital statistics, adoption papers, baptismal records, marriage certificates, court records, contact with school system, Head Start records, day care provider records, hospital and clinic records community organizations, social

service agencies.

- [Child's information for determining eligibility \(e.g., identity, age, citizen/immigration status\).](#)

[Describe:](#)

The age and citizenship of any child for which assistance is requested must be verified. Once age and citizenship verifications are received and retained in the case file, it does not need to be supplied for future eligibility determinations. Age and citizenship verification includes, but is not limited to: birth certificates, vital statistics, adoption papers, baptismal records, passport, picture ID, hospital and clinic records, school records, Immigration or Naturalization records, Alien Registration card.

- [Work.](#)

[Describe:](#)

All employment activities of any identified caretaker must be verified. Employment verifications are required at application and review if applicable. Households must also supply employment verification during the eligibility period when there is a total loss of all activities and the household has been granted a minimum three month period of continued assistance. Verification of the new activity must be supplied for assistance to continue beyond the three months. Acceptable employment verification includes, but is not limited to: pay stubs, employer statement, work schedules, client statement if other verification sources are not available.

- [Job training or educational program.](#)

[Describe:](#)

All job training or educational activities of any identified caretaker must be verified. Job training and educational activity verifications are required at application and review if applicable. Households must also supply training or education verifications during the eligibility period when there is a total loss of all activities and the household has been granted a minimum three month period of continued assistance. Verification of the new activity must be supplied for assistance to continue beyond the three months. Acceptable job training and education verification includes but is not limited to: class schedules, training schedules, statements from school administrators, employer statement, Crossroads Program approval letter, client statement if other verification sources are not available.

[Family income.](#)

[Describe:](#)

All income, earned and unearned, of any identified caretaker must be verified at the time of application and review. Households who report a change in income during the eligibility only need to verify income if the income change results in a decreased co-payment. Eligibility will continue if no verification is received. Increases in income do not need to be verified as it is not a mandatory reportable change, unless the income is expected to remain over 85% SMI. Acceptable income verification includes, but is not limited to: pay stubs, employer records, employer statement, court order, child and spousal support agreements, self-employment records, tax documents, benefit letters from pensions and various government benefit programs, bank statements, client statements if other verification sources are not available.

[Household composition.](#)

[Describe:](#)

Household composition must be verified at initial application. Once household composition verification is received and retained in the casefile, it does not need to be supplied for future eligibility determinations if the household composition does not change. Verification of household composition is typically verified through receiving verification for other mandatory items such as relationship and income. However, in the event the household composition is questionable, additional verification may be requested. Acceptable household composition verification includes, but is not limited to: birth certificates, hospital and clinic records, school records, court records, utility records, mortgage and lease records, client statement if other verification sources are not available.

[Applicant residence.](#)

[Describe:](#)

The household's residency must be verified at initial application. Once residency verification is received and retained in the casefile, it does not need to be submitted for future eligibility determinations. Identity verification includes, but is not limited to: driver's license, picture ID, school records, work records, hospital or health care records, pay stubs, bank records, utility records, mortgage/rent receipt or agreements,

birth certificates.

Other.

Describe:

3.1.10 Which strategies, if any, will the Lead Agency use to assure the timeliness of eligibility determinations upon receipt of applications?

Effective Date: 10/01/2018

Time limit for making eligibility determinations

Describe length of time:

A decision to either approve or deny an application or review must be made no later than 30 days following the day the signed and dated application or review is received in the county social service office. The first calendar day following receipt of the signed application is day 1 of the 30 day processing timeframe. Additional time may be allowed due to an extenuating circumstance. An extenuating circumstance may be determined by the eligibility worker, but reason for the extenuating circumstance must be documented in the case file. If it has been determined that an extenuating circumstance exists, 15 extra days are allowed to process the application or review. Action must be taken no later than 45 days following the date of application or review.

Track and monitor the eligibility determination process

Other.

Describe:

None

3.1.11 Informing parents who receive TANF benefits about the exception to the individual penalties associated with the TANF work requirement.

Lead Agencies are required 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 younger than age 6

(98.16(v); 98.33(f)).

Lead Agencies must coordinate with TANF programs to ensure that TANF families with young children will be informed of their right not to be sanctioned if they meet the criteria set forth by the state/territory TANF agency in accordance with Section 407(e)(2) of the Social Security Act.

In fulfilling this requirement, the following criteria or definitions are applied by the TANF agency to determine whether the parent has a demonstrated inability to obtain needed child care.

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

Effective Date: 10/01/2018

a) Identify the TANF agency that established these criteria or definitions: North Dakota Department of Human Services, Economic Assistance Policy Division.

b) Provide the following definitions established by the TANF agency:

"Appropriate child care":

Appropriate child care which includes licensed center-based providers, licensed family home child care providers, self-declared home child care providers under North Dakota Century Code 50-11.1

"Reasonable distance":

Child care is unobtainable at a location such that the usual commuting time from the parent's home to the location at which child care is provided, and on to the parent's worksite, is one hour or less.

"Unsuitability of informal child care":

Suitable child care is unobtainable for a relative, from an approved child care provided licensed or registered under North Dakota Century Code chapter 50-11.1, or from a child care provider not required to be licensed to registered under North Dakota Century Code chapter 50-11.1

"Affordable child care arrangements":

Child care is unobtainable, from a child care provider licensed or registered under

North Dakota Century Code chapter 50-11.1, at a rate equal to or less than two times the maximum allowable amount as determined by the child care assistance program.

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

In writing

Verbally

Other.

Describe:

d) Provide the citation for the TANF policy or procedure:

N.D.A.C. 75-02-01.2-103. Job opportunities and basic skills program - Good cause for failure or refusal to comply with a referral to, or participate in, the jobs opportunities and basic skills program.

3.2 Increasing Access for Vulnerable Children and Families

Lead Agencies are required to give priority for child care assistance to children with special needs, which can include vulnerable populations, in families with very low incomes and to children experiencing homelessness (658E(c)(3)(B); 98.46(a)). The prioritization of CCDF assistance services is not limited to eligibility determination (i.e., the establishment of a waiting list or the ranking of eligible families in priority order to be served).

Note:

CCDF defines "child experiencing homelessness" as a child who is homeless, as defined in Section 725 of Subtitle VII-B of the McKinney-Vento Act (42 U.S.C. 11434a) (98.2).

3.2.1 Describe how the Lead Agency defines:

Effective Date: 10/01/2018

a) "Children with special needs":

The Lead Agency defines a child with special needs as a child who is physically or

mentally incapable of caring for himself or herself as verified by a physician or a licensed or certified psychologist. Services are prioritized by providing services to a child between the ages of 13 to 19 when that child is identified as having special needs. Once the new eligibility system is in place, an additional 10% will be added to payments made to certain identified providers who are caring for children with identified special needs.

b) "Families with very low incomes":

The Lead Agency defines families with very low incomes as families who are receiving Temporary Assistance for Needy Families (TANF). TANF families have a waived co-payment.

3.2.2 Describe how the Lead Agency will prioritize or target child care services for the following children and families.

Effective Date: 10/01/2018

a) Identify how services are prioritized for children with special needs. Check all that apply:

- Prioritize for enrollment
- Serve without placing these populations on waiting lists
- Waive copayments
- Pay higher rates for access to higher-quality care
- Use grants or contracts to reserve slots for priority populations
- Other.

Describe:

The Lead Agency defines a child with special needs as a child who is physically or mentally incapable of caring for himself or herself as verified by a physician or a licensed or certified psychologist. Services are prioritized by providing services to a child between the ages of 13 to 19 when that child is identified as having special needs. Once the new eligibility system is in place, with an anticipated go-live date in March 2019, an additional 10% will be added to payments made to providers who are caring for children with identified special needs.

The Lead Agency does not have a waiting list as all applicants for CCAP have been able to be assisted by the Lead Agency. In the event the Lead Agency would have to implement a waiting list, children with special needs would be identified as a priority for services.

b) Identify how services are prioritized for families with very low incomes. Check all that apply:

- Prioritize for enrollment
- Serve without placing these populations on waiting lists
- Waive copayments
- Pay higher rates for access to higher-quality care
- Use grants or contracts to reserve slots for priority populations
- Other.

Describe:

The Lead Agency defines families with very low incomes as families who are receiving Temporary Assistance for Needy Families (TANF). TANF families have a waived co-payment.

The Lead Agency does not have a waiting list as all applicants for CCAP have been able to be assisted by the Lead Agency. In the event the Lead Agency would have to implement a waiting list, families with very low incomes would be identified as a priority for services.

c) Identify how services are prioritized for children experiencing homelessness, as defined by the CCDF. Check all that apply:

- Prioritize for enrollment
- Serve without placing these populations on waiting lists
- Waive copayments
- Pay higher rates for access to higher-quality care
- Use grants or contracts to reserve slots for priority populations
- Other.

Describe:

Households who are experiencing homelessness are prioritized by allowing CCAP

eligibility at the time of application or review for caretakers who have only job or activity search as an allowable activity. These households are also provided services during a 30-day grace period to provide required verifications.

The Lead Agency does not have a waiting list as all applicants for CCAP have been able to be assisted by the Lead Agency. In the event the Lead Agency would have to implement a waiting list, children experiencing homelessness would be identified as a priority for services.

d) Identify how services are prioritized, if applicable, for families receiving TANF program funds, those attempting to transition off TANF through work activities, and those at risk of becoming dependent on TANF (98.16(i)(4)). Check all that apply:

- Prioritize for enrollment
- Serve without placing these populations on waiting lists
- Waive copayments
- Pay higher rates for access to higher-quality care
- Use grants or contracts to reserve slots for priority populations
- Other.

Describe:

Families who are receiving TANF or TANF Transition are prioritized by have the CCAP co-payment waived and by paying for child care services provided for any activity identified on the TANF JOBS Employability Plan.

The Lead Agency does not have a waiting list as all applicants for CCAP have been able to be assisted by the Lead Agency. In the event the Lead Agency would have to implement a waiting list, families receiving would be identified as a priority for services.

3.2.3 List and define any other priority groups established by the Lead Agency.

NA

3.2.4 Describe how the Lead Agency prioritizes services for the additional priority groups identified in 3.2.3.

NA

3.2.5 Lead Agencies are required to expend CCDF funds to (1) permit the enrollment (after an initial eligibility determination) of children experiencing homelessness while required documentation is obtained, (2) provide training and TA to child care providers and the appropriate Lead Agency (or designated entity) staff on identifying and serving homeless children and families (addressed in section 6), and (3) conduct specific outreach to homeless families (658E(c)(3); 98.51).

a) Describe the procedures to permit the enrollment of children experiencing homelessness while required documentation is obtained.

Households who indicate on an application or review that they are experiencing homelessness must be approved for services for the month of application before supplying all necessary verifications. Households are provided a 30-day grace period from the date of application to supply all necessary verifications to continue assistance.

b) Check, where applicable, the procedures used to conduct outreach for children experiencing homelessness (as defined by CCDF Rule) and their families.

- Lead Agency accepts applications at local community-based locations
- Partnerships with community-based organizations
- Partnering with homeless service providers, McKinney-Vento liaisons, and others who work with families experiencing homelessness to provide referrals to child care

Other

Outreach is conducted for CCAP eligible families at each local county level by conducting referrals to programs and services in the area that assist homeless families and families with low incomes. Families who are TANF eligible work with JOBS program contractors who provide outreach TANF families by connecting them with services. McKinney-Vento liaisons provide outreach and referrals to homeless families.

Note: The Lead Agency shall pay any amount owed to a child care provider for services provided as a result of the initial eligibility determination, and any CCDF payment made prior to the final eligibility determination shall not be considered an error or improper payment (98.51(a)(1)(ii)).

3.2.6 Lead Agencies must establish a grace period that allows homeless children and children in foster care to receive CCDF assistance while providing their families with a reasonable time to take any necessary actions to comply with immunization and other health and safety requirements (as described in section 5). The length of such a grace period shall be established in consultation with the state, territorial, or tribal health agency (658E(c)(2)(I)(i)(I); 98.41(a)(1)(i)(C)).

Note:

Any payment for such a child during the grace period shall not be considered an error or improper payment (98.41(a)(1)(i)(C)(2)).

Effective Date: 10/01/2018

a) Describe procedures to provide a grace period to comply with immunization and other health and safety requirements, including how the length of the grace period was established in consultation with the state, territorial, or tribal health agency for:

Children experiencing homelessness (as defined by Lead Agency's CCDF)

Children experiencing homelessness are allowed a 30-day grace period to supply immunization records. The Department of Health was consulted on the length of the grace period.

Provide the citation for this policy and procedure.

Citation will be added to the Child and Family Services policy manual effective

October 1, 2018.

Children who are in foster care.

NA

Provide the citation for this policy and procedure.

NA

b) Describe how the Lead Agency coordinates with licensing agencies and other relevant state, territorial, tribal, and local agencies to provide referrals and support to help families with children receiving services during a grace period comply with immunization and other health and safety requirements (98.41(a)(1)(i)(C)(4)).

The Lead Agency trains child care providers on identifying homelessness and on immunization requirements. Families who are eligible for CCAP are informed of immunization requirements and how to access immunizations through the Application for Assistance Handbook.

c) Does the Lead Agency establish grace periods for other children who are not experiencing homelessness or in foster care?

No.

Yes.

Describe:

3.3 Protection for Working Families

3.3.1 12-Month eligibility.

The Lead Agency is required to establish a minimum 12-month eligibility and redetermination period, regardless of changes in income (as long as the income does not exceed the federal threshold of 85 percent of the state median income) or temporary changes in participation in work, training, or educational activities (658E(c)(2)(N)(i) and (ii)).

This change means that a Lead Agency may not terminate CCDF assistance during the 12-month period if a family has an increase in income that exceeds the state's income eligibility threshold, but not the federal threshold of 85 percent of SMI. The Lead Agency may not terminate assistance prior to the end of the 12-month period if a family experiences a temporary job loss or a temporary change in participation in a training or educational activity. A temporary change in eligible activity includes, at a minimum, any time-limited absence from work for an employed parent due to such reasons as the need to care for a family member or an illness; any interruption in work for a seasonal worker who is not working; any student holiday or break for a parent participating in a training or educational program; any reduction in work, training, or education hours, as long as the parent is still working or attending a training or educational program; any other cessation of work or attendance at a training or educational program that does not exceed 3 months or a longer period of time established by the Lead Agency; a child turning 13 years old during the 12-month eligibility period (except as described in 3.1.1); and any changes in residency within the state, territory, or tribal service area.

Effective Date: 10/01/2018

a) Describe the Lead Agency's policies and procedures in implementing the minimum 12-month eligibility and redetermination requirements, including when a family experiences a temporary change in activity.

Households are approved for 12 months from the month of application or review. Households may also request assistance for the month prior to the application month, which is not included in the 12-month eligibility period. At the time of application or review, all caretakers in the household must have at least one activity of employment, education or training. Once a household is eligible, they do not have to report any temporary changes in activities. If the household would report a temporary change, no action is taken, and assistance will continue through the eligibility period.

b) How does the Lead Agency define "temporary change?"

A temporary change is any loss of allowable activity that is time limited (two weeks, one month, etc.) when the individual anticipates returning to that activity. This includes a loss of activity due to interruption in work for seasonal workers, breaks in education or training activities, absences from allowable activities due to medical conditions of that individual or a family member and parental leave. Reductions in any allowable activity, as long as the individual continues to participate in that activity, are not acted on. Eligible children who turn 13 during the eligibility period continue to receive assistance through the remainder of the eligibility period. Households remain eligible when moving within the state.

c) Provide the citation for this policy and/or procedure.

Eligible Children 400-28-35-02, Allowable Activities 400-28-55-05, Reporting Requirements 400-28-125-05.

3.3.2 Option to discontinue assistance during the 12-month eligibility period.

Lead Agencies have the option, but are not required, to discontinue assistance during the 12-month eligibility period due to a parent's non-temporary loss of work or cessation of attendance at a job training or educational program, otherwise known as a parent's eligible activity (i.e., if the parent experiences a temporary change in his or her status as working or participating in a training or educational program, as described in section 3.3.1 of the plan).

If the Lead Agency chooses the option to discontinue assistance due to a parent's non-temporary loss or cessation of eligible activity, it must continue assistance at least at the same level for a period of not fewer than 3 months after each such loss or cessation for the parent to engage in a job search and to resume work or resume attendance in a job training or educational program. At the end of the minimum 3-month period of continued assistance, if the parent has engaged in a qualifying work, training, or educational program activity with an income below 85 percent of SMI, assistance cannot be terminated, and the child must continue receiving assistance until the next scheduled redetermination or, at the Lead Agency option, for an additional minimum 12-month eligibility period.

Effective Date: 10/01/2018

a) Does the Lead Agency choose to discontinue assistance during the 12-month eligibility period due to a parent's non-temporary loss or cessation of eligible activity and offer a minimum 3-month period to allow parents to engage in a job search and to resume participation in an eligible activity?

No, the state/territory does not allow this option to discontinue assistance during the 12-month eligibility period due to a parent's non-temporary loss of work or cessation of attendance at a job training or educational program.

Yes, the Lead Agency discontinues assistance during the 12-month eligibility period due to a parent's non-temporary loss of work or cessation of eligible activity and provides a minimum 3-month period of job search. If yes:

i. Provide a summary describing the Lead Agency's policies and procedures for discontinuing assistance due to a parent's non-temporary change:

In order for activity search to start, a caretaker must have a non-temporary loss of

allowable activity. A non-temporary loss of allowable activity is any loss of activity that is not time limited (two weeks, one month, etc.) and the individual does not anticipate returning to their activity. Child care for activity search must be allowed for three full consecutive months within an eligibility period once a caretaker loses their allowable activity. When a household included two caretakers, each caretaker is eligible for three consecutive months of activity search. The level of care that was effective before the loss of activity cannot be reduced and must continue through the three allowable months of activity search. Verification of activity search hours is not required. Each caretaker is allowed more than one period of activity search after each non-temporary loss of activity.

ii. Describe what specific actions/changes trigger the job-search period.

A household must first report the loss of activity.

iii. How long is the job-search period (must be at least 3 months)?

The continued assistance period will begin in the month following the month of activity loss when the change is reported timely and must last for three months thereafter. This gives the household a slightly extended period of continued assistance beyond the minimum three months. If the change was not reported timely, the three months of continued assistance will begin in the month the change occurred.

iv. Provide the citation for this policy or procedure.

Allowable Activities 400-28-55-05.

b) The Lead Agency may discontinue assistance prior to the next 12-month redetermination in the following limited circumstances. Check and describe any circumstances in which the Lead Agency chooses to discontinue assistance prior to the next 12-month redetermination. Check all that apply.

- Not applicable.
- Excessive unexplained absences despite multiple attempts by the Lead Agency or designated entity to contact the family and provider, including the prior notification of a possible discontinuation of assistance.

i. Define the number of unexplained absences identified as excessive:

ii. Provide the citation for this policy or procedure:

- A change in residency outside of the state, territory, or tribal service area.

Provide the citation for this policy or procedure:

Reporting Requirements 400-28-125-05.

- Substantiated fraud or intentional program violations that invalidate prior determinations of eligibility.

Describe the violations that lead to discontinued assistance and provide the citation for this policy or procedure.

An Intentional Program Violation (IPV) is an action by an individual, for the purpose of improperly establishing, maintaining, increasing or preventing a reduction in eligibility for assistance. Items that may lead to an IPV include, but may not be limited to; giving false information on income, household members, assets or supplying falsified documents. Intentional Program Violation 400-28-162-05.

3.3.3 Change reporting during the 12-month eligibility period.

The Lead Agency must describe the requirements for parents to report changes in circumstances during the 12-month eligibility period and describe efforts to ensure that such requirements do not place an undue burden on eligible families, which could impact the continuity of care for children and stability for families receiving CCDF services (98.16(h)(1)).

Note: Responses should exclude reporting requirements for a graduated phase-out, which were described in question 3.1.7(b).

Families are required to report a change to the Lead Agency at any time during the 12-month eligibility period if the family's income exceeds 85 percent of the state median income, taking into account irregular fluctuations in income (98.21(e)(1)). If the Lead Agency chooses the option to terminate assistance, as described in section 3.3.2 of the plan, they may require families to report a non-temporary change (as described in section 3.3.3 of the plan) in work, training or educational activities (otherwise known as a parent's eligible activity).

Effective Date: 10/01/2018

a) Does the Lead Agency require families to report a non-temporary change in a parent's eligible activity?

No

Yes

b) Any additional reporting requirements during the 12-month eligibility period must be limited to items that impact a family's eligibility (e.g., income changes over 85 percent of SMI or that impact the Lead Agency's ability to contact the family or pay the child care providers (e.g., a family's change of address, a change in the parent's choice of child care provider).

Check and describe any additional reporting requirements required by the Lead Agency during the 12-month eligibility period. Check all that apply.

Additional changes that may impact a family's eligibility during the 12-month period.

Describe:

When an eligible child no longer needs child care or is no longer residing in the home.

Changes that impact the Lead Agency's ability to contact the family.

Describe:

Families are required to report when they move out of state.

Changes that impact the Lead Agency's ability to pay child care providers.

Describe:

Families are required to report the addition or change of a provider. Families are allowed a 10-day timeframe from the date the change occurred to report the addition or change. If the change is reported timely, the provider is provided a certificate in the month the change occurred and may begin billing CCAP in that month. If the change is not timely, the change is made in the month the change was reported.

Any additional reporting requirements that the Lead Agency chooses, as its option to require from parents during the 12-month eligibility period, shall not require an office visit. In addition, the Lead Agency must offer a range of notification options to accommodate families.

c) How does the Lead Agency allow for families to report changes to ensure that reporting requirements are not burdensome and to avoid an impact on continued eligibility between redeterminations? Check all that apply.

- Phone
- Email
- Online forms
- Extended submission hours
- Postal Mail
- FAX
- In-person submission
- Other.

Describe:

d) Families must have the option to voluntarily report changes on an ongoing basis during the 12-month eligibility period. Lead Agencies are required to act on information reported by the family if it will reduce the family's co-payment or increase the family's subsidy. Lead Agencies are prohibited from acting on information reported by the family that would reduce the family's subsidy unless the information reported indicates that the family's income exceeds 85 percent of SMI after considering irregular fluctuations in income or, at the option of the Lead Agency, the family has experienced a non-temporary change in eligible activity.

i. Describe any other changes that the Lead Agency allows families to report.

Households may report any changes in their household or circumstances. When changes are reported, the worker must determine if the cumulative effect of the changes will result in an increase or decrease in benefits. If it results in a decrease in benefits, no further action is taken, and the changes may be acted on at the next review. If the changes result in an increase in benefits, or it is unclear what the effect on the benefits will be, verification must be obtained. If the household provides verification, the worker must act on the reported changes when the changes result in an increase in benefits. If the household fails to provide verification, the previously verified amount of the reported change is used and the benefit remains the same. If there is no previously verified amount (i.e. household reports paying child support and previously had not), no change is made, and the benefit remains the same.

ii. Provide the citation for this policy or procedure.

Reporting Requirements 400-28-125-05.

3.3.4 Prevent the disruption of employment, education, or job training activities

Lead Agencies are required to have procedures and policies in place to ensure that parents (especially parents receiving assistance under the TANF program) are not required to unduly disrupt their employment, education, or job training activities to comply with the Lead Agency's or designated local entity's requirements for the redetermination of eligibility for assistance (658E(c)(2)(N)(ii); 98.21(d)).

Examples include developing strategies to inform families and their providers of an upcoming redetermination and the information that will be required of the family, pre-populating subsidy renewal forms, having parents confirm that the information is accurate, and/or asking only for the information necessary to make an eligibility redetermination. In addition, states and territories can offer a variety of family-friendly methods for submitting documentation for eligibility redetermination that considers the range of needs for families in accessing support (e.g. use of languages other than English, access to transportation, accommodation of parents working non-traditional hours, etc.).

Effective Date: 10/01/2018

a) Identify, where applicable, the Lead Agency's procedures and policies to ensure that parents (especially parents receiving TANF program funds) do not have their employment, education, or job training unduly disrupted to comply with the state/territory's or designated local entity's requirements for the redetermination of eligibility.

- Advance notice to parents of pending redetermination
- Advance notice to providers of pending redetermination
- Pre-populated subsidy renewal form
- Online documentation submission
- Cross-program redeterminations
- Extended office hours (evenings and/or weekends)
- Other.

Describe:

Review forms are generated the 25th of the month before the review is due and

sent to households to ensure they receive their review forms at the beginning of month in which the review is due. During the review process, households are not asked to provide verifications such as identity, age or citizenship of eligible children, relationship, or residency of household members who have already verified that information at the initial eligibility determination. Households are asked to reverify income and allowable activities. The review form along with any additional verifications can be submitted through mail, email, fax or in person. County social services offices have drop boxes for items that submitted in person after office hours.

b) How are families allowed to submit documentation, described in 3.1.9, for redetermination? Check all that apply.

- Postal Mail
- Email
- Online forms
- FAX
- In-person submission
- Extended submission hours
- Other.

Describe:

3.4 Family Contribution to Payments

Lead Agencies are required to establish and periodically revise a sliding-fee scale for CCDF families that varies based on income and the size of the family to determine each family's contribution (i.e., co-payment) that is not a barrier to families receiving CCDF funds (658E(c)(5)). In addition to income and the size of the family, the Lead Agency may use other factors when determining family contributions/co-payments. Lead Agencies, however, may NOT use cost of care or amount of subsidy payment in determining copayments (98.45(k)(2)).

Note: To help families transition off of child care assistance, Lead Agencies may gradually adjust co-pay amounts for families determined to be eligible under a graduated phase-out. However, section 3.4 applies only to families in their initial/entry eligibility period. See section 3.1.7 Graduated Phase-Out regarding co-pays during the graduated phase-out period.

3.4.1 Provide the CCDF co-payments in the chart below according to family size for one child in care.

Effective Date: 10/01/2019

a) Fill in the chart based on the most populous area of the State (area serving highest number of CCDF children).

	(a)	(b)	(c)	(d)	(e)	(f)
Family Size	Lowest Initial or First Tier Income Level Where Family Is First Charged Co-Pay (Greater Than \$0)	What Is the Monthly Co-Payment for a Family of This Size Based on the Income Level in (a)?	The Co-Payment in Column (b) is What Percentage of the Income in Column (a)?	Highest Initial or First Tier Income Level Before a Family Is No Longer Eligible	What Is the Monthly Co-Payment for a Family of This Size Based on the Income Level in (d)?	The Co-Payment in Column (e) is What Percentage of the Income in Column (d)?
1	\$1	\$9	2%	\$2,529	\$178	7%
2	\$1	\$12	2%	\$3,307	\$232	7%
3	\$1	\$14	2%	\$4,085	\$286	7%
4	\$1	\$17	2%	\$4,863	\$341	7%
5	\$1	\$19	2%	\$5,641	\$395	7%

b) What is the effective date of the sliding-fee scale(s)? October 1, 2019.

c) Identify the most populous area of the state used to complete the chart above.
Cass County.

d) Provide the link to the sliding-fee scale: <http://www.nd.gov/dhs/info/pubs/docs/dn-241-child-care-assistance-sliding-fee-scale.pdf>

e) If the sliding-fee scale is not statewide, describe how many jurisdictions set their own sliding-fee scale (98.16(i)(3)).

3.4.2 How will the family's contribution be calculated, and to whom will it be applied?

Check all that apply.

Effective Date: 10/01/2018

The fee is a dollar amount and:

- The fee is per child, with the same fee for each child.
- The fee is per child and is discounted for two or more children.
- The fee is per child up to a maximum per family.
- No additional fee is charged after certain number of children.
- The fee is per family.
- The contribution schedule varies because it is set locally/regionally (as indicated in 1.2.1).

Describe:

Other.

Describe:

The fee is a percent of income and:

- The fee is per child, with the same percentage applied for each child.
- The fee is per child, and a discounted percentage is applied for two or more children.
- The fee is per child up to a maximum per family.
- No additional percentage is charged after certain number of children.
- The fee is per family.
- The contribution schedule varies because it is set locally/regionally (as indicated in 1.2.1).

Describe:

Other.

Describe:

3.4.3 Does the Lead Agency use other factors in addition to income and family size to determine each family's co-payment (658E(c)(3)(B))? Reminder ' Lead Agencies may NOT use cost of care or amount of subsidy payment in determining copayments (98.45(k)(2)).

Effective Date: 10/01/2018

- No.
- Yes, check and describe those additional factors below.
- Number of hours the child is in care.

Describe:

- Lower co-payments for a higher quality of care, as defined by the state/territory.

Describe:

- Other.

Describe:

3.4.4 The Lead Agency may waive contributions/co-payments from families whose incomes are at or below the poverty level for a family of the same size (98.45(k)) or for families who are receiving or needing to receive protective services, as determined for purposes of CCDF eligibility, or who meet other criteria established by the Lead Agency (98.45(k)(4)). Does the Lead Agency waive family contributions/co-payments for any of the following? Check all that apply.

Effective Date: 10/01/2018

- No, the Lead Agency does not waive family contributions/co-payments.
- Yes, the Lead Agency waives family contributions/co-payments for families with an income at or below the poverty level for families of the same size.
- Yes, the Lead Agency waives family contributions/co-payments for families who are receiving or needing to receive protective services, as determined by the Lead Agency for purposes of CCDF eligibility.

Describe the policy and provide the policy citation.

- Yes, the Lead Agency waives family contributions/co-payments for other criteria established by the Lead Agency.

Describe the policy and provide the policy citation.

Co-payments are waived for households that are also eligible for TANF, TANF Transition and Diversion. The policy citation is 'Waived Co-Pay for TANF Recipients 400-28-45-05'. Co-payments are also waived for household who are eligible for Crossroads. The Crossroads Program is designed to assist teen parents under the age of 21 continue their education. The policy citation is 'Eligibility for Crossroads Families 400-28-40-05'.

4 Ensure Equal Access to Child Care for Low-Income Children

A core purpose of CCDF is to promote parental choice and to empower working parents to make their own decisions regarding the child care services that best suit their family's needs. Parents have the option to choose from center-based care, family child care or care provided in the child's own home. In supporting parental choice, the Lead Agencies must ensure that families receiving CCDF funding have the opportunity to choose from the full range of eligible child care settings and must provide families with equal access to child care that is comparable to that of non-CCDF families. Lead Agencies must employ strategies to increase the supply and to improve the quality of child care services, especially in underserved areas. This section addresses strategies that the Lead Agency uses to promote parental choice, ensure equal access, and increase the supply of child care. Note: In responding to questions in this section, the Office of Child Care (OCC) recognizes that each State/Territory identifies and defines its own categories and types of care. The OCC does not expect States/Territories to change their definitions to fit the CCDF-defined categories and types of care. For these questions, provide responses that closely match the CCDF categories of care.

4.1 Parental Choice in Relation to Certificates, Grants, or Contracts

The parent(s) of each eligible child who receive(s) or is offered financial assistance for child care services has the option of either receiving a child care certificate or, if available, enrolling his or her child with a provider that has a grant or contract for providing child care services (658E(c)(2)(A); 98.30(a)). Even if a parent chooses to enroll his or her child with a provider who has a grant or contract, the parent will select the provider, to the extent practicable. If a parent chooses to use a certificate, the Lead Agency shall provide information to the parent on the range of provider options, including care by sectarian providers and relatives. Lead Agencies must require providers chosen by families to meet health and safety standards and has the option to require higher standards of quality. Lead agencies are reminded that any policies and procedures should not restrict parental access to any type of care or provider (e.g. center care, home care, in-home care, for-profit provider, non-profit provider or faith-based provider, etc.) (98.15 (a)(5)).

4.1.1 Describe the child care certificate, including when it is issued to parents (before or after the parent has selected a provider) and what information is included on the certificate (98.16 (q)).

Certificates are issued to the household and to providers at the time the households selects a provider. The household copy of the certificate contains the children that are eligible to receive assistance, the provider associated to that child, the maximum state rate, the level of care, the co-payment amount, the allowable activities that have been approved for care, the time period for which the certificate is effective and mandatory reportable changes. The provider's copy of the certificate contains all children in a household who have been associated to that provider, the maximum state rate, the level of care, the household's co-payment amount and the time period for which the certificate is effective.

Effective Date: 10/01/2018

4.1.2 Describe how the parent is informed that the child certificate allows the option to choose from a variety of child care categories, such as private, not-for-profit, faith-based providers; centers; FCC homes; or in-home providers (658E(c)(2)(A)(i); 658P(2); 658Q).

Check all that apply.

Effective Date: 10/01/2018

- Certificate that provides information about the choice of providers
- Certificate that provides information about the quality of providers
- Certificate not linked to a specific provider, so parents can choose any provider
- Consumer education materials on choosing child care
- Referral to child care resource and referral agencies
- Co-located resource and referral in eligibility offices
- Verbal communication at the time of the application
- Community outreach, workshops, or other in-person activities
- Other.

Describe:

4.1.3 Child care services available through grants or contracts.

Effective Date: 10/01/2018

a) In addition to offering certificates, does the Lead Agency provide child care services through grants or contracts for child care slots (658A(b)(1))? Note: Do not check 'yes' if every provider is simply required to sign an agreement to be paid in the certificate program.

- No. If no, skip to 4.1.4.
- Yes, in some jurisdictions but not statewide.

If yes, describe how many jurisdictions use grants or contracts for child care slots.

- Yes, statewide. If yes, describe:

- i. How the Lead Agency ensures that parents who enroll with a provider who has a grant or contract have choices when selecting a provider:
- ii. The type(s) of child care services available through grants or contracts:
- iii. The entities that receive contracts (e.g., shared services alliances, CCR&R agencies, FCC networks, community-based agencies, child care providers):
- iv. The process for accessing grants or contracts:
- v. How rates for contracted slots are set through grants and contracts:
- vi. How the Lead Agency determines which entities to contract with for increasing supply and/or improving quality:
- vii. If contracts are offered statewide and/or locally:

4.1.3 Child care services available through grants or contracts.

b) Will the Lead Agency use grants or contracts for child care services to increase the supply and/or quality of specific types of care? Check all that apply.

- Programs to serve children with disabilities
- Programs to serve infants and toddlers
- Programs to serve school-age children
- Programs to serve children needing non-traditional hour care
- Programs to serve children experiencing homelessness
- Programs to serve children in underserved areas
- Programs that serve children with diverse linguistic or cultural backgrounds
- Programs that serve specific geographic areas
 - Urban
 - Rural
 - Other

Describe

NA

4.1.3 Child care services available through grants or contracts.

c) Will the Lead Agency use grants or contracts for child care services to increase the quality of specific types of care? Check all that apply.

- Programs to serve children with disabilities
- Programs to serve infants and toddlers
- Programs to serve school-age children
- Programs to serve children needing non-traditional hour care
- Programs to serve homeless children
- Programs to serve children in underserved areas
- Programs that serve children with diverse linguistic or cultural backgrounds
- Programs that serve specific geographic areas
 - Urban
 - Rural
- Other

Describe

NA

4.1.4 Certify by describing the Lead Agency's procedures for ensuring that parents have unlimited access to their children whenever their children are in the care of a provider who receives CCDF funds (658E(c)(2)(B); 98.16(t)).

Caretakers are informed of unlimited access in the CCAP brochure and through verbal communication at the time of the eligibility determination. Policy citation 'Provider Requirements and Information – Overview 400-28-105-05' also states that providers must allow unlimited access to their children while the child is in the provider's care.

Effective Date: 10/01/2018

4.1.5 The Lead Agency must allow for in-home care (i.e., care provided in the child's own home) but may limit its use (98.16(i)(2)). Will the Lead Agency limit the use of in-home care in any way?

Effective Date: 10/01/2018

- No.
- Yes. If checked, what limits will the Lead Agency set on the use of in-home care? Check all that apply.
 - Restricted based on minimum the number of children in the care of the provider to meet the Fair Labor Standards Act (minimum wage) requirements.
Describe:
 - Restricted based on the provider meeting a minimum age requirement. (A relative provider must be at least 18 years of age based on the definition of eligible child care provider (98.2).
Describe:
 - Restricted based on the hours of care (i.e., certain number of hours, non-traditional work hours).
Describe:
 - Restricted to care by relatives.
Describe:
 - Restricted to care for children with special needs or a medical condition.
Describe:
In-home child care is allowed when a child's health would be at risk if taken to an outside provider or that a child's medical condition creates an undue hardship by taking the child to an outside provider.
 - Restricted to in-home providers that meet additional health and safety requirements beyond those required by CCDF.

Describe:

Other.

Describe:

4.2 Assessing Market Rates and Child Care Costs

Lead Agencies have the option to conduct a statistically valid and reliable (1) market rate survey (MRS) reflecting variations in the price to parents of child care services by geographic area, type of provider, and age of child and/or (2) an alternative methodology, such as a cost estimation model (658E(c)(4)(B)). A cost estimation model estimates the cost of care by incorporating both data and assumptions to model what expected costs would be incurred by child care providers and parents under different cost scenarios. Another approach would be a cost study that collects cost data at the facility or program level to measure the costs (or inputs used) to deliver child care services. The MRS or alternative methodology must be developed and conducted no earlier than 2 years before the date of submission of the Plan.

Note - Any Lead Agency considering using an alternative methodology, instead of a market rate survey, is required to submit a description of its proposed approach to its ACF Regional Child Care Program Office for pre-approval in advance of the Plan submittal (see <https://www.acf.hhs.gov/occ/resource/ccdf-acf-pi-2016-08>). Advance approval is not required if the Lead Agency plans to implement both a market rate survey and an alternative methodology. In its request for ACF pre-approval, a Lead Agency must:

- Provide an overview of the Lead Agency's proposed approach (e.g., cost estimation model, cost study/survey, etc.), including a description of data sources.
- Describe how the Lead Agency will consult with the State's Early Childhood Advisory Council or similar coordinating body, local child care program administrators, local child care resource and referral agencies, organizations representing child care caregivers, teachers and directors, and other appropriate entities prior to conducting the identified alternative methodology.
- Describe how the alternative methodology will use methods that are statistically valid and reliable and will yield accurate results. For example, if using a survey, describe how the Lead Agency will ensure a representative sample and promote an adequate response rate. If using a cost estimation model, describe how the Lead Agency will validate the assumptions in the

model.

- If the proposed alternative methodology includes an analysis of costs (e.g., cost estimation model or cost study/survey), describe how the alternative methodology will account for key factors that impact the cost of providing care'such as: staff salaries and benefits, training and professional development, curricula and supplies, group size and ratios, enrollment levels, licensing requirements, quality level, facility size, and other factors.
- Describe how the alternative methodology will provide complete information that captures the universe of providers in the child care market.
- Describe how the alternative methodology will reflect variations by provider type, age of children, geographic location and quality.
- Describe how the alternative methodology will use current, up to date data.
- Describe the estimated reporting burden and cost to conduct the approach.

4.2.1 Please identify the methodology(ies) used below to assess child care prices and/or costs.

Effective Date: 10/01/2018

- MRS
- Alternative methodology.
Describe:
- Both.
Describe:

4.2.2 Prior to developing and conducting the MRS or alternative methodology, the Lead Agency is required to consult with the (1) State Advisory Council or similar coordinating body, local child care program administrators, local child care resource and referral agencies, and other appropriate entities and (2) organizations representing caregivers, teachers, and directors (98.45 (e)).

Describe how the Lead Agency consulted with the:

Effective Date: 10/01/2018

a) State Advisory Council or similar coordinating body:

The State Advisory Council was provided a proposed draft version of the MRS and was given a 20-day period to provide any input or feedback on the draft survey.

b) Local child care program administrators:

The Early Childhood Services Administrator was consulted in the development of the questions and format of the MRS. The Early Childhood Services Administrator was also provided a proposed draft version of the MRS and was given a 20-day period to provide any input or feedback on the draft survey.

c) Local child care resource and referral agencies:

Staff members from Child Care Aware North Dakota were provided a proposed draft version of the MRS and was given a 20-day period to provide any input or feedback on the draft survey.

d) Organizations representing caregivers, teachers, and directors:

The North Dakota Early Childhood Education Council was provided a proposed draft version of the MRS and was given a 20-day period to provide any input or feedback on the draft survey.

e) Other. Describe:

NA

4.2.3 Describe how the market rate survey is statistically valid and reliable. To be considered valid and reliable, the MRS must represent the child care market, provide complete and current data, use rigorous data collection procedures, reflect geographic variations, and analyze data in a manner that captures other relevant differences. For example, market rate surveys can use administrative data, such as child care resource and referral data, if they are representative of the market. If an alternative methodology, such as cost modeling, is used, demonstrate that the methodology used reliable

methods.

A total of 1,441 surveys were mailed to all Center and Licensed/Family Group child care providers, certified or registered with the state of North Dakota. Provider types included were child care centers, preschool education facilities, school age child care, multiple license facilities family child care and group care in homes and in facilities. A listing of all current providers was used as the data source for the MRS mailing. Of the surveys mailed 779 were returned and usable for an overall response rate of 55%. Additionally, 81 facilities responded that they had no private pay clients and 13 facilities did not provide this information. These 94 surveys were excluded from the percentiles analysis as the pricing scheme of their facility was not representative of an actual, non-subsidized market. The exclusion of these surveys resulted in an adjusted response rate of 51.9%.

The 2017 North Dakota Child Care Assistance MRS consisted of four mailings:

(1) An introductory letter (September 19, 2017). The introductory letter provides a link to complete the survey online.

(2) A one-page survey, cover letter and self-addressed stamped return envelope (September 22, 2017), (3) A thank you/reminder postcard (October 6, 2017), and

(4) A replacement survey, cover letter and self-addressed stamped return envelope (November 7, 2017).

The last day of survey collection (mail the survey back or complete the survey online) was November 17, 2017.

Surveys were sent by the Division of Public Assistance to all Center and Licensed Family/Group child care providers in the State.

Statistical Analysis Plan:

For analysis purposes the dataset was limited to facilities that have any private pay child care slots that are not subsidized by Federal, State or local subsidies or grant funds. Full-time (40 hours of care) weekly rates were converted into monthly rates. Frequency distributions and percentages are used to show results for categorical variables. Central

tendency measures (arithmetic mean, median, minimum and maximum) and measures of position (percentiles) were conducted for quantitative data. The 50th, 55th, 60th, 65th, 70th, 75th, and 80th percentiles were computed for two categorical provider type classifications: Center (C, E, K, M) and Licensed Family/Group (F, G, H). The rates/billings do not include any discount in the rate.

Effective Date: 10/01/2018

4.2.4 Describe how the market rate survey or alternative methodology reflects variations in the price or cost of child care services by:

Effective Date: 0

a) Geographic area (e.g., statewide or local markets). Describe:

The survey is conducted statewide and providers are asked to supply the county in which they are located. Current system functionality limits the Lead Agency in its capability to pay based on geographic area. The Lead Agency is in the process of building a new eligibility system and will explore paying based on urban vs rural or other geographic variances.

b) Type of provider. Describe:

Center and licensed family and group type providers were included in the survey.

c) Age of child. Describe:

Providers were asked to provide rates for the following age ranges: Infant (under 12 months) Toddler (12 months - 3) Preschool (3-6) School Age (6 - 12).

d) Describe any other key variations examined by the market rate survey or alternative methodology, such as quality level.

Providers were asked to provide information on how their rates may have been affected by participation in the QRIS system.

4.2.5 After conducting the market rate survey or alternative methodology, the Lead Agency must prepare a detailed report containing the results of the MRS or alternative methodology. The detailed report must also include the estimated cost of care (including any relevant variation by geographic location, category of provider, or age of child) necessary to support (1) child care providers' implementation of the health, safety, quality, and staffing requirements and (2) higher quality care, as defined by the Lead Agency using a quality rating and improvement system or other system of quality indicators, at each level of quality. For States without a QRIS, the States may use other quality indicators (e.g. provider status related to accreditation, pre-K standards, Head Start performance standards, or State defined quality measures.)

Effective Date: 10/01/2018

Describe how the Lead Agency made the results of the market rate survey or alternative methodology report widely available to the public (98.45(f)(1)). by responding to the questions below.

a) Date of completion of the market rate survey or alternative methodology (must be no earlier than July 1, 2016, and no later than July 1, 2018). 12/22/2017

b) Date the report containing results was made widely available - no later than 30 days after the completion of the report. The survey results were posted to the Lead Agency's public website on January 19, 2018.

c) Describe how the Lead Agency made the detailed report containing results widely available and provide the link where the report is posted.

The results of the MRS were posted to the Lead Agency's public website.

<http://www.nd.gov/dhs/info/pubs/childcarepub.html>.

d) Describe how the Lead Agency considered stakeholder views and comments in the detailed report.

All feedback is considered in the initial design and review of the survey and is included in the detailed report. Feedback gathered was generally positive.

4.3 Setting Payment Rates

The Lead Agency must set CCDF subsidy payment rates, in accordance with the results of the current MRS or alternative methodology, at a level to ensure equal access for eligible families to child care services that are comparable with those provided to families not receiving CCDF funds. The Lead Agency must re-evaluate its payment rates at least every 3 years.

4.3.1 Provide the base payment rates and percentiles (based on the most recent MRS) for the following categories below. Percentiles are not required if the Lead Agency conducted an alternative methodology only (with pre-approval from ACF), but must be reported if the Lead Agency conducted an MRS alone or in combination with an alternative methodology. The ages and types of care listed below are meant to provide a snapshot of the categories on which rates can be based and are not intended to be comprehensive of all categories that might exist or to reflect the terms used by the Lead Agency for particular ages. Please use the most populous geographic region (area serving highest number of CCDF children) to report base payment rates below, if they are not statewide. Note: If the Lead Agency obtained approval to conduct an alternative methodology, then reporting of percentiles is not required.

Effective Date: 10/01/2018

a) Infant (6 months), full-time licensed center care in the most populous geographic region

Rate \$ 210.00 per week unit of time (e.g., daily, weekly, monthly)

Percentile of most recent MRS: 75th

b) Infant (6 months), full-time licensed FCC home in the most populous geographic region

Rate \$ 160.00 per week unit of time (e.g., daily, weekly, monthly)

Percentile of most recent MRS: 75th

c) Toddler (18 months), full-time licensed center care in the most populous geographic region

Rate \$ 197.50 per week unit of time (e.g., daily, weekly, monthly)

Percentile of most recent MRS: 75th

d) Toddler (18 months), full-time licensed FCC care in the most populous geographic region

Rate \$ 155.00 per week unit of time (e.g., daily, weekly, monthly)

Percentile of most recent MRS: 75th

e) Preschooler (4 years), full-time licensed center care in the most populous geographic region

Rate \$ 180.00 per week unit of time (e.g., daily, weekly, monthly)

Percentile of most recent MRS: 75th

f) Preschooler (4 years), full-time licensed FCC care in the most populous geographic region

Rate \$ 150.00 per week unit of time (e.g., daily, weekly, monthly)

Percentile of most recent MRS: 75th

g) School-age child (6 years), full-time licensed center care in most populous geographic region

Rate \$ 165.00 per week unit of time (e.g., daily, weekly, monthly, etc.)

Percentile of most recent MRS: 75th

h) School-age child (6 years), full-time licensed FCC care in the most populous geographic region

Rate \$ 150.00 per week unit of time (e.g., daily, weekly, monthly)

Percentile of most recent MRS: 75th

i) Describe how part-time and full-time care were defined and calculated.

Part time care is defined as 0 up to 25 hours. Full time care is defined as 25 hours or more.

j) Provide the effective date of the current payment rates (i.e., date of last update based on most recent MRS). October 1, 2018.

k) Identify the most populous area of the state used to complete the responses above.

Cass County

l) Provide the citation or link, if available, to the payment rates.

<http://www.nd.gov/dhs/info/pubs/docs/dn-241-child-care-assistance-sliding-fee-scale.pdf>

m) If the payment rates are not set by the Lead Agency for the entire state/territory, describe how many jurisdictions set their own payment rates (98.16(i)(3)).

Rates are set by the Lead Agency for the entire state.

4.3.2 Lead Agencies can choose to establish tiered rates, differential rates, or add-ons on top of their base rates as a way to increase payment rates for targeted needs (i.e., a higher rate for special needs children as both an incentive for providers to serve children with special needs and as a way to cover the higher costs to the provider to provide care for special needs children).

Check and describe the types of tiered reimbursement or differential rates, if any, the Lead Agency has chosen to implement. In the description of any tiered rates or add-ons, at a minimum, indicate the process and basis used for determining the tiered rates, including if the rates were based on the MRS and/or an alternative methodology, and the amount of the rate. Check all that apply.

Effective Date: 10/01/2018

Differential rate for *non-traditional hours*.

Describe:

Differential rate for *children with special needs*, as defined by the state/territory.

Describe:

Differential rate for *infants and toddlers*. Note: Do not check if the Lead Agency has a different base rate for infants/toddlers with no separate bonus or add-on.

Describe:

- Differential rate for *school-age programs*. Note: Do not check if the Lead Agency has a different base rate for school-age children with no separate bonus or add-on.

Describe:

- Differential rate for higher quality, as defined by the state/territory.

Describe:

- Other differential rates or tiered rates.

Describe:

- Tiered or differential rates are not implemented.

4.4 Summary of Facts Used To Determine That Payment Rates Are Sufficient To Ensure Equal Access

4.4.1 Lead Agencies must certify that CCDF payment rates are sufficient to ensure equal access for eligible families to child care services comparable to those provided by families not receiving CCDF assistance (98.16(a)). Certify that payment rates reported in 4.3.1 are sufficient to ensure equal access by providing the following summary of facts (98.45(b)):

Effective Date: 10/01/2018

a) Describe how a choice of the full range of providers eligible to receive CCDF is made available; the extent to which eligible child care providers participate in the CCDF system; and any barriers to participation, including barriers related to payment rates and practices.

There are many communities across the state that do not have access to high quality care due to child care deserts. However, the lead agency does not limit provider participation in the CCDF system based on quality rating; a provider must meet the minimum health and safety requirements to participate. Barriers to provider participation include increased workload due to the administrative requirements associated with serving CCAP children.

b) Describe how payment rates are adequate and have been established based on the most recent MRS or alternative methodology . Note: Per the preamble (81 FR 67512), in instances where a MRS or alternative methodology indicates that prices or costs have increased, Lead Agencies must raise their rates as a result.

Payment rates are set at the 75th percentile of the most recent MRS for center and group or family type providers. The survey determines rates by age and provider type.

c) Describe how base payment rates enable providers to meet health, safety, quality, and staffing requirements under CCDF.

Current rates are set based on the prices charged by particular provider types for certain age groups. Providers are asked to provide their base rates that are charged to private paying clients. As these rates are the rates charged to all families, the cost of health safety, quality and staffing are included in the reported rates.

d) Describe how the Lead Agency took the cost of higher quality into account, including how payment rates for higher-quality care, as defined by the Lead Agency using a QRIS or other system of quality indicators, relate to the estimated cost of care at each level of quality. Note: For States without a QRIS, the States may use other quality indicators (e.g. provider status related to accreditation, Pre-K standards, Head Start performance standards, or State defined quality measures).

The Market Rate Survey includes data on the total facilities that are participating in in North Dakota's QRIS system and if those facilities increased their rates when then they became quality rated. Of the 779 usable returned surveys, 15.2% are participating in the QRIS system, of those facilities participating in QRIS, 10.8% increased their rates when they became quality rated. The Lead Agency's payment rates take into consideration the reported rates by these facilitates as the Lead Agency's rates for centers, groups and family type providers, the provider types participating in QRIS, are higher then other types of providers.

e) How will the Lead Agency ensure that the family contribution/co-payment, based on a sliding-fee scale, is affordable and is not a barrier to families receiving CCDF funds (98.16 (k))? Check all that apply.

Limit the maximum co-payment per family.

Describe: .

Co-payments are charged per family for each month in which services are provided. Co-payments are applied to the first payment request received in a month and are applied to each subsequent payment in that month until there is no remaining co-payment amount. Co-payment amounts are capped at 7% for the highest income families with co-payment percentages decreasing based on lower incomes.

Limit the combined amount of co-payment for all children to a percentage of family income. List the percentage of the co-payment limit and

Minimize the abrupt termination of assistance before a family can afford the full cost of care ('the cliff effect') as part of the graduated phase-out of assistance discussed in 3.1.7.

Other.

Describe:

f) To support parental choice and equal access to the full range of child care options, does the Lead Agency choose the option to allow providers to charge families additional amounts above the required co-payment in instances where the provider's price exceeds the subsidy payment (98.45(b)(5))?

No

Yes. If yes:

i. Provide the rationale for the Lead Agency's policy to allow providers to charge families additional amounts above the required co-payment, including a demonstration of how the policy promotes affordability and access for families.

The Lead Agency sets payment rates at the 75th percentile of the most recent MRS to help ensure families can afford and have access to child care. Co-payments are charged per family for each month in which services are provided. Co-payments are applied to the first payment request received in a month and are applied to each subsequent payment in that month until there is no remaining co-payment amount. Co-payment amounts are capped at 7% for the highest income families with co-payment percentages decreasing based on lower incomes.

ii. Provide data (including data on the size and frequency of such amounts) on the extent to which CCDF providers charge additional amounts to families.

Data gathered from the 2017 MRS indicates the following for center type providers: the minimum amount charged for an infant (under 12 months) for full time care is \$320, the mean amount charged is \$760.74 and the maximum amount charged is \$1,280. As of October 1, 2018, the lead agency will pay a maximum of \$840 for full time infant care for center type providers. Data gathered for family child care providers indicates the following: the minimum amount charged for an infant (under 12 months) for full time care is \$400, the mean amount charged is \$583.85 and the maximum amount charged is \$720. As of October 1, 2018, the lead agency will pay a maximum of \$640 for full time infant care for family type providers. Data gathered for group child care providers indicates the following: the minimum amount charged for an infant (under 12 months) for full time care is \$92.00, the mean amount charged is \$564.01 and the maximum amount charged is \$900. As of October 1, 2018, the lead agency will pay a maximum of \$640 for full time infant care for group type providers.

iii. Describe the Lead Agency's analysis of the interaction between the additional amounts charged to families with the required family co-payment, and the ability of current subsidy payment rates to provide access to care without additional fees.

Based on the data and the Lead Agency setting payment rates at the 75th percentile of the 2017 MRS, the lead agency is consistently paying above the minimum and mean amounts charged by providers. Co-payment amounts are capped at 7% for the highest income families with co-payment percentages decreasing based on lower incomes.

g) Describe how Lead Agencies' payment practices described in 4.5 support equal access to a range of providers.

The Lead Agency has implemented policies and procedures to ensure that payments are issued within 21 days from the date the payment request form was received. The Lead Agency has implemented a simplified payment request form to reduce time and administrative burden on providers and families. Additionally, each child is allowed up to 40 hours, or 5 days, of absence hours per month.

h) Describe how and on what factors the Lead Agency differentiates payment rates. Check all that apply.

Geographic area.

Describe:

Type of provider.

Describe:

Rates vary by the type of provider, with higher rates set for center and family or group type providers.

Age of child.

Describe:

Rates vary by set age ranges, with higher rates for infants and toddlers.

Quality level.

Describe:

Other.

Describe:

i) Describe any additional facts that the Lead Agency considered in determining its payment rates to ensure equal access. Check all that apply and describe:

Payment rates are set at the 75th percentile benchmark or higher of the most recent MRS.

Describe:

Provider rates have been set at the 75th percentile of the 2017 MRS.

Based on the approved alternative methodology, payments rates ensure equal access.

Describe:

Feedback from parents, including parent surveys or parental complaints.

Describe:

Other.

Describe:

4.5 Payment Practices and the Timeliness of Payments

Lead Agencies are required to demonstrate that they have established payment practices applicable to all CCDF child care providers that include ensuring the timeliness of payments by either (1) paying prospectively prior to the delivery of services or (2) paying within no more than 21 calendar days of the receipt of a complete invoice for services. To the extent practicable, the Lead Agency must also support the fixed costs of providing child care services by delinking provider payments from a child's occasional absences by (1) paying based on a child's enrollment rather than attendance, (2) providing full payment if a child attends at least 85 percent of the authorized time, (3) providing full payment if a child is absent for 5 or fewer days in a month, or (4) using an alternative approach for which the Lead Agency provides a justification in its Plan (658E(c)(2)(S)(ii); 98.45(l)(2)).

Lead Agencies are required to use CCDF payment practices that reflect generally accepted payment practices of child care providers who serve children who do not receive CCDF-funded assistance. Unless a Lead Agency is able to demonstrate that the following policies are not generally accepted in its particular state, territory, or service area or among particular categories or types of providers, Lead Agencies must (1) pay providers based on established part-time or full-time rates rather than paying for hours of service or smaller increments of time and (2) pay for reasonable, mandatory registration fees that the provider charges to private-paying parents (658E(c)(2)(S); 98.45(l)(3)).

In addition, there are certain other generally accepted payment practices that are required. Lead Agencies are required to ensure that child care providers receive payment for any services in accordance with a payment agreement or an authorization for services, ensure that child care providers receive prompt notice of changes to a family's eligibility status that could impact payment, and establish timely appeal and resolution processes for any payment inaccuracies and disputes (98.45(l)(4) through (6); 658E(c)(2)(S)(ii); 98.45(l)(4); 98.45(l)(5); 98.45(l)(6)).

4.5.1 Certify by identifying and describing the payment practices below that the Lead Agency has implemented for all CCDF child care providers.

Effective Date: 03/01/2020

a) Ensure the timeliness of payments by either (Lead Agency to implement at least one of the following):

Paying prospectively prior to the delivery of services.

Describe the policy or procedure.

Paying within no more than 21 calendar days of the receipt of a complete invoice for services.

Describe the policy or procedure.

In order to ensure payments are processed within 21 days, eligibility workers first need to register the date the completed and signed payment request was received in the county social service office. The Lead Agency will receive a weekly report that includes all cases which have a form received date, but have not had payment completed. A report will also be received containing payments that have met or exceed the 21 day processing timeframe. These reports will help the Lead Agency monitor counties to ensure payments are processed timely. Child Care Request for Payment 400-28-130-05.

b) To the extent practicable, support the fixed costs of providing child care services by delinking provider payments from a child's occasional absences by: (Note: The Lead Agency is to choose at least one of the following):

Paying based on a child's enrollment rather than attendance.

Describe the policy or procedure.

Providing full payment if a child attends at least 85 percent of the authorized time.

Describe the policy or procedure.

Providing full payment if a child is absent for five or fewer days in a month.

Describe the policy or procedure.

Each child is allowed up to 40 hours, or 5 days, of absence hours per month.

More than 40 hours per month can be allowed in situations that result in closures or absences due to inclement weather, state and national emergencies, or other emergencies as determined by the lead agency.

Use an alternative approach for which the Lead Agency provides a justification in its Plan.

If chosen, please describe the policy or procedure and the Lead Agency's justification for this approach.

c) The Lead Agency's payment practices reflect generally accepted payment practices of child care providers who serve children who do not receive CCDF subsidies. These payment practices must include the following two practices unless the Lead Agency provides evidence that such practices are not generally accepted in its state (658E(c)(2)(S); 98.45(l)(3)).

i. Paying on a part-time or full-time basis (rather than paying for hours of service or smaller increments of time).

Describe the policy or procedure and include a definition of the time increments (e.g., part time, full-time).

Households will be assigned either a part-time or full-time level of care at the time of eligibility determination and will be subject to the part-time or full-time State Maximum payment rate. Part-time care is determined when the hours of child care need per week are between 0 through 24 hours. Full-time care is determined when the hours of child care need per week are 25 and above. Payments will be issued based on the state maximum rate or the amount billed by the provider, whichever is less.

ii. Paying for reasonable mandatory registration fees that the provider charges to private-paying parents.

Describe the policy or procedure.

Registration fees will be paid once per child, per calendar year. Registration fees will only be paid to center, group and family-based provider types. The maximum amount

that will be paid for a registration fee is \$150 which is based on fee information gathered in the 2017 MRS.

d) The Lead Agency ensures that providers are paid in accordance with a written payment agreement or an authorization for services that includes, at a minimum, information regarding provider payment policies, including rates, schedules, any fees charged to providers, and the dispute-resolution process. Describe:

A certificate is sent to providers which informs them of the maximum amount and the level of care that can be paid by the Lead Agency per child that has been associated to that provider. The provider is informed of the family's co-payment amount and provided an brief overview of how payments are determined. As part of this notice, providers are given a one sheet page on their right to appeal.

e) The Lead Agency provides prompt notice to providers regarding any changes to the family's eligibility status that could impact payments, and such a notice is sent no later than the day that the Lead Agency becomes aware that such a change will occur.

Describe:

Providers are sent a 'Closing Notice for Provider'. This notice is sent to all providers associated to a case when the case is set to close. The notice informs the provider that any services provided after a certain date, typically the first day of the month after a case closed, will not be paid by CCAP.

f) The Lead Agency has a timely appeal and resolution process for payment inaccuracies and disputes. Describe:

Both clients and providers are given a 30-day period from the date of notice to submit an appeal request for any adverse action. Both clients and providers are supplied this information on the various notices they receive.

g) Other. Describe:

NA

4.5.2 Do payment practices vary across regions, counties, and/or geographic areas?

Effective Date: 10/01/2018

- No, the practices do not vary across areas.
- Yes, the practices vary across areas.

Describe:

4.6 Supply-Building Strategies to Meet the Needs of Certain Populations

Lead Agencies are required to develop and implement strategies to increase the supply of and to improve the quality of child care services for children in underserved areas; infants and toddlers; children with disabilities, as defined by the Lead Agency; and children who receive care during non-traditional hours (658 E(c)(2)(M); 98.16 (x)).

4.6.1 Lead Agencies must identify shortages in the supply of high-quality child care providers. List the data sources used to identify shortages, and describe the method of tracking progress to support equal access and parental choice.

Effective Date: 10/01/2018

- In licensed family child care.
- In licensed child care centers.
- Other.

Child Care Aware of ND completes a yearly state data profile that consists of the number of child care providers in the state compared to the number of children needing care according to the ND Kids Count fact book. This data is reviewed and tracked annually to determine where shortages are occurring. Comparisons are made to determine if an area consistently has shortages and partnership and collaboration are sought at the state, regional & local level to address the shortages.

4.6.2 Describe what method(s) is used to increase supply and to improve quality for the following.

Effective Date: 10/01/2018

a) Children in underserved areas. Check and describe all that apply.

- Grants and contracts (as discussed in 4.1.3).

Describe:

The Lead Agency has an enhanced contract with ChildCare Aware of ND that uses state funds to invest in increased access to programs providing high quality child care and development services. Investments in additional quality improvement projects are determined through ongoing assessment of need.

- Family child care networks.

Describe:

- Start-up funding.

Describe:

- Technical assistance support.

Describe:

The Lets Explore program is focused to promote relationships through shorter term, fun, engaging and introductory coaching model to providers that have not worked with ChildCare Aware ND intensively or who have had minimal experiences with Child Care Aware ND through technical assistance. This project is also an opportunity to increase child care programs readiness for larger training and quality improvement models such as Bright and Early. There are up to 200 topical visits to self-declared, family and group providers, center directors, center staff (may be duplicated) on a topic tailored to their interests and aligned with Early Learning Guidelines and training, enhanced by an engaging resource bag.

Quality Initiative - Winning Ways for Infants and Toddlers in Facilities Engage child

care providers in learning how to provide and implement quality care for the most vulnerable age of children, infants and toddlers. Program directors will implement quality care for infants and toddlers into their practice of care as well as into their policies and procedures. This project is also an opportunity to increase child care programs readiness for larger training and quality improvement models such as Bright and Early. Priority will be given to providers who care for a high percentage of infants, toddlers and or children receiving child care assistance. Providers who have had minimal experiences with Child Care Aware ND or are a newly licensed program will receive higher priority of involvement in this initiative. North Dakota has a very low unemployment rate of 3.1% due to this low unemployment rate North Dakota focuses on areas of the state that have higher concentrations of poverty and to increase high-quality programs.

[Recruitment of providers.](#)

[Describe:](#)

Child Care Aware® of North Dakota offers free consultation and resources to those interested in starting a licensed child care business. Child Care Aware provides an Early Childhood coach, which helps support the potential child care provider with support through the licensing process, establishing business practices which are the foundation to quality and sustainability, incorporating essential health & safety practices, creating a professional development plan, assisting in setting up the child care environment, and assisting to complete the first re-licensing process. Child Care Aware ND also assists communities in addressing local child care needs and promoting local collaborations to meet child care needs. They provide assistance and leadership to communities wishing to address child care challenges, including facilitating community meetings, conducting needs assessments, facility planning, financing options, program management and staff recruitment and training.

[Tiered payment rates \(as discussed in 4.3.2\).](#)

[Describe:](#)

[Support for improving business practices, such as management training, paid sick leave, and shared services.](#)

Describe:

Accreditation supports.

Describe:

Child Care Health Consultation.

Describe:

Mental Health Consultation.

Describe:

Other.

Describe:

4.6.2 Describe what method(s) is used to increase supply and to improve quality for the following.

b) Infants and toddlers. Check and describe all that apply.

Grants and contracts (as discussed in 4.1.3).

Describe:

The Lead Agency has an enhanced contract with ChildCare Aware of ND that uses state funds to invest in increased access to programs providing high quality child care and development services. Investments in additional quality improvement projects are determined through ongoing assessment of need.

Family child care networks.

Describe:

Start-up funding.

Describe:

Technical assistance support.

Describe:

The Lets Explore program is focused to promote relationships through shorter term, fun, engaging and introductory coaching model to providers that have not worked with ChildCare Aware ND intensively or who have had minimal experiences with Child Care Aware ND through technical assistance. This project is also an opportunity to increase child care programs readiness for larger training and quality improvement models such as Bright and Early. There are up to 200 topical visits to self-declared, family and group providers, center directors, center staff (may be duplicated) on a topic tailored to their interests and aligned with Early Learning Guidelines and training, enhanced by an engaging resource bag.

Quality Initiative - Winning Ways for Infants and Toddlers in Facilities Engage child care providers in learning how to provider and implement quality care for the most vulnerable age of children, infants and toddlers. Program directors will implement quality care for infants and toddlers into their practice of care as well as into their policies and procedures. This project is also an opportunity to increase child care programs readiness for larger training and quality improvement models such as Bright and Early. Priority will be given to providers who care for a high percentage of infants, toddlers and or children receiving child care assistance. Providers who have had minimal experiences with Child Care Aware ND or are a newly licensed program will receive higher priority of involvement in this initiative. North Dakota has a very unemployment rate of 3.1% due to this low unemployment rate North Dakota focuses on areas of the state that have higher concentrations of poverty and to increase high-quality programs.

Recruitment of providers.

Describe:

Child Care Aware® of North Dakota offers free consultation and resources to those interested in starting a licensed child care business. Child Care Aware provides an Early Childhood coach, which helps support the potential child care provider with support through the licensing process, establishing business practices which are the foundation to quality and sustainability, incorporating essential health & safety practices, creating a professional development plan, assisting in setting up the child care environment, and assisting to complete the first re-licensing process. Child Care Aware ND also assists communities in addressing local child care needs and

promoting local collaborations to meet child care needs. They provide assistance and leadership to communities wishing to address child care challenges, including facilitating community meetings, conducting needs assessments, facility planning, financing options, program management and staff recruitment and training.

Tiered payment rates (as discussed in 4.3.2) .

Describe:

Support for improving business practices, such as management training, paid sick leave, and shared services.

Describe:

Accreditation supports.

Describe:

Child Care Health Consultation.

Describe:

Mental Health Consultation.

Describe:

Other.

Describe:

4.6.2 Describe what method(s) is used to increase supply and to improve quality for the following.

c) Children with disabilities. Check and describe all that apply.

Grants and contracts (as discussed in 4.1.3).

Describe:

The Lead Agency has an enhanced contract with ChildCare Aware of ND that uses state funds to invest in increased access to programs providing high quality child care and development services. Investments in additional quality improvement projects are determined through ongoing assessment of need.

Family child care networks.

Describe:

Start-up funding.

Describe:

Technical assistance support.

Describe:

The Lets Explore program is focused to promote relationships through shorter term, fun, engaging and introductory coaching model to providers that have not worked with ChildCare Aware ND intensively or who have had minimal experiences with Child Care Aware ND through technical assistance. This project is also an opportunity to increase child care programs readiness for larger training and quality improvement models such as Bright and Early. There are up to 200 topical visits to self-declared, family and group providers, center directors, center staff (may be duplicated) on a topic tailored to their interests and aligned with Early Learning Guidelines and training, enhanced by an engaging resource bag.

Quality Initiative - Winning Ways for Infants and Toddlers in Facilities Engage child care providers in learning how to provider and implement quality care for the most vulnerable age of children, infants and toddlers. Program directors will implement quality care for infants and toddlers into their practice of care as well as into their policies and procedures. This project is also an opportunity to increase child care programs readiness for larger training and quality improvement models such as Bright and Early. Priority will be given to providers who care for a high percentage of infants, toddlers and or children receiving child care assistance. Providers who have had minimal experiences with Child Care Aware ND or are a newly licensed program will receive higher priority of involvement in this initiative. North Dakota has a very unemployment rate of 3.1% due to this low unemployment rate North Dakota focuses on areas of the state that have higher concentrations of poverty and to increase high-quality programs.

Recruitment of providers.

Describe:

Child Care Aware® of North Dakota offers free consultation and resources to those interested in starting a licensed child care business. Child Care Aware provides an Early Childhood coach, which helps support the potential child care provider with support through the licensing process, establishing business practices which are the foundation to quality and sustainability, incorporating essential health & safety practices, creating a professional development plan, assisting in setting up the child care environment, and assisting to complete the first re-licensing process. Child Care Aware ND also assists communities in addressing local child care needs and promoting local collaborations to meet child care needs. They provide assistance and leadership to communities wishing to address child care challenges, including facilitating community meetings, conducting needs assessments, facility planning, financing options, program management and staff recruitment and training.

Tiered payment rates (as discussed in 4.3.2).

Describe:

Support for improving business practices, such as management training, paid sick leave, and shared services.

Describe:

Accreditation supports.

Describe:

Child Care Health Consultation.

Describe:

Mental Health Consultation.

Describe:

Other.

Describe:

4.6.2 Describe what method(s) is used to increase supply and to improve quality for the following.

d) Children who receive care during non-traditional hours. Check and describe all that apply

Grants and contracts (as discussed in 4.1.3).

Describe:

The Lead Agency has an enhanced contract with ChildCare Aware of ND that uses state funds to invest in increased access to programs providing high quality child care and development services. Investments in additional quality improvement projects are determined through ongoing assessment of need.

Family child care networks.

Describe:

Start-up funding.

Describe:

Technical assistance support.

Describe:

The Lets Explore program is focused to promote relationships through shorter term, fun, engaging and introductory coaching model to providers that have not worked with ChildCare Aware ND intensively or who have had minimal experiences with Child Care Aware ND through technical assistance. This project is also an opportunity to increase child care programs readiness for larger training and quality improvement models such as Bright and Early. There are up to 200 topical visits to self-declared, family and group providers, center directors, center staff (may be duplicated) on a topic tailored to their interests and aligned with Early Learning Guidelines and training, enhanced by an engaging resource bag.

Quality Initiative - Winning Ways for Infants and Toddlers in Facilities Engage child care providers in learning how to provider and implement quality care for the most vulnerable age of children, infants and toddlers. Program directors will implement quality care for infants and toddlers into their practice of care as well as into their

policies and procedures. This project is also an opportunity to increase child care programs readiness for larger training and quality improvement models such as Bright and Early. Priority will be given to providers who care for a high percentage of infants, toddlers and or children receiving child care assistance. Providers who have had minimal experiences with Child Care Aware ND or are a newly licensed program will receive higher priority of involvement in this initiative. North Dakota has a very unemployment rate of 3.1% due to this low unemployment rate North Dakota focuses on areas of the state that have higher concentrations of poverty and to increase high-quality programs.

[Recruitment of providers.](#)

[Describe:](#)

Child Care Aware® of North Dakota offers free consultation and resources to those interested in starting a licensed child care business. Child Care Aware provides an Early Childhood coach, which helps support the potential child care provider with support through the licensing process, establishing business practices which are the foundation to quality and sustainability, incorporating essential health & safety practices, creating a professional development plan, assisting in setting up the child care environment, and assisting to complete the first re-licensing process. Child Care Aware ND also assists communities in addressing local child care needs and promoting local collaborations to meet child care needs. They provide assistance and leadership to communities wishing to address child care challenges, including facilitating community meetings, conducting needs assessments, facility planning, financing options, program management and staff recruitment and training.

[Tiered payment rates \(as discussed in 4.3.2\) .](#)

[Describe:](#)

[Support for improving business practices, such as management training, paid sick leave, and shared services.](#)

[Describe:](#)

[Accreditation supports.](#)

Describe:

Child Care Health Consultation.

Describe:

Mental Health Consultation.

Describe:

Other.

Describe:

4.6.2 Describe what method(s) is used to increase supply and to improve quality for the following.

e) Other. Check and describe all that apply:

Grants and contracts (as discussed in 4.1.3).

Describe:

NA

Family child care networks.

Describe:

NA

Start-up funding.

Describe:

NA

Technical assistance support.

Describe:

NA

Recruitment of providers.

Describe:

NA

- Tiered payment rates (as discussed in 4.3.2).

Describe:

NA

- Support for improving business practices, such as management training, paid sick leave, and shared services.

Describe:

NA

- Accreditation supports.

Describe:

NA

- Child Care Health Consultation.

Describe:

NA

- Mental Health Consultation.

Describe:

NA

- Other.

Describe:

NA

4.6.3 Lead Agencies must prioritize investments for increasing access to high-quality child care and development services for children of families in areas that have significant concentrations of poverty and unemployment and do not currently have sufficient numbers of such programs.

a) How does the Lead Agency define areas with significant concentrations of poverty and unemployment?

ND defines families in poverty as: the families in TANF programs who's income is at or below 35% of federal poverty level. In ND, that means Regular TANF, Transition Assistance, Diversion Assistance and Crossroads programs. In addition, families subject to the sliding fee schedule, who have income from \$0 up to 10% of SMI are considered to be in poverty.

North Dakota has a very low unemployment rate of 2.6%. Due to this low unemployment, rate North Dakota focuses on areas of the state that have higher concentrations of poverty and to increase high-quality programs.

b) Describe how the Lead Agency prioritizes increasing access to high-quality child care and development services for children of families in areas that have significant concentrations of poverty and unemployment and that do not have high-quality programs

Families in poverty have the highest priority in North Dakota and the work being done to map the child care deserts in the state informs the Lead Agency on how and where to prioritize access to high-quality child care. In identifying these areas, the Lead Agency can focus professional development resources, inclusion grant funds, as well as state level TA from the ECS Administrator to the Regional Representatives and County Licensors to ensure support to current child care providers, as well as recruiting additional child care providers. Child Care Aware is also able to focus their resources in assisting providers to move through the QRIS System and encourages their involvement in Bright & Early.

5 Establish Standards and Monitoring Processes To Ensure the Health and Safety of Child Care Settings

Lead Agencies are required to certify that there are in effect licensing requirements applicable to all child care services in the state/territory, which supports the health and safety of all children in child care. States and territories may allow licensing exemptions. Lead Agencies must

describe how such licensing exemptions do not endanger the health, safety, and development of CCDF children in license-exempt care (98.16 (u)).

Lead Agencies also must certify that there are in effect health and safety standards and training requirements applicable to providers serving CCDF children, whether they are licensed or license-exempt. These health and safety requirements must be appropriate to the provider setting and age of the children served, must include specific topics and training on those topics, and are subject to monitoring and enforcement procedures.

The organization of this section begins with a description of the licensing system for providers of child care in a state or territory and then moves to focus in on CCDF providers who may be licensed, exempt from licensing, or relative providers. The section then covers the health and safety requirements and training, and monitoring and enforcement procedures to ensure that CCDF child care providers comply with licensing and health and safety requirements (98.16(n)). Lead Agencies are also asked to describe any exemptions for relative providers (98.16(l)). This section also addresses group size limits; child-staff ratios; and required qualifications for caregivers, teachers, and directors (98.16(m)) serving CCDF children.

Note: When responding to questions in this section, the OCC recognizes that each State/Territory identifies and defines its own categories of care. The OCC does not expect States/Territories to change their definitions to fit the CCDF-defined categories of care. For these questions, provide responses that closely match the CCDF categories of care.

Criminal background check requirements are included in this section (98.16(o)). It is important to note that these requirements are in effect for all child care staff members that are licensed, regulated or registered under state/territory law and all other providers eligible to deliver CCDF services.

5.1 Licensing Requirements

Each state/territory must certify it has in effect licensing requirements applicable to all child care services provided within the state/territory (not restricted to providers receiving CCDF funds) and provide a detailed description of these requirements and how the requirements are effectively enforced (658E(c)(2)(F)). If any types of providers are exempt from licensing requirements, the state/territory must describe those exemptions and describe how these exemptions do not endanger the health, safety, or development of children. The descriptions

must also include any exemptions based on provider category, type, or setting; length of day; and providers not subject to licensing because the number of children served falls below a Lead Agency-defined threshold and any other exemption to licensing requirements (658E(c)(2)(F); 98.16(u); 98.40(a)(2)(iv)).

5.1.1 To certify, describe the licensing requirements applicable to child care services provided within the state/territory by identifying the providers in your state/territory that are subject to licensing using the CCDF categories listed below? Check all that apply and provide a citation to the licensing rule.

Effective Date: 10/01/2018

Center-based child care.

Describe and Provide the citation:

CHAPTER 75-03-10 CHILD CARE CENTER EARLY CHILDHOOD SERVICES. A provider shall: 1. Be at least eighteen years of age; 2. Certify completion of a department-approved basic child care course within ninety days of licensure; 3. Certify completion of a minimum of nine hours of department-approved training related to child care every licensing year. The same training courses may be counted toward licensing annual requirements only if at least three years has passed since the last completion date of that training course, with the exception of sudden infant death prevention annual training; and 4. Certify annual completion of one hour of department-approved sudden infant death prevention training prior to provider having unsupervised access to infants.

Family child care.

Describe and Provide the citation:

75-03-08-10. Minimum qualifications of providers. A provider shall: 1. Be at least eighteen years of age; 2. Certify completion of a department-approved basic child care course within ninety days of licensure; 3. Certify completion of a minimum of nine hours of department-approved training related to child care every licensing year. The same training courses may be counted toward licensing annual requirements only if at least three years has passed since the last completion date of that training course, with the exception of sudden infant death prevention annual training; and 4. Certify annual completion of one hour of department-approved sudden infant death prevention training prior to provider having unsupervised access to infants. History: Effective January 1, 1999; amended effective January 1, 2011; April 1, 2016; April1,2018. General Authority:

NDCC 50-11.1-04, 50-11.1-08 Law Implemented: NDCC 50-11.1-04, 50-11.1-07, 50-11.1-08.

In-home care (care in the child's own home).

Describe and provide the citation (if applicable):

75-03-07-04. In-home registration and standards. 1. An application for a registration document must be submitted to the authorized agent in the county wherein the applicant proposes to provide in-home services. Application must be made in the form and manner prescribed by the department. 2. An applicant for an in-home registration document shall be directly responsible for the care, supervision, and guidance of the child or children in the child or children's home and shall comply with the following standards, certifying in the application that the applicant: a. Is at least eighteen years of age. b. Is physically, cognitively, socially, and emotionally healthy and will use mature judgment when making decisions impacting the quality of child care. c. Shall devote adequate time and attention to the children in the applicant's care and provide an environment that is physically and socially adequate for children. d. Shall participate in specialized training related to child care if provided by or approved by the department. e. Shall complete one hour of department-approved training annually on sudden infant death prevention prior to in-home provider having unsupervised access to infants. f. Shall provide food of sufficient quantity and nutritious quality in accordance with the United States department of agriculture standards which satisfies the dietary needs of the children while in the applicant's care. 1 g. Shall provide proper care, supervision, and protection for children in the applicant's care. Supervision means the provider being within sight or hearing range of an infant, toddler, or preschooler at all times so the provider is capable of intervening to protect the health and safety of the child. For the school-age child, it means a provider being available for assistance and care so that the child's health and safety are protected. h. Shall provide for a safe and sanitary environment while children are in care. i. May not use or be under the influence of any illegal drugs or alcoholic beverages while children are in care. j. May not leave children without supervision. k. Shall ensure that discipline is constructive or educational in nature and may include diversion, separation from the problem situation, talking with the child about the situation, praising appropriate behavior, or gentle physical restraint, such as holding. A child may not be subjected to physical harm, fear, or humiliation. Disregard of any of the following disciplinary rules or any disciplinary measure resulting in physical or emotional injury, or neglect or abuse, to any child is grounds for denial or revocation of an in-home registration. (1) Authority to

discipline may not be delegated to children nor may discipline be administered by children. (2) Separation, when used as discipline, must be appropriate to the child's development and circumstances. The child must be in a safe, lighted, well-ventilated room within sight or hearing range of the in-home provider. An in-home provider may not isolate a child in a locked room or closet. (3) A child may not be punished for lapses in toilet training. (4) An in-home provider may not use verbal abuse or make derogatory remarks about a child, or a child's family, race, or religion when addressing the child or in the presence of a child. (5) An in-home provider may not use profane, threatening, unduly loud, or abusive language in the presence of a child. (6) An in-home provider may not force-feed a child or coerce a child to eat, unless medically prescribed and administered under a medical provider's care. (7) An in-home provider may not use deprivation of meals or snacks as a form of discipline or punishment. (8) An in-home provider may not kick, punch, spank, shake, pinch, bite, roughly handle, strike, mechanically restrain, or physically maltreat a child. (9) An in-home provider may not force a child to ingest substances that would cause pain or discomfort, for example, placing soap in a child's mouth to deter the child from biting other children. (10) An in-home provider may not withhold active play from a child as a form of discipline or punishment, beyond a brief period of separation.

1. Shall discuss methods of discipline and child management with the parent or parents. 3. If the physical or mental, cognitive, social, or emotional health capabilities of an in-home applicant or provider appear to be questionable, the department may require the individual to present evidence of the individual's ability to provide the required care based on a formal evaluation. The department is not responsible for costs of any required evaluation. 4. In-home providers shall ensure safe care for the children receiving services in their care. If a services-required decision made under North Dakota Century Code chapter 50-25.1 or a similar finding in another jurisdiction which requires proof of substantially similar elements exists, indicating that a child has been abused or neglected by the applicant or in-home provider, that decision has a direct bearing on the applicant's or in-home provider's ability to serve the public in a capacity involving the provision of child care and the application or in-home registration may be denied or revoked. If a services-required determination under North Dakota Century Code chapter 50-25.1 or a similar finding in another jurisdiction which requires proof of substantially similar elements exists indicating that any child has been abused or neglected by the applicant or in-home provider, the applicant or in-home provider shall furnish information, satisfactory to the department, from which the department can determine the applicant's or in-home provider's ability to

provide care that is free of abuse or neglect. The department shall furnish the determination of current ability to the applicant or in-home provider and to the director of the regional human service center or the director's designee for consideration and action on the in-home registration document. Each applicant shall complete a department-approved authorization for background check form no later than the first day of employment. History: Effective December 1, 1981; amended effective January 1, 1987; January 1, 2011; April 1, 2016; April 1, 2018. General Authority: NDCC 50-11.1-08 Law Implemented: NDCC 50-11.1-01, 50-11.1-02, 50-11.1-06, 50-11.1-07, 50-11.1-08.

5.1.2 Describe if any providers are exempted from licensing requirements and how such exemptions do not endanger the health, safety, and development of children (658E (c)(2)(F); 98.40(a)(2)).

Effective Date: 10/01/2018

Note: Additional information about exemptions related to CCDF providers is required in 5.1.3.
NA

5.1.3 Check and describe any CCDF providers in your state/territory who are exempt from licensing (98.40(2)(i) through (iv))? Describe exemptions based on length of day, threshold on the number of children in care, ages of children in care or any other factors applicable to the exemption

Effective Date: 10/01/2018

Center-based child care.

If checked, describe the exemptions.

Family child care.

If checked, describe the exemptions.

Self-declared Providers: Care for 5 or fewer children or 3 infants a home. These providers must meet some minimal standards, including a background check and basic health and safety training, are inspected prior to approval, and receive one monitoring

visit per year. Self-declared providers are eligible to participate in the Child Care Assistance Program and the USDA Food program. Approved Relatives: Care for 5 or fewer children or 3 infants; are also eligible to participate in the Child Care Assistance Program. By federal law, the 'approved' relatives must be related by marriage, blood relationship or court order and include: grandparents, great-grandparents, aunts, and uncles. A sibling who is age 18 or older and who does not live in the same home as the children for whom care is being provided, can also become an approved relative. All adults living in the home are checked against the "North Dakota Office of Attorney General, Convicted Sex Offenders and Offenders Against Children-Public List." Approved relative providers and adult household members receive a background check. These providers are not monitored. Registered Providers: are also eligible to participate in the Child Care Assistance Program; are generally registered by Tribal entities.

In-home care.

If checked, describe the exemptions.

5.2 Health and Safety Standards and Requirements for CCDF Providers

5.2.1 Standards on ratios, group sizes, and qualifications for CCDF providers.

Lead Agencies are required to establish child care standards for providers receiving CCDF funds, appropriate to the type of child care setting involved, that address appropriate ratios between the number of children and number of providers in terms of the age of the children, group size limits for specific age populations, and the required qualifications for providers (658E(c)(2)(H); 98.41(d); 98.16(m)). For ease of responding, this section is organized by CCDF categories of care, licensing status, and age categories. Respondents should map their Lead Agency categories of care to the CCDF categories.

Effective Date: 10/01/2018

a) Licensed CCDF center-based care

1. Infant

-- How does the State/territory define infant (age range):

0-17 months

-- Ratio:

1:4

-- Group size:

10

-- Teacher/caregiver qualifications:

- Teacher/caregiver qualifications: North Dakota law states that child care providers and their employees must complete specific trainings to become licensed or work in an early childhood setting. Some cities/counties also require additional trainings beyond state requirements. Contact your local [County Social Services Office](#) to verify training requirements for your location.

- **The First Three Months**

All North Dakota child care operators and employees are required to complete [Getting Started](#), a 15-hour basic child care course, within the first three months of becoming licensed or employed. This training counts toward your annual training requirements.

- **First Aid and CPR Training**

First Aid and CPR training must be completed prior to being licensed or employed. Recertification is required for licensing, but First Aid and CPR do not count toward your annual training hours. Child Care Aware® does not provide these trainings. Contact your local Social Services office for more information on finding First Aid and CPR training providers.

- **Sudden Infant Death Syndrome (SIDS)**

Providers caring for infants are required to take a Department of Human Services-approved SIDS training annually. Child Care Aware® offers a free e-Learning course to fulfill this requirement: Safe Sleep and Reducing the Risk of SIDS. [Search and register for this course.](#)

- **Training Hours to Satisfy Licensing Requirements**

Child care operators and employees must complete a minimum number of approved training hours each licensing year. The number of training hours needed depends on the document type or license type and number of hours worked. Staff should check with their supervisors to determine their program license type and specific licensing period.

2. Toddler

-- How does the State/territory define toddler (age range):

NA

-- Ratio:

NA

-- Group size:

NA

-- Teacher/caregiver qualifications:

NA

3. Preschool

-- How does the State/territory define preschool (age range):

36-59 months

-- Ratio:

1:10

-- Group size:

25

-- Teacher/caregiver qualifications:

See above

4. School-age

-- How does the State/territory define school-age (age range):

5-12 years

-- Ratio:

1:20

-- Group size:

40

-- Teacher/caregiver qualifications:

See above

5. If any of the responses above are different for exempt child care centers, describe which requirements apply to exempt centers

NA

6. Describe, if applicable, ratios, group sizes, and qualifications for classrooms with mixed age groups.

Exempt programs must choose to license or be eligible for an approval in order to participate in CCDF. Some examples of these programs may be Head Start Programs, School based programs under the supervision of the school district, child care provided in businesses or agencies where parents are engaged in activities on the premises, onsite child care provided by an employer for 10 or fewer children of the employees, camps which serve no children under the age of six for no more than two weeks, sporting events or physical activity programs, and child care provided in a medical facility by medical personnel for children who are ill are exempt from licensing.

7. Describe the director qualifications for licensed CCDF center-based care, including any variations based on the ages of children in care.

Center Director Qualifications: A center director must meet these qualifications: Be an adult of good physical, cognitive, social and emotional health, and shall use mature judgment when making decisions impacting the quality of child care Possess knowledge or experience in management and interpersonal relationships. Have at least ONE of the following degree/certification requirements: OPTION ONE: A bachelor's degree in the field of early childhood education or child development
OPTION TWO: A bachelor's degree with at least six months experience in a child care center or similar setting and one of the following: -- Eight semester hours or twelve quarter hours in early childhood education or child development -- One hundred twenty hours of department-approved early childhood training -- A director's credential approved by the department
OPTION THREE: An associate's degree in the field of

early childhood education or child development with at least 6 months of experience in a child care center or similar setting
OPTION FOUR: An associate's degree with at least one year experience in a child care center or similar setting and one of the following: -- Eight semester hours or twelve quarter hours in early childhood education or child development -- One hundred twenty hours of department-approved early childhood training -- A director's credential approved by the department
OPTION FIVE: A teaching certificate in elementary education with at least six months of experience in a child care center or similar setting
OPTION SIX: A current certification as a child development associate or successful completion of a department approved diploma program with emphasis in early childhood or child care, with at least one year of experience in a child care center or similar setting
OPTION SEVEN: Certification from a Montessori teacher training program with at least one year of experience in a Montessori school, child care center, or similar setting and at least one of the following: -- Eight semester hours or twelve quarter hours in early childhood education or child development -- One hundred twenty hours of department-approved early childhood training -- A director's credential approved by the department.

b) Licensed CCDF family child care provider

1. Infant

-- How does the State/territory define infant (age range):

0-17 months

-- Ratio:

1:4

-- Group size:

10

-- Teacher/caregiver qualifications:

- Teacher/caregiver qualifications: North Dakota law states that child care providers and their employees must complete specific trainings to become licensed or work in an early childhood setting. Some cities/counties also require additional trainings beyond state requirements. Contact your local [County Social Services Office](#) to verify training requirements for your location.

- The First Three Months

All North Dakota child care operators and employees are required to complete [Getting Started](#), a 15-hour basic child care course, within the first three months of becoming licensed or employed. This training counts toward your annual training requirements.

- First Aid and CPR Training

First Aid and CPR training must be completed prior to being licensed or employed. Recertification is required for licensing, but First Aid and CPR do not count toward your annual training hours. Child Care Aware® does not provide these trainings. Contact your local Social Services office for more information on finding First Aid and CPR training providers.

- Sudden Infant Death Syndrome (SIDS)

Providers caring for infants are required to take a Department of Human Services-approved SIDS training annually. Child Care Aware® offers a free e-Learning course to fulfill this requirement: Safe Sleep and Reducing the Risk of SIDS. [Search and register for this course.](#)

- Training Hours to Satisfy Licensing Requirements

Child care operators and employees must complete a minimum number of approved training hours each licensing year. The number of training hours needed depends on the document type or license type and number of hours worked. Staff should check with their supervisors to determine their program license type and specific licensing period.

2. Toddler

-- How does the State/territory define toddler (age range):

NA

-- Ratio:

NA

-- Group size:

NA

-- Teacher/caregiver qualifications:

NA

3. Preschool

-- How does the State/territory define preschool (age range):

3 years, 4 years

-- Ratio:

1:7, 1:10

-- Group size:

20, 25, 30

-- Teacher/caregiver qualifications:

See above

4. School-age

-- How does the State/territory define school-age (age range):

5+

-- Ratio:

1:20

-- Group size:

40

-- Teacher/caregiver qualifications:

See above

5. If any of the responses above are different for exempt family child care homes, please describe which requirements apply to exempt homes

NA

c) In-home CCDF providers:

1. Describe the ratios

NA

2. Describe the group size

Licensed family child care providers can care for up to 7 children, plus 2 additional school-age children. The family provider's own children under age 12 must be included in the total.

3. Describe the maximum number of children that are allowed in the home at any one time.

7

4. Describe if the state/territory requires related children to be included in the child-to-provider ratio or group size

Yes

5. Describe any limits on infants and toddlers or additional school-age children that are allowed for part of the day

Either the provider can care for up to 3 children under the age of 24 months with additional children over 24 months • OR they can care for up to 4 children under the age of 24 months when not caring for additional older children. • Two school-age children can be added to either scenario.

5.2 Health and Safety Standards and Requirements for CCDF Providers

5.2.2 Health and safety standards for CCDF providers.

States and territories must establish health and safety standards for programs (e.g., child care centers, family child care homes, etc.) serving children receiving CCDF assistance relating to the topics listed below, as appropriate to the provider setting and age of the children served (98.41(a)). This requirement is applicable to all child care providers receiving CCDF funds regardless of licensing status (i.e., licensed or license-exempt). The only exception to this requirement is for providers who are caring for their own relatives because Lead Agencies have the option of exempting relatives from some or all CCDF health and safety requirements (98.42(c)).

a) To certify, describe how the following health and safety standards for programs serving

children receiving CCDF assistance are defined and established on the required topics (98.16(I)). Note: This question is different from the health and safety training requirements, which are addressed in question 5.2.3.

Effective Date: 09/30/2019

1. Prevention and control of infectious diseases (including immunization)

-- Provide a brief summary of how this standard is defined (i.e., what is the standard, content covered, practices required, etc.)

Requirements for centers and group child care state that bathroom sinks, toilets, tables, chairs, and floors are cleaned daily.

In all registered and licensed programs:

1. Staff members and children wash their hands, according to recommendations by the federal centers for disease control and prevention, before preparing or serving meals, after diapering, after using toilet facilities, and after any other procedure that may involve contact with bodily fluids.
2. Hand soap and sanitary hand-drying equipment, individually designated cloth towels, or paper towels must be available at each sink.
3. All providers must verify that each child has received all immunizations appropriate for the child's age, as prescribed by DoH or have on file a document citing that the child is medically exempt or exempt from immunizations based on religious, philosophical, or moral beliefs, unless the child is a drop-in or school-age child.

The following requirements are included in some but not all of the facility requirements:

1. If beds, cots, mats, or cribs are used by different children, sheets and pillowcases are laundered before use by other children. Cots, mats, and cribs are cleaned as often as necessary for cleanliness and hygiene, at least weekly, and after each use if used by different children. cots and mats sanitized;
2. The operator shall ensure that all toys and equipment are kept clean and in sanitary condition. Books and other toys are not readily cleanable must be sanitized as much as possible without damaging the integrity or educational value of the item.
3. The operator shall ensure that personal items including combs, pacifiers, and toothbrushes are individually identified and stored in a sanitary manner.
4. Diapers must be changed on a nonporous surface area which must be cleaned and disinfected after each diapering. diaper changing procedures,
5. Require a supervised temporary isolation area designated for a child who is too

ill to remain in the child care center or who has an infectious or contagious disease.

School age licensed programs are exempt from the immunization requirement, due to ND Century Code 23-07-17, which mandates all students in kindergarten through 12th grade meet a minimum number of required immunizations prior to school entrance.

Additional information can be found here:

<https://www.legis.nd.gov/cencode/t23c07.pdf>

-- List all citations for these requirements, including those for licensed and license-exempt programs

NDAC 75-03-08-14 and 75-03-08-21.1 (Family Child Care); 75-03-09-21.1, 75-03-09-24, and 75-03-09-26 (Group Child Care); 75-03-10-18, 75-03-10-22, 75-03-10-24 and 75-03-10-26 (Child Care Center); 75-03-11-18, 75-03-11-22 and 75-03-11-26 (Preschool); 75-03-11.1-18 and 75-03-11.1-26 (School Age); 75-03-07.1-02 and 75-03-07.1-07 (license-exempt).

-- Describe any variations by category of care (i.e., center, FCC, in-home) and licensing status (i.e., licensed, license-exempt).

School-age and preschool requirements do not address diaper-changing or sleeping surfaces.

-- Describe any variations based on the age of the children in care

The guidelines and establishment of policies and procedures apply to all ages of children in child care settings.

-- Describe if relatives are exempt from this requirement

No

2. Prevention of sudden infant death syndrome and the use of safe-sleep practices

-- Provide a brief summary of how this standard is defined (i.e., what is the standard, content covered, practices required, etc.)

All providers that care for infants must meet the following requirements on safe sleep:

1. The operator shall ensure that infants are placed on their back initially when sleeping to lower the risk of sudden infant death syndrome, unless the infant's parent has provided a note from the infant's medical provider specifying

- otherwise. The infant's face must remain uncovered when sleeping.
2. The operator shall ensure that infants sleep in a crib with a firm mattress or in a portable crib with the manufacturer's pad that meets consumer product safety commission standards.
 3. The operator shall ensure that if an infant falls asleep while not in a crib, the infant must be moved immediately to a crib or portable crib, unless the infant's parent has provided a note from the infant's medical provider specifying otherwise.
 4. Water beds, adult beds, sofas, pillows, soft mattresses, and other soft surfaces are prohibited as infant sleeping surfaces.
 5. The operator shall ensure that all items are removed from and that no toys or objects are hung over or attached to the crib or portable crib when an infant is sleeping or preparing to sleep. With written parental permission, the provider may place one individual infant blanket or sleep sack, a pacifier, and a security item that does not pose a risk of suffocation to the infant in the crib or portable crib while the infant is sleeping or preparing to sleep.
 6. The operator shall ensure that a staff member responsible for caring for or teaching children checks on sleeping infants regularly and that a monitor is in the room with the infants, unless a staff member is in the room with the infants while the infants are sleeping.

Preschool providers are not allowed to care for infants & are therefore exempt from the SIDS and use of safe-sleep practices requirements.

-- List all citations for these requirements, including those for licensed and license-exempt providers

North Dakota Administrative Codes: 75-03-08-24 (Family Child Care); 75-03-09-24 (Group Child Care);75-03-10-24 (Child Care Center);75-03-07.1-08 (license exempt)

-- Describe any variations by category of care (i.e., center, FCC, in-home) and licensing status (i.e., licensed, license-exempt).

None.

-- Describe any variations based on the age of the children in care

None.

-- Describe if relatives are exempt from this requirement

No.

3. Administration of medication, consistent with standards for parental consent

-- Provide a brief summary of how this standard is defined (i.e., what is the standard, content covered, practices required, etc.)

To administer medication, all licensed providers are required to have written permission and proper instructions for the administration of the medication from the parent.

1. Medication prescribed by a medical provider must be accompanied by the medical provider's written instructions as to dosage and storage, and labeled with the child's name and date.
2. Medication must be stored in an area inaccessible to children, and medication stored in a refrigerator must be stored collectively in a spillproof container.
3. The provider shall keep a written record of the administration of medication, including over-the-counter medication, for each child. Records must include the date and time of each administration, the dosage, the name of the staff member administering the medication, and the name of the child. The provider shall include completed medication records in the child's record;

All licensed and regulated providers must also have a current health assessment or a health assessment statement completed by the parent, obtained at the time of initial enrollment of the child which must indicate any special precautions for diet, medication, or activity. This assessment must be completed annually. The provider also has to establish practices in accordance with guidance obtained through consultation with a local or the state health department.

-- List all citations for these requirements, including those for licensed and license-exempt providers

North Dakota Administrative Codes: 75-03-08-21.1 and 75-03-08-22 (Family Child Care); 75-03-09-22(2)(g) and 75-03-09-26 (Group Child Care); 75-03-10-22 and 75-03-10-26 (Child Care Center); 75-03-11.1-22 and 75-03-11.1-26 (School-age); 75-03-11-22 and 75-03-11-26 (Preschool); 75-03-07.1-02 (license exempt).

-- Describe any variations by category of care (i.e., center, FCC, in-home) and licensing status (i.e., licensed, license-exempt).

License-exempt providers are only required to obtain an annual child health assessment completed by the parent that indicates any medications.

The Lead Agency discovered an administrative error in the medication requirements

for Family Child Care, specifically 75-03-08-21.1(6), as the language is not the same as Group, Center, and Preschool Child Care Administrative rules. The language in Family Child Care will be updated to reflect the same standard of having a child's name and date of the prescription on all prescribed medications. This was an oversight when Administrative Rule was aligned across all registered and licensed providers.

Child care center requirements also require that the operator shall include completed medication records in the child's record.

-- Describe any variations based on the age of the children in care

None, the requirements for medication administration and obtaining parental consent is the same, regardless of a child's age.

-- Describe if relatives are exempt from this requirement

No.

4. Prevention of and response to emergencies due to food and allergic reactions

-- Provide a brief summary of how this standard is defined (i.e., what is the standard, content covered, practices required, etc.)

Family, Group, Center, Preschool, School-Age and license-exempt providers are required to have a current health assessment or a health assessment statement completed by the parent, obtained at the time of initial enrollment of the child and annually thereafter, which must indicate any special precautions for diet, medication, or activity. The health assessment or health assessment statement completed by the parent contains information regarding any allergies the child has, the expected reaction and how the provider should respond if any food or allergic reactions take place during care.

-- List all citations for these requirements, including those for licensed and license-exempt providers

North Dakota Administrative Codes: 75-03-08-21 and 22 (Family Child Care); 75-03-09-22 and 75-03-09-26 (Group Child Care); 75-03-10-22 and 75-03-10-26 (Child Care Center); 75-03-11-22 and 75-03-11-26 (Preschool); 75-03-11.1-22 and 75-03-11-26

(School Age); 75-03-07.1-02 (license exempt)

-- Describe any variations by category of care (i.e., center, FCC, in-home) and licensing status (i.e., licensed, license-exempt).

All licensed and license-exempt providers are required to obtain a health assessment or health assessment statement completed by the parent upon initial enrollment and annually thereafter.

-- Describe any variations based on the age of the children in care

None.

-- Describe if relatives are exempt from this requirement

No.

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

-- Provide a brief summary of how this standard is defined (i.e., what is the standard, content covered, practices required, etc.)

Sections 75-03-10-17, 75-03-10-18 and 75-03-10-19 address the building and physical premises safety requirements for Child Care Center providers. They are summarized below. Please see *Variations by category of care and licensing status* for differences in this language in other child care settings.

1. Center providers shall ensure that annual fire inspections are completed by local or state fire authorities. The provider shall correct or have corrected any code violations noted by the fire inspector and shall file reports of the inspections and any corrections with the authorized agent.
2. Center providers shall ensure that the child care center's building, grounds, and equipment are located, cleaned, and maintained to protect the health and safety of children. The operator shall establish routine maintenance and cleaning procedures to protect the health of the children and the staff members, along with an annual inspection of the premises.
3. Center providers shall provide adequate indoor and outdoor space for the daily activities of all children within the licensed capacity of the child care center.

-- List all citations for these requirements, including those for licensed and license-exempt providers

North Dakota Administrative Codes: 75-03-08-14 and 75-03-08-21.1 (Family Child Care); 75-03-09-14, 75-03-09-17, 75-03-09-18 and 75-03-09-19 (Group Child Care); 75-3-10-17, 75-03-10-18 and 75-03-10-19 (Child Care Center); 75-03-11-14, 75-03-11-18 and 75-03-11-19 (Preschool); 75-03-11.1-17, 75-03-11.1-18, and 75-03-11.1-19 (School Age); 75-03-07.1-02 and 75-03007.1-07 (license exempt)

-- Describe any variations by category of care (i.e., center, FCC, in-home) and licensing status (i.e., licensed, license-exempt).

Family child care has fewer requirements for bathrooms, such as requiring only one toilet and sink. They do not address several topics in center-based care such as an annual health inspection, insects and rodents, and peeling paint. License-exempt requirements only address a smoke detector, fire extinguisher, hazards, overall cleanliness of the facility, and pets and animals. In a school-age program, a health inspection is not required if only snacks or occasional cooking projects are provided.

-- Describe any variations based on the age of the children in care

None.

-- Describe if relatives are exempt from this requirement

No.

6. Prevention of shaken baby syndrome, abusive head trauma, and child maltreatment

-- Provide a brief summary of how this standard is defined (i.e., what is the standard, content covered, practices required, etc.)

A component of the 15 hours of preservice/orientation hours is prevention of shaken baby syndrome and abusive head trauma. The definition of such was done in conjunction with ND's Department of Health, Health & Safe Communities Section, in accordance with AAP guidelines.

Requirements for group child care, centers, preschools and school-age care include:

The child care center must have a written policy regarding the discipline of children.

The operator shall provide the policy to, and discuss the policy with, the staff members responsible for caring for or teaching children before the child care center begins operation or before staff members begin working with children.

All requirements state that a staff member or any other adult in or at the child care center may not kick, punch, spank, shake, pinch, bite, roughly handle, strike, mechanically restrain, or physically maltreat a child.

Center, group care, family care, and license-exempt care requirements state that:

1. A child care center serving children from birth to twelve months shall provide an environment which protects the children from physical harm.
2. The operator shall ensure that infants are not shaken or jostled

-- List all citations for these requirements, including those for licensed and license-exempt providers

North Dakota Administrative Codes: 75-03-08-23 and 75-03-08-24 (Family Child Care); 75-03-09-23 and 75-03-09-24 (Group Child Care); 75-03-10-23 and 75-03-10-24 (Child Care Center); 75-03-11-23 (Preschool); 75-03-11.1-23 (School-age); 75-03-07.1-02 and 75-02-07.1-08 (license exempt).

-- Describe any variations by category of care (i.e., center, FCC, in-home) and licensing status (i.e., licensed, license-exempt).

None.

-- Describe any variations based on the age of the children in care

None.

-- Describe if relatives are exempt from this requirement

No.

7. Emergency preparedness and response planning for emergencies resulting from a natural disaster or a human-caused event (such as violence at a child care facility), within the meaning of those terms under section 602(a)(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5195a(a)(1)). Emergency preparedness

and response planning (at the child care provider level) must also include procedures for evacuation; relocation; shelter-in-place and lockdown; staff and volunteer training and practice drills; communications and reunification with families; continuity of operations; and accommodations for infants and toddlers, children with disabilities, and children with chronic medical conditions.

-- Provide a brief summary of how this standard is defined (i.e., what is the standard, content covered, practices required, etc.)

Each provider must establish and post an emergency disaster plan for the safety of the children in care. Written disaster plans must be developed in cooperation with local

emergency management agencies. The plan must include:

1. Emergency procedures, including the availability of emergency food, water, and first-aid supplies;
2. What will be done if parents are unable to pick up their child as a result of the emergency; and
3. What will be done if the group child care has to be relocated or must close as a result of the emergency.

Fire and emergency evacuation drills must be performed.

-- List all citations for these requirements, including those for licensed and license-exempt providers

North Dakota Administrative Code 75-03-08-16 (Family Child Care); 75-03-09-16 (Group Child Care); 75-03-10-16 (Child Care Center); 75-03-11-16 (Preschool); 75-03-11.1-16 (School Age); and 75-03-07.1-13 (license exempt)

-- Describe any variations by category of care (i.e., center, FCC, in-home) and licensing status (i.e., licensed, license-exempt).

None.

-- Describe any variations based on the age of the children in care

None.

-- Describe if relatives are exempt from this requirement

No.

8. Handling and storage of hazardous materials and the appropriate disposal of bio-

contaminants

-- Provide a brief summary of how this standard is defined (i.e., what is the standard, content covered, practices required, etc.)

All provider types are required to ensure that potential hazards, such as guns, household cleaning chemicals, uninsulated wires, medicines, noncovered electrical outlets, and poisonous plants are not accessible to children. The provider shall keep guns and ammunition in locked storage, each separate from the other, or shall use trigger locks. The provider shall ensure other weapons and dangerous sporting equipment, such as bows and arrows, are not accessible to children.

Group, Center, Preschool and School-Age are also required to ensure that all preschool buildings erected before January 1, 1970, which contain painted surfaces in a peeling, flaking, chipped, or chipped condition in any area where children may be present, have painted surfaces repainted or shall submit evidence that the paints or finishes do not contain hazardous levels of lead-bearing substances. For the purposes of this chapter, "hazardous levels of lead-bearing substances" means any paint, varnish, lacquer, putty, plaster, or similar coating of structural material which contains lead or its compounds in excess of seven-tenths of one milligram per square centimeter, or in excess of five-tenths of one percent in the dried film or coating, when measured by a lead-detecting instrument approved by the state department of health.

-- List all citations for these requirements, including those for licensed and license-exempt providers

North Dakota Administrative Code 75-03-08-14 (Family Child Care); 75-03-09-18 (Group Child Care); 75-03-10-18 (Child Care Center); 75-03-11-18 (Preschool); 75-03-11.1-18 (School Age); 75-02-07.1-02 (license exempt).

-- Describe any variations by category of care (i.e., center, FCC, in-home) and licensing status (i.e., licensed, license-exempt).

None.

-- Describe any variations based on the age of the children in care

None.

-- Describe if relatives are exempt from this requirement

No.

9. Precautions in transporting children (if applicable)

-- Provide a brief summary of how this standard is defined (i.e., what is the standard, content covered, practices required, etc.)

The following are the standard for Family, Group, Center, Preschool and School-Age providers:

1. Prior to licensure, the provider shall establish a written policy governing the transportation of children to and from the family child care, if the family child care provides transportation. This policy must specify who is to provide transportation and how parental permission is to be obtained for activities which occur outside the family child care. If the family child care provides transportation, the provider shall inform the parents of any insurance coverage on the vehicles. Any vehicle used for transporting children must be in safe operating condition and in compliance with state and local laws.
2. When transportation is provided by a family child care, children must be protected by adequate staff supervision and safety precautions.
 1. Staffing requirements must be maintained to assure the safety of children while being transported.
 2. A child may not be left unattended in a vehicle.
3. Children must be instructed in safe transportation conduct appropriate to their age and stage of development.
4. The driver shall be eighteen years of age or older and shall comply with all relevant federal, state, and local laws, including child restraint system laws.

The following is the standard for License-Exempt providers:

1. When transportation is provided by a provider, children must be protected by adequate supervision and safety precautions.
 1. Drivers must be eighteen years of age or older and must comply with all relevant federal, state, and local laws, including child restraint laws.
 2. A child must not be left unattended in a vehicle.

-- List all citations for these requirements, including those for licensed and license-exempt providers

North Dakota Administrative Codes: 75-03-08-15 (Family Child Care); 75-03-09-15 (Group Child Care); 75-03-10-15 (Child Care Center); 75-03-11-15 (Preschool); 75-03-11.1-15 (School Age); 75-02-07.1-02 (license exempt)

-- Describe any variations by category of care (i.e., center, FCC, in-home) and licensing status (i.e., licensed, license-exempt).

None.

-- Describe any variations based on the age of the children in care

None.

-- Describe if relatives are exempt from this requirement

No.

10. Pediatric first aid and cardiopulmonary resuscitation (CPR) certification

-- Provide a brief summary of how this standard is defined (i.e., what is the standard, content covered, practices required, etc.)

All providers shall be currently certified within ninety days of employment and prior to staff member having unsupervised access to children under care, in infant and pediatric cardiopulmonary resuscitation and the use of an automated external defibrillator by the American Heart Association, American Red Cross, or other similar cardiopulmonary resuscitation and automated external defibrillator training programs that are approved by the department; and Shall be currently certified within ninety days of employment and prior to staff member having unsupervised access to children under care, in first aid by a program approved by the department.

-- List all citations for these requirements, including those for licensed and license-exempt providers

North Dakota Administrative Codes: 75-03-08-12 (Family Child Care); 75-03-09-12 (Group Child Care); 75-03-10-12 (Child Care Center); 75-03-11-13 (Preschool); 75-03-11.1-08.4 (School Age); 75-02-07.1-02 (license exempt)

-- Describe any variations by category of care (i.e., center, FCC, in-home) and licensing status (i.e., licensed, license-exempt).

License-exempt care providers must be currently certified without the option of ninety days to become certified.

-- Describe any variations based on the age of the children in care

None.

-- Describe if relatives are exempt from this requirement

No.

11. Recognition and reporting of child abuse and neglect

-- Provide a brief summary of how this standard is defined (i.e., what is the standard, content covered, practices required, etc.)

Child Abuse is a mental injury; bodily injury, defined as any impairment of physical condition, including physical pain; substantial bodily injury, defined as a substantial temporary disfigurement, loss, or impairment of the function of any bodily member or organ; or a serious bodily injury, defined as bodily injury that creates a substantial risk of death or which causes serious permanent disfigurement, unconsciousness, extreme pain, permanent loss or impairment of the function of any bodily member or organ, a bone fracture, or impediment of air flow or blood flow to the brain or lungs.

A neglected/deprived child is defined as a child who: is without proper parental care or control, subsistence, education as required by law, or other care or control necessary for the child's physical, mental, or emotional health, or morals, and the deprivation is not due primarily to the lack of financial means of the child's parents, guardian, or other custodian; has been placed for care or adoption in violation of law; has been abandoned by the child's parents, guardian, or other custodian; is without proper parental care, control, or education as required by law, or other care and control necessary for the child's well-being because of the physical, mental, emotional, or other illness or disability of the child's parent or parents, and that such lack of care is not due to a willful act of commission or act of omission by the child's parents, and care is requested by a parent; is in need of treatment and whose parents, guardian, or other custodian have refused to participate in treatment as ordered by the juvenile court; was subject to prenatal exposure to chronic or severe use of alcohol or any controlled substance in a manner not lawfully prescribed by a practitioner; is present in an environment subjecting the child to exposure to a controlled substance, chemical substance, or drug paraphernalia as prohibited; or is a victim of human trafficking.

All providers and staff, as mandatory reporters, shall report any suspected child abuse or neglect as required by ND Century Code section 50-25.1-03, immediately to their local County Social Service Office. This can be done verbally or orally. All oral reports

are followed up with a written report from the County Social Service CPS unit. Initial orientation training for center and school-age program staff includes child abuse and neglect reporting laws.

-- List all citations for these requirements, including those for licensed and license-exempt providers

North Dakota Administrative Codes:75-03-08-08.1 and 75-03-08-19 (Family Child Care); 75-03-09-08 and 75-03-09-11 (Group Child Care); 75-03-10-09 and 75-03-10-12 (Child Care Center); 75-03-11-08 (Preschool); 75-03-11.1-08 and 75-03-11.1-08.4 (School Age); 75-02-07.1-02 (license exempt).

-- Describe any variations by category of care (i.e., center, FCC, in-home) and licensing status (i.e., licensed, license-exempt).

None.

-- Describe any variations based on the age of the children in care

None.

-- Describe if relatives are exempt from this requirement

No.

b) Does the Lead Agency include any of the following optional standards?

No, if no, skip to 5.2.3.

Yes, if yes provide the information related to the optional standards addressed.

1. Nutrition

--Provide a brief summary of how this standard is defined (i.e., what is the standard, content covered, practices required, etc.)

Family child care, group child care, center, and school-age requirements state that:

1. When the operator is responsible for providing food to children, the food supplied must meet United States department of agriculture standards and must be properly prepared, sufficient in amount, nutritious, varied according to diets of the children enrolled, and served at appropriate hours. Food that is prepared, served, or stored in a child care center must be treated in a sanitary and safe manner with sanitary and safe equipment.

2. When parents bring sack lunches for their children, the operator may supplement lunches, as necessary, to provide nutritious and sufficient amounts of food for children, and shall provide adequate and appropriate refrigeration and storage as required.
3. Children in care for more than three hours shall receive either a snack or meal, whichever is appropriate to that time of the day.
4. The operator shall serve nutritious meals to children in care during any normal mealtime hour.
5. The operator shall serve snacks to children in care in afterschool child care center programs.
6. When the operator is responsible for providing food to children, menus must be prepared on a weekly or daily basis and made available to the parents, the authorized agent, and other appropriate individuals.
7. The operator shall consider information provided by the children's parents as to the children's eating habits, food preferences, or special needs in creating the feeding schedules and in tailoring menus.
8. The operator shall serve snacks and meals to children in a manner commensurate with their age, using appropriate foods, portions, dishes, and eating utensils.

Preschool requirements state: An operator shall serve a nutritious snack on a regular basis to children in care for more than two and one-half hours.

License-exempt provider requirements state: Shall provide food of sufficient quantity and nutritious quality in accordance with the United States department of agriculture standards which satisfies the dietary needs of the children while in the provider's care.

-- List all citations for these requirements, including those for licensed and license-exempt providers

North Dakota Administrative Codes: 75-03-08-21 (Family Child Care); 75-03-09-21 (Group Child Care); 75-03-10-21 (Child Care Center); 75-03-11-21 (Preschool); 75-03-11.1-21 (School-age); 75-02-07.1-02 (license exempt).

-- Describe any variations by category of care (i.e., center, FCC, in-home) and licensing status (i.e., licensed, license-exempt).

Preschool and license-exempt care providers have fewer requirements on nutrition

-- Describe any variations based on the age of the children in care.

None.

--Describe if relatives are exempt from this requirement

No.

2. Access to physical activity

--Provide a brief summary of how this standard is defined (i.e., what is the standard, content covered, practices required, etc.)

NA

-- List all citations for these requirements, including those for licensed and license-exempt providers

NA

--Describe any variations by category of care (i.e., center, FCC, in-home) and licensing status (i.e., licensed, license-exempt).

NA

-- Describe any variations based on the age of the children in care.

NA

--Describe if relatives are exempt from this requirement

NA

3. Caring for children with special needs

--Provide a brief summary of how this standard is defined (i.e., what is the standard, content covered, practices required, etc.)

All provider requirements state that:

An operator shall make appropriate accommodations, as required by the Americans with Disabilities Act, to meet the needs of children with special needs. The child care center shall receive documentation of the child's special needs from the parent upon the child's enrollment.

1. When a child with special needs is admitted, the director or supervisor shall consult with the child's parents, and, with the parent's permission, the child's source of professional health care, or, when appropriate, other health and

professional consultants to gain an understanding of the child's individual needs. The operator shall receive a written health care plan from the child's medical provider or parent with information related to the child's special needs, such as a description, definition of the diagnosis, and general information for emergency and required care such as usual medications and procedures.

2. The operator shall ensure staff members responsible for caring for or teaching children receive proper instructions as to the nature of the child's special needs and potential for growth and development.

-- List all citations for these requirements, including those for licensed and license-exempt providers

North Dakota Administrative Code 75-03-08-25 (Family Child Care); 75-03-09-25 (Group Child Care); 75-03-10-25 (Child Care Center), 75-03-11-25 (Preschool); 75-03-11.1-25 (School Age); 75-03-07.1-09 (License-Exempt)

--Describe any variations by category of care (i.e., center, FCC, in-home) and licensing status (i.e., licensed, license-exempt).

None.

-- Describe any variations based on the age of the children in care.

None.

--Describe if relatives are exempt from this requirement

No.

4. Any other areas determined necessary to promote child development or to protect children's health and safety (98.44(b)(1)(iii)).

Describe:

NA

--Provide a brief summary of how this standard is defined (i.e., what is the standard, content covered, practices required, etc.)

NA

-- List all citations for these requirements, including those for licensed and license-exempt providers

NA

--Describe any variations by category of care (i.e., center, FCC, in-home) and licensing status (i.e., licensed, license-exempt).

NA

-- Describe any variations based on the age of the children in care.

NA

--Describe if relatives are exempt from this requirement

NA

5.2.3 Health and safety training for CCDF providers on required topics.

Lead Agencies are required to have minimum pre-service or orientation training requirements (to be completed within 3 months), as appropriate to the provider setting and the age of children served, that address the health and safety topics described in 5.2.2, and child development. Lead Agencies must also have ongoing training requirements on the health and safety topics for caregivers, teachers, and directors of children receiving CCDF funds (658E(c)(2)(I)(i); 98.44(b)(1)(iii)). The state/territory must describe its requirements for pre-service or orientation training and ongoing training. These trainings should be part of a broader systematic approach and progression of professional development (as described in section 6) within a state/territory. Lead Agencies have flexibility in determining the number of training hours to require, but they may consult with Caring for our Children Basics for best practices and the recommended time needed to address these training requirements.

Effective Date: 10/01/2018

Pre-Service or Orientation Training Requirements

a) Provide the minimum number of pre-service or orientation training hours on health and safety topics for caregivers, teachers, and directors required for the following:

1. Licensed child care centers:

15 hours

2. Licensed FCC homes:

15 hours

3. In-home care:

15 hours

4. Variations for exempt provider settings:

NA

b) Provide the length of time that providers have to complete trainings subsequent to being hired (must be 3 months or fewer)

3 months

c) Explain any differences in pre-service or orientation training requirements based on the ages of the children served

None.

d) Describe how the training is offered, including any variations in delivery (e.g. across standards, in rural areas, etc.) Note: There is no federal requirement on how a training must be delivered

Web-based

e) Identify below the pre-service or orientation training requirements for each topic (98.41(a)(1)(i through xi)).

1. Prevention and control of infectious diseases (including immunizations)

Provide the citation for this training requirement, including citations for both licensed and license-exempt providers

NDAC 75-03-08-21.1 (Family Child Care); **75-03-09-26 (Group Child Care); 75-03-10-26 (Child Care Center); 75-03-11-26 (Preschool); 75-03-11.1-26 (School Age)**

Does the state/territory require that this training topic be completed before caregivers, teachers, and directors in licensed CCDF programs are allowed to care

for children unsupervised?

- Yes
 No

Does the state/territory require that this training topic be completed before caregivers, teachers, and directors in license-exempt CCDF programs are allowed to care for children unsupervised?

- Yes
 No

Describe if relatives are exempt from this requirement

No

5.2.3e 2. Prevention of sudden infant death syndrome and the use of safe-sleep practices

Provide the citation for this training requirement, including citations for both licensed and license-exempt providers

North Dakota Century Code **50-11.1-02.3 (Early Childhood Services)**; **North Dakota Administrative Code 75-03-08-10 (Family Child Care)**; **75-03-08-24 (Family Child Care)**; **75-03-09-10 (Group Child Care)**; **75-03-09-12 (Group Child Care)**; **75-03-10-10 (Child Care Center)**; **75-03-10-11.1 (Child Care Center)**.

Does the state/territory require that this training topic be completed before caregivers, teachers, and directors in licensed CCDF are allowed to care for children unsupervised?

- Yes
 No

Does the state/territory require that this training topic be completed before caregivers, teachers, and directors in license-exempt CCDF programs are allowed to care for children unsupervised?

- Yes
 No

Describe if relatives are exempt from this requirement

No

5.2.3e 3. Administration of medication, consistent with standards for parental consent
Provide the citation for this training requirement, including citations for both
licensed and license-exempt providers

North Dakota Administrative Code **75-03-08-25 (Family Child Care); 75-03-08-08.1 (Family Child Care); 75-03-08-22 (Family Child Care); 75-03-09-22 (Group Child Care); 75-03-09-25 (Group Child Care); 75-03-09-26 (Group Child Care); 75-03-10-22 (Child Care Center); 75-03-10-25 (Child Care Center); 75-03-10-26 (Child Care Center); 75-03-11-25 (Preschool).**

Does the state/territory require that this training topic be completed before caregivers, teachers, and directors in licensed CCDF programs are allowed to care for children unsupervised?

- Yes
 No

Does the state/territory require that this training topic be completed before caregivers, teachers, and directors in license-exempt CCDF programs are allowed to care for children unsupervised?

- Yes
 No

Describe if relatives are exempt from this requirement

No

5.2.3e 4. Prevention and response to emergencies due to food and allergic reactions
Provide the citation for this training requirement, including citations for both
licensed and license-exempt providers

North Dakota Administrative Code **75-03-08-21 (Family Child Care);**

Does the state/territory require that this training topic be completed before caregivers, teachers, and directors in licensed CCDF programs are allowed to care for children unsupervised?

- Yes

No

Does the state/territory require that this training topic be completed before caregivers, teachers, and directors in license-exempt CCDF programs are allowed to care for children unsupervised?

Yes

No

Describe if relatives are exempt from this requirement

No

5.2.3e 5. Building and physical premises safety, including the identification of and protection from hazards, bodies of water, and vehicular traffic

Provide the citation for this training requirement, including citations for both licensed and license-exempt providers

North Dakota Administrative Code **75-03-08-14 (Family Child Care); 75-03-09-18 (Group Child Care); 75-03-10-18 (Child Care Center); 75-03-11-18 (Preschool); 75-03-11.1-18 (School Age).**

Does the state/territory require that this training topic be completed before caregivers, teachers, and directors in licensed CCDF programs are allowed to care for children unsupervised?

Yes

No

Does the state/territory require that this training topic be completed before caregivers, teachers, and directors in license-exempt CCDF programs are allowed to care for children unsupervised?

Yes

No

Describe if relatives are exempt from this requirement

NA

5.2.3e 6. Prevention of shaken baby syndrome, abusive head trauma, and child maltreatment

Provide the citation for this training requirement, including citations for both licensed and license-exempt providers

North Dakota Administrative Code **75-03-08-24 (Family Child Care); 75-03-09-24 (Group Child Care); 75-03-10-24 (Child Care Center).**

Does the state/territory require that this training topic be completed before caregivers, teachers, and directors in licensed CCDF programs are allowed to care for children unsupervised?

Yes

No

Does the state/territory require that this training topic be completed before caregivers, teachers, and directors in license-exempt CCDF programs are allowed to care for children unsupervised?

Yes

No

Describe if relatives are exempt from this requirement

No

5.2.3e 7. Emergency preparedness and response planning for emergencies resulting from a natural disaster or a human-caused event

Provide the citation for this training requirement, including citations for both licensed and license-exempt providers

North Dakota Administrative Code **75-03-08-16 (Family Child Care); 75-03-09-16 (Group Child Care); 75-03-10-16 (Child Care Center); 75-03-11-16 (Preschool); 75-03-11.1-16 (School Age).**

Does the state/territory require that this training topic be completed before caregivers, teachers, and directors in licensed CCDF programs are allowed to care for children unsupervised?

Yes

No

Does the state/territory require that this training topic be completed before

caregivers, teachers, and directors in license-exempt CCDF programs are allowed to care for children unsupervised?

Yes

No

Describe if relatives are exempt from this requirement

No

5.2.3e 8. Handling and storage of hazardous materials and the appropriate disposal of bio contaminants

Provide the citation for this training requirement, including citations for both licensed and license-exempt providers

North Dakota Administrative Code **75-03-08-14 (Family Child Care); 75-03-09-18 (Group Child Care); 75-03-10-18 (Child Care Center); 75-03-11-18 (Preschool); 75-03-11.1-18 (School Age).**

Does the state/territory require that this training topic be completed before caregivers, teachers, and directors in licensed CCDF programs are allowed to care for children unsupervised?

Yes

No

Does the state/territory require that this training topic be completed before caregivers, teachers, and directors in license-exempt CCDF programs are allowed to care for children unsupervised?

Yes

No

Describe if relatives are exempt from this requirement

No

5.2.3e 9. Appropriate precautions in transporting children (if applicable)

Provide the citation for this training requirement, including citations for both licensed and license-exempt providers

North Dakota Administrative Code **75-03-08-15 (Family Child Care); 75-03-08-19 (Family Child Care); 75-03-09-15 (Group Child Care); 75-03-09-26 (Group Child**

Care); 75-03-10-15 (Child Care Center); 75-03-11-15 (Preschool); 75-03-11.1-15 (School Age).

Does the state/territory require that this training topic be completed before caregivers, teachers, and directors in licensed CCDF programs are allowed to care for children unsupervised?

- Yes
- No

Does the state/territory require that this training topic be completed before caregivers, teachers, and directors in license-exempt CCDF programs are allowed to care for children unsupervised?

- Yes
- No

Describe if relatives are exempt from this requirement

No

5.2.3e 10. Pediatric first aid and CPR certification

Provide the citation for this training requirement, including citations for both licensed and license-exempt providers

North Dakota Administrative Code 75-03-08-08.1 (Family Child Care); 75-03-09-12 (Group Child Care); 75-03-10-12 (Child Care Center); 75-03-11-13 (Preschool); 75-03-11.1-08.4 (School Age).

Does the state/territory require that this training topic be completed before caregivers, teachers, and directors in licensed CCDF programs are allowed to care for children unsupervised?

- Yes
- No

Does the state/territory require that this training topic be completed before caregivers, teachers, and directors in license-exempt CCDF programs are allowed to care for children unsupervised?

Yes

No

Describe if relatives are exempt from this requirement

No

5.2.3e 11. Recognition and reporting of child abuse and neglect

Provide the citation for this training requirement, including citations for both licensed and license-exempt providers

North Dakota Administrative Code **75-03-08-19 (Family Child Care); 75-03-09-11 (Group Child Care); 75-03-10-12 (Child Care Center); 75-03-11-28 (Preschool); 75-03-11.1-08.4 (School Age).**

Does the state/territory require that this training topic be completed before caregivers, teachers, and directors in licensed CCDF programs are allowed to care for children unsupervised?

Yes

No

Does the state/territory require that this training topic be completed before caregivers, teachers, and directors in license-exempt CCDF programs are allowed to care for children unsupervised?

Yes

No

Describe if relatives are exempt from this requirement

No

5.2.3e 12. Child development (98.44(b)(1)(iii))

Provide the citation for this training requirement, including citations for both licensed and license-exempt providers

NA

Does the state/territory require that this training topic be completed before caregivers, teachers, and directors in licensed CCDF programs are allowed to care

for children unsupervised?

- Yes
- No

Does the state/territory require that this training topic be completed before caregivers, teachers, and directors in license-exempt CCDF programs are allowed to care for children unsupervised?

- Yes
- No

Describe if relatives are exempt from this requirement

NA

5.2.3e 13.

Describe other training requirements, such as nutrition, physical activities, caring for children with special needs, etc..

NA

Provide the citation for this training requirement, including citations for both licensed and license-exempt providers

NA

Does the state/territory require that this training topic be completed before caregivers, teachers, and directors in licensed CCDF programs are allowed to care for children unsupervised?

- Yes
- No

Does the state/territory require that this training topic be completed before caregivers, teachers, and directors in license-exempt CCDF programs are allowed to care for children unsupervised?

- Yes
- No

Describe if relatives are exempt from this requirement

NA

Ongoing Training Requirements

5.2.4 Provide the minimum number of annual training hours on health and safety topics for caregivers, teachers, and directors required for the following.

Effective Date: 10/01/2018

a) Licensed child care centers:

13 hours of health and safety training(s) are required for all caregivers, teachers and directors.

b) Licensed FCC homes:

10 hours of health and safety training(s) are required for all caregivers, teachers and directors.

c) In-home care:

10 hours of health and safety training(s) are required for all caregivers, teachers and directors.

d) Variations for exempt provider settings:

There are no variations for exempt provider settings.

5.2.5 Describe the ongoing health and safety training for CCDF providers by category of care (i.e., center, FCC, in-home) and licensing status (i.e., licensed, license-exempt).

Effective Date: 09/30/2019

1. Prevention and control of infectious diseases (including immunizations)

-- Provide the citation for this training requirement, including citations for both licensed and license-exempt providers

Training for the prevention and control of infectious diseases is required as part of the 15-hour basic child care course, which is required for all providers and staff.

North Dakota Administrative Code 75-03-08-10 and 75-03-08-12 (Family Child Care); 75-03-09-10 and 75-03-09-12 (Group Child Care); 75-03-10-11.1 and 75-03-10-12 (Child Care Center); 75-03-11-13 (Preschool); 75-03-11.1-08.4 (School Age); 75-03-07.1-02 (License Exempt)

-- How often does the state/territory require that this training topic be completed by caregivers, teachers, and directors in licensed CCDF programs?

Annually

Other

Describe:

Training regarding prevention and control of infection diseases is required upon initial licensure as a provider/facility and as staff are hired, as part of the required 15-hour basic child care course and can be repeated every 3 years.

-- How often does the state/territory require that this training topic be completed by caregivers, teachers, and directors in licensed-exempt CCDF programs?

Annually

Other

Describe:

Training regarding prevention and control of infection diseases is required upon initial licensure as a provider/facility, as part of the required 15-hour basic child care course and can be repeated every 3 years.

2. Prevention of sudden infant death syndrome and the use of safe-sleep practices

-- Provide the citation for this training requirement, including citations for both licensed and license-exempt providers

Training for the prevention of sudden infant death syndrome and the use of safe-sleep practices is required as part of the 15-hour basic child care course, which is required for all providers and staff.

North Dakota Administrative Code 75-03-08-10 and 75-03-08-12 (Family Child Care); 75-03-09-10 and 75-03-09-12 (Group Child Care); 75-03-10-11.1 and 75-03-10-12

(Child Care Center); 75-03-11-13 (Preschool); 75-03-11.1-08.4 (School Age); 75-03-07.1-02 (License Exempt)

-- How often does the state/territory require that this training topic be completed by caregivers, teachers, and directors in licensed CCDF programs?

Annually

Other

Describe:

-- How often does the state/territory require that this training topic be completed by caregivers, teachers, and directors in licensed-exempt CCDF programs?

Annually

Other

Describe:

3. Administration of medication, consistent with standards for parental consent

-- Provide the citation for this training requirement, including citations for both licensed and license-exempt providers

Training on the administration of medication and standards for parental consent is required as part of the 15-hour basic child care course, which is required for all providers and staff.

North Dakota Administrative Code 75-03-08-10 and 75-03-08-12 (Family Child Care); 75-03-09-10 and 75-03-09-12 (Group Child Care); 75-03-10-11.1 and 75-03-10-12 (Child Care Center); 75-03-11-13 (Preschool); 75-03-11.1-08.4 (School Age); 75-03-07.1-02 (License Exempt)

-- How often does the state/territory require that this training topic be completed by caregivers, teachers, and directors in licensed CCDF programs?

Annually

Other

Describe:

Training regarding administration of medication and standards for parental consent is required upon initial licensure as a provider/facility and as staff are hired, as part of the required 15-hour basic child care course and can be repeated every 3 years.

-- How often does the state/territory require that this training topic be completed by caregivers, teachers, and directors in licensed-exempt CCDF programs?

Annually

Other

Describe:

Training regarding administration of medication and standards for parental consent is required upon initial licensure as a provider/facility and as staff are hired, as part of the required 15-hour basic child care course and can be repeated every 3 years.

4. Prevention and response to emergencies due to food and allergic reactions

-- Provide the citation for this training requirement, including citations for both licensed and license-exempt providers

Training on prevention and response to emergencies due to food and allergic reactions is required as part of the 15-hour basic child care course, which is required for all providers and staff.

North Dakota Administrative Code 75-03-08-10 and 75-03-08-12 (Family Child Care); 75-03-09-10 and 75-03-09-12 (Group Child Care); 75-03-10-11.1 and 75-03-10-12 (Child Care Center); 75-03-11-13 (Preschool); 75-03-11.1-08.4 (School Age); 75-03-07.1-02 (License Exempt)

-- How often does the state/territory require that this training topic be completed by caregivers, teachers, and directors in licensed CCDF programs?

Annually

Other

Describe:

Training regarding prevention and response to emergencies due to food and allergic reactions is required upon initial licensure as a provider/facility and as staff

are hired, as part of the required 15-hour basic child care course and can be repeated every 3 years.

-- How often does the state/territory require that this training topic be completed by caregivers, teachers, and directors in licensed-exempt CCDF programs?

Annually

Other

Describe:

Training regarding prevention and response to emergencies due to food and allergic reactions is required upon initial licensure as a provider/facility and as staff are hired, as part of the required 15-hour basic child care course and can be repeated every 3 years.

5. Building and physical premises safety, including the identification of and protection from hazards, bodies of water, and vehicular traffic

-- Provide the citation for this training requirement, including citations for both licensed and license-exempt providers

Training on building and physical premises safety, including the identification of and protection from hazards, bodies of water and vehicular traffic is required as part of the 15-hour basic child care course, which is required for all providers and staff.

North Dakota Administrative Code 75-03-08-10 and 75-03-08-12 (Family Child Care); 75-03-09-10 and 75-03-09-12 (Group Child Care); 75-03-10-11.1 and 75-03-10-12 (Child Care Center); 75-03-11-13 (Preschool); 75-03-11.1-08.4 (School Age); 75-03-07.1-02 (License Exempt)

-- How often does the state/territory require that this training topic be completed by caregivers, teachers, and directors in licensed CCDF programs?

Annually

Other

Describe:

Training regarding building and physical premises safety, including the identification of and protection from hazards, bodies of water and vehicular traffic is required

upon initial licensure as a provider/facility and as staff are hired, as part of the required 15-hour basic child care course and can be repeated every 3 years.

-- How often does the state/territory require that this training topic be completed by caregivers, teachers, and directors in licensed-exempt CCDF programs?

Annually

Other

Describe:

Training regarding building and physical premises safety, including the identification of and protection from hazards, bodies of water and vehicular traffic is required upon initial licensure as a provider/facility and as staff are hired, as part of the required 15-hour basic child care course and can be repeated every 3 years.

6. Prevention of shaken baby syndrome, abusive head trauma, and child maltreatment

-- Provide the citation for this training requirement, including citations for both licensed and license-exempt providers

Training on shaken baby syndrome, abusive head trauma and child maltreatment is required as part of the 15-hour basic child care course, which is required for all providers and staff.

North Dakota Administrative Code 75-03-08-10 and 75-03-08-12 (Family Child Care); 75-03-09-10 and 75-03-09-12 (Group Child Care); 75-03-10-11.1 and 75-03-10-12 (Child Care Center); 75-03-11-13 (Preschool); 75-03-11.1-08.4 (School Age); 75-03-07.1-02 (License Exempt)

-- How often does the state/territory require that this training topic be completed by caregivers, teachers, and directors in licensed CCDF programs?

Annually

Other

Describe:

Training regarding shaken baby syndrome, abusive head trauma and child maltreatment is required upon initial licensure as a provider/facility and as staff are hired, as part of the required 15-hour basic child care course and can be repeated

every 3 years.

-- How often does the state/territory require that this training topic be completed by caregivers, teachers, and directors in licensed-exempt CCDF programs?

Annually

Other

Describe:

Training regarding shaken baby syndrome, abusive head trauma and child maltreatment is required upon initial licensure as a provider/facility and as staff are hired, as part of the required 15-hour basic child care course and can be repeated every 3 years.

7. Emergency preparedness and response planning for emergencies resulting from a natural disaster or a human-caused event

-- Provide the citation for this training requirement, including citations for both licensed and license-exempt providers

Training on emergency preparedness and response planning for emergencies resulting from a natural disaster or human-caused event is required as part of the 15-hour basic child care course, which is required for all providers and staff.

North Dakota Administrative Code 75-03-08-10 and 75-03-08-12 (Family Child Care); 75-03-09-10 and 75-03-09-12 (Group Child Care); 75-03-10-11.1 and 75-03-10-12 (Child Care Center); 75-03-11-13 (Preschool); 75-03-11.1-08.4 (School Age); 75-03-07.1-02 (License Exempt)

-- How often does the state/territory require that this training topic be completed by caregivers, teachers, and directors in licensed CCDF programs?

Annually

Other

Describe:

Training regarding emergency preparedness and response planning for emergencies resulting from a natural disaster or human-caused event is required upon initial licensure as a provider/facility and as staff are hired, as part of the

required 15-hour basic child care course and can be repeated every 3 years.

-- How often does the state/territory require that this training topic be completed by caregivers, teachers, and directors in licensed-exempt CCDF programs?

Annually

Other

Describe:

Training regarding emergency preparedness and response planning for emergencies resulting from a natural disaster or human-caused event is required upon initial licensure as a provider/facility and as staff are hired, as part of the required 15-hour basic child care course and can be repeated every 3 years.

8. Handling and storage of hazardous materials and the appropriate disposal of bio-contaminants

-- Provide the citation for this training requirement, including citations for both licensed and license-exempt providers

Training on handling and storage of hazardous materials and the appropriate disposal of bio-contaminants is required as part of the 15-hour basic child care course, which is required for all providers and staff.

North Dakota Administrative Code 75-03-08-10 and 75-03-08-12 (Family Child Care); 75-03-09-10 and 75-03-09-12 (Group Child Care); 75-03-10-11.1 and 75-03-10-12 (Child Care Center); 75-03-11-13 (Preschool); 75-03-11.1-08.4 (School Age); 75-03-07.1-02 (License Exempt)

-- How often does the state/territory require that this training topic be completed by caregivers, teachers, and directors in licensed CCDF programs?

Annually

Other

Describe:

Training regarding handling and storage of hazardous materials and the appropriate disposal of bio-contaminants is required upon initial licensure as a provider/facility and as staff are hired, as part of the required 15-hour basic child

care course and can be repeated every 3 years.

-- How often does the state/territory require that this training topic be completed by caregivers, teachers, and directors in licensed-exempt CCDF programs?

Annually

Other

Describe:

Training regarding handling and storage of hazardous materials and the appropriate disposal of bio-contaminants is required upon initial licensure as a provider/facility and as staff are hired, as part of the required 15-hour basic child care course and can be repeated every 3 years.

9. Appropriate precautions in transporting children (if applicable)

-- Provide the citation for this training requirement, including citations for both licensed and license-exempt providers

Training on appropriate precautions in transporting children is required as part of the 15-hour basic child care course, which is required for all providers and staff.

North Dakota Administrative Code 75-03-08-10 and 75-03-08-12 (Family Child Care); 75-03-09-10 and 75-03-09-12 (Group Child Care); 75-03-10-11.1 and 75-03-10-12 (Child Care Center); 75-03-11-13 (Preschool); 75-03-11.1-08.4 (School Age); 75-03-07.1-02 (License Exempt)

-- How often does the state/territory require that this training topic be completed by caregivers, teachers, and directors in licensed CCDF programs?

Annually

Other

Describe:

Training regarding appropriate precautions in transporting children is required upon initial licensure as a provider/facility and as staff are hired, as part of the required 15-hour basic child care course and can be repeated every 3 years.

-- How often does the state/territory require that this training topic be completed by caregivers, teachers, and directors in licensed-exempt CCDF programs?

Annually

Other

Describe:

Training regarding appropriate precautions in transporting children is required upon initial licensure as a provider/facility and as staff are hired, as part of the required 15-hour basic child care course and can be repeated every 3 years.

10. Pediatric first aid and CPR certification

-- Provide the citation for this training requirement, including citations for both licensed and license-exempt providers

North Dakota Administrative Code 75-03-08-08.1 (Family Child Care); 75-03-09-12 (Group Child Care); 75-03-10-12 (Child Care Center); 75-03-11-13 (Preschool); 75-03-11.1-08.4 (School Age); 75-03-07.1-02 (License-Exempt).

-- How often does the state/territory require that this training topic be completed by caregivers, teachers, and directors in licensed CCDF programs?

Annually

Other

Describe:

-- How often does the state/territory require that this training topic be completed by caregivers, teachers, and directors in licensed-exempt CCDF programs?

Annually

Other

Describe:

11. Recognition and reporting of child abuse and neglect

-- Provide the citation for this training requirement, including citations for both licensed and license-exempt providers

Training on recognition and reporting of child abuse and neglect is required as part of the 15-hour basic child care course, which is required for all providers and staff.

North Dakota Administrative Code 75-03-08-10 and 75-03-08-12 (Family Child Care); 75-03-09-10 and 75-03-09-12 (Group Child Care); 75-03-10-11.1 and 75-03-10-12 (Child Care Center); 75-03-11-13 (Preschool); 75-03-11.1-08.4 (School Age); 75-03-07.1-02 (License Exempt)

-- How often does the state/territory require that this training topic be completed by caregivers, teachers, and directors in licensed CCDF programs?

Annually

Other

Describe:

Training regarding recognition and reporting of child abuse and neglect is required upon initial licensure as a provider/facility and as staff are hired, as part of the required 15-hour basic child care course and can be repeated every 3 years.

-- How often does the state/territory require that this training topic be completed by caregivers, teachers, and directors in licensed-exempt CCDF programs?

Annually

Other

Describe:

Training regarding recognition and reporting of child abuse and neglect is required upon initial licensure as a provider/facility and as staff are hired, as part of the required 15-hour basic child care course and can be repeated every 3 years.

12. Child development (98.44(b)(1)(iii))

Provide the citation for this training requirement, including citations for both licensed and license-exempt providers

Training on child development is required as part of the 15-hour basic child care course, which is required for all providers and staff.

North Dakota Administrative Code 75-03-08-10 and 75-03-08-12 (Family Child Care);

75-03-09-10 and 75-03-09-12 (Group Child Care); 75-03-10-11.1 and 75-03-10-12 (Child Care Center); 75-03-11-13 (Preschool); 75-03-11.1-08.4 (School Age); 75-03-07.1-02 (License Exempt)

How often does the state/territory require that this training topic be completed by caregivers, teachers, and directors in licensed CCDF programs?

Annually

Other

Describe:

Training regarding child development is required upon initial licensure as a provider/facility and as staff are hired, as part of the required 15-hour basic child care course and can be repeated every 3 years.

How often does the state/territory require that this training topic be completed by caregivers, teachers, and directors in licensed-exempt CCDF programs?

Annually

Other

Describe:

Training regarding child development is required upon initial licensure as a provider/facility and as staff are hired, as part of the required 15-hour basic child care course and can be repeated every 3 years.

13. Describe other requirements such as nutrition, physical activities, caring for children with special needs, etc..

Training on other requirements such as nutrition, physical activity, caring for children with special needs, etc., is required as part of the 15-hour basic child care course, which is required for all providers and staff.

Provide the citation for other training requirements, including citations for both licensed and license-exempt providers

North Dakota Administrative Code 75-03-08-10 and 75-03-08-12 (Family Child Care); 75-03-09-10 and 75-03-09-12 (Group Child Care); 75-03-10-11.1 and 75-03-10-12 (Child Care Center); 75-03-11-13 (Preschool); 75-03-11.1-08.4 (School Age); 75-03-07.1-02

(License Exempt)

How often does the state/territory require that this training topic be completed by caregivers, teachers, and directors in licensed CCDF programs?

Annually

Other

Describe:

Training regarding other requirements is required upon initial licensure as a provider/facility and as staff are hired, as part of the required 15-hour basic child care course and can be repeated every 3 years.

How often does the state/territory require that this training topic be completed by caregivers, teachers, and directors in licensed-exempt CCDF programs?

Annually

Other

Describe:

Training regarding other requirements is required upon initial licensure as a provider/facility and as staff are hired, as part of the required 15-hour basic child care course and can be repeated every 3 years.

5.3 Monitoring and Enforcement Policies and Practices for CCDF Providers

5.3.1 Enforcement of licensing and health and safety requirements

Lead agencies must certify that procedures are in effect to ensure that child care providers caring for children receiving CCDF services comply with all applicable State and local health and safety requirements, including those described in 98.41 (98.42(a)). This may include, but is not limited to, any systems used to ensure that providers complete health and safety trainings, any documentation required to be maintained by child care providers or any other monitoring procedures to ensure compliance. Note: Inspection requirements are described starting in 5.3.2.

To certify, describe the procedures to ensure that CCDF providers comply with all applicable

State and local health and safety requirements

The Lead Agency requires the authorized agent to conduct, initial and annual thereafter, licensing studies. The Authorized Agent completes a compliance checklist, which covers all health and safety requirements found in 75-03-08-21.1 (Family Child Care); 75-03-09-18 (Group Child Care); 75-03-10-18 (Center Child Care); 75-03-11-18 (Preschool Child Care); 75-03-11.1-18 (School-Age Child Care); 75-03-07.1-07 (License-Exempt Child Care).

Policy 620-01-20-01 requires the authorized agent to conduct at least one announced and unannounced review per year on each licensed program.

Policy 620-01-20-20 requires the Regional Representatives at the regional office to perform random provider reviews on an annual basis with the authorized agent. These reviews may take place during relicensing visits or drop-in visits.

Policy 620-01-30-01 lists the requirements License-Exempt providers must meet, along with the responsibilities of the authorized agent and/or the Regional Representative to verify those requirements are met.

These inspections, along with the checklist and other forms, ensure child care providers are in compliance with local health & safety requirements.

Effective Date: 10/01/2019

5.3.2 Inspections for licensed CCDF providers.

Lead agencies must require licensing inspectors to perform inspections-with no fewer than one pre-licensure inspection for compliance with health, safety, and fire standards-of each child care provider and facility in the state/territory. Licensing inspectors are required to perform no fewer than one annual, unannounced inspection of each licensed CCDF provider for compliance with all child care licensing standards; it shall include an inspection for compliance with health and safety (including, but not limited to, those requirements described in 98.41) and fire standards; inspectors may inspect for compliance with all three standards - health, safety, and fire - at the same time (658E(c)(2)(K)(i)(II); 98.16 (n); 98.42(b)(2)(i)). Certify by responding to the questions

below to describe your state/territory's monitoring and enforcement procedures to ensure that licensed child care providers comply with licensing standards, including compliance with health and safety (including, but not limited to, those requirements described in 98.41) and fire standards.

Effective Date: 10/01/2018

a) Licensed CCDF center-based child care

1. Describe your state/territory's requirements for *pre-licensure inspections* of licensed child care center providers for compliance with health, safety, and fire standards

An application for operation of an early childhood program must be made on forms provided, in the manner prescribed, by the department. The department or the department's authorized agent shall investigate the applicant's activities and proposed standards of care and shall make an inspection of all premises to be used by the early childhood program applying for a license.

2. Describe your state/territory's requirements for annual, unannounced inspections of licensed CCDF child care center providers

Annual inspection and unannounced inspections are required for relicensure.

3. Identify the frequency of unannounced inspections:

- Once a year
 More than once a year

Describe:

4. Describe the monitoring procedures (including differential monitoring, if applicable) and how the inspections ensure that child care center providers comply with the applicable licensing standards, including health, safety, and fire standards.

Full licensing inspection reviewing all standards as noted in law and rule.

5. List the citation(s) for your state/territory's policies regarding inspections for licensed CCDF center providers

DHS Policy **620-01-35**

b) Licensed CCDF family child care home

1. Describe your state/territory's requirements for *pre-licensure inspections* of licensed family child care providers for compliance with health, safety, and fire standards

An application for operation of an early childhood program must be made on forms provided, in the manner prescribed, by the department. The department or the department's authorized agent shall investigate the applicant's activities and proposed standards of care and shall make an inspection of all premises to be used by the early childhood program applying for a license.

2. Describe your state/territory's requirements for annual, unannounced inspections of licensed CCDF family child care providers

Annual inspection and unannounced inspections are required for relicensure.

3. Identify the frequency of unannounced inspections:

- Once a year
 More than once a year

Describe:

4. Describe the monitoring procedures (including differential monitoring, if applicable) and how the inspections ensure that CCDF family child care providers comply with the applicable licensing standards, including health, safety, and fire standards.

Full licensing inspection reviewing all standards as noted in law and rule.

5. List the citation(s) for your state/territory's policies regarding inspections for licensed CCDF family child care providers

DHS Policy 620-01-35

c) Licensed in-home CCDF child care

- N/A. In-home CCDF child care (care in the child's own home) is not licensed in the State/Territory. Skip to 5.3.2 (d).

1. Describe your state/territory's requirements for *pre-licensure inspections* of licensed in-home child care providers for compliance with health, safety, and fire standards

North Dakota Century Code 50-11.1-04: An application for operation of an early childhood program must be made on forms provided, in the manner prescribed, by the department. The department or the department's authorized agent shall investigate the applicant's activities and proposed standards of care and shall make an inspection of all premises to be used by the early childhood program applying for a license.

2. Describe your state/territory's requirements for annual, unannounced inspections of licensed CCDF in-home child providers

Annual inspection and unannounced inspections are required for relicensure.

3. Identify the frequency of unannounced inspections:

- Once a year
- More than once a year

Describe:

4. Describe the monitoring procedures (including differential monitoring, if applicable) and how the inspections ensure that in-home CCDF child care providers comply with the applicable licensing standards, including health, safety, and fire standards.

Full licensing inspection reviewing all standards as noted in law and rule.

5. List the citation(s) for your state/territory's policies regarding inspections for licensed in-home CCDF providers

DHS Policy **620-01-35**

d) List the entity(ies) in your state/territory that are responsible for conducting pre-licensure inspections and unannounced inspections of licensed CCDF providers

County social services

5.3.3 Inspections for license-exempt CCDF providers

Lead Agencies must have policies and practices that require licensing inspectors (or qualified monitors designated by the Lead Agency) to perform an annual monitoring visit of each license-

exempt CCDF provider for compliance with health, safety (including, but not limited to, those requirements described in 98.41), and fire standards (658E(c)(2)(K)(i)(IV); 98.42(b)(2)(ii)). Lead Agencies have the option to exempt relative providers (as described in section (658P(6)(B)) from this requirement. To certify, respond to the questions below to describe the policies and practices for the annual monitoring of:

Effective Date: 10/01/2018

a) License-exempt center-based CCDF providers, including if monitoring is announced or unannounced, occurs more frequently than once per year, and if differential monitoring is used

NA

Provide the citation(s) for this policy or procedure

NA

b) License-exempt family child care CCDF providers, including if monitoring is announced or unannounced, occurs more frequently than once per year, and if differential monitoring is used

NA

Provide the citation(s) for this policy or procedure

NA

c) License-exempt in-home CCDF providers, including if monitoring is announced or unannounced, occurs more frequently than once per year, if relative care is exempt from monitoring, and if differential monitoring is used

NA

Provide the citation(s) for this policy or procedure

NA

d) Lead Agencies have the option to develop alternate monitoring requirements for care provided in the child's home (98.42(b)(2)(iv)(B)). Does your state use alternate monitoring procedures for monitoring in-home care?

No

Yes. If yes,

describe:

NA

e) List the entity(ies) in your state/territory that are responsible for conducting inspections of license-exempt CCDF providers

NA

5.3.4 Licensing inspectors.

Effective Date: 10/01/2018

Lead Agencies will have policies and practices that ensure that individuals who are hired as licensing inspectors (or qualified monitors designated by the Lead Agency) are qualified to inspect child care providers and facilities and have received health and safety training appropriate to the provider setting and age of the children served. Training shall include, but is not limited to, those requirements described in 98.41(a)(1) and all aspects of the State's licensure requirements (658E(c)(2)(K)(i)(I); 98.42(b)(1-2)).

a) To certify, describe how the Lead Agency ensures that licensing inspectors (or qualified monitors designated by the Lead Agency) are qualified to inspect child care facilities and providers and that those inspectors have received training on health and safety requirements that are appropriate to the age of the children in care and the type of provider setting (98.42(b)(1-2)).

The licensers are hired by the county social service agencies (authorized agent). North Dakota is county administered and State supervised, so the hiring of staff is up to the county. Licensers are hired under one of two classifications either a Health and Human Services Program Administrator I or a Social Worker I. The Social Worker I position is required to have a licensure as a Licensed Social Worker (LSW) by the North Dakota Board of Social Work Examiners (NDCC 43-41). Training related to the language and cultural diversity of the providers, and training that addresses being appropriate to the age of children in care and type of provider setting is a part of the degree course work that is required to obtain the 4 year degree from a University that is required for the licenser position. The licensers are required to complete Understanding Licensing rules courses developed by the State Early Childhood Services Administrator, which includes

training on health and safety requirements, appropriate to age and setting. This training is available online through Child Care Aware. Licensers are also required to attend annually the licenser training, which is developed by the Early Childhood Services Administrator where topics on language and cultural diversity of the providers and topics on being appropriate to the age of children in care and types of provider setting trainings are addressed. Licensers are required to attend all relative trainings to early childhood licensing and also attend orientation for new licensers that is conducted by the regional office. Completion of the above training requirements ensures that inspectors are qualified to inspect facilities and providers.

b) Provide the citation(s) for this policy or procedure

DHS Policy **620-01-20-01**

5.3.5 The states and territories shall have policies and practices that require the ratio of licensing inspectors to child care providers and facilities in the state/territory to be maintained at a level sufficient to enable the state/territory to conduct effective inspections of child care providers and facilities on a timely basis in accordance with federal, state, and local laws (658E(c)(2)(K)(i)(III); 98.42(b)(3)).

Effective Date: 10/01/2018

a) To certify, describe the state/territory policies and practices regarding the ratio of licensing inspectors to child care providers (i.e. number of inspectors per number of child care providers) and facilities in the state/territory and include how the ratio is sufficient to conduct effective inspections on a timely basis.

Child care licensers have a caseload of approximately 35 throughout the State. There are areas of the State with more and less caseloads since North Dakota has pockets of rural and urban this can vary. This allows staff to conduct monitoring visits in a timely manner and provide technical assistance as needed. North Dakota is county administered and State supervised and as so the hiring of staff is up to the county. 620-01-20 Early childhood services regulation is structure in three levels: The county social service agencies (authorized agent), the regional human service enters, and the state office of early childhood services.

b) Provide the policy citation and state/territory ratio of licensing inspectors
620-01-20

5.3.6 States and territories have the option to exempt relatives (defined in CCDF regulations as grandparents, great-grandparents, siblings if living in a separate residence, aunts, and uncles (98.42(c)) from inspection requirements. Note: This exception only applies if the individual cares only for relative children. Does the state/territory exempt relatives from the inspection requirements listed in 5.3.3?

Effective Date: 10/01/2018

Yes, relatives are exempt from all inspection requirements.

If the state/territory exempts relatives from all inspection requirements, describe how the state ensures the health and safety of children in relative care.

The Lead Agency ensures the health and safety of children who receive care in relative settings by requiring that relative provider applicants first verify their relationship to children for whom they will be providing care. Additionally, the relative provider applicant and all household members age 18 and over are subject to the following background checks; North Dakota Supreme Court Website search, North Dakota State's Attorney's Sex Offender website and Children and Family Services background check. A request to be a relative provider will be denied or the approval will be terminated with the relative provider or an adult household member has be found guilty of, pled guilty to or pled no contest to an offense defined in section 75-02-01.3.05 of North Dakota Administrative Code (N.D.A.C). Relative providers are only approved to provide care in their own home.

Yes, relatives are exempt from some inspection requirements.

If the state/territory exempts relatives from the inspection requirements, describe which inspection requirements do not apply to relative providers (including which relatives may be exempt) and how the State ensures the health and safety of children in relative care.

No, relatives are not exempt from inspection requirements.

5.4 Criminal Background Checks

The CCDBG Act requires states and territories to have in effect requirements, policies and procedures to conduct criminal background checks for all child care staff members (including prospective staff members) of all child care programs that are 1) licensed, regulated, or registered under state/territory law; or, 2) all other providers eligible to deliver CCDF services (e.g., license-exempt CCDF eligible providers) (98.43(a)(1)(i)). Background check requirements apply to any staff member who is employed by a child care provider for compensation, including contract employees and self-employed individuals; whose activities involve the care or supervision of children; or who has unsupervised access to children (98.43(2)). For FCC homes, this requirement includes the caregiver and any other adults residing in the family child care home who are age 18 or older (98.43(2)(ii)(C)). This requirement does not apply to individuals who are related to all children for whom child care services are provided (98.43(2)(B)(ii)).

A criminal background check must include 8 specific components (98.43(2)(b)), which encompass 3 in-state checks, 2 national checks, and 3 inter-state checks

Components	In-State	National	Inter-State
1. Criminal registry or repository using fingerprints in the current state of residency	x		
2. Sex offender registry or repository check in the current state of residency	x		
3. Child abuse and neglect registry and database check in the current state of residency	x		
4. FBI fingerprint check		x	
5. National Crime Information Center (NCIC) National Sex Offender Registry (NSOR)		x	
6. Criminal registry or repository in any other state where the individual has resided in the past 5 years, with the use of fingerprints being optional			x
7. Sex offender registry or repository in any other state where the individual has resided in the past 5 years			x
8. Child abuse and neglect registry and database in any other state where the individual has resided in the past 5 years			x

In recognition of the significant challenges to implementing the Child Care and Development Fund (CCDF) background check requirements, all States applied for and received extensions through September 30, 2018. The Office of Child Care (OCC)/Administration for Children and Families (ACF)/U. S. Department of Health and Human Services (HHS) is

committed to granting additional waivers of up to 2 years, in one year increments (i.e., potentially through September 30, 2020) if significant milestones for background check requirements are met.

In order to receive these time-limited waivers, states and territories will demonstrate that the milestones are met by responding to questions 5.4.1 through 5.4.4 and then apply for the time-limited waiver by completing the questions in Appendix A: Background Check Waiver Request Form. By September 30, 2018, states and territories must have requirements, policies and procedures for four specific background check components, and must be conducting those checks for all new (prospective) child care staff, in accordance with 98.43 and 98.16(o):

--The national FBI fingerprint check; and,	
--The three in-state background check provisions for the current state of residency:	
	--state criminal registry or repository using fingerprints;
	--state sex offender registry or repository check;
	--state-based child abuse and neglect registry and database.

All four components are required in order for the milestone to be considered met.

Components	New (Prospective) Staff	Existing Staff
1. Criminal registry or repository using fingerprints in the current state of residency	Milestone/Prerequisite for Waiver	Possible Time Limited Waiver for current (existing) staff
2. Sex offender registry or repository check in the current state of residency	Milestone/Prerequisite for Waiver	Possible Time Limited Waiver for current (existing) staff
3. Child abuse and neglect registry and database check in the current state of residency	Milestone/Prerequisite for Waiver	Possible Time Limited Waiver for current (existing) staff
4. FBI fingerprint check	Milestone/Prerequisite for Waiver	Possible Time Limited Waiver for current (existing) staff
5. National Crime Information Center (NCIC) National Sex Offender Registry (NSOR)	Possible Time Limited Waiver for: --Establishing requirements and procedures and/or --Conducting checks on all new (prospective) staff and/or --Conducting checks on current (existing) staff	
6. Criminal registry or repository in any other state where the individual has resided in the past 5 years, with the use of fingerprints being optional	Possible Time Limited Waiver for: --Establishing requirements and procedures and/or --Conducting checks on all new (prospective) staff and/or --Conducting checks on current (existing) staff	
7. Sex offender registry or repository in any other state where the individual has resided in the past 5 years	Possible Time Limited Waiver for: --Establishing requirements and procedures and/or --Conducting checks on all new (prospective) staff and/or --Conducting checks on current (existing)	

	staff
8. Child abuse and neglect registry and database in any other state where the individual has resided in the past 5 years	Possible Time Limited Waiver for: --Establishing requirements and procedures and/or --Conducting checks on all new (prospective) staff and/or --Conducting checks on current (existing) staff

Use the questions below to describe the status of the requirements, policies and procedures for background check requirements. These descriptions must provide sufficient information to demonstrate how the milestone prerequisites are being met and the status of the other components that are not part of the milestone. Lead Agencies have the opportunity to submit a waiver request in Appendix A: Background Check Waiver Request Form, for components not included in the milestones. Approval of these waiver requests will be subject to verification that the milestone components have been met as part of the CCDF Plan review and approval process.

In-state Background Check Requirements

5.4.1 In-State Criminal Registry or Repository Checks with Fingerprints Requirements (98.43(b)(3)(i)).

Note: A search of a general public facing judicial website does not satisfy this requirement. This check is required in addition to the national FBI criminal history check (5.4.4 below) to mitigate any gaps that may exist between the two sources.

Effective Date: 10/01/2018

a) Milestone #1 Prerequisite for New (Prospective) Child Care Staff: Describe the requirements, policies and procedures for the search of the in-state criminal registry or repository, with the use of fingerprints required in the state where the staff member resides.

i. Describe how these requirements, policies and procedures apply to all licensed, regulated, or registered child care providers, in accordance with 98.43(a)(1)(i) and 98.16(o). Describe and provide citations

The Department submits in-state criminal repository record requests to the North Dakota Bureau of Criminal Investigation on all licensed, regulated or registered child care providers. The fingerprint background check shall be completed for all provider's staff members and emergency designees, upon hire and every five years after.

ND Century Code 50-11.1; ND Administrative Rule 75-03; North Dakota Early Childhood

Services Procedures: Background Check Procedures 620-01-40.

ii. Describe how these requirements, policies and procedures apply to all other providers eligible to deliver CCDF services (e.g., license-exempt CCDF eligible providers), in accordance with 98.43(a)(1)(i) and 98.16(o). Describe and provide citations

The Department submits in-state criminal repository record requests to the North Dakota Bureau of Criminal Investigation on all other providers eligible to deliver CCDF services, which includes license-exempt. The fingerprint background check shall be completed for all provider's staff members, emergency designees, upon hire and every five years after.

North Dakota defines license-exempt CCDF eligible providers as those who care for 5 or fewer children or 3 infants in a home.

ND Century Code 50-11.1; ND Administrative Rule 75-03; North Dakota Early Childhood Services Procedures: Background Check Procedures 620-01-40 North Dakota Early Childhood Services Procedures: Background Check Procedures 620-01-40.

b) Has the search of the in-state criminal registry or repository, with the use of fingerprints, been conducted for all current (existing) child care staff?

Yes

Describe, if applicable, any differences in the process for existing staff than what was described for new staff and provide citations.

The same process is used for new & existing staff regarding in-state criminal registry/repository checks.

ND Century Code 50-11.1; ND Administrative Rule 75-03; North Dakota Early Childhood Services Procedures: Background Check Procedures 620-01-40

No. (Waiver request allowed. See Appendix A). Describe the status of conducting the search of the state criminal registry or repository, using fingerprints for current (existing) child care staff including:

-- Efforts to date to complete the requirement for all existing child care staff in licensed, regulated or registered programs

-- Efforts to date to complete the requirement for all existing child care staff in other programs eligible to receive CCDF services (e.g. license-exempt CCDF eligible providers)

-- Key challenges to fully implementing this requirements

-- Strategies used to address these challenges

Describe:

5.4.2 In-State Sex Offender Registry Requirements (98.43(b)(3)(B)(ii)).

Note: This check must be completed in addition to the national NCIC sex offender registry check (5.4.5 below) to mitigate any gaps that may exist between the two sources. Use of fingerprints is optional to conduct this check.

Effective Date: 10/01/2018

a) Milestone #2 Prerequisite for New (Prospective) Child Care Staff: Describe the requirements, policies and procedures for the search of the in-state sex offender registry.

i. Describe how these requirements, policies and procedures apply to all licensed, regulated, or registered child care providers, in accordance with 98.43(a)(1)(i) and 98.16(o). Describe and provide citations

The Department searches the in-state sex offender registry on all licensed, regulated or registered child care providers.

ND Century Code 50-11.1; ND Administrative Rule 75-03; North Dakota Early Childhood Services Procedures: Background Check Procedures 620-01-40.

ii. Describe how these requirements, policies and procedures apply to all other providers eligible to deliver CCDF services (e.g., license-exempt CCDF eligible providers), in accordance with 98.43(a)(1)(i) and 98.16(o). Describe and provide citations

The Department searches the in-state sex offender registry on all other providers eligible to deliver CCDF services, which includes license-exempt.

North Dakota defines license-exempt CCDF eligible providers as those who care for 5 or fewer children or 3 infants in a home.

ND Century Code 50-11.1; ND Administrative Rule 75-03; North Dakota Early Childhood Services Procedures: Background Check Procedures 620-01-40

b) Has the search of the in-state sex offender registry been conducted for all current (existing) child care staff?

Yes

Describe, if applicable, any differences in the process for existing staff than what was described for new staff and provide citations.

The same process is used for new & existing staff regarding in-state sex offender registry checks.

ND Century Code 50-11.1; ND Administrative Rule 75-03; North Dakota Early Childhood Services Procedures: Background Check Procedures 620-01-40

No. (Waiver request allowed. See Appendix A). Describe the status of conducting the search of the state criminal registry or repository, using fingerprints for current (existing) child care staff including:

-- Efforts to date to complete the requirement for all existing child care staff in licensed, regulated or registered programs

-- Efforts to date to complete the requirement for all existing child care staff in other programs eligible to receive CCDF services (e.g. license-exempt CCDF eligible providers)

-- Key challenges to fully implementing this requirements

-- Strategies used to address these challenges

Describe:

5.4.3 In-State Child Abuse and Neglect Registry Requirements (98.43(b)(3)(B)(iii)).

Note: This is a name-based search.

Effective Date: 10/01/2018

a) Milestone #3 Prerequisite for New (Prospective) Child Care Staff: Describe the requirements, policies and procedures for the search of the in-state child abuse and neglect registry.

i. Describe how these requirements, policies and procedures apply to all licensed, regulated, or registered child care providers, in accordance with 98.43(a)(1)(i) and 98.16(o). Describe and provide citations

The Department conducts name-based in-state child abuse and neglect registry checks on all licensed, regulated or registered child care providers.

ND Century Code 50-11.1; ND Administrative Rule 75-03; North Dakota Early Childhood Services Procedures: Background Check Procedures 620-01-40

ii. Describe how these requirements, policies and procedures apply to all other providers eligible to deliver CCDF services (e.g., license-exempt CCDF eligible providers), in accordance with 98.43(a)(1)(i) and 98.16(o). Describe and provide citations

The Department conducts name-based in-state child abuse and neglect registry checks on all other providers eligible to deliver CCDF services, which includes license-exempt.

North Dakota defines license-exempt CCDF eligible providers as those who care for 5 or fewer children or 3 infants in a home.

ND Century Code 50-11.1; ND Administrative Rule 75-03; North Dakota Early Childhood Services Procedures: Background Check Procedures 620-01-40

b) Has the search of the in-state child abuse and neglect registry been conducted for all current (existing) child care staff?

Yes

Describe, if applicable, any differences in the process for existing staff than what was described for new staff and provide citations.

The same process is used for new & existing staff regarding in-state child abuse and neglect registry checks.

ND Century Code 50-11.1; ND Administrative Rule 75-03; North Dakota Early Childhood Services Procedures: Background Check Procedures 620-01-40

No. (Waiver request allowed. See Appendix A). Describe the status of conducting the search of the state child abuse and neglect registry for current (existing) child care staff including:

-- Efforts to date to complete the requirement for all existing child care staff in licensed, regulated or registered programs

-- Efforts to date to complete the requirement for all existing child care staff in other programs eligible to receive CCDF services (e.g. license-exempt CCDF eligible providers)

-- Key challenges to fully implementing this requirements

-- Strategies used to address these challenges

Describe:

National Background Check Requirements

5.4.4 National FBI Criminal Fingerprint Search Requirements (98.43(b)(1)).

Note: The in-state (5.4.1 above) and the inter-state (5.4.6 below) criminal history check must be completed in addition to the FBI fingerprint check because there could be state crimes that do not appear in the national repository. Also note, that an FBI fingerprint check satisfies the requirement to perform an interstate check of another State's criminal history records repository if the responding state (where the child care staff member has resided within the past five years) participates in the National Fingerprint File program (CCDF-ACF-PIQ-2017-01).

Effective Date: 10/01/2018

a) Milestone #4 Prerequisite for New (Prospective) Child Care Staff. Describe the requirements, policies and procedures for the search of the National FBI fingerprint check.

i. Describe how these requirements, policies and procedures apply to all licensed, regulated, or registered child care providers, in accordance with 98.43(a)(1)(i) and 98.16(o). Describe and provide citations

The Department submits National FBI fingerprint checks to the North Dakota Bureau of Criminal Investigation on all licensed, regulated or registered child care providers.

ND Century Code 50-11.1; ND Administrative Rule 75-03; North Dakota Early Childhood Services Procedures: Background Check Procedures 620-01-40

ii. Describe how these requirements, policies and procedures apply to all other providers eligible to deliver CCDF services (e.g., license-exempt CCDF eligible providers), in accordance with 98.43(a)(1)(i) and 98.16(o). Describe and provide citations

The Department submits National FBI fingerprint checks to the North Dakota Bureau of Criminal Investigation on all other providers eligible to deliver CCDF services, which includes license-exempt.

North Dakota defines license-exempt CCDF eligible providers as those who care for 5 or fewer children or 3 infants in a home.

ND Century Code 50-11.1; ND Administrative Rule 75-03; North Dakota Early Childhood Services Procedures: Background Check Procedures 620-01-40

b) For all current (existing) child care staff, has the FBI criminal fingerprint check been conducted?

Yes

Describe, if applicable, any differences in the process for existing staff than what was described for new staff and provide citations.

The same process is used for new & existing staff regarding the FBI criminal fingerprint check.

ND Century Code 50-11.1; ND Administrative Rule 75-03; North Dakota Early Childhood Services Procedures: Background Check Procedures 620-01-40

No. (Waiver request allowed. See Appendix A). Describe the status of conducting the FBI fingerprint check for current (existing) child care staff including:
-- Efforts to date to complete the requirement for all existing child care staff in licensed, regulated or registered programs
-- Efforts to date to complete the requirement for all existing child care staff in other programs eligible to receive CCDF services (e.g. license-exempt CCDF eligible

providers)

-- Key challenges to fully implementing this requirements

-- Strategies used to address these challenges

Describe:

National Background Check Requirements

5.4.5 National Crime Information Center (NCIC) National Sex Offender Registry (NSOR) Search Requirements (98.43(b)(2)).

Note: This is a name-based search. Searching general public facing sex offender registries does not satisfy this requirement. This national check must be required in addition to the in-state (5.4.2 above) or inter-state (5.4.7 below) sex offender registry check requirements. This check must be performed by law enforcement.

Effective Date: 10/01/2019

a) Has the National Crime Information Center (NCIC) National Sex Offender Registry (NSOR) check been put in place for all new (prospective) child care staff

Yes. If yes,

i. Describe how these requirements, policies and procedures apply to all licensed, regulated, or registered child care providers, in accordance with 98.43(a)(1)(i) and 98.16(o). Describe and provide citations

The Department submits NCIC/NSOR name-based record check requests to the North Dakota Bureau of Criminal Investigation on all licensed, regulated or registered child care providers.

ND Century Code 50-11.1; ND Administrative Rule 75-03; North Dakota Early Childhood Services Procedures: Background Check Procedures 620-01-40

ii. Describe how these requirements, policies and procedures apply to all other providers eligible to deliver CCDF services (e.g., license-exempt CCDF eligible providers), in accordance with 98.43(a)(1)(i) and 98.16(o). Describe and provide

[citations](#)

The Department submits NCIC/NSOR name-based record check requests to the North Dakota Bureau of Criminal Investigation on all other providers eligible to deliver CCDF services, including license-exempt.

North Dakota defines license-exempt CCDF eligible providers as those who care for 5 or fewer children or 3 infants in a home.

ND Century Code 50-11.1; ND Administrative Rule 75-03; North Dakota Early Childhood Services Procedures: Background Check Procedures 620-01-40

No. (Waiver request allowed. See Appendix A). Describe the status of conducting the the National Crime Information Center (NCIC) National Sex Offender Registry (NSOR) for new (prospective) child care staff including:

- Efforts to date to complete the requirement for all existing child care staff in licensed, regulated or registered programs
- Efforts to date to complete the requirement for all existing child care staff in other programs eligible to receive CCDF (e.g. license-exempt CCDF eligible providers)
- Key challenges to fully implementing this requirements
- Strategies used to address these challenges

Describe:

b) Has the National Crime Information Center (NCIC) National Sex Offender Registry (NSOR) check been put in place for all current (existing) child care staff?

Yes

Describe, if applicable, any differences in the process for existing staff than what was described for new staff and provide citations.

The North Dakota Bureau of Criminal Investigations (BCI) began running NCIC/NSOR checks for the Department on 3/1/18. All prospective providers, household members, and staff submitted to BCI that date forward had the NCIC/NSOR checks done.

NCIC/NSOR checks for providers, household members, and staff that had background checks (record requests) to BCI prior to that date were completed by 9.30.19.

No. (Waiver request allowed. See Appendix A). Describe the status of conducting the National Crime Information Center (NCIC) National Sex Offender Registry (NSOR) check for current (existing) child care staff including:

-- Efforts to date to complete the requirement for all existing child care staff in licensed, regulated or registered programs

-- Efforts to date to complete the requirement for all existing child care staff in other programs eligible to receive CCDF services (e.g. license-exempt CCDF eligible providers)

-- Key challenges to fully implementing this requirements

-- Strategies used to address these challenges

Describe:

Inter-state Background Check Requirements

Checking a potential employee's history in any state other than that in which the provider's services are provided qualifies as an inter-state check, per the definition of required criminal background checks in 98.43(b)(3). For example, an inter-state check would include situations when child care staff members work in one state and live in another state. The statute and regulations require background checks in the state where the staff member resides and each state where the staff member resided during the previous 5 years. Background checks in the state where the staff member is employed may be advisable, but are not strictly required.

5.4.6 Interstate Criminal Registry or Repository Check Requirement (including in any other state where the individual has resided in the past 5 years). (98.43 (b)(3)(i)).

Note: It is optional to use a fingerprint to conduct this check. Searching a general public facing judicial website does not satisfy this requirement. This check must be completed in addition to the national FBI history check (5.4.4 above) to mitigate any gaps that may exist between the two sources (unless the responding state participates in the National Fingerprint File program).

Effective Date: 10/01/2019

a) Has the interstate criminal registry or repository check been put in place for all new (prospective) child care staff?

Yes. If yes,

i. Describe how these requirements, policies and procedures apply to all licensed, regulated, or registered child care providers, in accordance with 98.43(a)(1)(i) and 98.16(o). Describe and provide citations

This requirement was implemented for all new/prospective licensed, regulated or registered providers, their household members when applicable, and prospective staff on 7.1.18.

ii. Describe how these requirements, policies and procedures apply to all other providers eligible to deliver CCDF services (e.g., license-exempt CCDF eligible providers), in accordance with 98.43(a)(1)(i) and 98.16(o). Describe and provide citations

This requirement applies to all provider types (licensed, regulated, registered and license-exempt) and has been fully implemented for all new/prospective providers, household members when applicable and prospective staff since 7.1.18.

No. (Waiver request allowed. See Appendix A). Describe the status of conducting the the interstate criminal registry or repository check for new (prospective) child care staff including:

-- Efforts to date to complete the requirement for all existing child care staff in licensed, regulated or registered programs

-- Efforts to date to complete the requirement for all existing child care staff in other programs eligible to receive CCDF (e.g. license-exempt CCDF eligible providers)

-- Key challenges to fully implementing this requirements

-- Strategies used to address these challenges

Describe:

b) Has the interstate criminal registry or repository check been put in place for all current (existing) child care staff?

Yes

Describe, if applicable, any differences in the process for existing staff than what was described for new staff and provide citations.

The interstate criminal registry or repository checks for all current/existing staff at licensed, regulated, registered or license-exempt providers began on 10.29.18 and

were completed by 9.30.19.

No. (Waiver request allowed. See Appendix A). Describe the status of conducting the interstate criminal registry or repository check for current (existing) child care staff including:

-- Efforts to date to complete the requirement for all existing child care staff in licensed, regulated or registered programs

-- Efforts to date to complete the requirement for all existing child care staff in other programs eligible to receive CCDF services (e.g. license-exempt CCDF eligible providers)

-- Key challenges to fully implementing this requirements

-- Strategies used to address these challenges

Describe:

5.4.7 Interstate Sex Offender Registry or Repository Check Requirements (including in any state where the individual has resided in the past 5 years). (98.43 (b)(3)(ii)).

Note: It is optional to use a fingerprint to conduct this check. This check must be completed in addition to the National Crime Information Center (NCIC) National Sex Offender Registry (NSOR) (5.4.5 above) to mitigate any gaps that may exist between the two sources.

Effective Date: 10/01/2019

a) Has the interstate sex offender registry or repository check been put in place for all new (prospective) child care staff?

Yes. If yes,

i. Describe how these requirements, policies and procedures apply to all licensed, regulated, or registered child care providers, in accordance with 98.43(a)(1)(i) and 98.16(o). Describe and provide citations

The Department conducts or reviews the interstate sex offender registry/repository checks in any state where the individual has resided within the previous 5 years on all licensed, regulated or registered child care providers.

ND Century Code 50-11.1; ND Administrative Rule 75-03; North Dakota Early

Childhood Services Procedures: Background Check Procedures 620-01-40

ii. Describe how these requirements, policies and procedures apply to all other providers eligible to deliver CCDF services (e.g., license-exempt CCDF eligible providers), in accordance with 98.43(a)(1)(i) and 98.16(o). Describe and provide citations

The Department conducts or reviews the interstate sex offender registry/repository check requests in any state where the individual has resided within the previous 5 years on all other providers eligible to deliver CCDF services, which includes license-exempt.

North Dakota defines license-exempt CCDF eligible providers as those who care for 5 or fewer children or 3 infants in a home.

ND Century Code 50-11.1; ND Administrative Rule 75-03; North Dakota Early Childhood Services Procedures: Background Check Procedures 620-01-40

No. (Waiver request allowed. See Appendix A). Describe the status of conducting the interstate sex offender registry or repository check for new (prospective) child care staff including:

- Efforts to date to complete the requirement for all existing child care staff in licensed, regulated or registered programs
- Efforts to date to complete the requirement for all existing child care staff in other programs eligible to receive CCDF (e.g. license-exempt CCDF eligible providers)
- Key challenges to fully implementing this requirements
- Strategies used to address these challenges

Describe:

b) Has the interstate sex offender registry or repository check been put in place for all current (existing) child care staff?

Yes

Describe, if applicable, any differences in the process for existing staff than what was described for new staff and provide citations.

The Department began conducting or reviewing the interstate sex offender registry or

repository checks on all current/existing staff for all licensed, regulated, registered and license-exempt providers on 5/14/18 and this work was completed by 9.30.19.

ND Century Code 50-11.1; ND Administrative Rule 75-03; North Dakota Early Childhood Services Procedures: Background Check Procedures 620-01-40

No. (Waiver request allowed. See Appendix A). Describe the status of conducting the interstate sex offender registry or repository check for current (existing) child care staff including:

-- Efforts to date to complete the requirement for all existing child care staff in licensed, regulated or registered programs

-- Efforts to date to complete the requirement for all existing child care staff in other programs eligible to receive CCDF services (e.g. license-exempt CCDF eligible providers)

-- Key challenges to fully implementing this requirements

-- Strategies used to address these challenges

Describe:

5.4.8 Interstate Child Abuse and Neglect Check Registry Requirements (98.43 (b)(3)(iii)).

Note: This is a name-based search.

Effective Date: 10/01/2018

a) Has the interstate child abuse and neglect check been put in place for all new (prospective) child care staff?

Yes. If yes,

i. Describe how these requirements, policies and procedures apply to all licensed, regulated, or registered child care providers, in accordance with 98.43(a)(1)(i) and 98.16(o). Describe and provide citations

The Department requests a name-based, interstate child abuse and neglect registry search in any state where the individual has resided within the previous 5 years on all licensed, regulated or registered child care providers.

ND Century Code 50-11.1; ND Administrative Rule 75-03; North Dakota Early Childhood Services Procedures: Background Check Procedures 620-01-40

ii. Describe how these requirements, policies and procedures apply to all other providers eligible to deliver CCDF services (e.g., license-exempt CCDF eligible providers), in accordance with 98.43(a)(1)(i) and 98.16(o). Describe and provide citations

The Department requests a name-based, interstate child abuse and neglect registry search in any state where the individual has resided within the previous 5 years on all other providers eligible to deliver CCDF services, including license-exempt.

North Dakota defines license-exempt CCDF eligible providers as those who care for 5 or fewer children or 3 infants in a home.

ND Century Code 50-11.1; ND Administrative Rule 75-03; North Dakota Early Childhood Services Procedures: Background Check Procedures 620-01-40

No. (Waiver request allowed. See Appendix A). Describe the status of conducting the interstate child abuse and neglect check for new (prospective) child care staff including:

- Efforts to date to complete the requirement for all existing child care staff in licensed, regulated or registered programs
- Efforts to date to complete the requirement for all existing child care staff in other programs eligible to receive CCDF (e.g. license-exempt CCDF eligible providers)
- Key challenges to fully implementing this requirements
- Strategies used to address these challenges

Describe:

b) Has the interstate child abuse and neglect check been put in place for all current (existing) child care staff?

Yes

Describe, if applicable, any differences in the process for existing staff than what was described for new staff and provide citations.

The same process is used for new & existing staff regarding the interstate child abuse and neglect check.

ND Century Code 50-11.1; ND Administrative Rule 75-03; North Dakota Early Childhood Services Procedures: Background Check Procedures 620-01-40

No. (Waiver request allowed. See Appendix A). Describe the status of conducting the interstate child abuse and neglect check for current (existing) child care staff including:

-- Efforts to date to complete the requirement for all existing child care staff in licensed, regulated or registered programs

-- Efforts to date to complete the requirement for all existing child care staff in other programs eligible to receive CCDF services (e.g. license-exempt CCDF eligible providers)

-- Key challenges to fully implementing this requirements

-- Strategies used to address these challenges

Describe:

NA

Provisional Employment

The CCDF final rule states a child care provider must submit a request to the appropriate state/territory agency for a criminal background check for each child care staff member, including prospective staff members, prior to the date an individual becomes a child care staff member and at least once every 5 years thereafter (98.43(d)(1) and (2)). A prospective child care staff member may not begin work until one of the following results have been returned as satisfactory: either the FBI fingerprint check or the search of the state/territory criminal registry or repository using fingerprints in the state/territory where the staff member resides. The child care staff member must be supervised at all times pending completion of all the background check components (98.43(d)(4)).

Note: In recognition of the concerns and feedback OCC received related to the provisional hire provision of the CCDF final rule, OCC will allow states and territories to request time-limited waiver extensions for the provisional hire provision. State/territories may submit a waiver request to allow additional time to meet the requirements related to provisional hires (see Appendix A). A state/territory may receive a waiver from this requirement only when:

1. the state requires the provider to submit the background check requests before the staff

person begins working; and

2. the staff member, pending the results of the elements of the background check, is supervised at all times by an individual who has completed the background check.

5.4.9 Describe the state/territory requirements related to prospective child care staff members using the checkboxes below. (Waiver request allowed. See Appendix A). Check all that apply.

Effective Date: 10/01/2018

The state/territory allows prospective staff members to begin work on a provisional basis (if supervised at all times) after completing and receiving satisfactory results on either the FBI fingerprint check or a fingerprint check of the state/territory criminal registry or repository in the state where the child care staff member resides.

Describe and include a citation:

The state/territory allows prospective staff members to begin work on a provisional basis (if supervised at all times) after the request has been submitted, but before receiving satisfactory results on either the FBI fingerprint check or a fingerprint check of the state/territory criminal registry or repository in the state where the child care staff member resides. Note: A waiver request is allowed for this provision (see Appendix A).

Describe and include a citation:

North Dakota allows prospective staff members to begin work on a provisional basis, if supervised at all times by an individual that has completed a background check, after submitting a request for, but prior to receiving satisfactory results on either the FBI fingerprint check or a fingerprint check of the state/territory criminal registry or repository.

ND Century Code 50-11.1; ND Administrative Rule 75-03; North Dakota Early Childhood Services Procedures: Background Check Procedures 620-01-40

Other.

Describe:

5.4.10 The state/territory must conduct the background checks as quickly as possible and shall not exceed 45 days after the child care provider submitted the request. The state/territory shall provide the results of the background check in a statement that indicates whether the staff member is eligible or ineligible, without revealing specific disqualifying information. If the staff member is ineligible, the state/territory will provide information about each disqualifying crime to the staff member.

Effective Date: 10/01/2018

Describe the requirements, policies, and procedures in place to respond as expeditiously as possible to other states', territories', and tribes' requests for background check results to accommodate the 45-day timeframe, including any agencies/entities responsible for responding to requests from other states (98.43(a)(1)(iii)).

The CBCU processes all incoming ND Child Abuse/Neglect Index and Background Checks, to include comprehensive background checks, inquiries within two weeks from the date a complete authorization form has been received.

5.4.11 Child care staff members cannot be employed by a child care provider receiving CCDF subsidy funds if they refuse a background check, make materially false statements in connection with the background check, or are registered or required to be registered on the state or National Sex Offender Registry. Potential staff members also cannot be employed by a provider receiving CCDF funds if they have been convicted of: a felony consisting of murder, child abuse or neglect, crimes against children, spousal abuse, crimes involving rape or sexual assault, kidnapping, arson, physical assault or battery, or - subject to an individual review (at the state/territory's option)- a drug-related offense committed during the preceding 5 years; a violent misdemeanor committed as an adult against a child, including the following crimes - child abuse, child endangerment, or sexual assault; or a misdemeanor involving child pornography (98.43(c)(1)).

Note: The Lead Agency may not publicly release the results of individual background checks. It may release aggregated data by crime as long as the data do not include personally identifiable

information (98.43(e)(2)(iii)).

Effective Date: 10/01/2018

Does the state/territory disqualify child care staff members based on their conviction for other crimes not specifically listed in 98.43(c)(i)?

No

Yes.

Describe other disqualifying crimes and provide citation:

5.4.12 The state/territory has a process for a child care staff member to appeal the the results of his or her background check to challenge the accuracy or completeness of the criminal background report, as detailed in 98.43(e)(3).

Effective Date: 10/01/2018

Describe how the Lead Agency ensures the privacy of background checks and provides opportunities for applicants to appeal the results of background checks. In addition, describe whether the state/territory has a review process for individuals disqualified due to a felony drug offense to determine if that individual is still eligible for employment (98.43(e)(2-4)).

NDAC 75-03 specific to each program type includes a subsection regarding the review of finger-print based criminal history record check results. It provides the process and timeframes for staff members, household members, and providers to request an appeal the results of their background checks. Prior to the denial of a background check for convictions found somewhere other than the BCI, FBI, or Tribal Court records, verification is done to ensure the applicant is in fact the defendant of record. Verification can include contacting courts, parole/probation offices, or requesting sentencing documents directly from the subject. In the event the subject disputes information contained within their official BCI or FBI record, they are provided with instruction on how to dispute the record. The decision to uphold a denial for conviction information found on one of those 2 records stands, unless the subject provides official documentation by way of court documents showing different offense/conviction information.

5.4.13 The state/territory may not charge fees that exceed the actual costs of processing applications and administering a criminal background check (98.43(f)).

Effective Date: 10/01/2018

Describe how the state/territory ensures that fees charged for completing the background checks do not exceed the actual cost of processing and administration, regardless of whether they are conducted by the state/territory or a third-party vendor or contractor. Lead Agencies can report that no fees are charged if applicable (98.43(f)).

North Dakota does not charge fees.

5.4.14 Federal requirements do not address background check requirements for relative providers who receive CCDF; therefore, states have the flexibility to decide which background check requirements relative providers must meet, as defined by CCDF in 98.2 under eligible child care provider.

Note: This exception only applies if the individual cares only for relative children. Does the state/territory exempt relatives from background checks?

Effective Date: 10/01/2018

- No, relatives are not exempt from background check requirements.
- Yes, relatives are exempt from all background check requirements.
- Yes, relatives are exempt from some background check requirements. If the state/territory exempts relatives from some background check requirements, describe which background check requirements do not apply to relative providers.

6 Recruit and Retain a Qualified and Effective Child Care Workforce

This section covers the state or territory framework for training, professional development, and post-secondary education (98.44(a)); provides a description of strategies used to strengthen the business practices of child care providers (98.16(z)); and addresses early learning and developmental guidelines.

States and territories are required to describe their framework for training, professional development, and post-secondary education for caregivers, teachers, and directors, including those working in school-age care (98.44(a)). This framework is part of a broader systematic approach building on health and safety training (as described in section 5) within a state/territory. States and territories must incorporate their knowledge and application of health and safety standards, early learning guidelines, responses to challenging behavior, and the engagement of families. States and territories are required to establish a progression of professional development opportunities to improve the knowledge and skills of CCDF providers (658E(c)(2)(G)). To the extent practicable, professional development should be appropriate to work with a population of children of different ages, English-language learners, children with disabilities, and Native Americans (98.44(b)(2)(iv)). Training and professional development is one of the options that states and territories have for investing their CCDF quality funds (658G(b)(1)).

6.1 Professional Development Framework

6.1.1 Each state or territory must describe their professional development framework for training, professional development, and post-secondary education for caregivers, teachers and directors, which is developed in consultation with the State Advisory Council on Early Childhood Education and Care or similar coordinating body. The framework should include these components: (1) professional standards and competencies, (2) career pathways, (3) advisory structures, (4) articulation, (5) workforce information, and (6) financing (98.44(a)(3)). Flexibility is provided on the strategies, breadth, and depth with which states and territories will develop and implement their framework.

Effective Date: 10/01/2018

a) Describe how the state/territory's framework for training and professional development addresses the following required elements:

-- State/territory professional standards and competencies. Describe:

All child care settings require licensure of child care by the Department of Human Services. [Licensing regulations](#) set the minimum acceptable health, safety, and program standards legally allowed. Licensed care, or in some cases regulated care, is the baseline below which it is illegal to operate. Licensed care is the starting point-the first standard that must be met-but it is not an indicator of quality care. A number of widely accepted industry standards move beyond minimum licensing to define what a well-functioning program looks like, how effective caregivers and teachers interact with children, and what professional preparation qualifies a person for a particular career position. These industry standards are sometimes referred to as quality standards-the factors that have been proven time and again to support children's healthy development and learning. In North Dakota, we have developed several important quality standards. These include: ND Early Learning Guidelines The [ND Early Learning Guidelines](#) (often referred to as ELG) are standards that define the expectations we have for children's learning and school readiness, or what children should know and be able to do. North Dakota Core Competencies for Early Education and Care Practitioners The [North Dakota Core Competencies for Early Education and Care Practitioners](#) (PDF) are standards that define the expectations we have for caregiver/teacher knowledge and skill. Because the ELG tell us the goals we have for child outcomes, we can determine what caregivers and teachers need to know and be able to do to ensure that they are teaching in ways that are effective, and that lead to the outcomes we want for children. Bright & Early ND The [Bright & Early](#) standards address program quality based on a several nationally researched measurements of program environments, staff qualifications, and teacher/child interactions. Trainer and Training Approval Standards The Registry is responsible to implement standards for the training that is delivered to the early childhood workforce. Growing Futures trainer and training approval standards are based on national guidelines from professional organizations such as the National Association for the Education of Young Children (NAEYC), the national CDA Council, and the International Association for Continuing Education and Training (IACET). The Registry also follows the best practice guidelines of the National Registry Alliance and other member states. Standards also determine how the Growing Futures Registry operates. As a member of the National Workforce Registry Alliance, the Registry strives to

implement nationally accepted best-practice standards for data integrity, reliability, and security. Growing Futures is also responsible to develop [sic] quality assurance standards for trainers and training approval in North Dakota. The ND Growing Futures Early Childhood Workforce Registry is designated to set and maintain standards for all informal training accepted toward licensing as well as ongoing professional development for the early childhood workforce. Training approval is based on the application of the content to the early childhood workforce, the depth of the content, and the methods used to assess learner outcomes. Approval standards are aligned to the Core Competencies, national CDA Competencies, NAEYC preparation standards, and to other state registry standards to potentially allow for articulation of workforce preparation across state lines. Trainer approval requires the individual to be a current member of the Growing Futures Registry with a full professional profile including education, degrees, credentials, trainer certifications, and professional experience.

-- [Career pathways. Describe:](#)

Growing Futures Career Pathways outlines the preparation expected to qualify for career positions in the field of early care and education. The Career Pathways help individuals identify career options and develop a plan to become qualified for employment in the field. These Career Pathways apply to all early care and education professionals who work with or on behalf of children ages birth to 8 years of age, from teacher assistants to trainers and higher education faculty, family child care providers, Head Start staff, and program and school district administrators. The document is based on research in the field of early childhood workforce preparation that shows quality care to be the direct result of intentional, purposeful training and education that emphasizes core knowledge and competencies. The Career Pathways align with and support North Dakota licensing regulations as well as quality standards such as the North Dakota Core Competencies for Early Education and Care, the Head Start Reauthorization Act, and the state quality rating and improvement system Bright&Early ND. The Career Pathways also align with the North Dakota Higher Education Consortium Articulation Agreement and Common Course Numbering guidelines.

-- [Advisory structure. Describe:](#)

The Early Childhood State Advisory comprises of providers from across the State & the Lead Agency ascertains from this group professional development needs and desires. The Lead Agency then brings this information to the Early Childhood Education Council.

The ECS Administrator is an appointed member of the ECEC, as well as representatives of Higher Education.

-- **Articulation. Describe:**

The ND Early Childhood Higher Education Consortium meets regularly. The Consortium has an articulation agreement in place to ensure seamless transfer of early childhood coursework for students across colleges and universities in ND. The agreement is for common course content, course number and transferability among all ND state, private and tribal colleges. The Consortium promotes the Associate's, Bachelor's, and Master's Degrees that are available in various ND colleges and universities. To support students, many colleges offer both traditional and distance learning options.

-- **Workforce information. Describe:**

Child care operators and employees must complete a minimum number of approved training hours each licensing year. The number of training hours needed depends on the document or license type and the number of hours worked. The ND Growing Futures Early Childhood Workforce Registry approves all training accepted for licensing, promotes approved training on an online statewide calendar, tracks training attendance at all approved events, and provides reports of training completion to licensers to verify annual training compliance. Growing Futures tracks details regarding the current workforce. The Lead Agency uses this information in conjunction with the ND Early Childhood Higher Education Consortium to plan, develop and implement training and education to meet workforce needs.

-- **Financing. Describe:**

The Lead agency collaborates with Part C, DPI and DoH to offer professional development across early childhood sectors and may offer travel reimbursement, sponsorship at conferences, contracts to bring in reputable speakers/educators, etc. Early childhood providers wishing to pursue an Associate's Degree or Bachelor's Degree in Early Childhood Education are eligible to receive a \$1200 scholarship to help defray expenses related to tuition and fees through the Department of Public Instruction.

b) The following are optional elements, or elements that should be implemented to the extent practicable, in the training and professional development framework.

Continuing education unit trainings and credit-bearing professional development to the extent practicable

Describe:

The ND Growing Futures Early Childhood Workforce Registry compiles and reports data on the early childhood workforce to include total training available to the workforce by competency area, delivery method, tier, and geographic area; training attendance in aggregate and by individual; workforce demographics; workforce qualifications such as education, degrees, college credits specific to Early Childhood, credentials and certificates; employment history; and Career Pathways placement. Child Care Aware provides profiles of the workforce that include total numbers, types of care, salary survey, etc.. The ND Growing Futures Early Childhood Workforce Registry verifies continuing education, training, and credit bearing coursework as part of Growing Futures member profiles and uses this information toward determination of Career Pathways placement. Formal credits are included on an individual's training record and displayed on the DHS Licensing Report that is available online to licensers to verify annual training compliance. Growing Futures promotes the higher education early childhood degree programs available across the state with direct links from the Growing Futures website and provides a list of higher education coursework that is articulated between state higher education institutions with common course numbers to assist licensers in determining which courses can be applied toward annual child care licensing. Training and credit based education is offered online, by correspondence, and in face-to-face environments. The Lead Agency works with a number of training organizations, including Child Care Aware of ND, NDSU Extension Agency, and local colleges and universities, to ensure that provides professional development needs are met. The Lead agency collaborates with Part C, DPI and DoH to offer professional development across early childhood sectors.

Engagement of training and professional development providers, including higher education, in aligning training and educational opportunities with the state/territory's framework

Describe:

Other

Describe:

6.1.2 Describe how the state/territory developed its professional development framework in consultation with the State Advisory Council on Early Childhood Education and Care (if applicable) or similar coordinating body if there is no SAC that addresses the professional development, training, and education of child care providers and staff.

The planning and administering of the training and professional development is collaborative work by many different early childhood professionals making up the ND Growing Futures Professional Development Committee. This committee is led by the Early Childhood Services Administrator and the Head Start State Collaboration Officer and contains representatives from Child Care Aware of ND, NAEYC, private child care and preschool programs, and Higher Education. The North Dakota Early Childhood Higher Education Consortium also has an important role in setting a high standard of quality for early childhood professional and promoting access to professional development. The State Advisory Council on Early Childhood Education and Care was, and continues to be, consulted. State Advisory Council members were offered the opportunity to participate in the development of the aligned Early Learning Standards and will be consulted in the development of a coordinated birth to five, early care and education PD system. This work is imperative to a coordinated ECE system in ND and the State Advisory Council will have input on topics, needs areas, and prioritizing where & with whom PD should be prioritized to, as well as how to effectively scale-up all PD activities across the State.

Effective Date: 10/01/2018

6.1.3 Describe how the framework improves the quality, diversity, stability, and retention of caregivers, teachers, and directors (98.44(a)(7)).

North Dakota's training framework provides the needed training to caregivers to allow them to provide quality childcare. The Career Pathways training is for career preparation and advancement. It applies to license renewal as well as to Career Pathways placement, credentialing, and Bright & Early participation. This level of training is structured, connected, and part of a progressive, focused program of study designed to build knowledge and skill, enhance quality, and understand diversity. Career Pathways help to build a stable and

educated cadre of caregivers, teachers, and directors. The ND Growing Futures Early Childhood Workforce Registry supports the growth of a well-qualified, effective workforce with tiered training. While all training approved for the early childhood workforce in North Dakota must support the Core Competencies, training is tiered to assist practitioners in selecting training that is most appropriate to their diverse needs and professional goals. Newly licensed or hired practitioners, or those who are seeking training to meet minimal licensing requirements may select Registered tier training. Registered tier training is short, discontinuous training intended to provide information on a topic of interest to the workforce. It does not include a measured assessment of learning outcomes. Registered tier training is typically sponsored by community groups such as child care associations. Practitioners seeking a higher-level learning experience may select Career Pathways tier training. Career Pathways tier training also fulfills minimal licensing training requirements but in addition, it is approved toward progression on the Career Pathways, Bright & Early ND Steps to Quality, national CDA Credentialing, and other intentional career advancement. Career Pathways tier training requires a pre-approved trainer with expertise in the content area. This tier of training must include measurable learning outcomes, defined learning activities designed to foster the application of those outcomes, and a scored evaluation/assessment to measure competence specific to the learning outcomes. The Growing Futures Learning Record displays training by tier and provides a tally to assist individual in developing a training plan for career development. Child Care Aware is the leading sponsor of Career Pathways tier training in North Dakota to ensure that sufficient training is available for individuals wishing to pursue the national CDA Credential. Growing Futures also approves as Career Pathways tier any training sponsored by national organizations that is recognized in the Bright & Early ND standards, such as Environment Rating, Teaching Strategies GOLD, and Teachstone CLASS training.

North Dakota recognizes the current diversity patterns within the State and believes that the current training framework will continue to promote child care as a professional field, focused on high quality care and education. To that end, it will recruit and retain high quality individuals interested in providing care across the state. Based upon data from Child Care Aware and ND KIDS, the Lead Agency continually analyzes to determine the focus of need, professional development and professional needs, which will assist in gearing the framework to improve diversity, stability and retain child care providers.

6.2 Training and Professional Development Requirements

The Lead Agency must describe how its established health and safety requirements for pre-service or orientation training and ongoing professional development requirements--as described in Section 5 for caregivers, teachers, and directors in CCDF programs--align, to the extent practicable, with the state/territory professional development framework. These requirements must be designed to enable child care providers to promote the social, emotional, physical, and cognitive development of children and to improve the knowledge and skills of the child care workforce. Such requirements shall be applicable to child care providers caring for children receiving CCDF funds across the entire age span, from birth through age 12 (658E(c)(2)(G)). Ongoing training and professional development should be accessible and appropriate to the setting and age of the children served (98.44(b)(2)).

6.2.1 Describe how the state/territory incorporates the knowledge and application of its early learning and developmental guidelines (where applicable); its health and safety standards (as described in section 5); and social-emotional/behavioral and early childhood mental health intervention models, which can include positive behavior intervention and support models (as described in section 2) in the training and professional development framework (98.44(b)).

The 15-hour Getting Started course is required for all operators and employees of licensed and regulated programs within the first three months of employment. The course is designed to fulfill the health and safety requirements for pre-service and orientation training. The Career Pathways framework is designed to align with this requirement. Completion of the 15-hour required course fulfills the first step on the Career Pathways. Individuals must complete the 15-hour course to receive a Career Pathways placement at the pre-degree categories, and to progress along the Pathways. The State's Career Pathways training program is divided into 4 categories. Category A is an introductory course to help get your career in early care and education off to a great start and make a positive impact on young children's lives. Learn about responsive interactions, safe and effective environment, health and nutrition plus abuse and reporting. This training satisfies the Department of Human Services' basic child care requirement for licensed centers, school-age programs, preschools, groups, family child care programs and self-declaration providers. This training

must be completed within the first three months of becoming licensed or employed. Category B focuses on Health, Safety and Nutrition. Specifically, training is focused on Special Health Care Needs; Promoting Wellness (Activity and Movement; Movement Activities; Nutrition and Healthy Choices; Nutrition Activities; Supervision); Learning Environment and Curriculum (Curriculum Development; Promoting Development: Infants and Toddlers; Promoting Development: Preschoolers; Promoting Development: Mixed Ages); Category C includes Child Growth and Development (Overview of Child Development; Physical Development; Cognitive Development; Social-Emotional Development; Language Development; Brain Development); Assessment and Planning for Individual Needs (Purposeful Planning; Assessing Young Children); and Interactions with Children (Powerful Interactions; Guiding Behavior: 10 Steps to Positive Discipline; Inclusion; Professional Interactions); and Category D includes Families and Communities (Family Matters; Cultural Sensitivity and Diversity; Building Partnerships with Families; Effective Communication; Family Systems); Program Planning and Evaluation (Am I Making a Difference; Communication and Teamwork; Continuous Quality Improvement; Family Child Care Business; Center Business; Employment Policy and Law); Professional Development and Leadership (Tracking Everyday Dilemmas; Overview of Professional Development; Being a Professional; Code of Ethical Conduct; Developmentally Appropriate Practice). It is anticipated at the onset of this state plan that North Dakota will have adopted new Early Learning Standards. The current North Dakota Birth to Age 3 Early Learning Guidelines and Early Learning Guidelines Ages 3 through 5 have provided a foundation and connection across a variety of system elements in North Dakota. Examples include: 1) Child Care Aware of North Dakota's Start Child Care Initiative where early childhood service providers are first exposed to the state's early learning and developmental guidelines and receive technical assistance on planning for children. 2) Child Care Aware of North Dakota's Winning Ways for Infants Toddlers and Twos Quality Initiative focused on increasing the quality and availability of respectful, responsive infant and toddler care in child care facilities across North Dakota. 3) Child Care programs participating in North Dakota's Quality Rating and Improvement System: Bright and Early ND Step 3 cohorts are required to put a plan in place to make sure learning happens; aligning their curriculum to ND Early Learning Guidelines and reflecting the values and philosophy of the program and children and families served. 4) North Dakota has developed a number of companion documents that bolster Consumer Education and support child care providers in providing positive early learning experience crucial for healthy development. These include Purposeful Play with Infants and Toddlers: A Companion Guide to ND Early Learning Guidelines for Birth to Age 3; Fun Family Activities

for Children 3 -5 and Their Families: A Companion to ND 3-5 Early Learning Guidelines; and a flip book with A Best Practice Guide to Active Play for Early Childhood on one side and A Best Practice Guide to Healthy Eating for Early Childhood on the other. 5) North Dakota Core Competencies for Early Education and Care Practitioners Content Area I: Child Growth and Development and Content Area II: Learning Environment and Curriculum align with North Dakota's early learning and development guidelines. Staff at Child Care Aware of North Dakota and trainers contracted by Child Care Aware of North Dakota are trained in the state's early learning and developmental guidelines and familiar with North Dakota's administrative rules and policies related to health and safety standards. Training curriculum and e-Learning courses developed with CCDF funds incorporate the health and safety standards and early learning guidelines where applicable. North Dakota has a number of videos on health and safety standards including Common Health and Safety Concerns, Serving Food, Diapering and Safe Sleep. North Dakota includes social-emotional/behavioral and early childhood mental health intervention in training, technical assistance and coaching. The Guiding Behavior e-Learning course helps adults understand what's behind children's challenging behavior and their reactions to it. They learn how to model and teach the behaviors they want to see from children. Supporting Positive Behaviors, an Eager to Learn online instructor facilitated course, helps adults teach young children to make good behavioral choices, create a positive learning environment and transitions that are exciting and appropriate. New face to face trainings include Creating a Caring Environment which addresses peer to peer interactions including a section on bullying and Helping Children Handle Stress giving providers strategies to support children experiencing stress and understand resiliency. Pyramid Model coaching is available from Child Care Aware of North Dakota Inclusion Specialists funded by the state Inclusion Support Program. These Inclusions Specialists are also available to assist programs in supporting children's social and emotional development, addressing challenging behavior and developing behavior support plans with individualized intensive interventions. Efforts will be ongoing to develop the series of child development e-Learning courses once North Dakota adopts the new Early Learning Guidelines. Aligning the Early Learning Guidelines across early childhood programs will provide a solid and consistent foundation for each child in North Dakota, regardless of where their care is located. Ongoing training regarding social/emotional development is currently a priority in the State. The Lead Agency is collaborating with DPI & DoH to enhance current trainings/materials to broaden the scope and ensure that all those working in early care and education have the foundational knowledge to support children's social/emotional development.

Effective Date: 10/01/2018

6.2.2 Describe how the state/territory's training and professional development are accessible to providers supported through Indian tribes or tribal organizations receiving CCDF funds (as applicable) (98.44(b)(2)(vi)).

North Dakota's Growing Futures Early Childhood Workforce Registry contains an online training calendar of all approved training in the state. All tribal entities across the State have been made aware of Growing Futures, the registry and the calendar. Child Care Aware of North Dakota operates a Learning Management System making training widely available. In addition, Child Care Aware of North Dakota offers a menu of Training to Go learning experiences that can be utilized by child care programs across the state including Indian tribes and tribal organizations. Efforts are ongoing to encourage the tribes to become approved training sponsors and include their training events on the online training calendar as well as encouraging qualified trainers to participate in the trainer approval process. Tribal entities are always included when mass emails are sent to regional representatives regarding training opportunities.

Effective Date: 10/01/2018

6.2.3 States/territories are required to facilitate participation of child care providers with limited English proficiency and disabilities in the subsidy system (98.16 (dd)). Describe how the state/territory will recruit and facilitate the participation of providers:

Effective Date: 10/01/2018

a) with limited English proficiency

Data is collected to assess the ongoing need to offer content in non-English languages. According to North Dakota Growing Futures Early Childhood Workforce Registry data, North Dakota is 94% English speaking. Of the non-English speaking or English is not the primary

language, not more than 2% report speaking the same language. Through trial and error, it has been determined that most of these individuals are not able to read the language they speak. Oral translations appear to be a better solution. Cass County, home to the largest population of refugee resettlement in the state, has created a Somali version of the administrative rules. Face to face early childhood services licensing orientation sessions are held in Cass county and a Child Care Aware of North Dakota Early Childhood Consultant typically attends these sessions. Counties access interpreters as needed and New Americans are encouraged to work through their caseworker for assistance and support in accessing the system. With grant funding from the North Dakota Department of Health, North Dakota was able to offer Safe Sleep training with an interpreter onsite and pack and play sleep environments to New American providers.

The lead agency works with other agencies such as Lutheran Social Services, County Social Service Offices, and Refugee Assistance programs to identify current resources and additional support needed. With this crossagency partnership, providers with limited English proficiency will receive effective and appropriate support.

b) who have disabilities

There is technical assistance, via Child Care Aware, to help support child care providers in setting up their business, establishing policies and practices, as well as procedures. Child care providers also have the opportunity to be matched with a peer mentor, which is another child care provider. Through the support of another provider, he or she is able to be supported through challenges they may have as a provider. Providers also have available to them the use of Relay North Dakota for telephone contacts or contact the ND School for the Deaf for resource support. If the provider is visually impaired, the ND School for the Blind may be contacted for resource support.

6.2.4 Describe how the state/territory's training and professional development requirements are appropriate, to the extent practicable, for child care providers who care for children receiving child care subsidies, including children of different age groups (such as specialized credentials for providers who care for infants and/or school-age children); English-language learners; children with developmental delays and disabilities; and Native Americans, including Indians and Native Hawaiians

(98.44(b)(2)(iii--iv)).

All licensed child care providers in North Dakota are required to have the same training, regardless of which population they are serving. The 15-hour Getting Started course is required for all operators and employees of licensed and regulated programs within the first three months of employment. The course is designed to fulfill the health and safety requirements for pre-service and orientation training. The Career Pathways framework is designed to align with this requirement. Completion of the 15-hour required course fulfills the first step on the Career Pathways. Individuals must complete the 15-hour course to receive a Career Pathways placement at the pre-degree categories, and to progress along the Pathways. The State's Career Pathways training program is divided into 4 categories. Category A is an introductory course to help get your career in early care and education off to a great start and make a positive impact on young children's lives. Learn about responsive interactions, safe and effective environment, health and nutrition plus abuse and reporting. This training satisfies the Department of Human Services' basic child care requirement for licensed centers, school-age programs, preschools, groups, family child care programs and self-declaration providers. This training must be completed within the first three months of becoming licensed or employed. Category B focuses on Health, Safety and Nutrition. Specifically, training is focused on Special Health Care Needs; Promoting Wellness (Activity and Movement; Movement Activities; Nutrition and Healthy Choices; Nutrition Activities; Supervision); Learning Environment and Curriculum (Curriculum Development; Promoting Development: Infants and Toddlers; Promoting Development: Preschoolers; Promoting Development: Mixed Ages); Category C includes Child Growth and Development (Overview of Child Development; Physical Development; Cognitive Development; Social-Emotional Development; Language Development; Brain Development); Assessment and Planning for Individual Needs (Purposeful Planning; Assessing Young Children); and Interactions with Children (Powerful Interactions; Guiding Behavior: 10 Steps to Positive Discipline; Inclusion; Professional Interactions); and Category D includes Families and Communities (Family Matters; Cultural Sensitivity and Diversity; Building Partnerships with Families; Effective Communication; Family Systems); Program Planning and Evaluation (Am I Making a Difference; Communication and Teamwork; Continuous Quality Improvement; Family Child Care Business; Center Business; Employment Policy and Law); Professional Development and Leadership (Tracking Everyday Dilemmas; Overview of Professional Development; Being a Professional; Code of Ethical Conduct; Developmentally Appropriate Practice). It is anticipated at the onset of this state plan that North Dakota will have adopted new Early Learning Standards. The current North Dakota Birth to Age 3 Early Learning Guidelines and

Early Learning Guidelines Ages 3 through 5 have provided a foundation and connection across a variety of system elements in North Dakota. Examples include: 1) Child Care Aware of North Dakota's Start Child Care Initiative where early childhood service providers are first exposed to the state's early learning and developmental guidelines and receive technical assistance on planning for children. 2) Child Care Aware of North Dakota's Winning Ways for Infants Toddlers and Twos Quality Initiative focused on increasing the quality and availability of respectful, responsive infant and toddler care in child care facilities across North Dakota. 3) Child Care programs participating in North Dakota's Quality Rating and Improvement System: Bright and Early ND Step 3 cohorts are required to put a plan in place to make sure learning happens; aligning their curriculum to ND Early Learning Guidelines and reflecting the values and philosophy of the program and children and families served. 4) North Dakota has developed a number of companion documents that bolster Consumer Education and support child care providers in providing positive early learning experience crucial for healthy development. These include Purposeful Play with Infants and Toddlers: A Companion Guide to ND Early Learning Guidelines for Birth to Age 3; Fun Family Activities for Children 3 -5 and Their Families: A Companion to ND 3-5 Early Learning Guidelines; and a flip book with A Best Practice Guide to Active Play for Early Childhood on one side and A Best Practice Guide to Healthy Eating for Early Childhood on the other. 5) North Dakota Core Competencies for Early Education and Care Practitioners Content Area I: Child Growth and Development and Content Area II: Learning Environment and Curriculum align with North Dakota's early learning and development guidelines. Staff at Child Care Aware of North Dakota and trainers contracted by Child Care Aware of North Dakota are trained in the state's early learning and developmental guidelines and familiar with North Dakota's administrative rules and policies related to health and safety standards. Training curriculum and e-Learning courses developed with CCDF funds incorporate the health and safety standards and early learning guidelines where applicable. North Dakota has a number of videos on health and safety standards including Common Health and Safety Concerns, Serving Food, Diapering and Safe Sleep. North Dakota includes social-emotional/behavioral and early childhood mental health intervention in training, technical assistance and coaching. The Guiding Behavior e-Learning course helps adults understand what's behind children's challenging behavior and their reactions to it. They learn how to model and teach the behaviors they want to see from children. Supporting Positive Behaviors, an Eager to Learn online instructor facilitated course, helps adults teach young children to make good behavioral choices, create a positive learning environment and transitions that are exciting and appropriate. New face to face trainings include Creating a Caring Environment which

addresses peer to peer interactions including a section on bullying and Helping Children Handle Stress giving providers strategies to support children experiencing stress and understand resiliency. Pyramid Model coaching is available from Child Care Aware of North Dakota Inclusion Specialists funded by the state Inclusion Support Program. These Inclusions Specialists are also available to assist programs in supporting children's social and emotional development, addressing challenging behavior and developing behavior support plans with individualized intensive interventions. Efforts will be ongoing to develop the series of child development e-Learning courses once North Dakota adopts the new Early Learning Guidelines. Aligning the Early Learning Guidelines across early childhood programs will provide a solid and consistent foundation for each child in North Dakota, regardless of where their care is located. Ongoing training regarding social/emotional development is currently a priority in the State. The Lead Agency is collaborating with DPI & DoH to enhance current trainings/materials to broaden the scope and ensure that all those working in early care and education have the foundational knowledge to support children's social/emotional development. Inclusion grants are available for any child care provider that has a special need, whether that's physical equipment, the need for additional technical assistance, etc.

Effective Date: 10/01/2018

6.2.5 The Lead Agency must provide training and technical assistance to providers and appropriate Lead Agency (or designated entity) staff on identifying and serving children and families experiencing homelessness (658E(c)(3)(B)(i)).

Effective Date: 10/01/2018

a) Describe the state/territory's training and TA efforts for providers in identifying and serving homeless children and their families (relates to question 3.2.2).

The Lead Agency works closely with homelessness providers (such as Youthworks, the North Dakota Coalition for Homeless People) throughout the state to provide training and technical assistance to childcare providers, as needed.

The Lead Agency works with a variety of agencies to include Head Start State Collaborative

Office, Child Care Aware, Economic Assistance as well as The Department of Public Instruction to collaborate on ways to provide training and technical assistance to providers on identifying and serving homeless children and families. This has included conference sessions, identifying community resources and collaborating with local, community homelessness providers to support local efforts.

b) Describe the state/territory's training and TA efforts for Lead Agency (or designated entity) staff in identifying and serving children and their families experiencing homelessness (connects to question 3.2.2).

It's easy to think of child homelessness as a problem that happens somewhere else. However, North Dakota's rate of child homelessness is 25th in the nation. North Dakota's Homelessness e-Learning course serves to dispel myths about homelessness in early learning programs, raise providers awareness of the definition of homelessness according to the McKinney-Vento Homeless Assistance Act, understand the reasons behind child homelessness, how being homeless affects children's development, and what they can do to help. Child Care Aware of North Dakota staff have been trained on homelessness and helping providers identify families that may be experiencing homelessness and getting them connected to community resources where possible. The new Quality Initiatives and Quality Rating and Improvement System modules in the Insights database serve as one place providers can indicate that they are working with children experiencing high needs. Efforts are ongoing to help providers understand needs indicators, homelessness being one indicator of high need.

6.2.6 States and territories are required to describe effective internal controls that are in place to ensure program integrity and accountability (98.68(a)). Describe how the state/territory ensures that all providers for children receiving CCDF funds are informed and trained regarding CCDF requirements and integrity (98.68(a)(3)). Check all that apply

Effective Date: 10/01/2018

- Issue policy change notices
- Issue new policy manual
- Staff training

- Orientations
- Onsite training
- Online training
- Regular check-ins to monitor the implementation of CCDF policies

Describe the type of check-ins, including the frequency.

- Other

Describe:

6.2.7 Lead Agencies must develop and implement strategies to strengthen the business practices of child care providers to expand the supply and to improve the quality of child care services (98.16 (z)). Describe the state/territory's strategies to strengthen provider's business practices, which can include training and/or TA efforts.

Effective Date: 10/01/2018

a) Describe the strategies that the state/territory is developing and implementing for training and TA.

The Lead Agency coordinates with Child Care Aware to determine what training and technical assistance is needed across the state, via the information Child Care Aware receives from providers, families, etc. The Lead Agency then works with Child Care Aware to seek out ways to meet the needs that have been expressed or to meet standards the State has set.

Child Care Aware of North Dakota staff includes Community Engagement and Building Quality Coaches. These experienced early childhood consultants provide assistance and leadership to communities to find right sized child care solutions and increase child care capacity. The state also offers two initiatives once an early childhood provider has been identified. Start Child Care, is a quality initiative offered by Child Care Aware of North Dakota, to provide technical assistance and expertise to help individuals discern opening a child care business all the way through the first year of licensure. Targeted, customized support is available to help a program develop or strengthen processes, knowledge application or implementation of services. Topics include licensing, community connections and planning, reducing health and safety risks, setting up child care spaces,

business essentials, planning for children, working with families, getting started with training and professional development and partnering with Bright and Early ND our states Quality Rating and Improvement System, as well as guidance on the relicensing process. Building Quality is a quality initiative offered by Child Care Aware of North Dakota, to support current providers to build their skills and readiness to achieve success and learn more about next steps to showcase their program's quality. Strong business skills and financial stability are the foundation of quality. In Building Quality, coaches utilize a relationship-based process to build the capacity for specific professional dispositions, skills and behaviors. This initiative is focused on goal setting and achievement of those goals in the areas of sound business practices, health and safety and professional development. Business Administration Scale for Family Child Care (BAS) and the Program Administration Scale (PAS) are reliable and easy-to-administer tools for measuring the overall leadership and management practices of early childhood programs. Each tool can be utilized as a self-assessment and in combination with Building Quality coaching helps program administrators learn about quality practices and guide continuous quality improvement actions. Child Care Aware of North Dakota offers a 10-hour Family Child Care Business e-Learning course to help family child care providers learn legal requirements and best practices to write contracts and policies, build relationships and market their business and plan for a strong financial future. Everyone working in a center has a role to play in the success of the business. A five-hour Center Business e-Learning course helps individuals learn about licensing rules, legal requirements and best practices for starting up and running a child care center business to help programs have a strong future. In addition, Child Care Aware offers a welcome visit to all newly licensed child care providers to inform them of available support services and opportunities to participate in quality initiatives. North Dakota participated in the first ever Early Childhood Education Business Collaboratory hosted by First Children's Finance where a state plan was developed. As a part of this plan, North Dakota will continue to develop and implement strategies to strengthen the business practices of child care providers as well as strengthen the skills and competencies of those who provide program level support through coaching.

b) [Check the topics addressed in the state/territory's strategies. Check all that apply.](#)

[Fiscal management](#)

- Budgeting
- Recordkeeping
- Hiring, developing, and retaining qualified staff
- Risk management
- Community relationships
- Marketing and public relations
- Parent-provider communications, including who delivers the training, education, and/or technical assistance
- Other

Describe:

6.3 Early Learning and Developmental Guidelines

6.3.1 States and territories are required to develop, maintain, or implement early learning and developmental guidelines that are appropriate for children in a forward progression from birth to kindergarten entry (i.e., birth-to-three, three-to-five, birth-to-five), describing what children should know and be able to do and covering the essential domains of early childhood development. These early learning and developmental guidelines are to be used statewide and territory-wide by child care providers and in the development and implementation of training and professional development (658E(c)(2)(T)). The required essential domains for these guidelines are cognition, including language arts and mathematics; social, emotional, and physical development; and approaches toward learning (98.15(a)(9)). At the option of the state/territory, early learning and developmental guidelines for out-of-school time may be developed. Note: States and territories may use the quality set-aside, discussed in section 7, to improve on the development or implementation of early learning and developmental guidelines.

Effective Date: 10/01/2018

a) Describe how the state/territory's early learning and developmental guidelines are research-based, developmentally appropriate, culturally and linguistically appropriate, and aligned with kindergarten entry

North Dakota just recently adopted new Early Learning Standards. In January of 2018, the North Dakota Department of Public Instruction convened a writing team to review all of the early learning and developmental guidelines utilized by professionals in the field of

early care and education. Birth to Three Early Learning Guidelines and Early Learning Guidelines Ages 3 Through 5 were available to North Dakota Department of Human Services early childhood service providers, North Dakota Head Start programs were utilizing Head Start Early Learning Outcomes Framework (ELOF) and North Dakota Department of Public Instruction Pre-Kindergarten programs were utilizing DPI Pre-K Standards. This meant any program using multiple funding streams had several versions of early learning and developmental guidelines. The goal of the state was to analyze the current North Dakota standards, conduct a comparable standard review, determine a preferred structure for the ND Early Learning Standards, develop or confirm indicators for each standard, and prepare a draft of Early Learning Standards for public review. The writing team came to consensus on adopting the Early Learning Outcomes Framework which describes the skills, behaviors, and knowledge that programs must foster in all children "The Framework is grounded in a comprehensive body of research about what young children should know and be able to do to succeed in school. It describes how children progress across key areas of learning and development and specifies learning outcomes in these areas. This information will help adults better understand what they should be doing to provide effective learning experiences that support important early learning outcomes." In addition, North Dakota will include a Creative Arts domain incorporating National Arts Education Association arts standards for pre-K. The document will also feature a social studies section with indicators pulled from other sections of ELOF to better show alignment to kindergarten entry and standards. Given that the framework is grounded in research, to include being developmentally appropriate, culturally and linguistically appropriate & aligned with over all kindergarten entry, the writing team could focus on how to implement the framework through early childhood care and education in North Dakota.

b) Describe how the state/territory's early learning and developmental guidelines are appropriate for all children from birth to kindergarten entry.

There are many valid, research-based theories of child development. Examples of differences in theories include those that emphasize:

- Cultural influences
- Cognitive development
- Environmental experiences
- Interactions with others
- Emotional development
- Directive parenting and teaching
- Indirect guidance and support
- Behavior modification

North Dakota's Early Learning Guidelines embed elements from several different theoretical approaches and bring together different research based perspectives. The guidelines also represent goals for young children's development that

reflect the perspectives, values, and recommended practices of a diverse range of people, institutions, and communities throughout our state. Children grow physically, socially, emotionally, linguistically, and cognitively at the same time: All dimensions of learning are critical to healthy development. The guidelines focus on the whole child and provide a comprehensive foundation for addressing the learning and development of all young children and can serve as a tool for meaningful dialogue between/ among parents, early childhood professionals, and community members.

c) Verify by checking the domains included in the state/territory's early learning and developmental guidelines. Responses for "other" is optional

Cognition, including language arts and mathematics

Social development

Emotional development

Physical development

Approaches toward learning

Other

Describe:

d) Describe how the state/territory's early learning and developmental guidelines are implemented in consultation with the educational agency and the State Advisory Council or similar coordinating body.

The aligning of the Early Learning Standards was a joint effort of DHS & DPI, the Lead Education Agency, so there was continuous consultation throughout the process. Members of the State Advisory Council were a part of the committee that completed the work during revision. The entirety of the State Advisory Council were informed and offered input on the Standards during the process, as well as having an opportunity to review the final draft.

e) Describe how the state/territory's early learning and developmental guidelines are updated and include the date first issued and/or the frequency of updates

The Standards were updated via a committee review process. The committee was made up of various professionals across the ECE field, to include early intervention professionals, child care providers, preK teachers, general and special education teachers, etc. The guidelines were implemented in 2007 and were just revised and

released in October 2018.

f) If applicable, discuss the state process for the adoption, implementation and continued improvement of state out-of-school time standards

Not applicable

g) Provide the Web link to the state/territory's early learning and developmental guidelines.

<https://www.nd.gov/dpi/uploads/1540/EarlyLearningStandards.pdf>

6.3.2 CCDF funds cannot be used to develop or implement an assessment for children that:

-- Will be the primary or sole basis to determine a child care provider ineligible to participate in the CCDF,

-- Will be used as the primary or sole basis to provide a reward or sanction for an individual provider,

-- Will be used as the primary or sole method for assessing program effectiveness,

-- Will be used to deny children eligibility to participate in the CCDF (658E(c)(2)(T)(ii)(I); 98.15(a)(2)).

Describe how the state/territory's early learning and developmental guidelines are used.

North Dakota, the early learning and developmental guidelines serve to provide a framework for understanding child development and communicating a common set of developmentally appropriate expectations for infants, toddlers and preschool aged children to kindergarten entry. The North Dakota Early Learning Standards will allow for greater collaboration and consistency across the comprehensive early childhood service delivery system in North Dakota. Although voluntary, technical assistance and support is available to help guide professionals working with children in planning and implementing developmentally appropriate learning activities.

7 Support Continuous Quality Improvement

Lead Agencies are required to reserve and use a portion of their Child Care and Development Fund program expenditures for activities designed to improve the quality of child care services and to increase parental options for and access to high-quality child care (98.53). The quality activities should be aligned with a statewide or territory-wide assessment of the state's or territory's need to carry out such services and care. States and territories are required to report on these quality improvement investments through CCDF in three ways:

1. In the Plan, states and territories will describe the types of activities supported by quality investments over the 3-year period (658G(b); 98.16(j)).
2. ACF will collect annual data on how much CCDF funding is spent on quality activities using the expenditure report (ACF-696). This report will be used to determine compliance with the required quality and infant and toddler spending requirements (658G(d)(1); 98.53(f)).
3. For each year of the Plan period, states and territories will submit a separate annual Quality Progress Report that will include a description of activities to be funded by quality expenditures and the measures used by the state/territory to evaluate its progress in improving the quality of child care programs and services within the state/territory (658G(d); 98.53(f)).

States and territories must fund efforts in at least one of the following 10 activities:

- Supporting the training and professional development of the child care workforce
- Improving on the development or implementation of early learning and developmental guidelines
- Developing, implementing, or enhancing a tiered quality rating and improvement system for child care providers and services
- Improving the supply and quality of child care programs and services for infants and toddlers
- Establishing or expanding a statewide system of child care resource and referral services

- Supporting compliance with state/territory requirements for licensing, inspection, monitoring, training, and health and safety (as described in section 5)
- Evaluating the quality of child care programs in the state/territory, including evaluating how programs positively impact children
- Supporting providers in the voluntary pursuit of accreditation
- Supporting the development or adoption of high-quality program standards related to health, mental health, nutrition, physical activity, and physical development
- Performing other activities to improve the quality of child care services, as long as outcome measures relating to improved provider preparedness, child safety, child well-being, or kindergarten entry are possible.

Throughout this Plan, states and territories will describe the types of quality improvement activities where CCDF investments are being made, including but not limited to, quality set-aside funds and will describe the measurable indicators of progress used to evaluate state/territory progress in improving the quality of child care services for each expenditure (98.53(f)) These activities can benefit infants and toddlers through school age populations.

This section covers the quality activities needs assessment and quality improvement activities and indicators of progress for each of the activities undertaken in the state or territory.

7.1 Quality Activities Needs Assessment for Child Care Services

7.1.1 Lead Agencies must invest in quality activities based on an assessment of the state/territory's needs to carry out those activities. Lead Agencies have the flexibility to design an assessment of their quality activities that best meet their needs, including how often they do the assessment. Describe your state/territory assessment process, including the frequency of assessment (658G(a)(1); 98.53(a)).

ND is in a constant state of assessing needs, especially in relation to child care. Data is utilized from Child Care Aware to identify geographical areas of child care need, as well as areas of poverty. The Lead Agency is also participating in the application of a Professional Development Grant, along with DPI, DoH and other ECE partners. A needs assessment will be conducted via this grant, if awarded, that will look at the entirety of ND's birth through five ECE system.

7.1.2 Describe the findings of the assessment and if any overarching goals for quality improvement were identified.

Via needs assessments, ND has determined that high-quality child care is needed in the State. This was accomplished by implementing a QRIS system, which is administered via a contract with Child Care Aware & is called Bright & Early ND. Ratings are earned based on Quality Standards set through rigorous research defining quality. Bright & Early ND follows the Building Block model of QRIS; programs must meet and maintain each quality indicator in a Step before working on the next Quality Rating Step. Step 1 Quality Rating is primarily based on North Dakota licensing requirements and document preparation through the ND Growing Futures data system. Step 2 Quality Rating focuses on the environment and food served to children; pre and post onsite assessments are used using the Environment Rating Scales (FCCERS-R, ITERS-3, ECERS-3) and CACFP guidelines. Step 3 Quality Rating consists of documentation review with specific standards focused on curriculum and assessment. Step 4 Quality Rating focuses on the interactions between the children and teachers/caregivers; pre and post assessments using the Classroom Assessment Scoring System are used. All 4 Steps to Quality have intentional professional development requirements for the Early Childhood leadership of the program. Bright & Early ND Assessors using the tool are trained to reliability using a rigorous training plan and are required to maintain reliability through double coding on a routine basis. The Lead Agency has used the movement throughout the 4 Steps to inform the professional development requirements, as well as in the work done to align the Early Learning Guidelines across all early childhood care and education programs. By encouraging alignment and promoting higher quality services, this provides all children who receive care and education the same platform to grow and develop. North Dakotas overarching goals for quality improvement include: providing a variety of supports for programs interested in achieving higher levels of quality. This could include achieving a quality rating through the states Quality Rating and Improvement System or becoming Accredited. The Infant Toddler IMPACT grant members recognize a need to grow the number of Quality Rated Programs so that families with CCDF vouchers have access to quality programs. Capacity data indicates a high need to support

communities and individuals discerning the operation of a child care business and navigating the complexities when becoming licensed and opening the door to children and families. The state and county profiles also indicate a need for additional infant toddler slots. The Infant Toddler Impact team is using guidance from statewide stakeholders, statewide focus groups, outcomes data and strategic planning to determine where funding and specific initiatives need to align with the QRIS system and North Dakota's strategic goal. Emphasis is being placed on showing improved outcomes.

Effective Date: 10/01/2018

7.2 Use of Quality Funds

7.2.1 Check the quality improvement activities in which the state/territory is investing

Effective Date: 10/01/2018

- Supporting the training and professional development of the child care workforce. If checked, respond to section 7.3 and indicate which funds will be used for this activity. Check all that apply.

- CCDF funds

- Other funds

Describe:

State General Funds

- Developing, maintaining, or implementing early learning and developmental guidelines. If checked, respond to section 6.3 and indicate which funds will be used for this activity. Check all that apply.

- CCDF funds

- Other funds

Describe:

State General Funds

Developing, implementing, or enhancing a tiered quality rating and improvement system. If checked, respond to 7.4 and indicate which funds will be used for this activity. Check all that apply.

CCDF funds

Other funds

Describe:

State General Funds

Improving the supply and quality of child care services for infants and toddlers. If checked, respond to 7.5 and indicate which funds will be used for this activity. Check all that apply

CCDF funds

Other funds

Describe:

Establishing or expanding a statewide system of CCR&R services, as discussed in 1.7. If checked, respond to 7.6 and indicate which funds will be used for this activity. Check all that apply.

CCDF funds

Other funds

Describe:

Facilitating compliance with state/territory requirements for inspection, monitoring, training, and health and safety standards (as described in section 5). If checked, respond to 7.7 and indicate which funds will be used for this activity. Check all that apply.

CCDF funds

Other funds

Describe:

State General Funds

Evaluating and assessing the quality and effectiveness of child care services within the state/territory. If checked, respond to 7.8 and indicate which funds will be used for this activity. Check all that apply.

CCDF funds

Other funds

Describe:

State General Funds

Supporting accreditation. If checked, respond to 7.9 and indicate which funds will be used for this activity. Check all that apply.

CCDF funds

Other funds

Describe:

Supporting state/territory or local efforts to develop high-quality program standards relating to health, mental health, nutrition, physical activity, and physical development. If checked, respond to 7.10 and indicate which funds will be used for this activity. Check all that apply.

CCDF funds

Other funds

Describe:

State General Funds

Other activities determined by the state/territory to improve the quality of child care services and which measurement of outcomes related to improved provider preparedness, child safety, child well-being, or kindergarten entry is possible. If checked, respond to 7.11 and indicate which funds will be used for this activity. Check all that apply

CCDF funds

Other funds

Describe:

7.3 Supporting Training and Professional Development of the Child Care Workforce With CCDF Quality Funds

Lead Agencies can invest in the training, professional development, and post-secondary education of the child care workforce as part of a progression of professional development activities, such as those included at 98.44 in addition to the following (98.53(a)(1)).

7.3.1 Describe how the state/territory funds the training and professional development of the child care workforce

Effective Date: 10/01/2018

a) Check and describe which content is included in training and professional development activities and describe who or how an entity is funded to address this topic. Check all that apply.

- Promoting the social, emotional, physical, and cognitive development of children, including those efforts related to nutrition and physical activity, using scientifically based, developmentally appropriate, and age-appropriate strategies

Describe:

Child Care Aware of North Dakota develops competency based Growing Futures Career Pathway training that aligns with the Core Competencies for Early Education and Care Practitioners. The Core Content areas related to this topic are Health, Safety and Nutrition; Learning Environment and Curriculum; Child Growth and Development; Assessment and Planning for Individual Needs; Interactions with Children; Families and Communities; Program Planning and Evaluation; and Professional Development and Leadership. CCDF funding supports the curriculum development and internal instructional design effort as well as the coordination for the delivery of these courses and partial support of the learning management system. The professional development guide listing detailed information for courses available:

<http://ndchildcare.org/training/options.html> Child Care Aware of North Dakota maintains curriculum related to this topic area. Courses are offered on a rotational basis or on the learning management system. Child Development explores 10 principles of development and learning and learn how to use this knowledge in a child care program. Promoting Wellness Modules focus on activities and movement, nutrition and healthy choice plus activities. Ages and Stages of Child Development: Newborn to School Age helps providers Learn about the physical, intellectual, emotional and social characteristics of each stage of child development and how to apply that to learning to interact with children. Physical and Cognitive Development As a result of completing this Eager-to-Learn training, learners will be able to describe the basic components, characteristics, and milestones of physical and cognitive development, to include brain development in the early childhood period. Social Emotional Development is an Eager-to-Learn course that introduces the basic theories

behind social emotional development as well as developmental stages. Caregivers learn to meet the needs of children as they develop social skills such as sharing, developing friendships, and playing with others. Learners also explore ways to support healthy social and emotional development through the practices and policies of responsive caregiving and utilizing caring guidance to develop a classroom community.

- Implementing behavior management strategies, including positive behavior interventions and support models that promote positive social-emotional development and early childhood mental health and that reduce challenging behaviors, including a reduction in expulsions of preschool-age children from birth to age five for such behaviors. (See also section 2.5.)

Describe:

Contract with Child Care Aware of North Dakota using CCDF and state general funds.

- Engaging parents and families in culturally and linguistically appropriate ways to expand their knowledge, skills, and capacity to become meaningful partners in supporting their children's positive development

Describe:

Child Care Aware of North Dakota maintains training curriculums on engaging parents and families in culturally and linguistically appropriate ways. Courses are offered on a rotational basis. Partnering with Families illustrates how strong partnerships with families creates a better environment for children to learn and grow. This course addresses the realities of working with families. Participants learn seven effective steps to help initiate and maintain respectful relationships, use self-assessments, tips, sample letters, forms, reflection questions and peer discussion to build lasting partnerships with families. Building Connections with Diverse Families describes the professional responsibility to partner with each child's family through recognizing their individual strengths, concerns, priorities, and resources. During this three-part training, participants learn practical ways to connect with families from varied cultural and language backgrounds to create a richer learning environment for children.

- Implementing developmentally appropriate, culturally and linguistically responsive instruction, and evidence-based curricula and designing learning environments that are aligned with state/territory early learning and developmental standards.

Describe:

- Providing onsite or accessible comprehensive services for children and developing community partnerships that promote families' access to services that support their children's learning and development

Describe:

Child Care Aware staff, in particular Parent Services Specialists and Early Childhood Consultants, provide technical assistance to child care programs sharing valuable resources and referral information with families and early care and education practitioners.

- Using data to guide program evaluation to ensure continuous improvement

Describe:

Bright & Early ND is North Dakota's chosen method to track continuous quality improvement regarding the quality initiatives funded by state and CCDF funds.

- Caring for children of families in geographic areas with significant concentrations of poverty and unemployment

Describe:

In North Dakota there are 15 counties where 16% or more children currently living in poverty. Some of these counties include sovereign nations. Child Care Aware of North Dakota maintains training curriculums related to this topic. Courses are offered on a rotational basis or the learning management system. Childhood Stress in a Contemporary Society - Learners in this course will survey the language and history of stress and how it has shaped our understanding of childhood stress. In addition to exploring the current sources of childhood stress and how to avoid them, this course provides a discussion of stress reduction techniques that have been found effective in children. Helping Children Handle Stress helps learners begin to think about and study stress in relation to young children. Stress affects children's behavior, learning, and development. Participants learn strategies for helping children overcome adversity and become resilient. Powerful Interactions teaches how to be intentional in interacting with children to build positive relationships and extend children's learning in powerful ways. Participants learn what powerful interactions are, why they are important, and practice how to make them happen to promote learning, reduce behavior challenges,

and make their early care and education environment a warmer, more enjoyable place for all.

- Caring for and supporting the development of children with disabilities and developmental delays

Describe:

- Supporting the positive development of school-age children

Describe:

North Dakota does not have courses dedicated to the development of school-age children, however Child Care Aware where appropriate has included a school-age branch for e-Learning participants. Efforts will be ongoing to include a School-age branch in the child development courses being developed by Child Care Aware of North Dakota. Child Care Aware partners with the ND Afterschool Network and the training events offered by the Afterschool Network are eligible to be placed on the state online training calendar if submitted to and approved by Growing Futures.

- Other

Describe:

b) Check how the state/territory connects child care providers with available federal and state/territory financial aid or other resources to pursue post-secondary education relevant for the early childhood and school-age workforce. Check all that apply

- Coaches, mentors, consultants, or other specialists available to support access to post-secondary training, including financial aid and academic counseling
- Statewide or territory-wide, coordinated, and easily accessible clearinghouse (i.e., an online calendar, a listing of opportunities) of relevant post-secondary education opportunities
- Financial awards, such as scholarships, grants, loans, or reimbursement for expenses, from the state/territory to complete post-secondary education

- Other

Describe:

7.3.2 Describe the measureable indicators of progress relevant to this use of funds that the state/territory will use to evaluate its progress in improving the quality of child care programs and services within the state/territory and the data on the extent to which the state or territory has met these measures

Through the ND Growing Futures Early Childhood Workforce Registry, North Dakota is able to learn more about the workforce. The Insights database system includes demographic, employment information and educational level of members. Child Care Aware of North Dakota also uses the Insights database which integrates the learning management system. Data from Insights reports will be used to measure progress including count of hours offered by training delivery method, course offerings, and course completions. Bright & Early ND tracks Bonus Award spending awarded upon a program's Quality Rating. Program's must state how the Bonus Award will be spent. The intent is to track where programs feel the most need for improvement even after their Quality Rating has been awarded. ND's QRIS, Bright & Early ND, provides a quarterly report to the Lead Agency, report shows forward movement within the system as well as programs currently working on future ratings. Report also lists participation numbers including number of programs, license type of programs and region program is in. Number of children enrolled in QRIS programs is also reported. Bright & Early ND has an integrated data system used in partnership with an MOU with the ND Growing Futures EC Workforce Registry; Quality Indicators can be tracked, professional development requirements for Early Childhood professionals are tracked within this system. Bright & Early ND also tracks the number of coaching hours and the content of contact QRIS coaches have with QRIS programs. The intent is the data will drive the number of coaches needed to grow the QRIS system in North Dakota.

Effective Date: 10/01/2018

7.4 Quality Rating and Improvement System (QRIS)

Lead Agencies may respond in this section based on other systems of quality improvement, even if not called a QRIS, as long as the other quality improvement system contains the elements of a QRIS. QRIS refers to a systematic framework for evaluating, improving and communicating the level of quality in early childhood programs and contains five key elements:

1. Program standards
2. Supports to programs to improve quality
3. Financial incentives and supports
4. Quality assurance and monitoring
5. Outreach and consumer education

7.4.1 Does your state/territory have a quality rating and improvement system or other system of quality improvement?

Effective Date: 10/01/2018

- No, but the state/territory is in the QRIS development phase. If no, skip to 7.5.1.
- No, the state/territory has no plans for QRIS development. If no, skip to 7.5.1.
- Yes, the state/territory has a QRIS operating statewide or territory-wide

Describe how the QRIS is administered (e.g., statewide or locally or through CCR&R entities) and any partners and provide a link, if available.

Bright & Early is the name of North Dakota's Quality Rating & Improvement System (QRIS). The Bright & Early 4-Star Rating System helps parents and providers assess how a child care program supports a child's early learning and development. Early Care and Education programs are rated by Bright & Early ND based on specific standards that define quality Early Experiences Last a Lifetime Children have approximately 1,825 days from the day they are born until they enter kindergarten. What happens on this journey lays the foundation for their school and life success. Research by social scientists, neuroscientists, and economists demonstrates that the quality of an early childhood program affects a child's development across a range of skills, including language, math and social skills. The quality of child care and early

education impacts school achievement and success in life. Great school years start with great early years - it's that simple. To maximize the learning that occurs in the early years, the North Dakota Department of Human Services launched Bright & Early ND statewide in 2015. Bright & Early ND is an organized and cost effective framework to sustain child care capacity, develop the child care workforce, prepare children to enter school ready to succeed, and provide valuable consumer information to families. Bright & Early ND focuses on 4 main goals: 1) Build & Sustain Child Care Capacity - this is done through rewarding programs that demonstrate success and providing revenue to stabilize operations and encourage expansion. 2) Develop the Child Care Workforce - this is done through focusing on the Early Childhood leadership within each program (directors, lead teachers, lead caregivers/owners) and setting professional development benchmarks for provider/teacher qualifications along with providing incentives to meet those qualifications. 3) Prepare Children to Enter School Ready to Succeed - Bright & Early ND sets developmentally appropriate standards that guide early care and education programs to the appropriate way to prepare each child for their next level of education. 4) Provide Consumer Information to Families - Bright & Early ND translates a program's accomplishments in to one, simple quality rating. Ratings provide an easy to use tool for parents to identify and lift child care providers and early education programs that go above and beyond for the children of their community. Bright & Early ND is currently a voluntary QRIS. It is an Early Care and Education program's choice to join Bright & Early ND. When they make this commitment, they have access to a variety of tools to help improve their program. The Quality Standards embedded within Bright & Early ND translate scientific research into achievable actions. These actions are divided into 4 Steps to Quality which in turn result in a clear road map from programs to maximize a child's readiness for school. One of the key advantages of Bright & Early ND is the one on one interactions with a trained coach. Bright & Early ND has a MOU with Child Care Aware of ND to provide each program actively working on their next Step to Quality access to a trained Continuous Quality Improvement Coach. The coach shares feedback and provides assistance and guidance to providers and teachers to the defined Quality Standard Indicators. Early Education programs participating in Bright & Early ND gain recognition and resources because they are willing to show how they do good things for the children in their programs. Programs are required to meet each Quality Standard within the QRIS. When programs demonstrate they have met the Quality Standards for a specific Quality Ratings they are rewarded with financial

compensation - these incentives can be reinvested into their programs to improve their services, retain their staff, acquire accreditation, or expand their capacity. The Quality Ratings earned by participating programs then give parents an independent, expert resource they can use to identify and compare their early care and education options to find the best fit for their child. Currently, Bright & Early ND employs 3.5 staff - this limits growth within the system. As mentioned previously, Bright & Early ND has an MOU with Child Care Aware of ND to employ coaches for guided technical assistance with QRIS standards. The Child Care Aware of ND coaches have other duties not related to QRIS so this also limits growth of the QRIS. <http://www.brightnd.org/>

- Yes, the state/territory has a QRIS initiative operating as a pilot-test in a few localities or only a few levels but does not have a fully operating initiative on a statewide or territory-wide basis.

Provide a link, if available.

- Yes, the state/territory has another system of quality improvement

If the response is yes to any of the above, describe the measureable indicators of progress relevant to this use of funds that the state/territory will use to evaluate its progress in improving the quality of child care programs and services within the state/territory and the data on the extent to which the state or territory has met these measures.

7.4.2 QRIS participation

Effective Date: 10/01/2018

a) Are providers required to participate in the QRIS?

- Participation is voluntary
- Participation is mandatory for providers serving children receiving a subsidy. If checked, describe the relationship between QRIS participation and subsidy (e.g., minimum rating required, reimbursed at higher rates for achieving higher ratings, participation at any level).
- Participation is required for all providers.

b) Which types of settings or distinctive approaches to early childhood education and care participate in the state/territory's QRIS? Check all that apply

- Licensed child care centers
- Licensed family child care homes
- License-exempt providers
- Early Head Start programs
- Head Start programs
- State prekindergarten or preschool programs
- Local district-supported prekindergarten programs
- Programs serving infants and toddlers
- Programs serving school-age children
- Faith-based settings
- Tribally operated programs
- Other

Describe:

7.4.3 Support and assess the quality of child care providers.

The Lead Agency may invest in the development, implementation, or enhancement of a tiered quality rating and improvement system for child care providers and services. Note: If a Lead Agency decides to invest CCDF quality dollars in a QRIS, that agency can use the funding to assist in meeting consumer education requirements (98.33). If the Lead Agency has a QRIS, respond to questions 7.4.3 through 7.4.6.

Do the state/territory's quality improvement standards align with or have reciprocity with any of the following standards?

Effective Date: 10/01/2018

- No
- Yes. If yes, check the type of alignment, if any, between the state/territory's quality standards and other standards. Check all that apply.
 - Programs that meet state/territory preK standards are able to meet all or part of the quality improvement standards (e.g., content of the standards is the same, there is a reciprocal agreement between preK programs and the quality

improvement system) .

- Programs that meet federal Head Start Program Performance Standards are able to meet all or part of the quality improvement standards (e.g., content of the standards is the same, there is a reciprocal agreement between Head Start programs and the quality improvement system).
- Programs that meet national accreditation standards are able to meet all or part of the quality improvement standards (e.g., content of the standards is the same, an alternative pathway exists to meeting the standards).
- Programs that meet all or part of state/territory school-age quality standards.
- Other.

Describe:

7.4.4 Do the state/territory's quality standards build on its licensing requirements and other regulatory requirements?

Effective Date: 10/01/2018

- No
- Yes. If yes, check any links between the state/territory's quality standards and licensing requirements
 - Requires that a provider meet basic licensing requirements to qualify for the base level of the QRIS.
 - Embeds licensing into the QRIS
 - State/territory license is a "rated" license
 - Other.

Describe:

7.4.5 Does the state/territory provide financial incentives and other supports designed to expand the full diversity of child care options and help child care providers improve the quality of services that are provided through the QRIS

Effective Date: 10/01/2018

No

Yes. If yes, check all that apply

One time grants, awards, or bonuses.

Ongoing or periodic quality stipends

Higher subsidy payments

Training or technical assistance related to QRIS.

Coaching/mentoring.

Scholarships, bonuses, or increased compensation for degrees/certificates

Materials and supplies

Priority access for other grants or programs

Tax credits (providers or parents)

Payment of fees (e.g., licensing, accreditation)

Other

Describe:

7.4.6 Describe the measurable indicators of progress relevant to this use of funds that the state/territory will use to evaluate its progress in improving the quality of child care programs and services within the state/territory and the data on the extent to which the state or territory has met these measures

Programs receive a Bonus Award upon being awarded their Quality Rating. They are encouraged to use this award on continuous improvement with one of the options being accreditation fees. Significant data is tracked regarding a program's forward movement within the QRIS system. The number of programs along with their location, education levels of leadership within the programs, recruitment into the QRIS, dates between Steps, status changes within the Quality Rating Steps, the amount of coaching needed for success cross checked with the size of the program along with the content of the coaching. Also tracked is staff turnover along with success of professional development, continuation of Quality Standards after receiving the Quality Rating. Impact of licensing violations and Quality Rating and time between movement within the system.

Effective Date: 10/01/2018

7.5 Improving the Supply and Quality of Child Care Programs and Services for Infants and Toddlers

Lead Agencies are encouraged to use the needs assessment to systematically review and improve the overall quality of care that infants and toddlers receive, the systems in place or needed to support and enhance the quality of infant and toddler providers, the capacity of the infant and toddler workforce to meet the unique needs of very young children, and the methods in place to increase the proportion of infants and toddlers in higher quality care, including any partnerships or coordination with Early Head Start and IDEA Part C programs. Lead Agencies are required to spend 3 percent of their total CCDF expenditures on activities to improve the supply and quality of their infant and toddler care. This is in addition to the general quality set-aside requirement.

7.5.1 What activities are being implemented by the state/territory to improve the supply (see also section 4) and quality of child care programs and services for infants and toddlers? Check all that apply and describe

Effective Date: 10/01/2018

- Establishing or expanding high-quality community- or neighborhood-based family and child development centers. These centers can serve as resources to child care providers to improve the quality of early childhood services for infants and toddlers from low-income families and to improve eligible child care providers' capacity to offer high-quality, age-appropriate care to infants and toddlers from low-income families

Describe:

Child Care Aware of ND core contract with the Lead Agency includes this area. CCA coordinate and promote training to promote and expand child care providers ability to provide developmentally appropriate services for infants and toddlers, starting with specific focus in the Basic child care course. Additionally, 25% of the courses delivered by Child Care Aware of ND have a substantial focus on infants and toddlers. Many trainings are based on the Program for Infant Toddler Caregivers, such as: - Getting In Tune: The Responsive Process - Respectfully Yours: A Professional Approach to Infant/Toddler Care - Together in Care: Meeting the Needs of Children - Protective Urges - Resolving Differences with Families : Ask, Acknowledge, Adapt - How Family and Culture Impact Learning and Development - Approaches to Learning - Temperament Traits in Young Children In the early learning guideline training Am I Making a Difference,

providers participate in exercises with colleagues that care for similar aged children. Some might be doing a case study with four year olds while another group is focusing on young infants. The State also has training in SIDS prevention, Abusive Head Trauma, Brain Development, setting up and maintaining the infant/toddler care environment, daily events and weekly planning, routines and transitions. Child Care aware's Winning Ways for Infants, Toddlers and Twos project is a concentrated effort to improve the quality of infant and toddler programming in child care centers. This is a 9 to 12 month initiative combines monthly training, assignments, and on-site technical assistance by trained consultants to emphasize brain development, who infants and toddlers are, individualized care, how infants and toddlers learn, communication, safe and healthy care, and routines and transitions

- Establishing or expanding the operation of community- or neighborhood-based family child care networks.

Describe:

- Providing training and professional development to enhance child care providers' ability to provide developmentally appropriate services for infants and toddlers

Describe:

CCDF funding supports the curriculum development and internal instructional design effort as well as the coordination for the delivery of courses related to this topic and partial support of the learning management system. Two courses are offered on the learning management system at no cost to providers in this area. Getting Started, the state required health and safety training that must be completed in the first three months that has strands for infant toddler specific information and SIDS and Safe Sleep Practices as Sudden Infant Death Syndrome (SIDS) is the leading cause of death among infants between one month and one year old. Participants learn about the steps they can take to support and promote safe sleep and reduce the risk of SIDS for children in their care. CCDF dollars are used to make this possible. Child Care Aware of North Dakota's offers courses on a rotational basis on the learning management system. Promoting Development: Infants and Toddlers helps infant toddler caregivers create learning environments that are based on an understanding of infant toddler development, where infants and toddlers can have relationships with caring adults, and where they can play with and explore interesting materials. Ages and Stages of Child Development Newborn

to School-Age helps infant toddler caregivers learn about the physical, intellectual, emotional and social characteristics of each stage of child development and how to apply that to learning to interact with children. From Freud to Brazelton: 100 Years of Child and Parent Development Theories helps adults learn about popular and influential child development theories that represent different approaches to interactions with children. These theories can help you organize your ideas, understand influences and discover ways to interact with children. Promoting Physical Activity for Infants and Toddlers helps caregivers see how physical activity is linked to learning in so many ways, which is why even infants and toddlers need to get moving every day. Participants explore how to keep those little bodies healthy and physically active! The Sounds and Rhythms of Language exposes caregivers to the ways infants and toddlers begin to develop sound awareness through everyday experiences. Playing and singing songs, reciting rhymes and chants and doing fingerplays help infants and toddlers become aware of the sounds and rhythms of their language. Participants learn how to introduce rhythms to young children and support their language and literacy skills. Child Care Aware's Winning Ways for Infants, Toddlers and Twos (classroom and center director versions available) helps infant and toddler caregivers and directors learn and understand more about providing care to infants, toddlers and two-year-olds in group care, and provides tips and advice to make the job easier. The following topics are covered: brain development, developmental characteristics, individualized care, interactions with children, communication, safe and healthy care, and routines and transitions. Efforts will be ongoing in North Dakota to have a substantial focus on infants and toddlers by adding a specific strand in e-Learning courses wherever appropriate and conducting an annual review of infant toddler courses or e-Learning strands to maintain cutting edge-scientific research-based content. The ND Growing Futures Early Childhood Workforce Registry hosts a statewide online training calendar of all approved training events, descriptors identify the tracks of training by age group.

- [Providing coaching, mentoring, and/or technical assistance on this age group's unique needs from statewide or territory-wide networks of qualified infant-toddler specialists](#)

Describe:

North Dakota has Child Care Health Consultants responsible for providing comprehensive technical assistance and coaching to potential, newly licensed and existing child care providers with a focus on infants and toddler health and safety.

Available in a variety of delivery formats, these consultants promote health and safe materials and environments with providers to reduce the risk of illness and harm in a child care setting while offering guidance on the implementation of various health and safety strategies to bring about awareness of knowledge. Upon request and as part of Quality Initiatives and QRIS, the child care health consultant works side-by-side with child care providers to enhance infant feeding and sleeping practices, diapering and hand washing procedures, language development and to strengthen policies and procedures for those caring for infants and toddlers. Child Care Health Consultants provide guidance on creating health care plans required by state regulators and work collaboratively with state regulatory and state health department staff and medical health units to ensure a comprehensive support system. Early Childhood Coaches provide monthly visits to programs participating in Child Care Aware of North Dakota's Winning Ways for Infants, Toddlers and Twos professional development experience. Topics include brain development, developmental characteristics, individualized care, interactions with children, communication, safe and healthy care, and routines and transitions. The Child Care Health Consultants provide a three-hour Safe Healthy Care training followed by an onsite visit to each classroom. For a long time North Dakota has embedded the Program for Infant Toddler Caregivers philosophy into the service delivery of supports for early childhood service providers. Early Childhood Coaches are trained in the Classroom Assessment Scoring System for Infants and Toddlers. Efforts will continue to keep current coaches reliable in the tool as well as to train new coaches when they onboard at Child Care Aware of North Dakota. State General Fund dollars are used to support the Continuous Quality Improvement coaches employed by Child Care Aware of North Dakota to provide support to QRIS Bright and Early ND cohort programs around the tools for Infant Toddler Environment Rating Scale (3rd Edition) and Infant Toddler CLASS as well implementing strategies to improve quality for infants and toddlers. General fund dollars are currently supporting Child Care Aware of North Dakota Inclusion Specialists who are coaching child care programs participating in the Pyramid Model Quality Initiative. This initiative includes E-Pyramid modules for Infants and Toddlers (online training) plus a coach to help child care providers implement and sustain the use of evidence-based approaches to support the learning and engagement of ALL children. The Teaching Pyramid Observation Tool (TPOT™) will measure how well teachers are implementing the Pyramid Model of practices that support children's social competence and prevent challenging behaviors. Inclusion specialists offer support for programs that care for infants and toddlers with special needs and/or challenging behaviors. Training is

provided to assist program in implementing Ages and Stages Questionnaire - #3 and Social Emotional. Contract with Child Care Aware of North Dakota.

- Coordinating with early intervention specialists who provide services for infants and toddlers with disabilities under Part C of the Individuals with Disabilities Education Act (20 U.S.C. 1431 et seq.).

Describe:

- Developing infant and toddler components within the state/territory's QRIS, including classroom inventories and assessments

Describe:

Bright & Early ND sets quality standards related to developmentally appropriate practice for infants and toddlers. The QRIS system uses tools to define and assess infant and toddler practices. The Family Child Environment Rating Scales - Revised Edition along with the Infant/Toddler Environment Ratings Scales version 3 are used in Step 2; emphasis on a developmentally appropriate curriculum that aligns with North Dakota's Early Learning Guidelines specific to infant and toddler development is required along with the adoption of Teaching Strategies Gold as the assessment tool that allows teachers to determine if their practices align to a child's natural development in Step 3. TS Gold measures a child's development within a Birth - 8 year old continuum/, Bright & Early ND requires programs participating in Step 3 Quality Rating to appropriately assess all children birth - 5, that are enrolled in the program; Step 4 requires all groups of children, including infants and toddlers to receive a CLASS observation which verifies developmentally appropriate interactions between staff and children; Bright & Early ND uses the Infant CLASS, Toddler CLASS and the PreK CLASS. At the base of all infant toddler components within the QRIS system is intentional professional development for all ages including infants and toddlers.

- Developing infant and toddler components within the state/territory's child care licensing regulations

Describe:

As North Dakota prepares to adopt new Early Learning Standards, efforts will be ongoing to support infant and toddler caregivers in understanding the domains and indicators related to this special age group.

- Developing infant and toddler components within the early learning and developmental guidelines

Describe:

- Improving the ability of parents to access transparent and easy-to-understand consumer information about high-quality infant and toddler care that includes information on infant and toddler language, social-emotional, and both early literacy and numeracy cognitive development

Describe:

The Child Care Aware of North Dakota Parent Services team is planning to begin promoting Vroom as an easy to understand consumer education tool. Vroom was developed in a style that empowers confidence in parents and caregivers by letting them know they already have what it takes to be a brain builder. The website and app have short, simple, fun and engaging tips. Each tip includes a brief explanation of the link between the tip and its brain-building power. The team plans to promote Vroom during intake calls, add links to Vroom on every cover letter to parents receiving referrals and add a link to our bi-monthly newsletter for parents.

- Carrying out other activities determined by the state/territory to improve the quality of infant and toddler care provided within the state/territory and for which there is evidence that the activities will lead to improved infant and toddler health and safety, cognitive and physical development, and/or well-being

Describe:

Child Care Aware of North Dakota offers a resource-rich website, aligned with competency areas, to afford 24/7 access to needed information, <http://www.ndchildcare.org>. Examples of resources include developmental milestones, guidance strategies, tips sheets on issues such as biting, sample equipment and furnishing lists, choosing and implementing curriculum and assessment, and more. A comprehensive section of Health and Safety includes Special Health Care Needs with sample Care Plans, Medication Administration steps and forms, First Aid kit contents and Incident Report Forms, Safety & Injuring Prevention including child abuse and neglect prevention, abusive head trauma, care seat use, pet safety, poison control and outdoor safety. Healthy practices and disease prevention resources include: sanitation and disinfection tips, hand washing posters/guidelines, daily health and safety checklists and exclusion guidelines. Infant and Toddler specific health and safety resources include safe sleep, infant feeding guidelines, and diapering procedures. A number of short videos

have also been produced and posted on the Child Care Aware of North Dakota YouTube channel. Efforts will be ongoing to review and maintain a robust website to support quality infant and toddler care provided within the state.

Coordinating with child care health consultants.

Describe:

Child Care Aware of North Dakota employs Child Care Health Consultants.

Coordinating with mental health consultants.

Describe:

Other

Describe:

7.5.2 Describe the measureable indicators of progress relevant to this use of funds that the state/territory will use to evaluate its progress in improving the quality of child care programs and services for infants and toddlers within the state/territory and the data on the extent to which the state or territory has met these measures

Bright & Early ND uses preliminary and post assessments as we complete onsite Environment Rating Scale (ERS) observations and Classroom Assessment Scoring System (CLASS) observations. This allows us to see tangible data showing growth and improvement. The pre/post assessments are typically 6-9 months apart which allows enough time for noted improvement. Step 3 uses the Teaching Strategies Gold Assessment system. Bright & Early ND requires programs rated at a Step 3 & Step 4 to do continuous appropriately timed assessments and then requires programs to use the Checkpoint timelines input into our licensed system. This data will show individual child milestones along with program improvements that focus on the intentional needs of the children enrolled in the program.

Effective Date: 10/01/2018

7.6 Child Care Resource and Referral

A Lead Agency may expend funds to establish or expand a statewide system of child care resource and referral services (98.53(a)(5)). It can be coordinated, to the extent determined appropriate by the Lead Agency, by a statewide public or private non-profit, community-based, or regionally based lead child care resource and referral organization (658E(c)(3)(B)(iii)). This effort may include activities done by local or regional child care and resource referral agencies, as discussed in section 1.7.

7.6.1 Describe the measureable indicators of progress relevant to this use of funds that the state/territory will use to evaluate its progress in improving the quality of child care programs and services within the state/territory and the data on the extent to which the state or territory has met these measures

Child Care Aware of ND staff document activities and outputs in the Child Care Aware of ND "Mega" Report centrally located on Google Docs and available, with the most current data entries, to the ECS Administrator. This document contains the measures that are relevant to reviewing the progress on improving the quality of child care programs and services. The report contains but is not limited to the Growing Futures Professional Development System which monitors the child care workforce training and career preparedness. Bright and Early which is the states Quality Rating and Improvement System. Bright and Early contains all of the state data on child care providers ratings, Child Care Aware of ND also measures all technical assistance and consultation that is provided to child care providers, the training department within Child Care Aware of ND tracks all of the training opportunities that they provide to the state. The data that is entered into the report includes the number and type of trainings, number and type of consultations, program quality rating, number and type of credentials issued. Child Care Aware® of ND holds quarterly leadership meetings to review and analyze data to refine projects and activities. Child Care Aware of ND submits quarterly and annual reports that details all of the work that has been completed and all of this information combined provides for measures on improving the quality of child care programs. Child Care Aware of ND also holds meeting quarterly and annually with the ECS Administrator.

Child Care Aware of North Dakota helps parents evaluate care options, learn about child

care licensing and develop and understanding of child care services. Child Care Aware of North Dakota maintains North Dakota's only online statewide database of licensed child care options helps providers market their openings and connect with families who are searching for child care. This database and a robust website (ndchildcare.org), accessible 24/7, are valuable resources for families, state and community leaders seeking information about child care trends and capacity. CCDF funds also allow North Dakota to provider Parent Services Specialists that can talk one-on-one with families to receive individualized assistance in their search for child care. Finding the right care for a child requires an investment of time. North Dakota has a parent handbook, checklist and other resources to help families make informed decisions. Information is also available on the cost of child are and assistance options that help families pay for care. Enrolling a child in child care can be overwhelming for families and the child, North Dakota Child Care Aware helps families learn ways to build strong working relationships with child care providers to enhance their child's care. Child Care Aware of North Dakota collects data and provides information on the supply and demand for child care services on an annual basis. State and County Profiles are published each fall. A capacity snapshot is available. The North Dakota Department of Commerce, released a cloud-based Main Street Community Dashboard. The dashboard provides community leaders publicly available, but not always easy to find, information that can be used to help grow healthy, vibrant, financially solvent communities. Child Care Aware of North Dakota provides supply, demand and cost of care data for the Community Dashboard project. Child Care Aware of North Dakota works to establish partnerships with public agencies and private entities to increase the supply and quality of child care across the state. Efforts will be ongoing to maintain existing partnerships and develop new relationships wherever possible. Efforts will be ongoing in North Dakota to maintain the database of licensed and self-declared providers and provide referrals to families searching for care, with priority given to programs with QRIS Quality Rated Programs appearing at the top of the list; maintain and develop consumer education resources as well as continued data collection and reporting efforts. Child Care Aware of North Dakota will be working to link referrals to the new Child Care Licensing Database so families can review program corrective actions.

Effective Date: 10/01/2018

7.7 Facilitating Compliance With State Standards

7.7.1 What strategies does your state/territory fund with CCDF quality funds to facilitate child care providers' compliance with state/territory requirements for inspection, monitoring, training, and health and safety and with state/territory licensing standards? Describe:

County Licensers in North Dakota can make compliance referrals to Child Care Aware of North Dakota. Child Care Aware of North Dakota and the county licenser visit the provider to discuss current corrective actions or intent to revoke and assist the provider in making goals to become and maintain compliance with state licensing standards. Child Care Aware deploys a Child Care Health Consultant and/or Early Childhood Coach to the program for three to six months to support the program in implementing action steps to meet their goals.

Effective Date: 10/01/2018

7.7.2 Does the state/territory provide financial assistance to support child care providers in complying with minimum health and safety requirements?

Effective Date: 10/01/2018

- No
- Yes. If yes, which types of providers can access this financial assistance?
 - Licensed CCDF providers
 - Licensed non-CCDF providers
 - License-exempt CCDF providers
 - Other

Describe:

7.7.3 Describe the measureable indicators of progress relevant to this use of funds that the state/territory will use to evaluate its progress in improving the quality of child care programs and services within the state/territory and the data on the extent to which the state or territory has met these measures

In implementing a QRIS system, ND believed that assisting child care providers to move through the four step process will improve the quality of child care programs and services. Child Care Aware has been actively recruiting providers to participate in the QRIS, as it's currently a voluntary program. The Lead Agency & DPI, the lead education agency, which houses Early Head Start/Head Start, have been working to align the QRIS system to include Early Head Start/Head Start programs. This work is currently ongoing, however, ND believes that aligning ECE programs into the QRIS will ensure consistent, quality care for children, regardless of which setting they are being cared for in.

Effective Date: 10/01/2018

7.8 Evaluating and Assessing the Quality and Effectiveness of Child Care Programs and Services

7.8.1 Describe how the state/territory measures the quality and effectiveness of child care programs and services in both child care centers and family child care homes currently being offered, including any tools used to measure child, family, teacher, classroom, or provider improvements, and how the state/territory evaluates how those tools positively impact children

The QRIS system is used to measure quality and effectiveness of child care programs. This is a voluntary program, however it is open to all child care providers in ND that wish to participate. Bright & Early ND standards and the effectiveness of the quality improvement efforts by assigning ratings to programs. Ratings are earned based on onsite post-assessments at Step 2 and 4; and document review in Step 3. Two research -based tools are used to conduct the post-assessments. The Environmental Rating Scale (ERS) post-

assessments are conducted for participating programs at Step 2. Classroom Assessment Scoring System (CLASS) post-assessments are conducted for participating programs at Step 4. This monitoring process provides a basis of accountability for programs, parents, and funders by creating benchmarks for measuring quality.

Effective Date: 10/01/2018

7.8.2 Describe the measureable indicators of progress relevant to this use of funds that the State/Territory will use to evaluate its progress in improving the quality of child care programs and services in child care centers and family child care homes within the state/territory and the data on the extent to which the state or territory has met these measures

The state uses the measures that are built into the Quality Rating and Improvement system called Bright & Early to view the progress in improving quality of child care programs and services. These measures included at Step one are to be in good standing with state licensing compliance. At Step two an evaluation using the Environmental Rating Scales that assess space and materials in a program, also included in this step are the program must demonstrate that they serve nutritious food to children, meet professional development goals, and also meet Step 1. At Step three the program must meet Step one requirements and also demonstrate continued commitment to providing quality space and materials in Step two. Additionally the program must use an approved curriculum that supports each North Dakota Page 231 of 243 child's development. The curriculum is aligned with the Birth to Three Early Learning Guidelines and the Three to Five Early Learning Guidelines and/or the North Dakota PreKindergarten Standards and/or the Head Start Performance Standards. Use an approved assessment tool to learn about each child's development. Use the results of the assessment to: 1) set goals with families for each child's learning and development 2) plan learning activities that build upon each child's strengths and provide opportunities for further growth and 3) recognize any areas of concern regarding individual child development. At Step 4 all requirements of Step 1, Step 2, and Step 3 must be maintained. Additionally the program must develop warm and supportive relationships with children and help children develop positive relationships with each other. Place an emphasis on children's interests, motivations and points of view in daily activities and interactions. Facilitate children's critical

thinking and language development through interactions with children. These items are assessed using the Classroom Assessment Scoring System (CLASS).

Effective Date: 10/01/2018

7.9 Accreditation Support

7.9.1 Does the state/territory support child care providers in the voluntary pursuit of accreditation by a national accrediting body with demonstrated, valid, and reliable program standards of high quality?

Effective Date: 10/01/2018

- Yes, the state/territory has supports operating statewide or territory-wide for both child care centers and family child care homes

Describe the support efforts for all types of accreditation that the state/territory provides to child care centers and family child care homes to achieve accreditation

Child Care Aware of North Dakota offers technical assistance to all types of programs if a program has an interest in pursuing accreditation. The technical assistance will vary with each program depending upon their needs and requests. The consultants with Child Care Aware of North Dakota use a strength based approach while working with the programs.

- Yes, the state/territory has supports operating statewide or territory-wide for child care centers only. Describe the support efforts for all types of accreditation that the state/territory provides to child care centers.

Describe:

- Yes, the state/territory has supports operating statewide or territory-wide for family child care homes only. Describe the support efforts for all types of accreditation that the state/territory provides to family child care

Describe:

Yes, the state/territory has supports operating as a pilot-test or in a few localities but not statewide or territory-wide

Focused on child care centers

Describe:

Focused on family child care homes

Describe:

No, but the state/territory is in the accreditation development phase

Focused on child care centers

Describe:

Focused on family child care homes

Describe:

No, the state/territory has no plans for accreditation development

7.9.2 Describe the measureable indicators of progress relevant to this use of funds that the state/territory will use to evaluate its progress in improving the quality of child care programs and services within the state/territory and the data on the extent to which the state or territory has met these measures

The Lead Agency will review document activities and outputs, specifically the number of programs who have become accrediting during the year against the number of programs that were accredited in the state previously. These numbers are reviewed to see if the number of programs that are accredited are increasing or decreasing. The Child Care Aware "Mega" Report centrally located on Google Docs and available, with the most current data entries, to measure this activity.

Effective Date: 10/01/2018

7.10 Program Standards

7.10.1 Describe how the state/territory supports state/territory or local efforts to develop or adopt high-quality program standards, including standards for infants and toddlers, preschoolers, and/or school-age children

North Dakota has implemented high-quality program standards via its QRIS program. The standards and ongoing review occurs through the ND Growing Futures Professional Development Committee, the Early Childhood State Team, the Early Childhood Advisory Committee, the ND Impact Project Team, The Early Childhood Higher Education Consortium and two new additions, The Impact Project and the ECS Business Collaboratory. Each of these organizations /groups have active participation by the ECS Administrator, Head Start State Collaboration Office, Department of Public Instruction, the Child Care Subsidy Administrator, ECS Regional Supervisors, ECS licensers, Child CareAware of ND network staff, representatives from the child care field, parents, and representatives from other early childhood agencies. These groups look at current trends and research, state and national data that is available, listen to stakeholders in the field in order to try to determine best strategies to increase quality across the state.

Effective Date: 10/01/2018

7.10.2 Describe the measureable indicators of progress relevant to this use of funds that the state/territory will use to evaluate its progress in improving the quality of child care programs and services within the state/territory and the data on the extent to which the state or territory has met these measures

Start Child Care, is a quality initiative offered by Child Care Aware of North Dakota, to provide technical assistance and expertise to help individuals discern opening a child care business all the way through the first year of licensure. Number of programs participating in Start Child Care. Targeted, customized support is available to help a program develop or strengthen processes around the above program standard areas. Cross sector early care

and education stakeholders continue to convene for the benefit of children and families. Nutrition and Physical Activity Early Childhood Committee; Early Childhood Social Emotional Planning Committee, etc.

The Lead Agency contracts with Child Care Aware of ND for The Inclusion Support Program. This program is made available through state funds. The Inclusion Support Program makes grant funding and technical assistance available to licensed early childhood service providers in North Dakota who care for children with special needs ages birth through 12 years old. The program is designed to help home and center-based providers create and maintain an inclusive environment that supports children with disabilities or developmental delays to learn, grow, play, and develop alongside their classmates in a natural setting. The screenings that are completed and entered will be able to be shared and viewed with the child care program, parents, as well as the consultants with Child Care Aware of ND. This measure will be reviewed and plans will be developed by the child care program and the parents on how to best support the development of the child. The Lead Agency will also review documented activities and outputs in the Child Care Aware® of ND "Mega" Report centrally located on Google Docs and available, with the most current data entries, to measure these activities.

The Lead Agency will monitor inspection reports to identify areas of noncompliance with program standards. Technical assistance will be offered to providers through contract with Child Care Aware of ND for those areas identified as areas of concern. Data regarding violations by standard will be monitored, which will indicate if technical assistance is correcting the identified issues. Programming will be adjusted accordingly to improve quality

Effective Date: 10/01/2018

7.11 Early Learning and Development Guidelines and Other Quality Improvement Activities

7.11.1 If quality funds are used to develop, maintain, or implement early learning and development guidelines, describe the measureable indicators that will be used to evaluate the state/territory's progress in improving the quality of child care programs and services and the data on the extent to which the state/territory has met these measures (98.53(f)(3)).

Not Applicable.

Effective Date: 10/01/2018

7.11.2 List and describe any other activities that the state/territory provides to improve the quality of child care services for infants and toddlers, preschool-aged, and school-aged children, which may include consumer and provider education activities, and also describe the measureable indicators of progress for each activity relevant to this use of funds that the state/territory will use to evaluate its progress in improving provider preparedness, child safety, child well-being, or kindergarten entry and the data on the extent to which the state or territory has met these measures. Describe:

Quarterly child care health and safety data is available from Child Care Aware of North Dakota, which is used to determine what consumer and provider education activities need to be conducted along with any revisions that the Lead Agency needs to consider when determining future training and technical assistance needs, not only for itself, but also for providers and families, specifically in relation to provider preparedness, child safety and well-being, along with kindergarten entry.

Effective Date: 10/01/2018

8 Ensure Grantee Program Integrity and Accountability

Program integrity and accountability activities are integral to the effective administration of the CCDF program. Lead Agencies are required to describe in their Plan effective internal controls that ensure integrity and accountability while maintaining the continuity of services (98.16(cc)). These accountability measures should address reducing fraud, waste, and abuse, including program violations and administrative errors.

This section includes topics on internal controls to ensure integrity and accountability and processes in place to investigate and recover fraudulent payments and to impose sanctions on clients or providers in response to fraud. Respondents should consider how fiscal controls, program integrity and accountability apply to:

- Memorandums of understanding within the Lead Agency's various divisions that administer or carry out the various aspects of CCDF
- MOU's, grants, or contracts to other state agencies that administer or carry out various aspects of CCDF
- Grants or contracts to other organizations that administer or carry out various aspects of CCDF such as professional development and family engagement activities
- Internal processes for conducting child care provider subsidy

8.1 Internal Controls and Accountability Measures To Help Ensure Program Integrity

8.1.1 Check and describe how the Lead Agency ensures that all its staff members and any staff members in other agencies who administer the CCDF program through MOUs, grants and contracts are informed and trained regarding program requirements and integrity. Check all that apply:

Effective Date: 10/01/2018

- Train on policy manual

Describe:

Training guides are created and distributed statewide as areas of needed training are identified or when policies or procedures are changed. The Lead Agency utilizes Regional Representatives to deliver periodic program and policy training. The Regional Representatives deliver onsite training and guidance in each individual county they represent. Additionally, the Lead Agency utilizes E-Learning courses that covers policies and case processing that are available statewide. The E-Learnings are updated with every policy update.

Train on policy change notices

Describe:

Training guides are created and distributed statewide as areas of needed training are identified or when policies or procedures are changed. The Lead Agency utilizes Regional Representatives to deliver periodic program and policy training. The Regional Representatives deliver onsite training and guidance in each individual county they represent. Additionally, the Lead Agency utilizes E-Learning courses that covers policies and case processing that are available statewide. The E-Learnings are updated with every policy update.

Ongoing monitoring and assessment of policy implementation

Describe:

Quality Control Unit staff provide information and updates to the CCAP administrator on case findings. These case findings help create training materials as common errors are identified.

Other

Describe:

8.1.2 Lead Agencies must ensure the integrity of the use of funds through sound fiscal management and must ensure that financial practices are in place (98.68 (a)(1)). Describe the processes in place for the Lead Agency to ensure sound fiscal management practices for all expenditures of CCDF funds. Check all that apply:

[Verifying and processing billing records to ensure timely payments to providers](#)

[Describe:](#)

A SFN 616 must be submitted to the county in which the case is located in order for a payment to be made. Once the form is received, the county office reviews the form to ensure it is complete and that the information is not questionable. The information from the form is then entered into the system. State policy staff receives weekly reports that identify payments that have been registered in the system, but not fully processed. This report is reviewed by policy staff that in turn follows up with county staff. This report helps to ensure that payments are processed within the 21-day timeframe. An additional report is received monthly that identifies all payments that have a payment processed date that is greater than 21 days from the form received date. This report helps state office staff identify areas of concern regarding timeliness of payments. The Quality Control unit conducts case file reviews to ensure policies and procedures are being properly applied across a monthly statewide caseload sample. The SFN 616, payment amounts and payment determinations are also reviewed to ensure accurate payments.

[Fiscal oversight of grants and contracts](#)

[Describe:](#)

The Lead Agency maintains policies and procedures on subrecipient monitoring for all grant contracts. Grant contract monitoring activities include; a risk assessment of the subrecipient, completion of a Program Checklist, completion of a Contract Closure Assessment and periodic documentation review of the contract. Lead Agency program administrators review requests for reimbursement and supporting documentation to ensure that Child Care Aware of North Dakota is expending funding in accordance with the requirements.

[Tracking systems to ensure reasonable and allowable costs](#)

[Describe:](#)

Lead agency fiscal administration staff review requests for information to ensure that expenditures are reasonable and are allowable.

[Other](#)

Describe:

8.1.3 Check and describe the processes that the Lead Agency will use to identify risk in their CCDF program. Check all that apply:

Effective Date: 10/01/2018

- Conduct a risk assessment of policies and procedures

Describe:

The Lead Agency sends all policy and procedure changes to other Lead Agency staff for review before implementation. Quality Control Unit staff notify the CCAP administrator of errors or potential fraud found through case reviews. The Lead Agency has a designated staff member who reviews all intentional program violations (IPV) for the Economic Assistance Policy Division and determines if an IPV needs to be pursued in other programs.

- Establish checks and balances to ensure program integrity

Describe:

The payment system used for the Child Care Assistance Program has various checks and balances in place. The system sets the maximum amounts that can be paid per child, per provider in a month and does not allow an amount over the set amount, even if multiple payments are issued. The system checks each provider's license dates and does not allow a child to be associated to that provider if the provider does not have an open, active license. The system will prevent payments from being made to a provider who no longer has an open license during the household's eligibility period. The Lead Agency receives a monthly report that contains a list of payments for a past service month that contains payments that have been made for the same household, for the same child to the same provider in that month. Staff members research each instance on the report to determine the payments are correct.

- Use supervisory reviews to ensure accuracy in eligibility determination

Describe:

Other

Describe:

8.1.4 Lead Agencies conduct a wide variety of activities to fight fraud and ensure program integrity. Lead Agencies are required to have processes in place to identify fraud and other program violations to ensure program integrity. Program violations can include both intentional and unintentional client and/or provider violations, as defined by the Lead Agency. These violations and errors, identified through the error-rate review process may result in payment or nonpayment (administrative) errors and may or may not be the result of fraud, based on the Lead Agency definition. Check and describe any activities that the Lead Agency conducts to ensure program integrity.

Effective Date: 10/01/2018

a) Check and describe all activities that the Lead Agency conducts to identify and prevent fraud or intentional program violations. Include in the description how each activity assists in the identification and prevention of fraud and intentional program violations. Include a description of the results of such activity.

- Share/match data from other programs (e.g., TANF program, Child and Adult Care Food Program, Food and Nutrition Service (FNS), Medicaid) or other databases (e.g., State Directory of New Hires, Social Security Administration, Public Assistance Reporting Information System (PARIS)).

Describe

CCAP may use information provided for other Economic Assistance Programs such as LIHEAP, SNAP, TANF and Health Care Coverage. CCAP also has access to a state developed application called NDVerify. NDVerify streamlines the search of different interfaces and sources to obtain verification electronically. NDVerify allows multiple interfaces and sources to be searched for household members at the same time. CCAP may access information from ND Vital Records, ND Child Support, ND Department of Corrections, ND State Hospital Admissions/Discharge, ND Unemployment Insurance Benefits (UIB), ND Wages (Job Service), Social Security Administration, ND Workforce Safety and Insurance and 40 Quarters from SSA. The sharing and matching of data with other programs and searching interfaces serves as a lead to eligibility workers to request additional information from income or other

benefits sources that may not have been reported by the applicant.

[Run system reports that flag errors \(include types\).](#)

[Describe:](#)

The Lead Agency runs two reports to help identify or prevent fraud or intentional program violations, the duplicate payment report and duplicate child SSN report. The duplicate payment report identifies payments that have been issued to a provider on behalf of the same child for a service month. The duplicate SSN report identifies children who are included in two separate active cases at the same time.

[Review enrollment documents and attendance or billing records](#)

[Describe:](#)

The Quality Control Unit may review the SFN 616 Request for Payment Form as part of the case review process.

[Conduct supervisory staff reviews or quality assurance reviews.](#)

[Describe:](#)

The Quality Control unit conducts case file reviews to ensure policies and procedures are being properly applied across a monthly statewide caseload sample.

[Audit provider records.](#)

[Describe:](#)

[Train staff on policy and/or audits.](#)

[Describe:](#)

Training guides are created and distributed statewide as areas of needed training are identified or when policies or procedures are changed. The Lead Agency utilizes Regional Representatives to deliver periodic program and policy training. The Regional Representatives deliver onsite training and guidance in each individual county they represent. Additionally, the Lead Agency utilizes E-Learning courses that covers policies and case processing that are available statewide. The E-Learnings are updated with every policy update.

Other

Describe:

Program policy staff review Intentional Program Violations (IPV) submitted for other Economic Assistance Programs (SNAP and TANF) to verify if the individual suspected of the IPV was receiving CCAP and if the IPV is also applicable to CCAP.

b) Check and describe all activities the Lead Agency conducts to identify unintentional program violations. Include in the description how each activity assists in the identification and prevention of unintentional program violations. Include a description of the results of such activity.

Share/match data from other programs (e.g., TANF program, CACFP, FNS, Medicaid) or other databases (e.g., State Directory of New Hires, Social Security Administration, PARIS).

Describe:

CCAP may use information provided for other Economic Assistance Programs such as LIHEAP, SNAP, TANF and Health Care Coverage. CCAP also has access to a state developed application called NDVerify. NDVerify streamlines the search of different interfaces and sources to obtain verification electronically. NDVerify allows multiple interfaces and sources to be searched for household members at the same time. CCAP may access information from ND Vital Records, ND Child Support, ND Department of Corrections, ND State Hospital Admissions/Discharge, ND Unemployment Insurance Benefits (UIB), ND Wages (Job Service), Social Security Administration, ND Workforce Safety and Insurance and 40 Quarters from SSA. The sharing and matching of data with other programs and searching interfaces serves as a lead to eligibility workers to request additional information from income or other benefits sources that may not have been reported by the applicant.

Run system reports that flag errors (include types).

Describe:

Review enrollment documents and attendance or billing records

Describe:

The Quality Control Unit may review the SFN 616 Request for Payment Form as part of the case review process.

Conduct supervisory staff reviews or quality assurance reviews.

Describe:

The Quality Control unit conducts case file reviews to ensure policies and procedures are being properly applied across a monthly statewide caseload sample.

Audit provider records.

Describe:

Train staff on policy and/or audits.

Describe:

Training guides are created and distributed statewide as areas of needed training are identified or when policies or procedures are changed. The Lead Agency utilizes Regional Representatives to deliver periodic program and policy training. The Regional Representatives deliver onsite training and guidance in each individual county they represent. Additionally, the Lead Agency utilizes E-Learning courses that covers policies and case processing that are available statewide. The E-Learnings are updated with every policy update.

Other

Describe:

c) Check and describe all activities the Lead Agency conducts to identify and prevent agency errors. Include in the description how each activity assists in the identification and prevention of agency errors.

Share/match data from other programs (e.g., TANF program, CACFP, FNS, Medicaid) or other databases (e.g., State Directory of New Hires, Social Security Administration, PARIS).

Describe:

CCAP may use information provided for other Economic Assistance Programs such as LIHEAP, SNAP, TANF and Health Care Coverage. CCAP also has access to a state developed application called NDVerify. NDVerify streamlines the search of different interfaces and sources to obtain verification electronically. NDVerify allows multiple interfaces and sources to be searched for household members at the same

time. CCAP may access information from ND Vital Records, ND Child Support, ND Department of Corrections, ND State Hospital Admissions/Discharge, ND Unemployment Insurance Benefits (UIB), ND Wages (Job Service), Social Security Administration, ND Workforce Safety and Insurance and 40 Quarters from SSA. The sharing and matching of data with other programs and searching interfaces serves as a lead to eligibility workers to request additional information from income or other benefits sources that may not have been reported by the applicant.

Run system reports that flag errors (include types).

Describe:

Review enrollment documents and attendance or billing records

Describe:

The Quality Control Unit may review the SFN 616 Request for Payment Form as part of the case review process.

Conduct supervisory staff reviews or quality assurance reviews.

Describe:

The Quality Control Unit conducts case file reviews to ensure policies and procedures are being properly applied across a monthly statewide caseload sample.

Audit provider records.

Describe:

Train staff on policy and/or audits.

Describe:

Training guides are created and distributed statewide as areas of needed training are identified or when policies or procedures are changed. The Lead Agency utilizes Regional Representatives to deliver periodic program and policy training. The Regional Representatives deliver onsite training and guidance in each individual county they represent. Additionally, the Lead Agency utilizes E-Learning courses that covers policies and case processing that are available statewide. The E-Learnings are updated with every policy update.

Other

Describe:

8.1.5 The Lead Agency is required to identify and recover misspent funds as a result of fraud, and it has the option to recover any misspent funds as a result of errors.

Effective Date: 10/01/2018

a) Check and describe all activities that the Lead Agency uses to investigate and recover improper payments due to fraud. Include in the description how each activity assists in the investigation and recovery of improper payment due to fraud or intentional program violations. Include a description of the results of such activity. Activities can include, but are not limited to, the following:

- Require recovery after a minimum dollar amount of an improper payment and identify the minimum dollar amount

Describe:

Recovery an improper payment due to an intentional program violation or fraud is required and a claim is established with a minimum improper payment amount of \$1.00.

- Coordinate with and refer to the other state/territory agencies (e.g., state/territory collection agency, law enforcement agency).

Describe:

If needed, collection agencies will be used to recover improper payment. In the event this is not possible, law enforcement will be contacted to complete an investigation.

- Recover through repayment plans.

Describe:

When a case or provider is closed and recoupments are not possible, the Lead Agency will pursue entering into a repayment agreement with the client or provider.

- Reduce payments in subsequent months.

Describe:

When a case is open and payments are being issued, recoupments will be taken from

all future payments until the claim balance is \$0. Claims established due to IPVs or Fraud are recouped at 20% of the payment amount.

Recover through state/territory tax intercepts.

Describe:

Recover through other means.

Describe:

Establish a unit to investigate and collect improper payments and describe the composition of the unit below.

Describe:

Other

Describe:

When there is sufficient evidence to substantiate fraud or an IPV, the individual suspected of the fraud or IPV has the right to waive a hearing or to request an administrative disqualification hearing. When the individual is found guilty or has admitted to fraud or an IPV, any payment made related to the period in question is established as a claim. Recoupments will automatically be taken from any future payments. The individual may also pay back funds in addition to recoupments being taken. When recoupments can no longer be taken from future payments due to a case closure, the individual is sent a correspondence from the lead agency to establish a repayment plan. The individual is sent a follow up correspondence when no response is received. When no response is received, the individual's information is sent over to the state collections office who will then pursue collection efforts. Individual are also sent to the collections office when they have elected to make repayments, but have not provided a recent payment.

b) Check any activities that the Lead Agency will use to investigate and recover improper payments due to unintentional program violations. Include in the description how each activity assists in the investigation and recovery of improper payments due to unintentional program violations. Include a description of the results of such activity. Activities can include, but are not limited to, the following:

- Require recovery after a minimum dollar amount of an improper payment and identify the minimum dollar amount

Describe:

\$1.00 is the minimum amount.

- Coordinate with and refer to the other state/territory agencies (e.g., state/territory collection agency, law enforcement agency).

Describe:

If needed, collection agencies will be used to recover improper payment. In the event this is not possible, law enforcement will be contacted to complete an investigation.

- Recover through repayment plans.

Describe:

When a case or provider is closed and recoupments are not possible, the Lead Agency will pursue entering into a repayment agreement with the client or provider.

- Reduce payments in subsequent months.

Describe:

When a case is open and payment are being issued, recoupments will be taken from all future payments until the claim balance is \$0. Claims established due unintentional program violations are recouped at 10% of the payment amount.

- Recover through state/territory tax intercepts.

Describe:

- Recover through other means.

Describe:

- Establish a unit to investigate and collect improper payments and describe the composition of the unit below.

Describe:

- Other

Describe:

c) Check and describe all activities that the Lead Agency will use to investigate and recover improper payments due to agency errors. Include in the description how each activity assists in the investigation and recovery of improper payments due to administrative errors. Include a description of the results of such activity.

- Require recovery after a minimum dollar amount of an improper payment and identify the minimum dollar amount

Describe:

- Coordinate with and refer to the other state/territory agencies (e.g., state/territory collection agency, law enforcement agency).

Describe:

- Recover through repayment plans.

Establish a unit to investigate and collect improper payments.

- Reduce payments in subsequent months.

Describe:

- Recover through state/territory tax intercepts.

Describe:

- Recover through other means.

Describe:

- Establish a unit to investigate and collect improper payments and describe the composition of the unit below.

Describe:

- Other

Describe:

Claims are not established for errors caused by the agency. The Quality Control Unit reviews cases and cites administrative errors, however no claims are established as a

result.

8.1.6 What type of sanction will the Lead Agency place on clients and providers to help reduce improper payments due to program violations? Check and describe all that apply:

Effective Date: 10/01/2018

- Disqualify the client. If checked, describe this process, including a description of the appeal process for clients who are disqualified.

Describe:

The county has the burden to establish an Intentional Program Violation (IPV) by clear and convincing evidence. Clear and convincing evidence means evidence that leads to a firm belief that the allegations are true. When there is evidence a possible IPV has been committed, it is suggested the county review the case and all evidence with the supervisor, director, or a regional representative. When reviewing the evidence for a possible IPV, the individual must be allowed an opportunity to respond to any unresolved questions. When there is sufficient evidence to substantiate an IPV, the county must complete an SFN 1940 TANF/SNAP/CCAP Notice of Suspected Intentional Program Violation. After completing the SFN 1940, TANF/SNAP/CCAP Notice of Suspected Intentional Program Violation, the county must schedule a meeting with the individual to discuss the suspected Intentional Program Violation (IPV) within two weeks. During this meeting the individual may sign Waiver A of the SFN 1940 which allows the individual to admit to the facts and accept a disqualification period. The individual may also sign Waiver B of the SFN 1940 which allows the individual to accept the disqualification without admitting to the facts. If an individual sign either waiver option, an Administrative Disqualification Hearing (ADH) will not be held and a disqualification period will be imposed. The SFN 1940 and supporting documentation will be supplied to the Lead Agency's Legal Advisory Unit (LAU) and they will prepare a Findings and Order to disqualify the individual. Individuals may also request an administrative disqualification hearing if they do not agree with the IPV. A consolidated hearing will be held for all programs for which the IPV is being pursued. The Lead Agency's LAU will send a Request for an Administrative Law Judge and a copy of the SFN 1940 to the Office of Administrative Hearings (OAH) and a hearing will be scheduled with the individual. When

the hearing is complete, OAH will send a Recommended Findings & Order. The LAU will send a copy to the program for review. If the program agrees, the Order will be sent to the Executive Director of the Department. If an individual is found guilty of an IPV, the following timeframes will be imposed: 12 months for the first offense. 24 months for the second offense. Permanently for the third offense.

[Disqualify the provider. If checked, describe this process, including a description of the appeal process for providers who are disqualified.](#)

[Describe:](#)

The county has the burden to establish an Intentional Program Violation (IPV) by clear and convincing evidence. Clear and convincing evidence means evidence that leads to a firm belief that the allegations are true. When there is evidence a possible IPV has been committed, it is suggested the county review the case and all evidence with the supervisor, director, or a regional representative. When reviewing the evidence for a possible IPV, the individual must be allowed an opportunity to respond to any unresolved questions. When there is sufficient evidence to substantiate an IPV, the county must complete an SFN 1940 TANF/SNAP/CCAP Notice of Suspected Intentional Program Violation. After completing the SFN 1940, TANF/SNAP/CCAP Notice of Suspected Intentional Program Violation, the county must schedule a meeting with the individual to discuss the suspected Intentional Program Violation (IPV) within two weeks. During this meeting the individual may sign Waiver A of the SFN 1940 which allows the individual to admit to the facts and accept a disqualification period. The individual may also sign Waiver B of the SFN 1940 which allows the individual to accept the disqualification without admitting to the facts. If an individual signs either waiver option, an Administrative Disqualification Hearing (ADH) will not be held and a disqualification period will be imposed. The SFN 1940 and supporting documentation will be supplied to the Lead Agency's Legal Advisory Unit (LAU) and they will prepare a Findings and Order to disqualify the individual. Individuals may also request an administrative disqualification hearing if they do not agree with the IPV. A consolidated hearing will be held for all programs for which the IPV is being pursued. The Lead Agency's LAU will send a Request for an Administrative Law Judge and a copy of the SFN 1940 to the Office of Administrative Hearings (OAH) and a hearing will be scheduled with the individual. When the hearing is complete, OAH will send a Recommended Findings & Order. The LAU will send a copy to the program for review. If the program agrees, the Order will be sent to the Executive Director of the Department. If an individual is found guilty of an IPV, the

following timeframes will be imposed: 1 year for the first offense. years for the second offense. Permanently for the third offense.

Prosecute criminally.

Describe:

In the event this is not possible, law enforcement will be contacted to complete an investigation.

Other.

Describe:

Appendix A: Background Check Waiver Request Form

Lead Agencies may apply for a temporary waiver for certain background check requirements if milestone prerequisites have been fully implemented. These waivers will be considered "transitional and legislative waivers" to provide transitional relief from conflicting or duplicative requirements preventing implementation, or an extended period of time in order for the state/territory legislature to enact legislation to implement the provisions (98.19(b)(1)) These waivers are limited to a one-year period and may be extended for at most one additional year from the date of initial approval.

Approval of these waiver requests is subject to and contingent on OCC review and approval of responses in section 5 questions 5.4.1 -- 5.4.4 to confirm that the milestones are met. If milestone prerequisites are not met, the waiver request will not be approved. Approved waivers would begin October 1, 2018 through September 30, 2019. If approved, States and Territories will have the option to renew these waivers for one additional year as long as progress is demonstrated during the initial waiver period. Separate guidance will be issued later on the timeline and criteria for requesting the waiver renewal.

Overview of Background Check Implementation deadlines

Original deadline for implementation (658H(j)(1) of CCDBG Act): September 30, 2017

Initial one-year extension deadline (658H(j)(2) of CCDBG Act): September 30, 2018

One-year waiver deadline (45 CFR 98.19(b)(1)(i)): September 30, 2019

Waiver deadline one-year renewal (45 CFR 98.19(b)(1)(ii)): September 30, 2020

Waiver approval for new (prospective) staff, existing staff or staff hired provisionally until background checks are completed, are subject to and contingent upon the OCC review and approval of responses to 5.4.9 that demonstrate that the state/territory requires: (1) the provider to submit the background check request before the staff person begins working; and (2) pending the results of the background check, the staff person must be supervised at all times by an individual who has completed the background check.

To submit a background check waiver request, complete the form below.

Check and describe each background check provision for which the Lead Agency is requesting a time-limited waiver extension.

- Appendix A.6:** National Crime Information Center (NCIC) National Sex Offender Registry (NSOR) search requirements for existing staff. (See related question at 5.4.5 (b))

Describe the provision from which the state/territory seeks relief.

Waiver is requested for the requirement to check the NCIC for existing staff to allow for time to check the registry at time of license renewal.

Describe how a waiver of the provision will, by itself, improve the delivery of child care services for children

All new staff are being checked against the NCIC. The waiver will allow North Dakota the time to get NCIC registry checks completed on all existing staff.

Certify and describe how the health, safety, and well-being of children served through assistance received through CCDF will not be compromised as a result of the waiver.

All licensed staff are North Dakota residents and have been checked against the North Dakota registry. In addition, we have the results of their FBI fingerprint-based records. To be approved, those registry checks must come back with no offenses that would require them to be on the NCIC.

Appendix A.8: Interstate criminal registry or repository check for existing staff. (See related question at 5.4.6 (b))

Describe the provision from which the state/territory seeks relief.

Waiver is requested for the requirement to check the interstate criminal registry for existing staff to allow for time to check the registry at time of license renewal.

Describe how a waiver of the provision will, by itself, improve the delivery of child care services for children

All new staff are being checked against the interstate criminal registry. The waiver will allow North Dakota the time to get interstate criminal registry checks completed on all existing staff.

Certify and describe how the health, safety, and well-being of children served through assistance received through CCDF will not be compromised as a result of the waiver.

All licensed staff are North Dakota residents and we have their instate criminal history records. In addition, we have the results of their FBI fingerprint-based records. To be approved, those registry checks must come back with no offenses that would require them to be on the interstate criminal registry.

Appendix A.10: Interstate sex offender registry or repository check for existing staff. (See related question at 5.4.7 (b))

Describe the provision from which the state/territory seeks relief.

Waiver is requested for the requirement to check the interstate sex offender registry for existing staff to allow for time to check the registry at time of license renewal.

Describe how a waiver of the provision will, by itself, improve the delivery of child care services for children

All new staff are being checked against the interstate sex offender registry. The waiver will allow North Dakota the time to get interstate sex offender registry checks completed on all existing staff.

Certify and describe how the health, safety, and well-being of children served through assistance received through CCDF will not be compromised as a result of the waiver.

All licensed staff are North Dakota residents and we have their instate criminal history records. In addition, we have the results of their FBI fingerprint-based records. To be

approved, those registry checks must come back with no offenses that would require them to be on the interstate sex offender registry.

 **Appendix A. 13:** New staff hired to work provisionally until background checks are completed. (See related question at 5.4.9)

Describe the provision from which the state/territory seeks relief.

North Dakota is seeking relief from the requirement to have satisfactory results on either the FBI fingerprint check or a fingerprint check of the state/territory criminal registry or repository prior to a staff person being able to work on a provisional basis.

Describe how a waiver of the provision will, by itself, improve the delivery of child care services for children

Due to North Dakota experiencing a workforce shortage, this waiver will allow child care providers to begin provisional employment of staff, under direct supervision, until satisfactory results have been received and the background check process has been completed.

Certify and describe how the health, safety, and well-being of children served through assistance received through CCDF will not be compromised as a result of the waiver.

All provisional staff will be supervised at all times, by someone who has fully completed the background check process, while provisionally employed. North Dakota feels that this will maintain the health, safety and well-being of the children served.