



ADMINISTRATION FOR
CHILDREN & FAMILIES

330 C Street, S.W., Washington DC 20201 | www.acf.hhs.gov

Laura Howard, Secretary
Kansas Department for Children and Families
555 S. Kansas Avenue, 4th Floor
Topeka, Kansas 66603

Dear Secretary Howard:

The Office of Child Care has completed its review of your federal fiscal year (FFY) 2025-2027 Child Care and Development Fund (CCDF) Plan. We appreciate your hard work and partnership in fully implementing CCDF to meet the needs of children and families.

This letter is to inform you that the Kansas CCDF Plan for the period of October 1, 2024, through September 30, 2027, has been approved with conditions. A plan “approved with conditions” is a fully approved Plan with conditions related to requirements that are non-compliant. The conditions will be deemed fully compliant once all provisions in the Child Care and Development Block Grant (CCDBG) Act and the CCDF regulations at 45 CFR 98 are fully implemented and demonstrated via a Plan amendment. At that time the Kansas CCDF Plan will be approved without conditions.

OCC looks forward to working together with you to promote the early learning and development of children and the economic stability and well-being of their families. As in prior years, OCC and its technical assistance network will offer a variety of technical assistance options and opportunities aimed at supporting the implementation of CCDF and full compliance with CCDF policies. Your Regional Office and State Systems Specialist will be reaching out to you to discuss your specific technical assistance needs and how OCC can support the innovative and important work you are doing.

Based on the information reviewed in your CCDF Plan, the OCC has determined Kansas has not fully implemented the requirements noted below. Each area of non-compliance includes a bulleted list of the specific reasons, regulations, and Plan questions associated with each non-compliance.

Eligibility and Enrollment: Continuity of Care (12-Month Eligibility)

- The Lead Agency does not always provide a minimum 12-month eligibility period for each child, as required by 98.21(a)(1). (Plan Questions 2.5.2a and 2.5.2c)

Equal Access: Affordability

- The Lead Agency does not provide data on the extent to which CCDF providers charge families additional amounts above the required co-payment (including data on the size and frequency of such amounts), as required by 98.45(b)(5). (Plan Question

3.1.2eii)

Health and Safety: Administration of Medication

- The Lead Agency has not established a standard for the administration of medication consistent with standards for parental consent for licensed centers, licensed family child care homes, or out-of-school programs, as required by 98.41(a)(1)(iii). (Plan Questions 5.3.3ai, 5.3.3bi, 5.3.3aii, 5.3.3bii, 5.3.3avii, and 5.3.3bvii)
- The Lead Agency does not require pre-service or orientation training on administration of medication for licensed centers or licensed family child care homes, as required by 98.44(b)(1)(i). (Plan Question 5.4.1c)
- The Lead Agency does not require an annual unannounced inspection for licensed centers or licensed family child care providers for compliance with a standard for administration of medication and with related pre-service or orientation training requirements, as required by 98.42(b)(2)(i)(B). (Plan Questions 5.5.1aii and 5.5.1bii)

Health and Safety: Building and Physical Premises Safety

- The Lead Agency does not require pre-service or orientation training on building and physical premises safety, including the identification of and protection from hazards, bodies of water, and vehicular traffic for all staff in licensed centers or licensed family child care homes, as required by 98.44(b)(1)(i). (Plan Question 5.4.1e)
- The Lead Agency does not require an annual unannounced inspection for licensed centers or licensed family child care homes for compliance with a standard for building and physical premises safety, including the identification of and protection from hazards, bodies of water, and vehicular traffic, and with related pre-service or orientation training, as required by 98.42(b)(2)(i)(B). (Plan Questions 5.5.1aii and 5.5.1bii)

Health and Safety: Child Development

- The Lead Agency does not require pre-service or orientation training on child development for licensed centers or licensed family child care homes, as required by 98.44(b)(1)(iii). (Plan Question 5.4.1l)
- The Lead Agency does not require an annual unannounced inspection for licensed centers or licensed family child care homes for compliance with pre-service or orientation training requirements related to child development, as required by 98.42(b)(2)(i)(B). (Plan Questions 5.5.1aii and 5.5.1bii)

Health and Safety: Emergency Preparedness and Response Planning

- The Lead Agency standard for emergency preparedness and response planning does not include all the required elements for licensed centers, licensed family child care, or out-of-school providers, as required by 98.41(a)(1)(vii). (Plan Questions 5.3.7v, 5.3.7vi, 5.3.7ix, and 5.3.7x)
- The Lead Agency does not require pre-service or orientation training on emergency preparedness and response planning for licensed centers or licensed family child care homes, as required by 98.44(b)(1)(i). (Plan Question 5.4.1g)
- The Lead Agency does not require an annual unannounced inspection for licensed centers or licensed family child care providers for compliance with a standard for emergency preparedness and response planning and with related pre-service or

orientation training requirements, as required by 98.42(b)(2)(i)(B). (Plan Questions 5.5.1aii and 5.5.1bii)

Health and Safety: Fire Standards

- The Lead Agency does not require an annual unannounced inspection for all licensed centers and licensed family child care providers for compliance with fire standards, as required by 98.42(b)(2)(i)(B). (Plan Questions 5.5.1aii and 5.5.1bii)

Health and Safety: Handling and Storage of Hazardous Materials and Disposal of Biocontaminants

- The Lead Agency has not established a standard for the appropriate disposal of biocontaminants for licensed centers, licensed family child care, or out-of-school providers, as required by 98.41(a)(1)(viii). (Plan Questions 5.3.8bi, 5.3.8bii, and 5.3.8bvii)
- The Lead Agency does not require pre-service or orientation training on handling and storage of hazardous materials and disposal of biocontaminants for all staff in licensed centers or licensed family child care homes, as required by 98.44(b)(1)(i). (Plan Question 5.4.1h)
- The Lead Agency does not require an annual unannounced inspection for licensed centers or licensed family child care providers for compliance with a standard for handling and storage of hazardous materials and disposal of biocontaminants and with related pre-service or orientation training requirements, as required by 98.42(b)(2)(i)(B). (Plan Questions 5.5.1aii and 5.5.1bii)

Health and Safety: Identification and Reporting of Child Abuse

- The Lead Agency has not established a standard for the identification of child abuse and neglect for licensed centers, licensed family child care, or out-of-school providers, as required by 98.41(a)(1)(xi). (Plan Questions 5.3.11ai, 5.3.11aii, and 5.3.11avii)
- The Lead Agency does not require pre-service or orientation training on identification of child abuse and neglect for all staff in licensed centers or licensed family child care homes, as required by 98.44(b)(1)(i). (Plan Question 5.4.1k)
- The Lead Agency does not require an annual unannounced inspection for licensed centers or licensed family child care providers for compliance with a standard for identification and reporting of child abuse and with related pre-service or orientation training requirements, as required by 98.42(b)(2)(i)(B). (Plan Questions 5.5.1aii and 5.5.1bii)

Health and Safety: Ongoing Training

- The Lead Agency does not have requirements for ongoing training on health and safety standards for all staff in licensed centers and licensed family child care providers, as required by 98.44(b)(2)(i). (Plan Questions 5.6.1a and 5.6.1c)
- The Lead Agency does not require an annual unannounced inspection for licensed centers and licensed family child care providers for compliance with ongoing training requirements, as required by 98.42(b)(2)(i)(B). (Plan Questions 5.5.1aii and 5.5.1bii)

Health and Safety: Pediatric First Aid and Pediatric CPR

- The Lead Agency has not established a standard for pediatric first aid and CPR for all staff in out-of-school programs, as required by 98.41(a)(1)(x). (Plan Questions 5.3.10avii and 5.3.10bvii)
- The Lead Agency does not require pre-service or orientation training on pediatric first aid and pediatric CPR for licensed centers or licensed family child care homes, as required by 98.44(b)(1)(i). (Plan Question 5.4.1j)
- The Lead Agency does not require an annual unannounced inspection for licensed centers and licensed family child care providers for compliance with a standard for pediatric first aid and pediatric CPR, and with related pre-service training, as required by 98.42(b)(2)(i)(B). (Plan Questions 5.5.1aii and 5.5.1bii)

Health and Safety: Posting Inspection Reports

- The Lead Agency does not post full monitoring and inspection reports that include all areas of compliance and non-compliance for all licensed centers, licensed family child care, and out-of-school programs, as required by 98.33(a)(4)(ii). (Plan Question 5.5.4aii)
- The Lead Agency monitoring and inspection reports do not contain all the required elements, specifically corrective actions taken by the State and child care provider and prominently displaying any fatalities or serious injuries, as required by 98.33(a)(4). (Plan Question 5.5.4b)

Health and Safety: Precautions in Transporting Children

- The Lead Agency does not require pre-service or orientation training on precautions in transporting children for all staff in licensed centers or licensed family child care homes, as required by 98.44(b)(1)(i). (Plan Question 5.4.1i)
- The Lead Agency does not require an annual unannounced inspection for licensed centers or licensed family child care homes for compliance with a standard for precautions in transporting children and with related pre-service or orientation training requirements, as required by 98.42(b)(2)(i)(B). (Plan Questions 5.5.1aii and 5.5.1bii)

Health and Safety: Prevention and Control of Infectious Diseases

- The Lead Agency does not require pre-service or orientation training on the prevention and control of infectious diseases (including immunizations) for all staff in licensed centers or licensed family child care homes, as required by 98.44(b)(1)(i). (Plan Question 5.4.1a)
- The Lead Agency does not require an annual unannounced inspection for licensed centers or licensed family child care homes for compliance with a standard for the prevention and control of infectious diseases (including immunizations) and with related pre-service or orientation training requirements, as required by 98.42(b)(2)(i)(B). (Plan Questions 5.5.1aii and 5.5.1bii)

Health and Safety: Prevention and Response to Emergencies from Food and Allergic Reactions

- The Lead Agency has not established a standard for the prevention of and response to emergencies due to food and allergic reactions for licensed centers, licensed family child care, or out-of-school programs, as required by 98.41(a)(1)(iv). (Plan Questions 5.3.4ai, 5.3.4aii, 5.3.4avii, 5.3.4bi, 5.3.4bii, and 5.3.4bvii)

- The Lead Agency does not require pre-service or orientation training on prevention of and response to food and allergic reactions for licensed centers or licensed family child care homes, as required by 98.44(b)(1)(i). (Plan Question 5.4.1d)
- The Lead Agency does not require an annual unannounced inspection for licensed centers or licensed family child care for compliance with a standard for prevention and response to emergencies from food and allergic reactions and with related pre-service or orientation training requirements, as required by 98.42(b)(2)(i)(B). (Plan Questions 5.5.1aii and 5.5.1bii)

Health and Safety: Prevention of Shaken Baby Syndrome, Abusive Head Trauma, and Child Maltreatment

- The Lead Agency has not established a standard for the prevention of shaken baby syndrome and abusive head trauma for licensed centers and licensed family child care providers, or for the prevention of child maltreatment for licensed centers, licensed family child care, and out-of-school programs, as required by 98.41(a)(1)(vi). (Plan Questions 5.3.6ai, 5.3.6aaii, 5.3.6bi, 5.3.6bii, and 5.3.6bvii)
- The Lead Agency does not require pre-service or orientation training on prevention of shaken baby syndrome, abusive head trauma, and child maltreatment for licensed centers or licensed family child care homes, as required by 98.44(b)(1)(i). (Plan Question 5.4.1f)
- The Lead Agency does not require an annual unannounced inspection for licensed centers or licensed family child care providers for compliance with a standard for prevention of shaken baby syndrome, abusive head trauma, and child maltreatment and with related pre-service or orientation training requirements, as required by 98.42(b)(2)(i)(B). (Plan Questions 5.5.1aii and 5.5.1bii)

Health and Safety: Ratios and Group Size for CCDF Providers

- The Lead Agency has not established a ratio and a group size for school-age children in licensed centers, as required by 98.41(d)(1) and 98.41(d)(2). (Plan Question 5.2.2aiv)
- The Lead Agency does not require an annual unannounced inspection for licensed centers and licensed family child care providers for compliance with standards for ratio and group size, as required by 98.42(b)(2)(i)(B). (Plan Questions 5.5.1aii and 5.5.1bii)

Health and Safety: Sudden Infant Death Syndrome and Safe Sleep

- The Lead Agency does not require pre-service or orientation training on sudden infant death syndrome and safe sleep practices for all staff in licensed centers or licensed family child care homes, as required by 98.44(b)(1)(i). (Plan Question 5.4.1b)
- The Lead Agency does not require an annual unannounced inspection for licensed centers or licensed family child care homes for compliance with a standard for sudden infant death syndrome and safe sleep practices and with related pre-service or orientation training, as required by 98.42(b)(2)(i)(B). (Plan Questions 5.5.1aii and 5.5.1bii)

Quality Improvement and Support for Child Care Workforce: Professional Development

- The Lead Agency does not have an annual requirement for a minimum number of hours of ongoing professional development for licensed centers and licensed family

child care, as required by 98.44(b)(2). (Plan Questions 6.3.1a and 6.3.1c)

For each requirement identified as non-compliant above, this letter serves as a preliminary notice of possible non-compliance pursuant to 45 CFR section 98.90(b). You will be subject to this notice of possible non-compliance until a Plan amendment is approved demonstrating compliance with the CCDF requirements and may be subject to enforcement via a penalty pursuant to 45 CFR section 98.92. Each Lead Agency is required to submit an implementation plan that includes general action steps and estimated timeline for fully implementing the non-compliant requirement using Appendix I of the 2025-2027 CCDF Plan within 60 days of receipt of this notice.

Please note the following Plan questions were not complete and OCC requests that you provide a completed response as required by 98.17(b).

- 10.2.2d. Investigate and recover improper payments due to agency errors

OCC has determined it needs additional information about Kansas' grants/contracts program before making a final compliance decision about the use of grants or contracts for direct services for children in underserved geographic areas, infants/toddlers, and children with disabilities, as required by 98.30(b)(1) (Plan Questions 4.1.1c and 4.5.1). We will be following up with your Lead Agency to request additional details.

As previously announced, Lead Agencies may apply for transitional and legislative waivers for certain required provisions related to the 2024 Final Rule. The deadline to submit waiver requests related to the 2024 CCDF Final Rule is extended to December 30, 2024. For guidance on transitional and legislative waiver requests, please see Program Instruction ACF-OCC-CCDF-PI-24-03 (<https://www.acf.hhs.gov/occ/policy-guidance/2024-ccdf-final-rule-transitional-waiver-flexibilities-acf-occ-ccdf-pi-24-03>).

The CCDF Plan includes questions that encompass all requirements 45 CFR §98.16. However, the Plan does not ask about all aspects of federal requirements and does not encompass the details of how these requirements are implemented. Recognizing the information in the Plan is not exhaustive, the OCC also monitors state compliance through multiple additional mechanisms. All requirements of the CCDBG Act and the CCDF regulations at 45 CFR 98 are subject to the monitoring, compliance, and complaint actions as described in 45 CFR Subpart J, including §98.90, §98.91, and §98.92. Additionally, states and territories are subject to the error rate reporting as described in 45 CFR Subpart K, including §98.100, §98.101, and §98.102 and to audit requirements at 45 CFR §98.65 of CCDF regulations. The information and results gathered through these activities and any other oversight activities could impact the Lead Agency's compliance status in program integrity and accountability during this Plan period.

In conjunction with this letter, you will receive a separate Notice of Grant Award from the ACF Office of Grants Management. The notice will include the amount of your award and any additional terms and conditions for the receipt of CCDF program funds. During

the effective period of this Plan, any substantial changes to your CCDF program must be submitted as a Plan amendment to your Regional Office for approval in accordance with 45 CFR§98.18(b). Lead Agencies are reminded that you must post the approved Plan and any amendments on your state or territory website and assure any required links are functional. Lead Agencies also are expected to post their Appendix, which is part of the CCDF Plan, on their website.

If you have any questions, please contact Doris Hallford, Regional Program Manager in our Region VII Regional Office, at (816) 426-2264 or doris.hallford@acf.hhs.gov. Thank you for all you do each day for children and families.

Sincerely,

Digitally signed by RUTH FRIEDMAN
Date: 11/8/2024 7:46 PM EST

Ruth Friedman, Ph.D.
Director
Office of Child Care

cc: Carla Whiteside-Hicks, EES Director
Nichelle Adams, Social Services Program Collaboration Deputy Director
Doris Hallford, Regional Program Manager, Office of Child Care, Region VII
Lisa Fergus, Program Operations Liaison, Office of Child Care