



## **CHOICES FOR CHILDREN**

### **Parent & Provider Handbook**

---

#### Subsidized Child Care Program

# Program Description

The California State Department of Education, Child Development Division, funds child care subsidy programs that include the California Alternative Payment Program and CalWORKs Program. These programs help income eligible families and CalWORKs participants find and pay for child care. Child Development Inc. /Choices for Children (CFC) administers these programs serving children and their families in Santa Clara County. The agency name, Choices for Children, is derived from the fact that parents have the freedom to choose licensed child care centers, family day care homes and license exempt providers.

All Choices for Children programs are administered on a nondiscriminatory basis, according to equal treatment and access to services without regard to sex, sexual orientation, gender, ethnic background, race, ancestry, national origin, religion, color, or mental or physical disability/special need.

The use and disclosure of any information maintained in the basic data file concerning enrollees, their families and providers, will be limited to purposes directly connected with the administration of these programs. The California Department of Education's legal office affirms that Title 5 regulations, as written, do not violate provisions of the Information Practices Act (IPA) or any other statutes regarding privacy. There are provisions requiring agencies to treat information received from unsubsidized families as confidential.

No other use of this information shall be made without prior written consent from the enrolled parent(s). Enrolled parent(s) shall have access to information in their child's basic data file.

# Parent Information and Responsibilities

To receive state subsidized child development services, families must meet both eligibility and need criteria.

## Santa Clara County Pilot Program

### Summary of the Pilot

On September 24, 2016 Governor Jerry Brown signed Assembly Bill 2368 (AB 2368) authorizing a Santa Clara County Child Care Subsidy Project (the Pilot). This Pilot - designed in partnership with the Local Early Education Planning Council (LPC), child care stakeholders and carried by Assemblyman Rich Gordon - authorized a plan specifically designed to the needs and goals of our local community. This Pilot, with a duration of five years from date signed, allows Santa Clara County to address two main concerns in Santa Clara County:

- In such a high cost area, families barely earning enough to meet the costs of living in the County are still considered too high income to qualify for child care subsidies
- The state reimbursement rates to providers contracted to provide high quality child care are so low that contractors cannot cover their costs.

Through a series of changes outlined below, the Pilot seeks to achieve several key goals:

Goal 1: Improve the Santa Clara County subsidized child care system for contractors.

Goal 2: Increase the ability of low-income families to move toward self-sufficiency through higher earnings.

Goal 3: Increase the stability of care placements for families.

On October 12, 2017 Governor Jerry Brown signed Assembly Bill 300 (AB300) authorizing Santa Clara County's CAPP, CalWORKs Stage 2 (C2AP), and CalWORKs Stage 3 (C3AP) contracts to be part of Santa Clara County's Pilot effective January 1, 2018. AB300 also allows 24-month eligibility period for families enrolled in Part-Day State Preschool Program (CSPP).

## Eligibility

Eligibility for child care subsidies is determined by using the Santa Clara County Pilot Program and Title 5 Regulations and Funding Terms & Conditions for Child Development Programs as published by the California State Department of Education. These guidelines establish three basic purposes for all state subsidized child care programs:

1. Providing a safe, healthy environment conducive to the development and growth of young children.
2. Providing parents the opportunity to support their families through employment or to prepare for employment.
3. Preventing or lessening child abuse and neglect through the provision of child care.

Eligibility may be established by one of the following criteria:

## California Alternative Payment Program (CAPP)

- The family has a child who is at risk of abuse, neglect or exploitation, or receiving child protective services through the county welfare department.
- The family is income eligible. When the number of family members and the amount of family income have been determined, eligibility may be established by reference to the family fee schedule.
- Children who have reached their thirteen (13<sup>th</sup>) birthday are ineligible for subsidized services *except* those children with exceptional needs and severely disabled children may be served to age twenty-one (21). Children with exceptional needs shall also meet the criteria for that age group specified in *EC* Section 56026 and California *Code of Regulations, 5CCR*, sections 3030 and 3031.
- The family is a public assistance recipient.
- The family is homeless.

Choices for Children will receive the names of the most eligible children from the 4C's Community Child Care Council centralized eligibility list in Santa Clara County.

**First Priority:** Families whose children are receiving child protective services or families whose children are at risk of neglect, abuse, or exploitation shall be admitted first. Within this priority, a current referral letter from a legally qualified professional verifying the need for child care must be on file.

**Second Priority:** All children and families who are not within the first priority for admission shall be admitted in accordance with family income, with the lowest income ranked families admitted first. For purposes of determining the order of admission, public assistance grants are counted as income. When two (2) or more families have the same income ranking the family whose child has exceptional needs shall be admitted first. If there is no family of the same income ranking with an exceptional needs child. The family with the same income ranking on the centralized eligibility list the longest shall be admitted first.

## CalWORKs Stage 2

- The local county welfare department determines that the family is employed, participating in employment activities and/or in training.
- The family remains eligible for up to twenty-four (24) months after the parent is no longer receiving cash aid as long as the family is income eligible.
- Children who have reached their thirteen (13<sup>th</sup>) birthday are ineligible for subsidized services *except* those children with exceptional needs and severely disabled children may be served to age twenty-one (21). Children with exceptional needs shall also meet the criteria for that age group specified in *EC* Section 56026 and California *Code of Regulations, 5CCR*, sections 3030 and 3031.

## CalWORKs Stage 3

- The family is income eligible.

**AND**

- The parent is enrolled in CalWORKs Stage 2 and has fully exhausted the twenty-four (24) months of eligibility for child care (timed out). Children who have reached their thirteen (13<sup>th</sup>) birthday are ineligible for subsidized services *except* those children with exceptional needs and severely disabled children may be served to age twenty-one (21). Children with exceptional needs shall also meet the criteria for that age group specified in *EC Section 56026* and *California Code of Regulations, 5CCR*, sections 3030 and 3031.

## Verification of Family Size and Required Documentation:

The parent shall provide supporting documentation regarding the number of children and parents in the family.

The number of children shall be determined by providing at least one of the following documents, as applicable:

- (A) Birth records;
- (B) Court orders regarding child custody;
- (C) Adoption documents;
- (D) Records of Foster Care placements;
- (E) School or medical records;
- (F) County welfare department records; or
- (G) Other reliable documentation indicating the relationship of the child to the parent.

## Need

Need may be established through one of the following conditions:

- Families whose children are receiving child protective services or families whose children are at risk of neglect, abuse, or exploitation shall be admitted first. Within this priority, a current referral letter from a legally qualified professional verifying the need for child care must be on file.
- The parent or guardian is employed or has an offer of employment.
- The parent or guardian is seeking employment.
- The parent or guardian is incapacitated, as verified by a legally qualified professional, to the extent that the parent's ability to provide child care is significantly limited.
- The parent or guardian is participating in a vocational training or education program leading directly to employment in a recognized trade, para-profession or profession.
- The family is homeless and seeking permanent housing or family stability.

## **Initial Enrollment**

Parents are screened to determine the family's eligibility and to provide the parent with information on Choices for Children's policies and services. Parents must bring current financial information, verification of referral and other written material as requested by Choices for Children to the initial and subsequent recertification of eligibility interview. **Initial enrollment must be completed in person with Choices for Children staff.** Information provided shall be maintained in a confidential file.

## **Notice of Action**

After reviewing family's eligibility and need documentation at initial enrollment or recertification, parent will receive notification of their enrollment status in the program on a Notice of Action (NOA). A Notice of Action is issued when certification, recertification or change in status is completed. It is the parent's responsibility to review the information on the NOA and contact the subsidy counselor if there are any questions.

## **Duration of Service Requirement**

Once a family has been certified for services, contract service hours and family fee remain the same throughout the full duration of the family's eligibility period; 24-months or 12-months for Seeking Employment.

No changes can be made without the request from the parent unless change is made due to family who have a combined need with seeking employment, see section below regarding this combination.

## **Recertification of Eligibility**

All families will have a recertification date at 24 months, except for families whose services hours have been certified under seeking employment. For seeking employment, eligibility time period is 12 months. All new enrollments/recertifications must be in person/by appointment. For recertification a 60 Day Recertification Letter will be mailed out the day after your last day of service. A Recertification Letter will be sent to the parent to inform them of the need to recertify. Failure to comply with the Recertification Letter will result in a Termination Notice of Action. The Notice of Action will give the parent nineteen (19) days in which to comply to avoid termination from the program. The recertification deadline will be enforced.

## **The Family's Right to Voluntarily Report Changes**

### **A. Upon a family voluntarily reporting changes in accordance with 8263(h)(4) Choices For Children shall:**

1. Use information as applicable *to reduce the family fee, increase the family's services, or extend the period of eligibility.*
2. Collect documentation to support the changes requested,
3. Not less than ten (10) business days after receipt of applicable documentation, issue a NOA in accordance with section 18095 and,
4. *Not use any information received to make any other changes to the service agreement.*

**B. A family may at any time voluntarily request a reduction to their service level. Before Choices For Children may make any reductions to the service level, a parent shall:**

1. Submit a written request that includes:
  - a. Days and hours per day requested.
  - b. Effective date of proposed reduction of service level; and
2. Acknowledge in writing that parent understand that they may retain their current service level.
  - a. Upon receipt of the parent's written request in subsection.
  - b. Choices For Children shall:
    - (1) Notify the family in writing of the parents right to continue to bring their child pursuant to the original certified service level, and
    - (2) Collect documentation to support the changes requested, and
    - (3) Not later than ten (10) business days after receipt of applicable documentation, issue a Notice of Action pursuant to section 18095, and
    - (4) ***Not use any information received to make any other changes to the service agreement.***

**Requirement to Report when Income Exceeds Ongoing Income Eligibility.**

When a family is initially certified or recertified on the basis of income eligibility:

- A. The family shall, within thirty (30) calendar days, report changes to ongoing income that causes their monthly income (adjusted for family size) to exceed ongoing income eligibility.
- B. Choices for Children shall
  1. At initial certification and recertification:
    - a. Notify the parent in writing of the adjusted monthly income amount, based on the family size, that would render the family ineligible for services, based on ongoing income eligibility requirement, and
    - b. Notify the parent in writing of the requirement to report within thirty (30) calendar days any change in ongoing income that causes the family's adjusted monthly income to exceed eighty-five percent (85%) of State Median Income.
  2. Upon notification of income changes by the family, Choices for Children shall
    - a. Obtain income documentation as applicable.
    - b. Calculate the family's adjusted monthly income.
    - c. Assess if the family's adjusted monthly income exceeds the eighty-five percent (85%) of most recent State Median Income.
    - d. When the family's calculated adjusted monthly income exceeds eighty-five percent (85%) of the State Median Income, Choices for Children shall determine if the family is eligible for services based upon other eligibility criteria.
    - e. If the family does not meet other eligibility criteria, Choices for Children will issue a Notice of Action to dis-enroll the family.

## **Employment**

### **Employment by Employer**

If the basis of need is employment, documentation reflecting your days and hours of employment is required. An Employment Verification Form which includes this information must be received directly from your employer.

To document employment income, parents/guardians must provide payroll check stubs, a letter from your employer or other record of wages issued by the employer, and a signed Employer's Verification Form authorizing Choices for Children to contact the employer for verification.

Check stubs for the months preceding the initial enrollment date or recertification must be provided. Choices for Children will calculate countable income based on income documentation reflecting family's current and ongoing income. Additional months of income may be required when employment includes migrant or agricultural work or when earnings or income is intermittent.

### **Employment by Self-Employment**

To document Self-Employment, a Self-Employment Profit and Loss Wage form detailing days and hours of work and a description of the nature of work must be completed and submitted a combination of documentation necessary to establish current income eligibility for at least the month preceding the initial certification or recertification. Further required documentation may include, but is not limited to, a copy of appointment logs, client receipts, job logs, and mileage logs to demonstrate days and hours worked, as well as a copy of a business license, a workspace lease, or a workspace rental agreement.

### **Employed as an Assistant in a Large Family Child Care Home**

When a parent/guardian is employed as an assistant in a licensed, large family child care home and is requesting child care services for a child in that same family child care home. All of the following will need to be provided:

- A copy of the family child care home license indicating it is licensed as a large family child care home.
- A signed statement from the licensee stating that you are the assistant.
- Proof that your fingerprints are associated with the licensed family child care home as a teacher and/ or caregiver.
- Proof of payroll deductions withheld for you by the licensee, which may be a check stub.

When a parent works in the same **small** family child care home where their child is enrolled, this employment **does not** preclude caring for their own child and, the family would not be eligible for child care services for this type of employment.

If parent's work is conducted in the family's home or on the property that includes the family's home, the parent must provide justification for requesting child care services based on the type of work being done and its requirements, the age of the family's child for whom services are being requested, and, if the child is more than five (5) years old, the specific child care needs. (Title 5, Section 18086.1)

## **Travel Time and Sleep Time for Employment**

### **Travel Time**

Parents may request child care for travel time to and from the location where child care services are provided and the place of employment. Choices for Children will determine the travel time authorized, based on your request and the amount that is reasonable based on the distance and your method of transportation.

- Travel time for employment cannot exceed half of the daily hours authorized for employment or four (4) hours per day (whichever is less).

### **Sleep Time**

A parent may request child care for sleep time if the work hours are anytime between 10:00 p.m. and 6:00 a.m. Child care for sleep time may not exceed the number of hours approved for employment and travel time during the hours of 10:00 p.m. and 6:00 a.m.

## **Seeking Employment**

If the basis of need for services is ONLY seeking employment, the parent's period of eligibility for child care and development services is for not less than twelve (12) months. Parent will be required to sign the Seeking Employment Agreement:

- Each parent in the family unit is eligible to seek employment.
- A written plan is needed to secure, change or conduct other job search related activities which are reasonable and necessary for securing employment.
- A seeking employment schedule (days and hours) is discussed with your counselor.
- Service hours may be authorized up to 6.5 hours per day or 32.5 hours a week, no more than five days per week.

## **Seeking Employment Combined with other Need such as Employment**

At certification or recertification, families who are seeking employment and have another need, such as employment, are eligible for (24) months. However, the authorization for additional hours for seeking employment are limited to (12) months. After the family has used (12) months of care for seeking employment, they must submit an update to authorize for the additional hours that had be certified under seeking employment. If the family is still seeking employment, they will submit a new Seeking Employment form and those additional hours are certified for another 12 months. If at the end of the initial 12 months of seeking employment, the family has a new need such as going to school, the family's service hours will be updated, once verified, and the family will maintain the original re-certification date.

## **Parents Attending School/Training**

If the basis of need for services is vocational training, the parent's period of eligibility for services shall be for not less than (24) months, up to the limitation set forth in subdivision (b), the family shall receive service until the end of the fiscal year in which the limit was reached.

The parent may voluntarily report changes to increase their childcare service level at any time during their (24) months eligibility.

The following criteria and documentation is required:

- Parents must participate in training leading directly to employment in a recognized trade, para-profession or profession.
- Child care services shall be limited to six (6) years from initiation of services OR twenty-four (24) semester units, or its equivalent, after attainment of a Bachelor Degree, which ever expires 1<sup>st</sup>.
- Parents shall provide documentation of the days and hours of vocational training to include:
  - a. A statement of the parent's vocational goal.
  - b. The name of the training institution that is providing the vocational training.
  - c. The dates the current quarter, semester, or training period, as applicable, will begin and end.
  - d. A current class schedule that is either an electronic print-out from the training institution of the parent's current class schedule or, if unavailable, a document that includes all of the following:
    - The classes in which the parent is currently enrolled.
    - The days of the week and times of day of the classes and the signature or stamp of the training institution's registrar.
- The training plan, which includes the **Training Verification**, study and travel time, shall be reviewed by the child care counselor at the initial certification or recertification to determine that progress is being made toward the vocational goal specified.
- At recertification the parent shall provide documentation of the adequate progress form the most recently completed quarter, semester, or training period.
- To document adequate progress, the parent shall provide a copy of the parent's official progress report from the most recently completed quarter, semester or training period.
- A parent who does not make adequate progress (2.0 GPA or pass the program requirements) has an opportunity to be successful one (1) more time. If not, the family shall be dis-enrolled and services based on vocational training are only available to the parent after six (6) months from the date of disenrollment.

## **Travel Time and Study Time for Vocational Training**

### **Travel Time**

Parents/guardians may request child care for travel time to and from the location where child care services are provided to the location of your vocational training. Choices for Children will determine the travel time authorized, based on your request, and what amount is reasonable based on the distance and your method of transportation.

- Travel time granted for vocational training cannot exceed half of the weekly hours authorized for training or four (4) hours per day (whichever is less).

## **Study Time**

Two hours per week per academic unit and on a case by case basis, no more than the number of class hours per week for non-academic or non-unit bearing training.

## **Incapacity**

If the basis of need is incapacity, child care services for parental incapacity may not exceed fifty (50) hours per week. The period of eligibility for services when the need for services is incapacity is for not less than (24) months. A statement that the parent is unable to provide care and supervision for the child(ren) due to a physical or mental condition documentation of the incapacity must be obtained from a legally qualified health professional.

The documentation must state or include all of the following:

- a. Parent/guardian is incapacitated.
- b. Parent/guardian is incapable of providing care and supervision for the child(ren) for part of the day, and the extent to which you are incapable of providing care and supervision.
- c. The days and hours per week that child care services are recommended to accommodate incapacitation, taking into account the age of the child(ren) and the child care needs.
- d. The name, business address, telephone number, professional license number, and signature of the legally qualified health professional who is rendering the opinion of incapacitation and, if applicable, the name of the health organization with which the professional is associated.

## **Homelessness**

If the basis of eligibility and need is homelessness, the family data file shall include documentation of homelessness. The documentation of homelessness shall include:

- a. A written referral from an emergency shelter or other legal, medical or social service agency, or
- b. A written parental declaration that the family is homeless and a statement describing the family's current living situation.
- c. The period of eligibility for services when the need for services is homelessness is for not less than (24) months.

## **Seeking Permanent Housing**

If the basis of need is seeking permanent housing, the parent's initial certification or recertification period for child care services shall receive no less than (24) months. The parent will be required to sign the Seeking Permanent Housing Agreement.

The parent shall provide:

- A written parental declaration that the family is seeking permanent housing must be signed under penalty of perjury.
- The parent must have a written plan to secure a fixed, regular, and adequate residence.
- A seeking permanent housing schedule (days and hours) is discussed with your Child Care Counselor.

Service hours may be authorized up to 6.5 hours per day or 32.5 hours a week, no more than five days per week.

## **Mail to Parents**

All mail is considered deliverable based on the most recent address on file provided by the parent(s) to Choices for Children. It is your responsibility to report any change in address to ensure Choices for Children has the most current information.

## **Child Care Subsidies**

Once a family is enrolled in the program, the parent is allowed ten (10) working days to select an eligible child care provider. To be eligible, the child care provider must be at least eighteen years old, provide a current child care license or authorized work status, a social security card and valid picture identification. The parent is free to choose the type of care that reasonably meets the needs of the family. This includes licensed child care centers, licensed family child care or a license exempt provider. The parent may request a “provisional provider” (exempt non-relative family, friend, or neighbor) if there is an immediate need for child care.

Immediate need is when the parent is employed, engaged in a CalWORKs activity, training or incapacitated and no child care is reasonably available from a licensed provider. (MB 13-01) In addition to the above definition, Choices for Children interprets “immediate need” as a request made by the parent for a provider who meets the cultural and linguistic requirements of the family and/or whom the parent trusts to provide for the physical and emotional safety of their children. Choices for Children will provide education as to the care available in the county. If a license exempt provider is chosen, the provider may need to complete the TRUSTLINE application process before care begins. A license exempt provider becomes an eligible provider when their TRUSTLINE registration is cleared. If the provider fails to complete the TRUSTLINE application process, the parent may need to select a licensed provider or other eligible license exempt provider. If the TRUSTLINE application is DENIED, the provider is immediately ineligible to receive payment and any care costs accrued are the responsibility of the parent. **Parents have unlimited access to their children in all types of child care arrangements.**

Care is not reimbursable until all the provider paperwork is signed, returned and complete. **Choices for Children will not issue a Certificate for Child Care Services until the child care provider is eligible to receive reimbursement. New providers have thirty (30) days to complete the eligibility process. No care will be authorized until the eligibility process is complete.**

## **In-Home Exempt Child Care Services (Minimum Wage)**

The California Department of Education (CDE) Title 5 Regulations require Alternative Payment Programs (APP) to follow federal and state and/or city legal minimum wage requirements for all **In-Home Exempt Child Care Providers**. Currently, in Santa Clara County, San Jose City minimum wage is \$13.50 per hour and other cities minimum wage is vary. If you choose an In-Home Exempt Child Care Provider that does not meet minimum wage:

- You must make arrangements to find a new child care provider that does not live in your home. OR

- As the parent, you must become the employer of the provider who cares for your children in your home. If so, you must show that you are the provider's employer and are paying minimum wage. You must do this by providing the APP agency the following:
  1. A copy of a Workers Compensation policy that you have taken out for the employee, and
  2. A copy of documents, which indicate that you are an employer and will be withholding income tax, social security tax and additional withholdings as required by the federal government from the provider's pay, to be filed with the:
    - Internal Revenue Service (IRS)
    - Franchise Tax Board,
    - Social Security Administration, and
  - 3 A copy of a paycheck that shows withholdings and indicates that you are paying minimum wage.

## Parent Fees

Families enrolled in the **California Alternative Payment Program or CalWORKs** programs may be required to pay a monthly fee. Family fees are determined by family size and gross income and are based on the California Department of Education sliding fee scale. The family fee is calculated and invoiced monthly, in advance, by Choices for Children. **The family fee is mailed on the 15<sup>th</sup> of the month for the following month of service. Payment in full is due by 5:00 p.m. on the 1<sup>st</sup> and is delinquent after 7 calendar days from the 1<sup>st</sup> if not paid.** Families will receive a nineteen (19) day Termination Notice of Action for delinquent fees. Failure to pay by the last day indicated on the Notice of Action will result in the termination of subsidized child care serves, as required by **The California Department of Education Child Development Division.**

It is the **responsibility** of the parent to contact the Family Fee Counselor **before the due date** if payment arrangements need to be made. No adjustments shall be made for any absences.

**Parents who are required to pay a family fee must continue to pay during the child's absence.**

Family fees must be paid by credit card, check or money order (**No Cash Payments**) and payable to Choices for Children. Any check returned for **Insufficient Funds** must be paid by a **Money Order or Credit Card**. All further payments will be required to be paid by **Money Order or Credit Card only.**

**Families who leave the program owing family monthly fees will not be considered for re-enrollment until all outstanding family fees have been paid.** Choices for Children will attempt to recover funds by developing a repayment plan with the parent. If the parent does not respond to the repayment plan or misses a payment as outlined in the repayment plan, he/she will be referred to a collection agency.

## **Child Care Schedules**

Documentation of family's basis of need, child(s) need for care, plus applicable travel time, will be used to determine family's days and hours of authorized child care. The authorized child care is referred to as family's "certified need for child care." The certified need for child care will be either a set or variable schedule.

### **Set Schedule**

A set child care schedule will be approved when the days and hours of care are the same each week or have a predictable cycle or pattern.

An example of a set child care schedule is: Monday – Friday 8:30 a.m. – 5:30 p.m.

### **Variable Schedule**

A variable child care schedule will be approved when the days and hours of care vary each week and are not predictable. Variable child care schedules are authorized "up to" a maximum amount of hours per week.

An example of a variable child care schedule is: Variable up, to 45 hours per week.

## **Child Care Certificates**

### **Establishing Certificate**

Upon initial approval of child care services, a Child Care Certificate will be issued to you and your family's approved provider. A certificate signed by the Child Care Counselor will be issued for each child reflecting the authorized hours of care and the estimated amount of reimbursement from Choices for Children. The certified need of care will not include the scheduled instructional time of a public educational program or private school in which the child is enrolled. The maximum reimbursement amount is based on age of the child, the certified need of childcare and the facility type of care to identify the applicable regional market rate ceiling (RMR). The reimbursement amount is either the RMR ceiling or the provider's usual and customary rate for the same type of services, whichever is less. Both the parent and the provider must review, sign, and return the certificate within ten (10) business days of receiving it.

The end date on the Child Care Certificate is the last day of the family's current eligibility. Child care services may end or change prior to that date and such changes are always communicated with a Notice of Action to the parent and a notice to the child care provider.

A new Child Care Certificate will be issued any time a family has a new child care provider, hours of care have changed or the estimated reimbursement amount changes due to a change in child care services or rates (Ex: a provider's rate change).

## Co-payments

If a parent chooses a provider with rates exceeding the maximum subsidy amount for the type of care provided, the parent is responsible for paying the difference. This difference is considered the parent co-payment. This co-payment shall be paid directly by the parent to the provider and will not be accounted for by Choices for Children.

## Registration Fees

Form CDFS9525 is used to determine the amount of a provider's registration fee that is reimbursable. The parent may pay any remaining registration fee to the provider as a co-payment.

If a provider's rate is already at the maximum then NONE of the registration fee is reimbursable.

## Provider Non-operation Days

Choices for Children will pay 10 days per fiscal year for provider non-operation days. Provider non-operation days are the days that provider is closed for business and required payment such as holidays and other days as specified in the provider's policy or contract. Provider needs to provide documentation that this policy applies to both unsubsidized and subsidized families who use the same service. If provider requests more than 10 days per fiscal year, Choices for Children will only pay the first 10 non-operation days and parent is responsible for any difference in payment to the provider.

## Multiple Providers

Choices for Children will reimburse only **one provider for childcare services per child** when the hours of operation of childcare provider selected by the parent can accommodate the certified need for childcare.

Choices for Children may reimburse more than one provider per child when the hours of operation of the first provider cannot accommodate the certified need for childcare or the following circumstances:

- When a family's first provider is not a licensed center and the parent also chooses a licensed center for the specific purpose of providing the child with large group school readiness experiences.
- **The alternate or back-up provider** is needed when a family's primary provider is closed for a scheduled non-operation days, or your child is ill and cannot attend childcare center or home. The alternate or back up provider will be reimbursed as approved childcare hours for 10 days per fiscal year if the primary provider requires payment for absences.

## Attendance Guidelines

A family enrolled in the **California Alternative Payment Program** or the **CalWORKs** program agrees to use specific days/hours of care based on the need authorized on the Child Care Certificate issued by Choices for Children.

## **Attendance Log(s)**

Parents and providers must maintain an attendance log on a daily basis to record the child's attendance with the child care provider. Parents are responsible to report the child's actual time in and out daily.

School-age children must also reflect an actual time in and out for school hours (this can be done by the provider). The **attendance logs are legal documents, therefore they must be completed**, accurately by **both** the parent and the provider. **They must reflect the actual time in and out of care (see sample). Parents are responsible for paying providers for any care used but not approved by Choices for Children.**

Attendance logs must be completed properly by the parent and the child care provider before payment can be made. Failure to complete the attendance logs in a prompt and proper manner may result in termination from the program.

**The provider is responsible for submitting the attendance logs monthly to Choices for Children for reimbursement.**

Original attendance log must be received by Choices for Children no later than the third (3<sup>rd</sup>) day of the month following the month of care by 5:00pm. Attendance log submits after the third (3<sup>rd</sup>) of the month may result in a delay of reimbursement.

Choices for Children recommends that providers make a copy of all attendance log(s), for their own records, **prior** to submitting them to Choices for Children for reimbursement.

Attendance log(s) may be mailed or dropped off directly at Choices for Children's office at 20 Great Oaks Blvd Suite #200, San Jose CA 95119. Choices for Children is not responsible for Attendance log(s) lost in the mail.

Once attendance records are received by Choices for Children they are stamped date received and distributed to the assigned Child Care Counselor.

## **When Child Care Hours Needed/Used Are Different Than Hours Authorized Additional Child Care Hours**

To receive consideration for reimbursement of additional hours you must do the following:

- Inform your Child Care Counselor of the need for additional child care hours.
- Submit supporting documentation of your need for the additional hours. Supporting documentation may include: (Employer generated work schedule, letter from employer written on company letterhead, pay stub showing the additional hours worked).
- Attendance records should reflect the actual hours used.

While the additional child care hours may be eligible for reimbursement, the reimbursement to your provider may not necessarily increase as the estimated rate may already be the maximum allowable reimbursement amount.

Should the provider's expected reimbursement exceed the maximum Choices for Children can reimburse, the parent will have a co-payment, which is paid directly to the child care provider.

## **Attendance Log(s) Review**

### **Broadly Consistent**

Choices for Children is responsible to review the use of child care services to ensure that the days and hours of care are broadly consistent with family's authorized child care schedule.

**Broadly Consistent:** The days and hours used by the parent are the same or those approved on the child care certificate and would not result in a change of authorized hours of care and/or authorized rate.

### **Set Schedule**

When a family is authorized a set child care schedule, the child care usage is reviewed when Choices for Children processes the attendance records for reimbursement. **If there is a pattern of care usage which is broadly inconsistent** with the authorized days and hours, the parent may contact the Child Care Counselor to increase the child's hour of care.

If there is a temporary or one time change in the parent's schedule, and the parent notified the subsidy counselor of the change, it will be considered as broadly consistent in approved hours of care. If the parent reports any changes, applicable changes in authorized child care hours will be made after necessary documentation is received and verified.

### **Variable Schedule**

When a family has a variable child care schedule, child care usage and need activity are reviewed by your Child Care Counselor based on the maximum of your work hours plus travel time.

If the child's absences are longer than three (3) consecutive days the child care provider must contact Choices for Children. Choices for Children will only reimburse provider up to 10 days from the day that the child last attended the day care.

## **Reasons for Non-Reimbursement**

All or part of an attendance record will not be eligible for reimbursement when:

- Attendance log(s) is faxed or a copy is submitted, without an authorized reason.
- A variable child care schedule is authorized and missing times on the attendance log(s) prevent reimbursement.
- A license-exempt Non-Relative child care provider is not registered with Trustline within thirty (30) days of Trustline Registry Background Check Application (TLR Date).
- A provider's child care license is suspended or revoked.
- The provider has committed fraud regarding eligibility or child care services provided.

## **Changing Providers**

When a family decides to change child care providers, the parent must give a two (2) week notice to both the current provider and Choices for Children. Failure to do so may result in termination from the program.

If a two (2) week notice is not given to the provider, the parent is liable for payment to the new provider. Families and providers may mutually agree to end contracted care before a two (2) week notice period has been used. In such cases, both parties must contact Choices for Children to verify the agreement. If a family terminates child care with a provider and the family remains enrolled in the program, a new provider must be found within **ten (10) working days**. If a license exempt provider is chosen, the provider may need to complete the TRUSTLINE application process before care begins. A license exempt provider becomes an eligible provider when their TRUSTLINE registration is cleared. If the provider fails to complete the TRUSTLINE application process, the parent may need to select a licensed provider or other eligible license exempt provider. If the TRUSTLINE application is DENIED, the provider is immediately ineligible to receive payment and any care costs accrued are the responsibility of the parent. **The family fee is charged while the parent is selecting a new provider.**

## **Transfer**

When a family moves out of Santa Clara County, Choices for Children can provide referral information for subsidized child care in other counties in California. Programs throughout the state **may** enroll families who transfer from Choices for Children if funds are available to accept the transfer at that time and if it is the other agency's policy to accept transfers on a priority basis.

## **Confidentiality of records:**

All information obtained in the case file is confidential. Files are only viewed by the assigned case manager or program management for audit purposes. Information is not shared with any outside party without a court order or subpoena. Parents/Foster parents may view their files at their request.

## **Termination/Fraud Policy**

Choices for Children may terminate a family from program eligibility for any of the following:

1. Delinquency in payment of the family fee.
2. Collaborating with other individuals to commit fraudulent acts.
3. Failure to provide current and correct information as requested at certification or recertification.
4. Parent/child no longer meets eligibility requirements for funding.
5. Fraudulent, false or misleading documentation regarding training programs, schools, medical incapacitation, employment and/or income.
6. Per parent request.
7. For Cause.

If any of the above applies the family will receive a nineteen (19) day Termination Notice of Action. **This Notice of Action is not an extension for any previous Termination.**

## **UNIFORM COMPLAINT POLICY – Child Development Inc. / Choices for Children**

Child Development Inc. /Choices for Children strives to provide the community with the highest quality programs and services for children, families and providers. We live within the guidelines of all applicable laws, regulations and ethical standards. We therefore welcome feedback and suggestions from parents, families and providers about our programs and services. It is our agency's desire to handle all issues and complaints as quickly as possible.

Individuals, agencies, organizations, families, providers, students and interested third parties have the right to file a complaint regarding our program's alleged violation of federal and/or state laws. It is our agency's preference that complaints be filed with our agency first. However, in the event that any party is not satisfied with the services rendered and wants to express or file a formal complaint, we will handle such complaint in the following manner:

- We will provide the complainant with the information about their rights and guidelines for filing a formal complaint with the appropriate government agency or department that has jurisdiction for the program.
- If the family or provider is not satisfied with the final decision of the agency, remedies may be sought in federal or state court.
- When a written complaint is brought directly to any staff manager at Child Development Inc./Choices for Children, they will acknowledge receipt, in writing, within 3-5 working days.
- Child Development Inc. will conduct an internal investigation regarding the issue or complaint.
- Depending on the nature and severity of the issue, Senior Management will decide on the composition and size of the team conducting the investigation.
- An independent party will be designated to coordinate and conduct the investigation.
- The family and/or provider will not be negatively affected in the continued usage of our services due to their action of filing the complaint.
- We will treat the family and/or provider with respect in the investigation of the complaint.
- We expect the family or provider to provide necessary information and cooperation in the investigation of the complaint.
- We will give the employees who are involved in the situation the opportunity to give an account of the events and explain their perspectives.
- The decision will be communicated to the complainant in writing within thirty (30) days. Any extenuating circumstance that might require more time will be communicated at least one week prior to the date the decision is due.
- An officer of the company will make the final decision on the outcome of the investigation, should there be any conflict or disagreement about the initial decision made by the in-house independent investigation.
- The time limit a complaint can be filed is governed by our funding terms and conditions and in the absence of those, is two years.

# **Parent & Provider Handbook Fraud Policy Receipt and Acknowledgment**

My signature below indicates that I have received the Choices for Children Parent & Provider Handbook and that I understand the Fraud Policy.

I understand that failure to provide information regarding my eligibility and/or providing false, fraudulent and misleading information will result in termination from Choices for Children's subsidized program. I also understand that Choices for Children may refer cases involving suspicion of fraudulent activity to the Santa Clara County District Attorney office for investigation and/or prosecution to recover funds as necessary.

\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Counselor Signature

\_\_\_\_\_  
Date

Legal Reference is 45 Code of Federal Regulations (CFR), Parts 95& 99, Child Care and Development Block Grant. Section 98.6 and the California Education Code. Section 8263et al.



**Dear Child Care Provider,**

Thank you for providing child care services to our Choices for Children families.

The reimbursement process is as follows:

- The Attendance Sheet is the legal document used to verify that child care services were provided as authorized by Choices for Children. The parent must sign in and out on a daily basis reflecting actual times.
- At the end of each month, the provider and the parent must sign the bottom of the Attendance Sheet certifying actual child care services provided during the month.
- Attendance Sheets must be received by Choices for Children no later than the third (3rd) day of the month following the month of care. Attendance Sheets submitted after the third (3rd) of the month may not be processed and reimbursed until the following month.
- Choices for Children will mail your reimbursement check on the tenth (10<sup>th</sup>) working day of the month.

For your convenience the **MAIL OUT DATES** are listed below:

<b>January 15, 2019</b>	<b>July 15, 2019</b>
<b>February 14, 2019</b>	<b>August 14, 2019</b>
<b>March 14, 2019</b>	<b>September 16, 2019</b>
<b>April 12, 2019</b>	<b>October 14, 2019</b>
<b>May 14, 2019</b>	<b>November 15, 2019</b>
<b>June 14, 2019</b>	<b>December 13, 2019</b>

Please allow five (7) business days for your reimbursement check to arrive.

To help avoid a delay in your reimbursement, please follow the above procedures and immediately inform us of any change in your mailing address. Please feel free to call if you have any questions @ (408) 297-3295.

Thank you again for your cooperation and the services you provide to our families!

# Provider Information and Responsibility

## Providers as Independent Contractors

Thank you for your interest in contracting with Choices for Children to provide child care services to a family enrolled in the subsidized childcare program. **All providers must welcome enrollment of children and families on a nondiscriminatory basis, according to equal treatment and access to services without regard to sex, race, religion, ethnic background, physical handicap/other special needs, or sexual preference.** All payments for services will be issued to the provider on record. The State of California Employment Development Department requires Form DE 542 be completed for all active child care service providers receiving payments from our agency. If you have any questions or concerns, please do not hesitate to contact one of our Provider Compliance Specialists, @ 408-297-3295, during normal business hours.

Providers are **NOT** employees of Choices for Children and are held as **Independent Contractors** for Federal and State Tax purposes. You are **NOT** eligible for Workman's Compensation, Disability Insurance or Unemployment Benefits through Choices for Children. **It is imperative that the correct mailing address and Taxpayer Identification Number be on file with our agency.** This information must be the same on all requested documentation. For license exempt providers this Taxpayer Identification Number (TIN) will be your social security number. Licensed providers and Day Care Centers who employ workers in their facilities may furnish their Employer Identification Number (EIN). As an Alternative Payment Program, Choices for Children is required to report all payments of \$600 or more received by the child care provider during the calendar year (January through December) as **Non-Employee Compensation** on IRS Form 1099-MISC. All payments reported are considered "self-employment" and no Federal or State taxes are withheld. You will receive Form 1099-MISC in the mail postmarked by January 31<sup>st</sup> of the year following the receipt of the payments. The information is also being furnished to the Internal Revenue Service and the California Franchise Tax Board. Choices for Children is **not** required to complete a Form 1099-MISC for providers who received less than \$600 in payments per calendar year. However, providers **are** required to report all income received for child care services on their individual tax returns. Please contact your tax advisor if you are subject to withholding requirements and self-employment tax.

## Eligibility to Receive Payment for Services

Choices for Children is authorized to reimburse licensed family day care, child care centers and license exempt providers for child care services. Choices for Children will not establish hours of care to be paid without a copy of the current Child Care License, and, if applicable, verification that TRUSTLINE registry has been CLEARED. **All providers must grant parents unlimited access to their children.**

Care is not reimbursable until all the provider paperwork is signed, returned and complete.

**Choices for Children will not issue a Certificate for Child Care Services until the child care provider is eligible to receive reimbursement. New providers have 30 days to complete the eligibility process.**

**Until the child care provider is found to be eligible the parent will be responsible for child care reimbursement.**

Choices for Children will reimburse the provider directly for child care services rendered as authorized on the child care certificate. Reimbursement for child care services is made on a prior month basis (after child care has been provided).

**Example:** Providers can bill Choices for Children for October care on November 1<sup>st</sup>.

## **Termination/Fraud Policy**

When a family chooses to terminate from the program or from a child care provider, it is required that they notify both Choices for Children and their child care provider two (2) weeks in advance of their termination.

When a child care provider terminates a family enrolled in the program, they must notify both Choices for Children and the parent two (2) weeks in advance of the termination to allow the family time to seek other care.

Choices for Children may terminate providers for any of the following reasons:

- Failure to provide current and correct information regarding child care attendance.
- The child care situation is deemed detrimental to the health and welfare of the child(ren).
- Submission of fraudulent or collusive information on requested paperwork.
- Submission of false or misleading documentation regarding program participation or payment for services.
- Failure to provide correct and current information as requested by Choices for Children.
- Cashing a reimbursement check that has already been reported lost.
- Collaborating with other individuals to commit fraudulent acts.
- A provider's child care license is suspended or revoked.
- Denial of Trustline Clearance.
- For Cause.

If Choices for Children advises a provider that their affiliation with the program will be terminated, the child care provider may appeal by offering documentation that disproves the allegation. The program director will then review the decision and inform the provider of the outcome of the appeal within ten (10) days. A final appeal may be made to the agency's corporate office if the provider is dissatisfied with the outcome of the agency appeal.

## **UNIFORM COMPLAINT POLICY**

### **Child Development Inc./ Choices for Children**

Child Development Inc. / Choices for Children strives to provide the community with the highest quality programs and services for children, families and providers. We live within the guidelines of all applicable laws, regulations and ethical standards. We therefore welcome feedback and suggestions from parents, families and providers about our programs and services. It is our agency's desire to handle all issues and complaints as quickly as possible.

Individuals, agencies, organizations, families, providers, students and interested third parties have the right to file a complaint regarding our program's alleged violation of federal and/or state laws.

It is our agency's preference that complaints be filed with our Agency first. However, in the event that any party is not satisfied with the services rendered and wants to express or file a formal complaint, we will handle such complaint in the following manner:

- We will provide the complainant with the information about their rights and guidelines for filing a formal complaint with the appropriate government agency or department that has jurisdiction for the program.
- If the family or provider is not satisfied with the final decision of the agency, remedies may be sought in federal or state court.
- When a written complaint is brought directly to any staff manager at Child Development Inc. / Choices for Children, they will acknowledge receipt, in writing, within 3-5 working days.
- Child Development Inc. will conduct an internal investigation regarding the issue or complaint.
- Depending on the nature and severity of the issue, Senior Management will decide on the composition and size of the team conducting the investigation.
- An independent party will be designated to coordinate and conduct the investigation.
- The family and/or provider will not be negatively affected in the continued usage of our services due to their action of filing the complaint.
- We will treat the family and/or provider with respect in the investigation of the complaint.
- We expect the family or provider to provide necessary information and cooperation in the investigation of the complaint.
- We will give the employees who are involved in the situation the opportunity to give an account of the events and explain their perspectives.
- The decision will be communicated to the complainant in writing within thirty (30) days. Any extenuating circumstance that might require more time will be communicated at least one week prior to the date the decision is due.
- An officer of the company will make the final decision on the outcome of the investigation, should there be any conflict or disagreement about the initial decision made by the in-house independent investigation.
- The time limit a complaint can be filed is governed by our funding terms and conditions and in the absence of those, is two years.

# License Exempt Provider

## Relative/Non-Relative Care

In-Home and License-Exempt Child Care Providers may care for children from only one other family besides their own. All license-exempt providers must attend an Orientation at Choices for Children.

## TRUSTLINE

Individuals who are not the grand parent, aunt or uncle by blood, marriage or court decree of the child(ren) in care are considered “Non-Relative.” **All non-relative providers must be CLEARED by TRUSTLINE.** If TRUSTLINE is denied, child care costs will not be paid and are the responsibility of the parent. The California Department of Social Services will mail a denial letter including information on the appeal process.

## Reimbursement Rates

Each provider must submit a RATE SHEET specifying their child care rates and complete a Provider Rate Agreement. Choices for Children will not pay a provider above the state and county maximum for the type of care provided. Any rate that exceeds the maximum will be the responsibility of the parent. **Providers must not charge Choices for Children more than they charge non-subsidized families.** According to the California Department of Education, each child care provider may request a change in their rate for child care services **once per year**. This change must be reported by submitting an updated RATE SHEET and Provider Eligibility Information.

Questions regarding reimbursement payments or other accounting related issues should be directed to the Family Child Care Counselor.

## Reimbursement for Services

Providers must keep daily attendance logs (provided by Choices for Children) for each child enrolled in the California Alternative Payment Program and CalWORKs programs. Each child must have record of an actual time in and out of care by the parent/caretaker daily. Attendance logs for children attending school must reflect school hours. These attendance logs are used by Choices for Children to determine enrollment and provider reimbursement payments.

**Attendance logs are legal documents. They must be completed accurately.** Attendance logs must be completed by both the parent and the provider. **They must reflect actual time in and out of care (see sample). The provider is responsible for submitting attendance logs to Choices for Children, NOT THE PARENT.** Choices for Children will reimburse child care provider(s) based on hours contracted on the Certificate for Child Care Services. If child care is needed for additional hours or days on a permanent basis, Choices for Children will issue a new Certificate for Childcare Services.

*The Certificate for Child Care Services is a legal contract between the provider, the parent, and Choices for Children. They are utilized to determine the amount of payment to a provider. License-exempt child providers are not reimbursed for any absences or holidays in which the children are not in care.*

## **Complaints**

Child care providers who want to register a complaint regarding the program should contact the Program Director. Every effort will be made to resolve the problem to the mutual satisfaction of all parties involved.

Complaints lodged against child care providers are reviewed to determine if the issue is a personal disagreement between individual parties or if the welfare of the child(ren) in care is in jeopardy. This is done as reasonably as possible. Personal matters are left to those involved for resolution; however, if requested Choices for Children representatives may participate as a mediator. Choices for Children will determine whether or not a two- week notice is to be given to the provider. The more serious matters will be reported to the appropriate agency, such as the Department of Social Services and/or local law enforcement for review. Choices for Children does not make a judgment as to guilt or innocence of the provider, but as a mandated reporter, must notify the licensing agency if a serious complaint is lodged.

**Parent & Provider Handbook  
Fraud Policy  
Receipt and Acknowledgment**

My signature below indicates that I have received the Parent & Provider Handbook form Choices for Children. I understand the information provided and my responsibilities. It is clear to me that Child Care Providers are held as **Independent Contractors** for Federal and State Tax purposes and are **NOT** employees of Choices for Children. I am **NOT** eligible for Workman's Compensation, Disability Insurance or Unemployment Benefits through Choices for Children.

The Termination/Fraud Policy has been explained to me. I understand that failure to provide requested documentation and/or providing false, fraudulent and misleading information will not only result in termination from Choices for Children subsidized child care program but it will also result in my having to repay money paid out to me for child care services and/or criminal prosecution.

\_\_\_\_\_  
Child Care Provider

\_\_\_\_\_  
Date

\_\_\_\_\_  
Provider Compliance Specialist

\_\_\_\_\_  
Date

# Licensed Providers

## Reimbursement Rates

Choices for Children will not pay a provider above the state and county maximum for the type of care provided. Any rate that exceeds Choices for Children's maximum will be the responsibility of the parent. **Providers must not charge Choices for Children more than they charge non-subsidized families. Licensed providers are required to provide Choices for Children with a copy of their Contract/Parent Agreement/Payment Policy and a RATE SHEET.** Choices for Children will not pay licensed child care providers for absences, holidays and/or vacations unless it is stated on their Contract/Parent Agreement/Payment Policy. Choices for Children can pay no more than 10 (ten) Non Operation days per year, this includes provider vacations. **The California Department of Education's legal office affirms that Title 5 regulations, as written, do not violate provisions of the Information Practices Act (IPA) or any other statutes regarding privacy. There are provisions requiring agencies to treat information received from unsubsidized families as confidential.**

Payment will be made at an hourly, daily, weekly or monthly rate depending on the child care needs of the parent.

ADA laws prohibit the charging of higher rates for children with special needs. If a provider's normal and customary rates charged to all families, is lower than the RMR (Regional Market Rate) ceiling **and** the provider has "on going, extra expenses directly related to caring for a particular child's special needs, the provider can then receive an adjusted rate for services provided.

According to the California Department of Education each child care provider may request a change to their rate for child care services **once per year**. This change must be reported by updating your RATE SHEET and a Provider Eligibility Information form. Any new rates and/or policies requested will be **effective the 1<sup>st</sup> day of the following month** after the request has been submitted. Choices for Children will not back pay for rate change requests submitted late.

Questions regarding your reimbursement payments or other accounting related issues should be directed to the Child Care Counselor.

## Attendance

Providers must keep daily attendance logs (provided by Choices for Children) for each child enrolled in the California Alternative Payment Program and CalWORKs programs. Each child must have record of an actual time in and out of care by the parent/caretaker daily. Attendance logs for children attending school must reflect school hours. These attendance logs are used by Choices for Children to determine enrollment and provider reimbursement payments.

**Attendance logs are legal documents. They must be completed accurately.** Attendance logs must be completed by both the parent and the provider. **They must reflect actual time in and out of care (see sample). The provider is responsible for submitting attendance logs to Choices for Children, NOT THE PARENT.**

Choices for Children will reimburse child care provider(s) based on hours contracted on the Certificate for Child Care Services. If child care is provided for additional hours or days on a permanent basis, Choices for Children will issue a new Certificate for Childcare Services.

If absences are longer than three (3) consecutive days, the provider must notify Choices for Children. Choices for Children will only reimburse providers up to ten (10) days from the day that the child last attended the day care.

## **Complaints**

Child care providers who want to register a complaint regarding the program should contact the Program Director. Every effort will be made to resolve the problem to the mutual satisfaction of all parties involved.

Complaints lodged against child care providers are reviewed to determine if the issue is a personal disagreement between individual parties or if the welfare of the child(ren) in care is in jeopardy. This is done as reasonably as possible. Personal matters are left to those involved for resolution; however, if requested Choices for Children representatives may participate as a mediator. Choices for Children will determine whether or not a two- week notice is to be given to the provider. The more serious matters will be reported to Community Care Licensing for review. Choices for Children does not make a judgment as to guilt or innocence of the provider, but as a mandated reporter, must notify the licensing agency if a serious complaint is lodged.