

FBIC CCDF Monitoring and Enforcement Policy and Procedures

Requirements

All Tribal CCDF Agencies must establish health and safety standards that apply to all child care providers that receive CCDF Funds. Tribal CCDF agencies must have in place health and safety standards for all categories of care that they provide, (as defined in the 2016 Final Rule as; child care centers, family child care homes, and in-home child care). In April 2015 The Fort Belknap Indian Community has adopted: "Caring for Our Children Basics: National Health and Safety Performance Standards; Guidelines for Early Care and Education Programs" as the tribal FBIC and safety standards.

In addition to health and safety requirements, Tribal standards may also reflect other best practices in early care and education as well as the unique cultural practices and expectations that exist in tribal communities. Written child care standards developed and adopted by the Tribal Lead Agency should be approved by the Tribal Governing body and shared with providers, parents and community members. It is then the responsibility of the tribal lead agency to ensure these standards are being met through periodic monitoring inspections of each child care provider's facility/home and the enforcement standards when providers/facilities are not in compliance.

In order to be eligible for CCDF funds all providers and child care facilities must meet the Tribal or State CCDF health and safety standards and must be operating legally in the jurisdiction in which they are located. This means that all providers and facilities need to have a Tribal Child Care Certificate or a State Child Care License.

Licensing

A child care certificate is the Tribal government's permission for an individual or organization to care for children and is based on the existing approved standards. The applicant must demonstrate full compliance with the tribal certification standards prior to being issued a tribal certificate. If a child care facility is located on non-tribal land, it is subject to any State or local licensing standards in effect for that type of child care. The Tribal Lead Agency will accept a State issued Child Care License in lieu of a Tribal Certificate. Child care facilities and providers may be "certified" to receive CCDF subsidy payments if they have a valid Tribal Certificate or State issued License. If the provider is legally exempt by the state, (Family Friend & Neighbor Care i.e. FFN) the only standards the provider may be required to meet is the Tribal Health and Safety Standards. In this case the only monitoring requirements will be conducted by the Tribal monitoring staff.

As part of the initial and subsequent annual application process, certain requirements must be met before a Tribal Certificate can be issued. Following is the criteria the Tribal CCDF program will utilize when determining "Certification":

1. New Application Form - Must be completed in full
2. W-9 Tax ID Form (submitted Annually)
3. Release of information (completed in full, signed, dated, and notarized by all adults 18 years of age and older living in the home).
4. Health Statement of applicant, spouse and any additional workers
5. Immunization Records (MMR-Measles, Mumps, Rubella, TD-Tetanus Diphtheria), for yourself, spouse and any other additional workers.

6. T.B. - Tuberculosis Skin Test (for anyone providing direct care to children). T.B. Test must be submitted annually.
7. Pre-Employment Drug Testing and Employment Drug testing will be conducted annually before the issuance of License/Certificate.
8. First Aid Certification
9. Infant, Child, and Adult CPR
10. Background Checks will be conducted on all adults 18 years of age and older in the home or center who will have access to children.
11. Must have Valid Montana Driver's License or Tribal Identification or State issued Identification card

Additional requirements:

1. Upon completion of application and determination that the above requirements have been met, the designated child care monitor will conduct a home inspection to determine safety and suitability of the child care home/center.
2. All Child Care providers both home/center will complete a series of Health and Safety Trainings. these trainings include; Infectious Disease Control (including Immunization), Safe Sleep practices, Medication Administration, Allergy response, physical environments, prevention of child abuse and neglect, emergency preparedness, hazardous materials (storage and disposal), Child Abuse and Neglect recognition and reporting. These trainings must be completed within 90 days of the issuance of a temporary provider certificate. These training topics can be found at no cost to the provider on the website of childcaretraining.org. Upon completion the child care provider/center will be issued a child care certificate annually.
3. The CCDF program requires that all child care providers receive 16 hours of professional development training in child development per year as required by the Office of Child Care.

Monitoring

It is the responsibility of the Tribal CCDF program to ensure that providers meet all requirements of the certificate process. It is also the responsibility of the Tribal CCDF program to make sure all processes are understood by the prospective child care provider. The Tribal CCDF program will provide technical assistance to help providers know how to meet our tribal child care standards ("Caring for our Children Basics; National Health and Safety Standards") The Tribal CCDF program will provide them consultation of best practices such as; caring for children, appropriate daily activities, helpful hints, materials and case-specific guidance during the monitoring.

It is the responsibility of all child care homes and centers to allow the Tribal monitor (Tribal CCDF Program) access to their premise at any time. The Tribal CCDF Program may at any time; monitor, visit, or inspect the child care home/center. It is the intent of the Tribal CCDF program to ensure that the home/center's are following the standards established by the Fort Belknap Indian Community.

Processes of Monitoring

The Fort Belknap CCDF Program has developed a process for monitoring child care homes/centers. The Fort Belknap CCDF program will create a file for each home/center that will be providing care for our children and will monitor using the following criteria;

- Providers completed application for approval/certification
- Health record and other forms required to complete the application process
- Background checks - fingerprinting every five (5) years; name based background checks will be conducted every two (2) years. Results of background information will be kept in lockbox
- certified copy of enrollment certificate
- Inspection checklist form - home inspection
- letters and other documents i.e. acceptance letters, non-compliance forms, corrective action plans, and all documents of communication with child care provider
- reports of complaint investigations and results

Frequency of Monitoring

The Fort Belknap CCDF program will monitor child care homes/centers upon completion of application. The program will conduct one (1) initial monitoring visit per year. According to best practices visits to accept an initial approval application or review a renewal application may be announced and scheduled. An un-announced routine monitoring visits will be conducted once a year. A follow-up inspections and inspections to investigate complaints are more likely to be unannounced. Unannounced inspections help prevent programs from covering up violations and ensure the protection of our children.

During initial visit the CCDF program will determine that the home/facility is safe and compliant with the indoor/outdoor checklist provided by the Fort Belknap CCDF program. The Fort Belknap CCDF program will check the safety mechanism of the home/center, such as; smoke detectors, carbon monoxide detectors, fire extinguishers, adequately supplied first aid kits and electrical outlet covers. The program will initially assist the child care providers with these supplies. It will then become the responsibility of the provider to maintain and update these safety mechanisms.

Home Visit Monitoring Checklist

The attached home visit checklist will be used when the home/center is monitored for compliance. (see Attachment A)

Enforcement

It is important for the FBIC CCDF program to develop monitoring and enforcement policies to help prevent problems when the staff is monitoring a child care home/center. Policies and Procedures protect the staff person doing the monitoring by providing you with documented methods to do the job. If you follow the documented methods of the monitoring process the program will be more confident in the defense of findings, (if challenged). Well written policies and procedures also protect providers by giving them the right to know what you expect of them at each step of the process and help the program treat each provider in the same way, as the program monitor works in enforcing the policies. Procedures provide the enforcement tools that tell the provider that something has to be corrected and to help the provider solve the problem with their child care home/facility.

- ✓ **Plan of Correction** - When the FBIC CCDF program has found a problem during inspection, the first step is to do a plan of correction. The plan will outline how the provider will correct the violation(s) found during the visit.

- ✓ **Administrative Review** - If the provider does not meet the standard at your follow-up visit, Administration action will be taken whether to continue subsidy payments. It is important to make sure that children are properly cared for and not harmed. So following up on recurring problems are essential.

Enforcement steps:

1. **Home Inspection Checklist** - Home Providers and Centers will be given a copy of the results of the home inspection. If there are no issues a FBIC Certificate will be given. If there are issues a letter of non compliance will be given.
2. **Non-Compliance Letter** - The provider will be given a non-compliance letter which outlines which standard was not met and what actions need to be taken and the time frame for the correction and what the consequences would be if the corrections are not made.
3. **Witnessed Visit** - Sometimes with more serious non-compliance issues or if the provider does not seem willing or able to correct the non-compliance, the monitor can do an inspection accompanied by the Program Supervisor or other qualified FBIC CCDF staff who can help the provider with the issues.
4. **Office Conference** - If the provider is unable to correct the non-compliance issue, a office visit will be offered. The office visit will advise and offer any assistance needed to address the problem.
5. **Consent Agreement** - At the office conference the provider will agree to meet a specific set of conditions to avoid having their certificate revoked.
6. **Revocation and Denial** - If there are serious non-compliance issues that cannot be addressed and that would result in revocation or denial of the FBIC CCDF certificate the FBIC CCDF program will stop CCDF subsidy payments for the child enrolled in the CCDF program.
7. **Emergency Order** - When the children are in immediate danger of harm, an emergency order will be issued and the provider must stop care immediately.

Due Process and Appeals

Whenever an enforcement action is taken against a provider who has been approved, the person/organization should have the right to "due process".

- providers will be given the opportunity to be heard by the CCDF Program
- providers will be given a fair and responsive review of the actions taken
- if the provider is not satisfied with the decision of the FBIC CCDF program they will be afforded review by the FBIC Chief Administration Officer. Upon the decision of the Chief Administration Officer if the provider is still not satisfied of the decision made by the CAO they will be afforded the opportunity to;
- address the issue with the governing body of the Fort Belknap Indian Community. FBIC Council decision shall be final.

Complaints Policy and Procedures

Beyond the day-to-day monitoring activities the FBIC CCDF program will have processes in place to address complaints by parents or community members.

Some common complaints includes;

- children are being left alone,
- a child was seriously hurt,
- there are too many children being cared for by the child care home/facility,
- the child care home/facility is unsanitary, someone who is unsuitable is living in the child care home, children are not being fed properly or children are being hit.

The FBIC CCDF Program will;

- maintain a record of alleged complaint, whether written or verbal, detailing the description of the violation
- determine the validity of the complaint by acting swiftly to ensure the safety of the children in the care of provider's while also protecting the provider's right to be treated fairly and ethically.
- The goal of the investigation is to determine whether the allegations occurred and to come up with one of the following findings;
 - **Substantiated** means that the findings of the investigation clearly indicate that the provider violated one or more standards
 - **Unsubstantiated** means that the findings do not lead to a definite conclusion
 - **Ruled out** means that the finding of the investigation clearly indicate there was not a violation of the standards.
- The FBIC CCDF program will document any results found in the investigation and the action taken.

Attachment A

CHILDCARE HOME VISIT CHECKLIST

According to the Childcare Grant requirements, the FBIC Childcare manager and the Assistant, will be conducting home visits. We appreciate your cooperation as well as the service that you provide to the clients of the Program.

- Two (2) exits to your home
- Fire extinguisher (level 1) (level 2)
- Smoke detector
- Carbon monoxide detector

- Gates if you have stairs
- Outlets covered
- Fenced yard
- Covered kennel if you have dogs inside or out
- Cupboard latches
- Cleaning supplies and/or bath and beauty products in locked cupboard
- First Aid & CPR Training
- Have you taken the Montana Child Care Licensing training at childcaretraining.org?

MUST BE COMPLETED IN 30 DAYS:

- Infant Essentials

MUST BE COMPLETED IN 90 DAYS:

- YIKES Disaster Planning: Emergency Preparedness
- Child Abuse and Neglect – Mandatory Reporting
- Medication Administration in Child Care Part 1
- Prevention and Control of Infectious Diseases and Immunizations
- Protection Children from Harm
- Together we Grow

- Background check for household members 18 years or older
- Emergency phone numbers are posted including the parents' phone number
- First Aid Kit is available
- Is the home clean?
- Is there a quiet, comfortable place for naps?
- Are firearms locked and inaccessible?

- 'No corporal punishment may be inflicted.
- Does the provider offer learning opportunities to the children?
- Is parental access unlimited?
- Is the provider in good health?
- Is the provider trained about child development issues?
- Does the provider wash hands thoroughly before and after diapering?
- Has the provider received guidelines on how to "child-proof" the home?
- Does the provider talk easily with children and respond to their needs?
- Does the provider wash hands thoroughly before preparing food?
- Does the emotional climate foster happiness and trust?
- Are the children's immunizations current?
- Is there an emergency medical authorization form signed by the parent
for you to take child to clinic/hospital?
- Are meals and snacks nutritious?
- Is the play equipment safe?
- Are the children exposed to smoking?
- Are hazards inaccessible to children inside and out?
- Are heaters ventilated and screened?
- Are poisonous substances out of reach of children?
- Are appropriate automobile restraints, such as car seats used?

Provider signature: _____ Date: _____

Childcare Program Staff: _____ Date: _____

Thank you for providing quality care for our children