

<b>ACF Administration for Children and Families</b>	<b>U.S Department of Health and Human Services</b>	
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**TO:** Tribal CCDF Lead Agencies administering child care programs under the Child Care and Development Block Grant (CCDBG) Act; all American Indian Alaska Native Head Start Region XI grant recipients, including Head Start Preschool, Early Head Start, and Early Head Start-Child Care Partnerships; and other interested parties.

**SUBJECT:** Procedures for Tribal Child Care and Development Fund (CCDF) Lead Agencies and American Indian Alaska Native (AIAN) Head Start Grant Recipients to Jointly Apply to Use CCDF and Head Start Funds for Construction or Major Renovation of Early Childhood Facilities.

**REFERENCES:** Regulations applicable to facilities activities using Head Start funds are found primarily at: Facilities, 45 CFR §1303 Subpart E of the Performance Standards, ACF-IM-24-04, 45 CFR §1303.43.

Regulations applicable to facilities activities using CCDF funds are found primarily at: Section 6580(c)(6) of the CCDBG Act, 42 U.S.C. § 9858m(c)(6). 45 C.F.R. §§ 98.2, 98.83(g), 98.84, ACYF-PIQ-CC-99-01, and CCDF-ACF-PI-2023-01.

## **BACKGROUND**

Both Tribal CCDF Lead Agencies and AIAN Head Start grant recipients may request to use their respective program funds for construction or major renovation of early childhood facilities. All Tribal CCDF Lead Agencies, including those with CCDF plans approved for integration in a Public Law (P.L.) 102-477 plan, must first request and receive approval from the Administration for Children and Families (ACF) Office of Child Care (OCC) before using CCDF funds for construction or major renovation. AIAN Head Start grant recipients may apply for one-time Head Start funding for early childhood facilities projects or use available base grant funds with approval from the Office of Head Start (OHS) Region XI Office. In recent months, a few AIAN Head Start grant recipients have integrated Head Start into a P.L. 102-477 Plan; further guidance for these recipients is forthcoming. This Program Instruction sets forth the uniform procedures for a combined facilities application process when Tribes would like to use both CCDF and Head Start funds for an early childhood facility construction or major renovation project.

## **OVERVIEW**

ACF has received feedback from Tribal leaders and Tribal early childhood program administrators about the burdensome process for applying to carry out facilities projects using Head Start and CCDF funds,

especially when Tribes wish to use funds from both programs for a project. In response, ACF developed a [Tribal Early Childhood Facilities Combined Application Guide](#) for Tribal CCDF and AIAN Start grant recipients to braid funds and jointly apply for the use of CCDF and Head Start funds to construct or renovate early childhood facilities.

The [Tribal Early Childhood Facilities Combined Application Guide](#) (combined facilities application) is designed to streamline the process for Tribal CCDF Lead Agencies and AIAN Head Start programs to submit joint applications to use federal CCDF and Head Start funds to construct or conduct major renovations of early care and education facilities in Tribal communities. Tribes should have a project defined prior to submitting an application. The following guidance outlines the required steps for an application, as outlined in the combined facilities application, and answers some basic questions about projects that would qualify to use the combined facilities application.

The procedures outlined in this guidance only apply to requests to use both CCDF and Head Start funds for construction or major renovation through a combined facilities application process. These procedures apply uniformly to both direct-funded and P.L. 102-477 CCDF recipients, except where any additional flexibilities for P.L. 102-477 Tribes are specifically noted. In recent months, a few AIAN Head Start grant recipients have integrated Head Start into a P.L. 102-477 plan, and applicability of these procedures to these recipients is still being determined; further guidance is forthcoming.

If a Tribe constructs or renovates more than one facility, it must seek ACF approval for *each* project, even if the projects use identical plans and specifications.

## **ELIGIBLE CONSTRUCTION OR MAJOR RENOVATION PROJECTS**

The construction or major renovation of a building, structure, or facility is considered an eligible project for this combined application if it meets the definitions of construction or major renovation for both CCDF and Head Start as outlined below (note: requirements for projects using modular units are described later in this document).

**Construction:** The act of building a facility that does not currently exist, excluding renovations, alterations, additions, or work of any kind to existing buildings.

**Major Renovation:** A proposed project qualifies as a major renovation eligible for a combined funding project if it meets the following criteria:

**CCDF:** Based on *both* the cost of renovations and the extent of alterations to the facility. Specifically, renovations that cost over \$350,000 for centers and \$50,000 for family child care homes are considered *major* renovation when they make significant changes to the structure, function, or purpose of the child care facility. These cost thresholds will be adjusted annually for inflation and published on the OCC website. Applicants should visit the OCC [website](#) to view the updated thresholds.

**Head Start:** Any individual or collective group of renovation activities related to the same facility that has a cost equal to or exceeding \$350,000 in Head Start funds. Renovation activities that are intended to occur concurrently or consecutively, or altogether address a specific part or feature of a facility, are considered a collective group of renovation activities. Unless included in a purchase application, minor renovations and repairs are excluded from major renovations. To

maintain alignment with the National Defense Authorization Act (NDAA), the major renovation threshold will increase to account for any increases made to the simplified acquisition threshold beyond \$350,000. Tribes that jointly apply to use both Tribal Child Care and Development Fund (CCDF) and Head Start funds toward major renovations may comply with the CCDF threshold for major renovation if it is higher.

Applications using the Guide are *not* required for projects that meet the definition of Minor Renovation in CCDF and Head Start programs.

#### **Minor Renovation:**

*CCDF:* Renovations that cost less than \$350,000 for centers and \$50,000 for family child care are considered minor renovations. These cost thresholds will be adjusted annually for inflation and published on the Office of Child Care website. In addition, renovations that exceed these cost thresholds but do **not** make significant changes to the facility's structure, function, or purpose, **and** improve the health, safety and/or quality of child care services, are considered *minor*. Note: A Tribal Lead Agency does not need to submit a request or receive approval to spend CCDF funds on minor renovation.

*Head Start:* Improvements to facilities, which do not meet the definition of major renovation (above). Examples of minor renovations include, but are not limited to, upgrading playgrounds, renovating bathrooms, installing railing, ramps, or automatic doors to make the facility more accessible without any structural changes. Note: Head Start Grant Recipients do not need to submit a facilities application for minor renovations.

### **COMBINED APPLICATION PROCESS**

#### **Initial Consultation with ACF**

When considering a facilities project for construction or major renovation (as applicable and allowable) that would use both CCDF and Head Start funds, recipients should follow the process outlined in the Tribal Early Childhood Facilities Combined Application Guide, starting with an initial consult with their assigned Regional Program Specialists in both OHS and OCC as well as the Office of Grants Management to make them aware that they intend to submit a combined facilities application and to ensure that the project is eligible for the combined facilities application. After the consultation call(s) is held, if the Tribe wishes to move forward with a combined facilities application, they would then request to set aside CCDF funds for construction and follow the procedures for Head Start detailed below.

#### **Requesting Funds for Facilities Projects**

##### ***Head Start***

Head Start grant recipients may submit a written request for one-time funding for the above-described purposes or use available base grant funds with approval from the Regional Office. Head Start grant recipients may request to apply for one-time funding, or request to use base grant funds, to determine preliminary eligibility of a planned real property activity in advance of submitting a full facilities application. If approval is granted, recipients can use funds to develop their application, regardless of the outcome of the preliminary eligibility under 45 CFR §1303.42 and the application under 45 CFR §1303.44.

Note that OHS has limited funds available for one-time funding applications and may not be able to fund all requests for facilities activities. Requests for Head Start facilities funding will be subject to funding priorities established by OHS.

### **CCDF**

Under the CCDF program, Tribal CCDF Lead Agencies may request to set aside funds from their discretionary and/or mandatory CCDF funding allocation to use for construction or major renovation, which may be used for new or ongoing construction or major renovation projects once approved. CCDF lead agencies may also use their CCDF funds set aside for construction or major renovation for planning costs in accordance with the uniform procedures established by the Tribal CCDF Program Instruction (CCDF-ACF-PI-2023-01) prior to receiving approval of a construction or major renovation project. *Funds cannot be expended for construction or major renovation costs until ACF approval is granted in accordance with the combined application guide.* Note that if funds are used for planning costs, and a subsequent application is not approved, the Tribe must repay those funds expended on planning costs using non-CCDF funds, in accordance with CCDF-ACF-PI-2023-01.

Once a Notice of Award is issued for the funds requested to be set aside for construction, the Tribe can begin to develop their application.

**Note:** Cost allocation requirements apply to the planning/pre-application phase, and Tribes must cost allocate appropriately for jointly-funded facilities projects, in alignment with Uniform Guidance, [45 CFR § 75](#).

### **Developing the Application**

In the combined facilities application, available at <https://www.acf.hhs.gov/ecd/tribal-early-childhood-facilities>, Tribes will provide:

- Section A. Project Narrative
- Section B. Cost Estimates
- Section C. Supporting Documents
- Section D. Modular Unit Narrative, Cost Estimates, and Supporting Documents *(If applicable)*

Before applying, Tribes will work collaboratively with OHS and OCC to receive support in developing required application materials, as outlined in the combined facilities application. Technical assistance is available to support Tribes with the application requirements upon request. Once all required application materials are prepared, OCC and OHS will complete a coordinated review of the draft application. If revisions are necessary or application materials appear incomplete, ACF will continue to provide coordinated support and technical assistance to the Tribe. Tribes with CCDF plans approved for integration in a P.L. 102-477 plan must also coordinate their application submission and approval with the BIA. For information on coordination, please contact the BIA.

### **Submitting Real Property Standard Forms**

The Real Property Standard Form (SF-429) is required for **all** facilities projects at the time of approval of the application, along with required attachments. These forms must be submitted through

GrantSolutions.gov to complete the facilities application, and additional information can be found in the Guide. For assistance gaining access to Grant Solutions, reach out to the assigned OGM Specialists.

Required forms include:

- SF-429 Cover Page – The GrantSolutions system automatically requires the submission of the cover page with each attachment.
- SF-429-A General Reporting or No Property – must be submitted annually
- SF-429-B Request to Acquire, Improve, or Furnish – This form is required concurrent to submission of the facilities application. This form is required whenever a grant recipient is seeking ACF approval to use funds to engage in purchase, construction, or major renovation of facilities.

### **Submitting the Application**

All applicable submission requirements outlined in the Tribal Facilities Combined Application Guide must be completed prior to submitting the application to ACF for approval. The application requirements align with both the current requirements for the Tribal CCDF Program Instruction (CCDF-ACF-PI-2023-01) related to requesting funds for construction or major renovation, and Head Start Program Performance Standards 45 CFR §1303.44 (a)(1). When the application is ready to be submitted, the Tribe will be required to submit their application in the Head Start Enterprise System (HSES). Technical assistance for gaining access to HSES and submitting the application is available at [ohsfacilities@acf.hhs.gov](mailto:ohsfacilities@acf.hhs.gov).

### **Application Review**

Upon submitting an application in HSES and the Real Property Reporting Forms (SF-429) in Grant Solutions, the formal review process is initiated. During the review process, OHS and OCC will reach out to the Tribe if revisions, additional or missing information, or clarification is needed. The application may be sent back to the Tribe to make revisions, and the Tribe would then resubmit the application in HSES.

### **Application Approval**

Upon approval of the application in HSES, the Tribe will receive an approval notification from OCC and OHS, containing the following materials.

- An approval letter from OCC
- A Notice of Award from OHS

Funds cannot be expended until ACF approval is granted through both OHS and OCC.

### **Executing the Project**

After the Tribe receives the approval materials, a joint funding approval notification meeting will be held with the Tribe, OCC, and OHS to review the project execution timeline and communication expectations based on the approved application. The Tribe will continue to meet with OCC and OHS to share project status updates and receive technical assistance as needed.

### **Project Amendments**

If a Tribe wishes to make any material changes in scope, nature, or project costs of a project once the original application is approved, the Tribe must work with OHS and OCC to submit and receive approval for an amended application that describes the changes and scope of work.

### **Project Completion**

Upon completion of the facilities project, the documents below must be submitted by the Tribe.

- A description and specifications of the facility, including the details specified in section A of the Tribal Early Childhood Facilities Combined Application Guide.
- Certification of facility safety from licensed professional, as specified in Section C Document 4 in the Tribal Early Childhood Facilities Combined Application Guide.
- Estimate of facility's value, as specified in Section C Document 9 in the Tribal Early Childhood Facilities Combined Application Guide.
- OHS grant recipients should review the 1303 Post Approval Checklist which identifies 15 individual items to be submitted by the Tribe. The applicability of these items varies by project. OHS grant recipients should work with OHS to determine which documents apply to this project.
- Tribal CCDF Lead Agencies utilizing CCDF funds should refer to the Attachment E: Documents and Deadlines to be Submitted to the OCC Regional Office, to ensure all required components are submitted.

### **ADDITIONAL REQUIREMENTS FOR MODULAR UNITS**

Modular Units are defined as a structure such as a trailer (usually prefabricated) made at another location and moved to a site (and permanently affixed to the land) for use by a recipient of an ACF program. If applicants are proposing a modular unit, they must respond to all applicable application requirements in the Narrative, Cost Estimate, and Supporting Documents sections of the Tribal Facilities Application guide, as well as the requirements outlined in Appendix 1-Section D of the Tribal Facilities Application Guide, the requirements in [ACF-IM-HS-20-02: Head Start Modular Units](#) and requirements outlined in CCDF-ACF-PI-2023-01.

### **NOTE**

Please note that future Program Instructions may replace or supersede this Program Instruction. Please contact your OCC and OHS Program Specialists to ensure you have the most recent Program Instruction.

### **QUESTIONS**

Please direct inquiries to the appropriate office:

- Contact the Regional Program Manager in the appropriate OCC Regional Office. Contact information for OCC regions can be found at <https://www.acf.hhs.gov/occ/resource/regional-child-care-program-managers>.
- Contact the OHS Region XI Program Office with any questions.

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