

ORANGE COUNTY DEPARTMENT OF EDUCATION

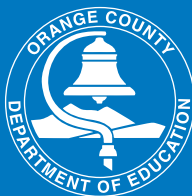
# Family Support Services

EFFECTIVE JULY 2022



PARENT/PROVIDER PARTICIPATION GUIDELINES

The Orange County Department of Education Family Support Services (OCDE FSS) administers the Alternative Payment Program through funding provided by the California Department of Social Services, Child Care and Development Division. OCDE FSS welcomes the enrollment of children with special needs and disabilities. OCDE FSS does not discriminate based on sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability in determining which children are served.



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# Part 1: Introduction



# ORANGE COUNTY DEPARTMENT OF EDUCATION

## ***Vision***

Orange County students will lead the nation in college and career readiness and success.

## ***Mission***

The mission of the Orange County Department of Education (OCDE) is to ensure that all students are equipped with the competencies they need to thrive in the 21st century.

OCDE is a public education organization offering support to 28 school districts and more than 600 schools serving more than 475,000 students in Orange County.

OCDE's personnel offer support, professional development, and student programs through its divisions and departments: Administrative Services; Alternative Education; Business Services; Educational Services; Governance, Leadership and Community Partnerships; Information Technology; Legal Services; and Special Education.

## ***Values***

OCDE is dedicated to the fundamental human values of respect, responsibility, integrity, and professional ethics. Our priority is service to students, schools, districts, families, and community members. We provide a safe, caring, courteous, and professional environment that fosters collaborative work and individual development for our employees. We hold ourselves and each other accountable for the highest level of performance, efficiency, resource management, and professionalism.



A handwritten signature in black ink that reads "Al Mijares".

Al Mijares, Ph.D.  
County Superintendent of Schools

## **FAMILY SUPPORT SERVICES**

The Orange County Department of Education (OCDE) Family Support Services (FSS) program helps subsidize child care payments for eligible families in Orange County. The program is funded by the California Department of Social Services (CDSS), Child Care and Development Division (CCDD). Subsidized child care is provided via contracts established between OCDE Family Support Services and a child care provider who is an independent contractor selected by the parent.

OCDE FSS encourages families to carefully select a child care provider. Families may choose licensed family day care homes, license-exempt providers, center programs, or school districts. Parents are encouraged to select a child care setting that best reflects their parental and cultural values, meeting the individual needs of their family.

### ***Mission Goals***

- We support families in choosing quality child care in order to facilitate the learning, growth, and development of their children.
- We provide subsidized child care services allowing parents to work towards becoming economically self-sufficient.
- We provide information regarding parenting skills
- We identify community resources to assist families.



## PURPOSE OF THE PARTICIPATION GUIDELINES

The purpose of the Participation Guidelines is to help families and child care providers understand the subsidized child care program in which they are participating and the Orange County Department of Education Family Support Services (OCDE FSS) policies for participation as governed by Federal and State regulations.

**It is the responsibility of all parties participating in OCDE Family Support Services subsidized child care program to be fully familiar with our program's policies and procedures.**

### *Program Philosophy*

OCDE FSS is committed to providing efficient and friendly customer service while creating a comfortable and welcoming environment to families and child care providers.

OCDE FSS' commitment:

- Staff will be available as a resource to the families and child care providers we serve.
- Staff will support families' access to quality child care that best reflects their parental and cultural values and provides a foundation for school readiness and academic success.
- Staff will have the skills and ability to provide efficient service and support.
- Staff is committed to excellence and accountability in order for the Family Support Services Program to be fiscally and legally sound.



# COMMUNICATION

## Family Support Services

Tel. (714) 708-3860 • Fax (714) 708-2916

## Mailing Address

P.O. Box 9050, Costa Mesa, CA 92628-9050

## Office Address

3001 Red Hill Ave., Bldg. 4, Suite 113, Costa Mesa, CA 92626

1. OCDE FSS will notify the program participants of any important dates, requirements, and actions in writing utilizing the United States Postal Service for delivery of mail and/or email.
2. Program participants are responsible to provide and report changes to OCDE FSS including address, mailing address, email address and phone number. OCDE FSS is not responsible for mail that is lost, stolen, undelivered or not received.
3. Program participants may also request some forms of communication through email. Parent must provide and update OCDE FSS with current email address.
4. Program participants are responsible to verify that OCDE FSS has received requested documentation by the due date whether sent via fax, US Mail, email, or hand delivered to office.
5. OCDE FSS staff may not be available at all times during the day, therefore program participants should call and make an appointment with their FSS representative. This will allow staff the ability to assist participant more efficiently.
6. OCDE FSS will not make copies of documents or attendance sheets.





## **CONFIDENTIALITY**

The disclosure of all information pertaining to a Participant will be restricted to purposes directly connected with the administration of the program. OCDE FSS will share information with local, state, and federal government agencies as requested.

OCDE FSS will not share information regarding families with any child care provider except to communicate the approval or disenrollment from OCDE FSS. If applicable, OCDE FSS will share with parent information regarding child care providers concerning license, payment rates, and statutes as an OCDE FSS independent contractor.

## **CONDUCT OF PARTICIPANTS**

Participants in OCDE FSS programs are required to conduct themselves in a courteous manner when communicating with OCDE FSS staff. If OCDE FSS determines that a participant's conduct is unacceptable, OCDE FSS reserves the right to disenroll or terminate Child Care Services. In a situation involving acts of violence, threatened violence, or unlawful harassment against OCDE FSS staff, the on-site Family Support Services Administrator may terminate services and immediately suspend child care reimbursement without notice to the parent or provider.



## ABBREVIATIONS USED IN HANDBOOK

<b>CalWORKs</b>	California Work Opportunity and Responsibility to Kids
<b>CDSS</b>	California Department of Social Services
<b>CCDD</b>	Child Care and Development Division
<b>CCEL</b>	Child Care Eligibility List
<b>CDE</b>	California Department of Education
<b>Certificate</b>	Certificate for Child Care Services
<b>CFR</b>	Code of Federal Regulations
<b>CHS</b>	Children's Home Society of California
<b>CPS</b>	Child Protective Services
<b>EC</b>	Education Code
<b>FSS</b>	Family Support Services
<b>IEP</b>	Individualized Education Plan
<b>IFSP</b>	Individualized Family Service Plan
<b>NOA</b>	Notice of Action
<b>OCDE</b>	Orange County Department of Education
<b>R &amp; R</b>	Resource and Referral
<b>RMR</b>	Regional Market Rate
<b>SMI</b>	State Median Income
<b>SSA</b>	Social Services Agency
<b>UCP</b>	Uniform Complaint Procedure

# Part 2: Parent Guidelines



## QUALIFYING FOR CHILD CARE

### *Family Enrollment*

To be eligible for services, the parent must live in and/or have a qualifying need for child care in Orange County, California as established by California Department of Social Services, Child Care and Development Division (CDSS CCDD).

Families are enrolled from a Child Care Eligibility List (CCEL) maintained by the Resource and Referral (R & R) department at Children's Home Society of California (CHS). Families are enrolled according to the following priorities:

- **First Priority:** A referral from the local county child protective agency, certifying that the child is receiving child protective services and that child care and development services are part of the case plan; or a referral from a legally qualified professional that the child is at risk of abuse, neglect, or exploitation and that child care and development services are necessary to reduce or eliminate the risk.
- **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 per capita income admitted first.

Before child care services can be approved, current qualifying need and eligibility documentation must be on file with OCDE FSS. OCDE FSS will not enroll any family who has been disenrolled from another agency due to receiving services based on incomplete, misleading, or deceitful information. Any family owing a previous outstanding balance for unpaid family fees will not be enrolled until payment has been made.



## APPROVAL OF SERVICES

At initial enrollment or at recertification family must meet Eligibility (*EC 8263[a][1]*) and Need (*EC 8263[a][1][B]*) criteria. OCDE FSS shall:

1. Make determination of eligibility without regard to the immigration status of the child or the child's parent(s) unless the child or the child's parent(s) is under a final order of deportation from the United States Department of Homeland Security.
2. For families funded under CalWORKs budgets, 12-month eligibility starts on the date the program representative signs/approves the application for services. Families will be notified 30 days in advance of what is required to recertify and will be required to bring in documentation after the 12-month eligibility period has expired.
3. For families funded under California Alternative Payment Program (CAPP) budgets, 24-month eligibility starts on the date the program representative signs/approves the application for services. Families will be notified 30 days in advance of what is required to recertify and will be required to bring in documentation after the 24-month eligibility period has expired.
4. Consider the family to meet the eligibility and/or need requirements for the duration of their eligibility.
5. Provide those services for the duration of their eligibility period before requiring the family to recertify eligibility and need for services.
6. Issue a Notice of Action (NOA) when the family has been certified for care and will include the following information:
  - a. Basis of eligibility;
  - b. Part time/full time monthly family fee, if applicable;
  - c. Date services is approved to begin;
  - d. Duration of the eligibility;
  - e. Name of child(ren) approved to receive services; and
  - f. Hours of service approved for each day.

7. A Certificate for Child Care Services (Certificate) will be issued to the provider and a copy to the parent which shall be used to obtain child care services. The Certificate will include name of parent and child, age of child, authorized hours of child care with the maximum value or amount allowed for the type of care. Parent is responsible for any amount above the maximum amount OCDE FSS can reimburse.
8. Children who have reached their thirteenth birthday are ineligible for subsidized services at initial certification or at 12 months from approved date of application, except those children with exceptional needs. Severely disabled children may be served to age twenty-one. Children with exceptional needs shall also meet the criteria for that age group specified in *EC 56026*, and *5 CCR 18089*.

## **ELIGIBILITY REQUIREMENT**

To qualify for subsidized child care, a family must meet at least one of the following eligibility requirements:

1. Family is a current CalWORKS cash aid recipient
2. Family is income eligible
3. Family is experiencing homelessness or
4. Family has children who are recipients of child protective services, or whose children have been identified as being abused, neglected, or exploited, or “At-Risk” of being abused, neglected, or exploited.

In addition, documentation and determination of family size is required.

### ***Documentation and Determination of Family Size***

A parent shall provide the names of the parents and the names, gender, and birth dates of the children identified in the family. This information shall be documented on their application for child care and development services and used to determine the family size. The parent shall provide supporting documentation regarding the number of children and parents in the family.

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

- a. Birth certificates;
- 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.

When a child receiving services is not living with a biological or adoptive parent, “family” shall be considered the child and related siblings in the household.

## **QUALIFYING NEED**

The family must meet one of the below qualifying need for care services:

1. The child is identified by a legal, medical, or social services agency, a local educational agency liaison for children and youths experiencing homelessness designated pursuant to 42 US 11432(g)(1)(j)(ii), a Head Start program, or an emergency shelter or transitional shelter as:
  - a. A recipient of Child Protective Services,
  - b. Being neglected, abused, or exploited, or At-Risk of neglect, abuse, or exploitation,
  - c. Experiencing homelessness.
2. The parent(s) are:
  - a. Employed,
  - b. Seeking employment,
  - c. Engaged in vocational training leading directly to a recognized trade, para-profession, or profession,
  - d. Engaged in an educational program for English Language Learners or to attain a high school diploma or General Education Degree (GED).
  - e. Seeking permanent housing for family stability,
  - f. Incapacitated.

Families who are eligible for subsidized child care based on income, public assistance, or experiencing homelessness must document that each parent in the family meets a need criterion.

## **REQUIRED DOCUMENTATION FOR NEED**

Family must provide documentation to support their need for child care at the time of enrollment and at each recertification thereafter.

### ***Employment***

Parent must submit a completed Employment Verification form indicating days and hours of employment. Volunteer work and the supervision of parent's own child(ren) are not considered employment. OCDE FSS reserves the right to request additional documentation to verify employment.

### ***Seeking Employment***

Parent must complete a Seeking Employment Agreement. Seeking employment includes activities directly related to the attainment of employment such as interviews, preparation of a resume and/or job counseling. Services shall occur on no more than five (5) days per week (Monday-Friday) and for less than 30 hours per week.

Child care hours for family participating in CalWORKs shall be in accordance with the approved Welfare-to-Work plan on file with OCDE FSS.

### ***Training Towards Vocational Goal***

1. Parent must submit a completed Training Verification form along with school's class printout of their course schedule (dates and times of scheduled classes) or a letter on the school's letterhead signed by an authorized representative before child care will be approved.
2. Parent must complete, sign and submit a current Training/Vocational Agreement form.
3. Eligibility for child care assistance while attending a training/vocational program is limited to six (6) years from the initiation of services or 24 semester units or its equivalent after the attainment of a Bachelor's degree and must be from an accredited school or program.
4. Courses completed remotely over the Internet must include a statement from the school regarding the average number of hours required to complete the course, the class web address and a course syllabus. A schedule is determined by OCDE FSS to accommodate the required hours.



5. An internship/externship must be approved by the school, training program or CalWORKs.
6. Child care hours will only be approved for courses required towards the professional/vocational goal. Parent may request study time up to two (2) hours per week per academic unit of study for each class related to the professional/vocational goal. OCDE FSS may approve, on a case by case basis, additional study or travel time if requested. OCDE FSS will also approve on a case-by-case basis, study time that is no more than the number of class hours per week for non-academic or non-unit class.
7. OCDE FSS reserves the right to request additional documentation to verify training/vocational data.
8. Child care hours for family participating in CalWORKs shall be in accordance with the approved Welfare-to-Work plan on file with OCDE FSS.

### ***Progress towards Vocational Goal***

At recertification, parent must submit to OCDE FSS documentation of adequate progress for the most recently completed quarter, semester or training period as established on the submitted Training Verification form.

1. Parent must submit one of the following items as proof of satisfactory progress:
  - a. A grade report indicating satisfactory completion of all class/course work per term/semester with a Grade Point Average of 2.0 or better.
  - b. In a non-graded program, pass the program's requirements in at least 50 percent of the classes or meet the training institutions standard of making adequate progress. As proof of progress, parent must submit one or more of the following documents:
    - i. Written evaluation by school or vocational training program indicating successful course completion
    - ii. Certificate
    - iii. Diploma
2. The first time a parent does not make adequate progress, parent may be recertified and continue to receive services. The additional following actions will be taken:
  - a. Parent will be placed on academic probation for the upcoming eligibility period.

- b. At the conclusion of the eligibility period, the parent shall have made adequate progress in order to be recertified for services based on vocational training.
3. At the conclusion of the eligibility period in which the parent was placed on academic probation, parent shall have made satisfactory progress by submitting proof as listed in Item 1.

***Failure to submit proof of adequate progress will result in suspension of your need for vocational training for six (6) months, and may be grounds for disenrollment from child care services if another qualifying need for child care is not provided.***

### ***Educational Program***

Parent enrolled in an English Language Learner / English as a Second Language (ELL/ESL) program or a program to attain a high school diploma or General Education Degree / High School Equivalency (GED/HSE) certificate must submit:

1. A completed Training Verification form along with a computer printout of their course schedule (dates and times of scheduled classes) or a letter on the school's letterhead signed by an authorized representative before child care will be approved.
2. Parent must complete, sign and submit a current Training/ Vocational Agreement form.
3. At recertification, parent must submit to OCDE FSS documentation of adequate progress in enrolled program.

### ***Homelessness***

Parent must submit the following documentation if their need for services is homelessness.

1. If the basis of eligibility as specified in *EC 8263(a)(1)(A)* is experiencing homelessness, the family data file shall include documentation of experiencing homelessness. The documentation of experiencing homelessness shall include:
  - a. A written referral from an emergency shelter or other legal, medical, social service agency, local educational agency liaison for children and youths experiencing homelessness, designated pursuant to Section 11432(g)(1)(J)(ii) of Title 42 of the United States Code, or a Head Start program; or
  - b. A written parental declaration that the family is experiencing homelessness and a statement describing the family's current living situation.

2. If experiencing homelessness is as specified in EC 8263(a)(1)(B) the basis of need, the child must be identified as experiencing homelessness by one of the following entities:
  - a. A legal, medical or social services agency
  - b. A local educational agency liaison for children and youth experiencing homelessness
  - c. A Head Start Program
  - d. Emergency or transitional shelter
3. The enrollment of children experiencing homelessness shall occur pending the submittal of all eligibility and need documentation. If the parent has been identified as experiencing homelessness on the application, OCDE FSS will permit the enrollment of experiencing homelessness children to begin immediately upon the parent signing the application.
4. Hours and days may not exceed five (5) days per week, for less than 30 hours per week.

### ***Seeking Permanent Housing***

Parent must complete an OCDE FSS *Seeking Permanent Housing Agreement* which includes a statement under penalty of perjury that parent is seeking permanent housing. Seeking permanent housing includes activities directly related to the attainment of permanent housing. Services may be approved for no more than five (5) days per week (Monday-Friday) and for less than 30 hours per week.

If a family is residing in a shelter, child care services may be approved while the parent attends appointments or activities necessary to comply with the shelter's participant requirements. A letter from shelter regarding activities may be required.

### ***Incapacity***

Parent must submit a completed Statement of Incapacity form CCD 27.

1. Part I is to be completed by the incapacitated parent authorizing a legally qualified health professional to disclose information to OCDE FSS necessary to establish that the parent meets the definition of incapacity.
2. Part II is to be completed by the licensed health professional.

OCDE FSS reserves the right to request additional documentation to verify incapacity. Hours and days of child care necessary may not exceed 50 hours per week.

### ***Cash Aid Recipient (CalWORKs)***

A family is eligible to receive CalWORKs Stage 2 child care services if all of the following conditions are met:

1. The family is and remains income eligible; **and**
2. The adult or minor teen parent is responsible for the care of the child needing child care services; **and**
3. The adult or minor teen is one of the following:
  - A CalWORKs cash aid recipient
  - A former cash aid recipient who received cash aid within the last 24 months
  - Determined eligible for diversion services by the county welfare department

### ***Child Protective Services or Children Identified as, or at Risk of Abuse, Neglect or Exploitation***

OCDE FSS reserves the right to request additional documentation to verify Child Protective Services information.

1. Child receiving child protective services through the local county welfare department, must submit a written referral dated within the six (6) months immediately preceding the date of application for services. The written referral shall include:
  - a. A statement from the local county welfare department, Child Protective Services unit certifying that the child is receiving Child Protective Services and the child care and development services are a necessary component of the child protective services plan;
  - b. The probable duration of the child protective services plan or the at-risk situation; and
  - c. The name, address, telephone number, and signature of the legally qualified professional who is making the referral.
  - d. The child welfare services worker may request a waiver from OCDE FSS to exempt a family from paying a family fee for up to a maximum of twelve (12) months, if applicable.
2. If child is identified at risk of abuse, neglect, or exploitation, a written referral dated within six (6) months is required at initial enrollment and at recertification.

3. A written referral from a legally qualified professional from a legal, medical, or social services agency, or emergency shelter, transitional shelter, Head Start program or a Local Education Agency (LEA) liaison for homeless children and youth pursuant to 42 US 11432(g)91)(j)(ii) certifying that:
  - a. The child is identified as being abused, neglected, exploited, or is at risk of abuse, neglect, or exploitation, and that the family needs child care and development services; The probable duration of the child protective services plan or the at-risk situation; and
  - b. The probable duration of the need for child care and development services; and
  - c. The name, business address, telephone number, and signature of the legally qualified professional who is making the referral and information that identifies the agency LEA, Head Start Program, or shelter with whom the individual is associated.
4. A family whose need is child protective services, child(ren) identified as or at risk of abuse, neglect or exploitation and who do not have a fee exemption, will be assessed a family fee based on the Family Fee Schedule as determined by CDSS CCDD. Should the family's income be determined to be over the 85% State Median Income (SMI), a family fee will be assessed at the maximum fee based on the family size.

The referral letter may request a waiver of parent's family fee. Waiver may only be applicable until end date of referral or a maximum of twelve (12) consecutive months.

## **Income Requirement and Documentation**

At the time of initial enrollment, recertification or when the 85% State Median Income is updated by the State, the parent will be provided with OCDE FSS' form titled California Department of Social Services Child Care and Development Division Schedule of Income Ceilings (85 percent State Median Income).

Parent must supply documentation of Total Countable Income to verify income eligibility as requested by OCDE FSS at the time of initial enrollment and at recertification, or at parent's request to review income.

Parent must inform Family Support Services, within 30 days, when family's ongoing income causes family's adjusted monthly income to exceed 85% of the SMI.

## ***Countable/Non-Countable Income***

**Countable Income** is income of individuals counted in the family size that shall be included when calculating the adjusted monthly income for purposes of determining income eligibility and family fees.

1. Gross wage or salary, commissions, overtime, tips, bonuses, gambling or lottery winnings
2. Wages for migrant, agricultural, or seasonal work
3. CalWORKs cash aid
4. Gross income from self-employment less business expenses with the exception of wage draws
5. Disability or unemployment compensation
6. Worker's compensation
7. Spousal support, child support from the former spouse or absent parent, or financial assistance for housing costs or car payments paid as part of or in addition to spousal or child support
8. Survivor (i.e., SSA) and retirement benefits
9. Dividends, interest on bonds, income from estates or trusts, net rental income or royalties
10. Rent for room within the family's residence
11. Financial assistance received for the care of a child living with an adult who is not the child's biological or adoptive parent
12. Veteran's pension
13. Pension or annuities
14. Inheritance
15. Allowances for housing or automobiles provided as part of compensation
16. Insurance or court settlements for lost wages or punitive damages
17. Net proceeds from the sale of real property, stocks or inherited property
18. Other enterprise for gain

**Non-Countable Income** is income of individuals counted in the family size that shall be excluded when calculating the adjusted monthly income for purposes of determining income eligibility and family fees.

1. Earnings of child under eighteen (18) years
2. Loans
3. Grants or scholarships to students for educational purposes
4. Federal Supplemental Assistance Program (CalFRESH/SNAP) or Women, Infants and Children (WIC) benefits or other food assistance
5. Earned Income Tax Credit or tax refund
6. Foster care grants, payment or clothing allowances for children placed through child welfare services
7. Relative Caregiver Funding Program
8. California Guaranteed Income Pilot Program
9. GI Bill entitlements, hardship or hazardous duty, hostile fire or immediate danger pay
10. Adoption assistance payments
11. Non-cash assistance or gifts
12. All income of any individual counted in the family size who is collecting federal Supplemental Security Income (SSI) or State Supplemental Program (SSP) benefits
13. Insurance or court settlements including pain and suffering and excluding lost wages and punitive damages
14. Reimbursements for work-required expenses that include uniforms, mileage, or per diem expenses for food and lodging
15. Business expenses for self-employed family members
16. When there is no cash value to the employee, the portion of medical and/or dental insurance documented as paid by the employer and included in gross pay
17. Disaster relief grants or payments, except any portion for rental assistance or unemployment
18. AmeriCorps Volunteers In Service to America (VISTA) and Federal Emergency Management Agency (FEMA) stipends, room and board, and grants

**Note:** Verified child support payments paid by the parent whose child is receiving child development service may be subtracted from family's countable income.

## **FAMILY FEES**

### ***Determination of Family Fee***

OCDE FSS is required to collect a family fee when it has been determined that a family's gross monthly income and family size falls within the Family Fee Schedule as determined by the CDSS CCDD. (The family fee is not a co-payment. A co-payment is paid to the provider and a family fee is paid to OCDE FSS.)

If applicable, the family will be assessed a family fee based on certified hours of child care for the month.

1. The parent will be notified on a Notice of Action (NOA) of their full-time and part-time monthly family fee rate.
2. A family with a certified need of less than 130 hours per month will be assessed a part-time monthly fee, while family with a certified need of 130 hours or more per month will be assessed a full-time monthly fee.
3. Family fee is based on authorized days and hours a family is approved to use child care. No adjustment will be made for excused absences, unexcused absences, provider's day of non-operation, or holidays. OCDE FSS cannot, under any circumstance, recalculate fees based on a child's actual attendance.
4. Family fee is based on the authorized care of the child who is receiving care for the longest period of time per day.
5. Family fee assessed and collected shall be either the fee indicated on the fee schedule, the actual costs of services or the contract maximum daily/hourly rate, whichever is least.
6. A parent may voluntarily report a reduction of family income in order to reduce family fee. Parent must submit proper documentation necessary to determine income.

### ***Payment of Family Fee***

1. When a fee is assessed, the family will be sent a monthly invoice from OCDE FSS.
2. OCDE FSS is not responsible for lost, stolen, or undelivered mail. The family fee is due each month, whether or not an invoice is received.
3. Fees are paid in advance of service.
4. Fees are due in full on or before the first (1st) calendar day of the month.



5. Fees are considered delinquent if payment in full is not received by the 15th calendar day of the month and will result in disenrollment from child care services.

### ***Unpaid Family Fee***

#### **Non-Sufficient Funds**

1. Any personal check returned for non-sufficient funds (NSF), may result in disenrollment from child care services for failure to pay family fee.
2. Once a personal check has been returned as NSF, OCDE FSS will no longer allow payment to be made by personal check.

#### **Delinquent Payment**

Family fees not received in full by the 15th calendar day of the month will be considered delinquent.

- An NOA for disenrollment from services will be sent to the parent.
  - If parent disagrees with the NOA, parent may submit an appeal request and child care services may continue during the appeal process. (See page 50-51)
  - Child care services may continue if the delinquent fees are paid in full on or before the disenrollment date and NOA for disenrollment will be dismissed.
- Three (3) or more delinquent family fee payments per fiscal year may result in disenrollment from services for failure to follow program policies and procedures.
- A family who is disenrolled due to delinquent family fees will not be eligible for any future services until all outstanding family fees have been paid by money order or cashier's check to OCDE FSS.

#### ***Payment Plan***

If a parent is unable to pay in full the delinquent amount owed, OCDE FSS will accept a reasonable plan for repayment of fees. Parent must appeal the disenrollment NOA to establish a payment plan.

1. Once a payment plan is established, the parent must pay current monthly fee by due date and comply with the payment plan agreement.
2. The parent is not eligible for another payment plan until the current payment plan is paid in full.

3. Failure to comply with the agreed upon family fee payment plan will result in disenrollment from child care services.
4. Payment Plan may be modified upon request at the discretion of OCDE FSS.

### ***POSSIBLE OUT-OF-POCKET COST TO PARENT***

1. **Family Fee** - based on Fee Schedule as determined by the CDSS CCDD. This monthly fee is paid to OCDE FSS.
2. **Co-Pay** - co-payment made directly to their selected child care provider when provider charges over the Regional Market Rate Ceiling (RMR)
3. **Provider Fees** - such as registration, materials, and insurance if amount exceeds the RMR
4. **Other Provider Costs** -
  - a. Payment for hours/days of child care that have not been authorized by OCDE FSS.
  - b. Payment of non-operational days that exceed 10 allowable days for payment
  - c. Fees assessed for late pick up or early start of child care, transportation, notice to withdraw from child care, or any other fees not eligible for reimbursement by OCDE FSS.
  - d. OCDE will not reimburse parent for any deposits made to hold a spot for child.
5. **Academics** - student's academic portion of the day for child attending Kindergarten or above.

# SELECTING A CHILD CARE PROVIDER

## ***Child Care Provider Selection***

The family is responsible for selecting an Orange County child care provider that best meets the needs and values of their family. OCDE FSS does not make referrals of child care providers and is not responsible for the quality of care provided. For child care provider referrals, contact the Orange County Resource and Referral (R & R) at Children's Home Society of California (CHS) at 714-543-2273.

Choosing child care is one of the most important decisions any family will make. It is most important that families select child care that meets the special physical, social, emotional, cognitive, behavioral and creative needs of their children. These lay an important foundation for school readiness and support academic achievement. High quality preschool is a proven investment in children's foundation for learning. National research shows that high quality preschool programs;

- Provide children opportunities to build a foundation of social and emotional skills needed to succeed in school
- Provide children language rich environments which help develop important pre-literacy and early mathematics skills
- Provide English Learners with language development experiences
- Help close the school readiness gap before it becomes the achievement gap

## ***Unlimited Access***

OCDE FSS informs all parents of their right to enter and inspect, without advance notice, the licensed child care facility where their child(ren) is receiving care. Entry and inspection are limited to the normal operating hours of the child care program. The provider may not discriminate or retaliate against the child or parent for exercising this right. Licensed child care providers are required to notify parents of these rights.

## ***Supervision***

Selected provider must ensure adult (over the age of 18 years) supervision is maintained at all times when children are in attendance. License-Exempt providers are responsible for supervising the children 100% of the time when in their care. All licensed providers are required to comply with all applicable Community Care Licensing regulations as specified in Title 22 of the California Code of Regulations.

## ***Discipline***

Selected provider shall not use physical, emotional or verbal punishment as a way to discipline children. If the health and safety of any child is considered to be at risk, OCDE FSS reserves the right to terminate services with the provider. OCDE FSS has the responsibility to report to a child protective agency any suspected child abuse or neglect observed in the provider's home or facility or reported by the parent or other source (Penal Code 11164-11174.3). In addition, any concern regarding suspected child abuse or the overall health and safety of a child at a licensed facility will be referred to the Department of Social Services Community Care Licensing.

## ***Options for Child Care***

The child care selection is based on parental choice. Families should select a program that best meets the needs of their children and family, and provides a foundation for school readiness and supports academic success. Families enrolled in a child care subsidy program may select child care from a variety of options and should visit a variety of providers prior to selecting child care.

## **Licensed**

Child care occurs in centers and family child care homes, that are licensed and meet minimum standards set by the California Department of Social Services Community Care Licensing Division. This includes Head Start, State Preschool, centers, family homes, sectarian care, and school districts.

## **License-Exempt**

A family using a license-exempt relative or non-relative child care provider for a child who does not attend academic public or private school, must submit proof of child's up-to-date immunization records. There are two types that fit into this category.

Relative Out-of-Home Child Care is care provided by eligible relatives including grandparents, aunts and uncles by blood, marriage or court decree. License-Exempt child care providers are not licensed.

**Non-Relative Out-of-Home (TrustLine Child Care)** is regulated by TrustLine, California's Child Care Registry of individuals who have passed a background screening and fingerprint clearance. This means they have no disqualifying criminal convictions or substantiated child abuse reports in California. ***An individual denied TrustLine approval will not be allowed to receive subsidized child care reimbursement in any situation.***

## **“In-Home” Child Care**

When a parent chooses child care to be provided in the child’s home, the **parent is the Household Employer** of the child care provider. OCDE FSS will reimburse the parent up to the Regional Market Rate Ceiling or provider’s rate, whichever is less.

The parent as the employer of the provider must provide proof to OCDE FSS of:

1. A valid employer identification number
2. Signed Notice of Understanding between Parent/Eligible Recipient and In-home Child Care Provider
3. Any other documentation deemed necessary by OCDE FSS and/or CDSS CCDD
4. Documentation will be required at the time of enrollment, at recertification and as deemed necessary for program administration to establish parent’s status as the household employer.
5. In-Home Provider’s change of address or other pertinent information within five (5) calendar days of change.
6. When a different In-Home child care provider is selected by parent, the process starts over and new documentation is collected once again prior to approval of child care services. Reimbursement for services will be suspended pending submission and approval of documentation. A NOA approving services must be issued when a different In-Home child care provider is selected.

In addition, the parent may be required to submit to OCDE FSS the following:

- Completed I-9 Employment Eligibility Determination
- Copies of checks paid to provider
- Franchise Tax Board tax returns
- Worker’s compensation insurance (not required for grandparents or adult sibling of child)

## **Multiple Providers**

The parent must contact their OCDE FSS representative in advance to request pre-approval of a secondary or back-up provider.

- If the parent requests secondary or back-up provider that is not already a current provider, child care will not be approved to begin until the provider has completed all OCDE FSS requirements.
- OCDE FSS will not reimburse more than one provider for the same period of time. When a child has a secondary or back-up provider and either schedule is variable, the attendance sheet for each provider must be received and reviewed before either provider will be reimbursed.

## **Secondary Provider**

A secondary provider may be approved under the following circumstances:

1. The first provider is not a Licensed Center, and the parent would like to choose a Licensed Center for the specific purpose of providing the child with school readiness experience such as a Licensed Center that provides preschool enrichment activities as documented in the provider's contract or policy
2. The primary provider cannot accommodate the entire need for child care. The provider that cannot accommodate the family's entire certified need for child care may be required to provide supporting documentation indicating why child care cannot be provided.

## **Backup Provider**

A backup provider may be approved if the family requires an alternate provider due to the primary provider's paid day of non-operation, or due to child illness. Payment to a back-up provider when the regular provider has a paid day of non-operation shall be limited to 10 days per fiscal year. Payment to a back-up provider when your child is ill shall be limited to 10 days per fiscal year.

## **CHANGE IN FAMILY'S STATUS OR SERVICES**

Parent may voluntarily self-report a change in their family's status to their assigned OCDE FSS representative by submitting a request in writing by email, fax, US Mail or dropped through mail slot at Family Support Services' office. Parent may request in writing to:

- Increase hours of service without increasing family fee;
- Reduce family fees without decreasing service hours; or
- Decrease in service hours

### ***Income Eligibility***

Parent is required to report changes in family's income within 30 days when family's adjusted monthly income exceeds 85% of the State Median Income (SMI) as indicated on the most current OCDE FSS' California Department of Social Services Child Care and Development Division Schedule of Income Ceilings (85% State Median Income) form.

### ***Transfer of Child Care from One Provider to Another***

Parent must complete a Transfer Request form and submit to OCDE FSS. Requests are processed on a first come, first served bases, contingent upon available funding and OCDE FSS' ability to enroll with the requested child care provider.

1. Transfers are not automatic. If requested provider is not currently contracted with OCDE FSS, transfer may take several weeks to process.
2. Transfer requests may not be processed while family is on appeal for disenrollment.
3. The parent must complete the attendance sheet with their current child care provider up to the last day of child's attendance.
4. Family and new child care provider will be issued a copy of the Certificate for Child Care Services and NOA/written notice indicating the approved start date and authorized hours of child care services.
5. No reimbursement will be made by OCDE FSS for services provided before the approved start date.
6. OCDE FSS will not reimburse two providers for care for the same child for the same days and/or hours of care.

## HOW TO MAINTAIN SERVICES

In order for a family to maintain services parent(s) must:

- Follow the policies and procedures as outlined in these participation guidelines.
- Meet eligibility and/or need criteria.
- Complete the recertification process within fifty (50) days following the family's previous eligibility period.

Additionally, disenrollment from services may result if:

1. Family fails to start services on approved start date as indicated on NOA with selected provider.
2. OCDE FSS determines that the parent received services based on incomplete, misleading, and/or deceitful information.
3. Abusive and/or disruptive behavior, or harassment towards OCDE FSS staff, child care provider, or child care provider's staff.
4. Suspension of the parent or child from child care for possession or use of alcohol, illicit drugs, weapons, or replicas of weapons.
5. Contract funding is no longer available.
6. The California Department of Education (CDE) or California Department of Social Services (CDSS) changes their regulations or requirements.
7. Recertification process has not been completed within fifty (50) days of the family's previous eligibility period.
8. Family chooses to disenroll, they are required to notify the program in writing at least 2 weeks in advance of the last day of attendance.
9. Parent no longer lives or has a qualifying need in Orange County.
10. Family abandoned care with no communication with the agency or provider for 30 consecutive calendar days.
11. Misrepresentation of income eligibility.
12. Failure to complete or falsification of sign-in/out sheets accurately and on a daily basis.



## PARENT RIGHTS

1. Family may choose the type of care that best meets their cultural and family values.
2. Family has the right of confidentiality. The use or disclosure of individual family information will be limited to purposes directly connected with the administration of the program by OCDE FSS, with the exception of a court order, subpoena, or in the investigation of a crime. OCDE FSS may contact employers, training institutions, County Welfare Department, other state and federally funded child care programs, doctors, or other qualified professionals to verify information to determine eligibility to receive subsidized child care services.
3. Family has the right to request an appeal hearing for any action reflected on an NOA. Parent must file a written request for hearing before the appeal date listed on the front of the NOA. **See Appeal Process** (pages 50-51).
4. Family has the right to review their eligibility file. Requests for copies of records must be made in writing. Charge will be \$0.25 per page payable by money order.
5. Family has unlimited access to their child(ren) and child care provider caring for their child(ren) during normal hours of provider operation and whenever the child(ren) are in the care of the provider.



# Part 3: Provider Participation Guidelines



## **INDEPENDENT CONTRACTOR STATUS**

Child care providers are acting as independent contractors in business for themselves and are therefore ineligible for employment related benefits through OCDE FSS. All providers must review and sign the Agreement for Child Care Services before child care services will be approved or reimbursed. The child care provider:

- a. Is responsible for paying his/her own social security and other taxes.
- b. Is required to complete an Internal Revenue Service (IRS) Form W-9 (Request for Taxpayer Identification Number and Certification), if applicable.
- c. Will receive an IRS Form 1099 indicating how much the provider has been reimbursed by OCDE FSS during the previous calendar year. A copy is sent to the IRS, with the exception of corporations, if the total reimbursement to provider for calendar year is \$600 or more.
- d. Is not entitled to State Worker's Compensation or State Unemployment Insurance.
- e. OCDE FSS will not complete any third-party form for a provider having to do with reimbursement received from OCDE FSS.

## **CHILD CARE PROVIDER REQUIREMENTS**

### ***Requirements for All Providers***

To be a child care provider for a parent subsidized by OCDE FSS, child care provider must meet and agree to the following criteria and requirements based on type of care provided. Child care provider:

1. Provides child care in Orange County, CA.
2. Complies with the American Disabilities Act (ADA) and makes reasonable accommodations for children with disabilities.
3. Refrains from discrimination based on sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability.
4. Is free from investigation by Department of Social Services Community Care Licensing, if applicable, or any other legal agency.
5. Maintains liability insurance coverage, if applicable, at or above legally required standards.

6. Must *immediately* notify OCDE FSS when there is a change in child care license, Tax ID number, change of address or change of ownership.
7. May use or disclose information concerning children or their families receiving child care services only for purposes directly related to the administration of OCDE FSS. No other use of this confidential information shall be made without the parent's prior written consent, subpoena, or investigation of a crime.
8. Is willing to meet with OCDE FSS staff for program administration.
9. Who is a License-Exempt provider, may only provide care for the children of one family in addition to the provider's own children.
10. Must report all changes in child's attendance within seven (7) calendar days. Changes include but are not limited to: absences in excess of seven (7) days, changes in child's schedule (non-school or school), or child stops attending. Failure to notify OCDE FSS of changes may result in non-payment or termination of agreement with provider.

## **PROVIDER REQUIRED DOCUMENTATION**

The following documents and requirements must be in place for providers choosing to participate in the OCDE FSS program.

### ***Licensed Centers and Licensed Family Homes***

- Provider Attendance Sheet Policies & Procedures
- Provider's written policies regarding:
  - Tuition Policy for all absences, including holidays
  - Provider discontinuation notice
  - Other fees – registration, materials, or insurance
  - List of days of closure when child care is not provided
  - Provider's policy if the holiday falls on a weekend
- IRS Form W-9
- Provider Participation Guidelines Acknowledgement of Receipt
- Rate sheet (printed list of fees charged for private pay child care)
- Rate Confirmation/Policy Statement

***In addition, any child care program operating with a private school affidavit requires the following:***

1. Copy of the California Department of Education Private School Affidavit submitted annually
2. Copy of criminal records summary for all employees who have contact with children comparable to the criminal history background examinations required by Title 22
3. Copy of valid city business license and/or permit (if applicable)
4. Schools written policy or guidelines attesting that:
  - a. Full time child care will not exceed 12 weeks per fiscal year.
  - b. The parent/guardian document the child's daily attendance.
  - c. Adult supervision is provided for all children during all hours of operation.
  - d. Open door policy – Parents have unlimited access to their children during all hours of operation whenever children are in the care of the provider.

***All License Exempt Providers***

- Social Security Card
- Photo Identification
- Proof of Residence (Utility Bill or Rental Agreement/Lease Agreement)
- Policy Statement
- IRS Form W-9
- Health & Safety Self Certification – Signed by Parent and Provider
- Health & Safety Check List - Signed by Parent and Provider
- Provider Participation Guidelines Acknowledgement of Receipt
- Provider Attendance Sheet Policies & Procedures
- Printed List of Fees Charged for Child Care

In addition to the above items, the following is required from license exempt provider based on relationship to child:

**Relative** – Grandparent, Aunt or Uncle of child.

- Declaration of Exemption – Signed by Parent and Provider
- Provider Declaration of Residency

**Non-Relative** or any other relative other than Grandparent, Aunt or Uncle of child.

- Registered and cleared through Trustline prior to caring for the family's children.

## **CHILD CARE PROVIDER REIMBURSEMENT GUIDELINES**

1. A copy of the *Certificate for Child Care Services* will be issued for each child at initial enrollment and when changes are made to the authorized hours and/or the rate of reimbursement. The Certificate details the approved days and hours, effective date, and reimbursement information.
2. Child care provider reimbursement is limited by Education Code and Title 5 California Code of Regulations, Subchapter 2.5: Utilization of Regional Market Rate Ceiling. When a provider's rate and other allowable charges exceed the maximum subsidy amount, the family shall be responsible for paying the provider the difference between the provider's rate and the maximum subsidy amount. This is considered the family's co-payment. OCDE FSS is not responsible for collecting co-payment.
3. Other reimbursable fees such as registration, materials, and insurance may be paid if monthly child care costs do not exceed Regional Market Rate Ceiling for Orange County Licensed child care providers. Policies must be on file with OCDE FSS documenting such fees.
4. OCDE FSS will not reimburse other fees such as; co-payment, transportation, late pick-up or early start of child care, etc.
5. Child care provider may request reimbursement by direct deposit. Child care provider must contact their FSS representative for instruction on how to set up direct deposit. Child care provider will continue to receive payment by check until authorization for direct deposit is complete.
6. Child care provider may update rates with OCDE FSS at any time. New rates received by OCDE FSS will be effective within 60 days of submission of the updated rate sheet.
7. If provider's rate/policy has an expiration date, provider must submit new rate/policy 30 days prior to expiration date in order to receive reimbursement. New rate/policy received will be effective within 60 days of submission of the updated rate sheet.

8. If child care provider fails to submit new rate/policy by the 30 day timeline or not at all, then OCDE FSS will not reimburse child care provider for care provided. OCDE FSS will not use expired rates to reimburse for care used.
9. A Rate Confirmation Statement must be on file with OCDE FSS certifying that rates charged to families subsidized by OCDE FSS are the same as rates charged to private pay families.
10. All providers must submit a copy of customary rates that are normally charged for each rate paid by private pay families. In order to process reimbursement, OCDE FSS' representative and the provider must sign the Rate Confirmation Policy Statement form that reflects the provider's rate submitted.
11. A copy of licensed child care provider's rates, discount and/or scholarship policies must also be submitted to the Orange County Resource and Referral at CHS at the following:

**Children's Home Society of California  
Resource and Referral  
333 S. Anita Dr., Suite 350  
Orange, CA 92868**

12. Days of Non-Operation "Non-Ops" are specified days the provider is closed and child care is not available. These days may include holidays. If provider's written policy on file with OCDE FFS includes payment for Non-Ops, licensed providers will be paid for the first 10 Provider Non-Ops.
13. OCDE FSS will not be reimbursed for providers who do not have written policy for Non-Ops.
14. Parent is responsible for any payment the provider requires for additional days of Non-Ops beyond the 10 allowable days, or for unscheduled days of non-operation not listed in the provider's policy or contract.
15. Provider must notify OCDE FSS, in writing, two (2) weeks prior to any change in Non-Ops or Holiday. Failure to notify in a timely manner will result in the change being denied.
16. Adjustments may be made to the Regional Market Rate (RMR) ceiling for licensed child care providers caring for severely disabled children and/or those children with exceptional needs. Documentation must be provided regarding any additional service and/or accommodation made for the child. Such service or accommodation must result in an on-going financial impact for the provider.

17. Adjustments may be made to the RMR ceiling for licensed child care providers caring for children on weekends and/or after 6:00 p.m. and before 6:00 a.m.
18. Funding for child care services is contingent upon appropriation and availability of funds. If such funding or appropriations are not forthcoming, or are otherwise limited, OCDE FSS shall immediately notify parent and provider in writing, and provider shall modify or cease operations as directed by OCDE FSS within fourteen (14) days of receipt of such written notice.
19. OCDE FSS shall not reimburse a provider more than provider receives from a private pay client for the same service. The reimbursement rate will be the lesser of either the appropriate RMR ceiling as established by California Department of Education or the provider's established rate for the same service to private pay clients. Therefore, if OCDE FSS is unable to reimburse the full amount the provider is requesting, the amount remaining is a parent co-payment. Co-payment is the responsibility of the parent. Co-payment is to be collected from parent by provider.
20. Any fees assessed for late pick up or early start of child care, co-payment, transportation, care provided beyond date of notice to the provider of withdrawal from their program, or any other fees cannot be reimbursed by OCDE FSS and is the responsibility of the parent to pay.

## ***Determining Reimbursement Rates***

### **HOURLY RATE**

- **Part-time:** Less than 30 hours per week and less than 6 hours on any given day
- **Full-time:** Not applicable

### **DAILY RATE**

- **Part-time:** Not applicable
- **Full-time:** 6 hours or more per day, for no more than 14 days per month and cannot exceed the full-time monthly ceiling.

### **WEEKLY RATE**

- **Part-time:** Less than 30 hours of care per week.
- **Full-time:** 30 hours or more per week.



## MONTHLY RATE

- **Part-time:** Less than 30 hours per week and occurs in every week of the month.
- **Full-time:** 30 hours or more per week and occurs in every week of the month.

### ***Adjustment to Reimbursements***

- **52.5 Hours or More** (Licensed providers only): When care exceeds 52.5 hours per week. Note: Only applicable when not included in the licensed provider's full-time weekly/monthly rate policy. This provision applies only if the family utilizes more than one provider to meet the child's entire need for child care and development services.
- **Evenings and/or Weekends** (Licensed providers only): Adjustments for after-hour care only apply when after hour services include at least 10% of the total care used and when services occur between the hours of 6:00pm - 6:00am or on weekends.
- **Children with Exceptional Needs:** Provider caring for a child with exceptional needs is eligible to receive a rate adjustment when such services have a documented on-going fiscal impact to the provider and does not exceed the provider's rates charged to a non-subsidized family.
- **Unscheduled Care:** Rate adjustments for child care exceeding the certified need only apply when proper documentation has been received and prior approval by an agency representative has been given.

## SUSPENSION OF CHILD CARE REIMBURSEMENT

Reimbursement for services may be suspended for the following reasons:

1. Ownership of the child care facility changes.
2. Location of the child care facility changes.
3. Child is suspended from care by child care provider. OCDE FSS will uphold the suspension policy of our contracted child care providers within the scope of any applicable laws or regulations. Child care provider will not be paid for periods of suspension.
4. Pending submission and approval of requested child care provider documentation.

## **TERMINATION OF PROVIDER AGREEMENT FOR CHILD CARE SERVICES**

Termination of Agreement between OCDE FSS and child care provider may occur for the following reasons:

1. Breach or violation of the conditions of the *Agreement for Child Care Services, Participation Guidelines, and/or Policy Statement*.
2. Notification of Temporary Suspension Order, License Revocation, or Probation from the Department of Social Services Community Care Licensing Child Care License.
3. Denial of TrustLine application by Department of Justice.
4. Abusive, disruptive behavior or harassment towards OCDE FSS staff.
5. Providing false, incomplete, and/or misleading information to OCDE FSS.
6. Failure to submit required documentation.
7. Without cause by either OCDE FSS or child care provider with two (2) weeks prior written notice. Provider will be compensated only for services satisfactorily rendered to the date of termination.
8. If a provider's Agreement for Child Care Services is terminated, OCDE FSS may opt not to contract with provider in the future.

## **CHILD CARE PROVIDER RIGHTS**

1. Child care providers may choose not to contract with OCDE FSS.
2. Child care providers will be notified by mail and/or phone when services are changed or terminated.
3. If child care costs exceed the amount allowed by the Regional Market Rate Survey, child care providers may choose to collect from the family the difference between OCDE FSS reimbursement and child care provider requested reimbursement (co-payment).
4. Child care providers may suspend or terminate children from services within the scope of applicable laws or regulations.
5. Child care providers may establish their own standards, guidelines, and practices within the scope of applicable laws or regulations.

# Part 4: Documenting Child's Attendance



## CHILD CARE ATTENDANCE SHEET

The Attendance sheet is considered the provider's invoice for reimbursement. Attendance sheets are to be submitted to OCDE FSS by the **third calendar day** following the month service was provided. If Attendance Sheets are received accurate and complete by the timeline, reimbursement will be issued within **21 calendar days**. Any attendance sheet received after the third calendar day will be issued reimbursement using the next month's schedule. Attendance sheets received after **30 calendar days after the month service was provided** may be subject to non-payment.

The OCDE FSS attendance sheet is a legally binding record of attendance that must be completed daily with actual time in and time out. **Provider** and **Parent** *must* sign and date the bottom of the attendance sheet under penalty of perjury that the information indicated is true and correct. Prior to processing for reimbursement, the attendance sheet will be reviewed by OCDE FSS staff to ensure child's use of care is broadly consistent with the hours of child care approved. Reimbursement for services is based upon guidelines established by the CDSS CCDD and OCDE FSS policies and procedures.

**Please note:** Parent and/or provider cannot correct or change the attendance sheet after care has already been provided. An Attendance Sheet submitted incomplete or with errors will be processed for reimbursement based on the current Certificate on file and in accordance with provider policies on file with OCDE FSS. If for any reason, OCDE FSS cannot reimburse the provider, the parent will be responsible for payment to the provider.



## ATTENDANCE SHEET POLICIES

You must use an original attendance sheet for the correct month. Attendance sheets are provided by OCDE FSS in advance to your provider. Please confirm one (1) week before the first day of the month that you have an attendance sheet for the next month. **Please call OCDE FSS immediately if you do not have an attendance sheet.** OCDE FSS may accept other documentation in lieu of the attendance sheet at the discretion of OCDE FSS.

### ***Daily attendance***

Every day at the time the child is dropped off and/or picked up, the parent or authorized adult must complete the actual time the child is dropped off or picked up from child care. When a child leaves child care and returns in the same day (split day, i.e., school age before/after school care) the child care provider or authorized adult must complete the actual time the child leaves and returns.

### ***Absences***

Parent is encouraged to notify child care provider and OCDE FSS when child is absent for seven (7) consecutive days. Reason for absence is required to be written on Attendance Sheet each time child is absent on an APPROVED day for care. Please state specific reason for absence (example: child sick, parent sick etc.). If child is picked up early, please write reason for early pick up (example: child ill, parent doctor appointment).

### ***Excused***

The following are considered Excused absences:

1. Family Emergency
  - Funeral;
  - Illness of a family member;
  - Car or transportation problems;
  - Severe weather conditions;
  - Natural disaster and/or,
  - State of emergency.
2. Parent illness including medical appointments
3. Child's illness including medical appointments. Absences in excess of ten (10) consecutive days for illness require a doctor's note in order to be paid.

4. Court ordered visit with parent (documentation from court required).

The parent is allowed ten (10) Best Interest Days per child each fiscal year (July 1 -June 30). The following are considered Best Interest Days:

- Non-court ordered parent visitation
- Child or parent on vacation
- Visit with friend
- Occasional after school activity (including academic camps)
- Parent did not work or attend a vocational/training class on a normally scheduled day
- When child does not use child care because parent is required to travel outside of city, county, or state, etc., for school or work
- Jury duty, if child care is not utilized

### ***Unexcused***

1. Absences not listed under excused absences are considered unexcused.
2. An approved day of care is left blank (no time in/out, no signature and no specific reason for absence).
3. Reimbursement of child care services will not be made for any portion of care that is not provided to child due to provider suspension and/or denial of service.

Disenrollment may occur for the following:

- Seven (7) or more consecutive days without notification from parent or provider to OCDE FSS. This may be considered **abandonment of care** (see next page).
- Provider suspension and/or denial of service.



## **ABANDONMENT OF CARE**

OCDE FSS is notified by child care provider that child has not been attending. An OCDE FSS representative will initiate contact with parent. If contact cannot be made, a NOA will be issued for disenrollment if there has been no communication with child care provider and/or OCDE for 30 consecutive calendar days.

If contact is made with parent, OCDE FSS will determine and note the type of absence. The **ATTENDANCE SHEET POLICIES AND PROCEDURES** form will be sent to parent to complete and sign. The form is to be returned to OCDE FSS by due date requested. Parent is counseled that they must check in on a weekly bases to provide update until child returns to care.

### ***Warning Notification and Possible Disenrollment from Child Care Services***

If it is determined that the care used is not broadly consistent with the approved schedule for child, OCDE FSS will reimburse the provider and OCDE FSS will contact the parent to discuss the inconsistency in attendance.

Attendance sheets may be considered incomplete or have errors based upon any of the following:

- Blocked Time In or Time Out (i.e., 8:00 a.m./5:00 p.m. every day)
- Missing specific reason for absence (i.e. child sick, mom sick, quarantine)
- Missing daily Time In or Time Out information
- Missing parent or provider signature and/or date on the bottom of attendance sheet
- Use of white-out (Please draw a line through error and add correct information.)
- Sheet not completed in ink (no pencil or crayon)

Incomplete or errors on attendance sheets will result in delayed payment and could result in the disenrollment of family or termination of child care provider as an independent contractor.

# Instructions on how to complete the OCDE Attendance sheet

SAMPLE



11111

**MAILING ADDRESS:**  
 P.O. Box 9050 Costa Mesa CA 92628-9050  
 Family Support Services

**TELEPHONE NUMBER:** (714) 708-3860  
**FAX NUMBER:** (714) 708-2916

**AUGUST 2021 ATTENDANCE SHEET**

Vendor Number: V9405613	Address Code: PD	Child's Name: Bea Bumble	Child ID: 12345
Provider: Baby Love Child Care	Provider ID: 101	Child's DOB: 4/3/21	
Address: 123 Lulaby Lane		Parent's Name: Beatrice Bumble	Fam ID: 5432
Costa Mesa CA 92677-5016	Provider Phone: (714) 222-3333	Pseudo Code: FAPP	
Care Type: Licensed Home Care			

Parent is responsible to ensure information is correct & accurate.  
 Failure to complete attendance sheet correctly can result in dis-enrollment from program.

DATE	DAY	ACTUAL TIME IN	PROVIDER		ACTUAL TIME OUT	REASON FOR ABSENCE	AGENCY USE
			TIME OUT	TIME IN			
1	Sun						
2	Mon						
3	Tue						
4	Wed						
5	Thu						
6	Fri						
7	Sat						
8	Sun						
9	Mon						
10	Tue						
11	Wed						
12	Thu						
13	Fri						
14	Sat						
15	Sun						
16	Mon						
17	Tue						
18	Wed						
19	Thu						
20	Fri						
21	Sat						
22	Sun						
23	Mon						
24	Tue						
25	Wed						
26	Thu						
27	Fri						
28	Sat						
29	Sun						
30	Mon						
31	Tue						

THIS COLUMN

Parent to enter exact time to the minute that the child is dropped off at child care. No blocking of time.

TWO COLUMNS

Provider is to complete. Used for school age children. **TIME OUT** is start of school. **TIME IN** is end of school. Times should be the bell schedule of school.

THIS COLUMN

Parent to enter exact time to the minute that the child is picked up from child care. No blocking of time.

THIS COLUMN

If child is not in care, write specific reason for absence, i.e. child sick, mom sick, provider holiday, family vacation.

PROVIDER USE ONLY: INVOICE FOR THIS CHILD	
AMOUNT:	
OTHER FEES IF APPLICABLE:	
TOTAL AMOUNT:	

Provider can enter invoiced amount

I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT, AND THAT CHILD CARE WAS PROVIDED FOR THE SOLE PURPOSE FOR WHICH THIS CHILD WAS CERTIFIED. I UNDERSTAND THAT OCDE IS REQUIRED TO RECOVER CHILD CARE COST FROM EITHER THE PARENT OR PROVIDER WHO KNOWINGLY SUBMIT INCORRECT, INACCURATE OR MISLEADING INFORMATION FOR CHILD CARE SERVICES. SUBMISSION OF INCORRECT, INACCURATE, OR MISLEADING INFORMATION MAY BE GROUNDS FOR TERMINATION OF AGREEMENT WITH PARENT AND/OR PROVIDER.

Parent must sign & date

Provider must sign & date

Parent Signature	Date	Provider Signature	Date
AGENCY OFFICE USE ONLY			
PAYMENT			
OTHER FEES			
TOTAL PAID			
TECH PAID	DATE		

**Note:** Orange County Department of Education (OCDE) fiscal year runs July 1st through June 30th. Any outstanding attendance sheets for this date range must be submitted by US Mail no later than July 7th. Original attendance sheets are required, do not send by email. ANY ATTENDANCE SHEET RECEIVED AFTER THE JULY 7th DEADLINE MAY BE SUBJECT TO NON-PAYMENT. Payment can only be made using the current fiscal year's monies.



# Part 5: Grievance and Complaints



# APPEALS

## ***Local Appeal Process***

1. Notice of Action (NOA) is issued to parents for any action or change that takes place regarding their child care services.
2. If the parent disagrees with an action, the parent(s) may appeal and request a hearing with OCDE FSS by the appeal deadline indicated in the NOA.
3. Parent may use the back of the NOA to request a hearing (see instructions on back of NOA) or submit request in writing via email, fax or US Mail. Please include a copy of the NOA or state the action you are appealing.

### **Family Support Services**

**Tel (714) 708-3860 • Fax (714) 708-2916**

### **Mailing Address:**

**P.O. Box 9050, Costa Mesa, CA 92628-9050**

### **Office Address:**

**3001 Red Hill Ave., Bldg. 4, Suite 113, Costa Mesa, CA 92626**

4. Parent has the right to have an authorized representative (AR) attend the hearing on behalf of the parent or with the parent. If parent chooses to have an AR attend the appeal hearing they must notify OCDE FSS in writing.
5. Upon the filing of a request for hearing, the intended action shall be suspended until the review process has been completed. Child Care Services shall continue while during the appeal process. The review process is complete when the appeal process has been exhausted or when the parent(s) abandons the appeal process.
6. OCDE FSS will notify the parent(s) of the date, time and place of the hearing within 10 calendar days following the receipt of the request for a hearing. The appointment time of the hearing shall, to the extent possible, be convenient for the parent(s).
7. The hearing will be conducted by an administrative staff person who shall be referred to as “the hearing officer.” The appeal hearing will also be recorded in audio and/or written summary.
8. The parent(s) or parent’s AR is required to attend the hearing. If the parent or the parent’s designated AR fails to appear for the hearing, the parent will be deemed to have abandoned their appeal. Only persons directly affected by the hearing shall be allowed to attend.

9. At the hearing, the parent(s) will have an opportunity to explain the reason(s) they believe the OCDE FSS action was incorrect.
10. The hearing officer shall mail or deliver to the parent(s) a written decision within 10 calendar days after the appeal hearing. The written decision shall contain procedures for submitting an appeal to the California Department of Social Services, Child Care and Development Division (CDSS CCDD).

### ***State Appeal Process***

1. If the parent disagrees with the written decision of the OCDE FSS, the parent has 14 days from the receipt of the written decision to file an appeal with CDSS CCDD. The parent's appeal to CDSS CCDD must include the following documents and information:
  - a. A written statement specifying the reason(s) the parent believes the agency's decision was incorrect;
  - b. A copy of OCDE FSS' decision letter; and
  - c. A copy of both sides of the Notice of Action.
2. The parent's appeal and other documents must be mailed to the following address:

**California Department of Social Services  
Appeals Unit  
Child Care and Development Division  
744 "P" Street, MS 9-8-351  
Sacramento, CA 95814**
3. The parent's appeal and other documents may be submitted by fax to (916) 654-1048.
4. Within 30 calendar days after the receipt of the parent's appeal, CDSS CCDD will issue a written decision to the parent and OCDE FSS.
5. If the parent's appeal is denied, upon receipt of CDSS CCDD's decision letter, OCDE FSS will immediately stop providing child care services.

The CDSS CCDD's decision is the final administrative decision and OCDE FSS must follow the CDSS CCDD's decision to accept or deny the parent's appeal.

## CONCERN OR COMPLAINTS

Participants having a concern or complaint should take any or all of the following steps to resolve the issue:

1. Refer to these FSS Participation Guidelines for clarification.
2. Contact OCDE FSS staff by telephone or mail.
3. Complaints regarding licensed child care provider contact the Department of Social Services, Community Care Licensing at (714) 703-2800 to report a violation of licensing regulations or health and safety standards.
4. To report suspected child abuse contact Child Abuse Registry at (714) 940-1000 or (800) 207-4464.

The following steps are to be taken by parents having a concern regarding a license- exempt relative or non-relative child care provider:

1. Submit a written complaint to OCDE FSS (only complaints about health and safety non-compliance will be accepted).
2. Contact Child Abuse Reporting at (714) 940-1000 or (800) 207-4464 (24-hour hotline) to report suspected child abuse.

If a written complaint regarding a license-exempt child care provider is submitted, OCDE FSS will take the following steps:

1. Inform the child care provider of the parent's complaint.
2. Inform the child care provider of their right to submit a written rebuttal.
3. Notify the parent and child care provider of the termination of the *Agreement for Child Care Services* 14 days from the date of notice.
4. Rescind the provider notice of termination, if a written declaration of correction is received regarding the complaint, signed by child care provider and parent.
5. Inform the public of the general nature of the complaint and the child care provider's rebuttal upon public inquiry.

# SEXUAL HARASSMENT

The Orange County Department of Education is committed to maintaining an employment, educational and business environment free from harassment on the basis of an individual's sex. The Department will not tolerate sexual harassment and will take immediate action to investigate any allegations of sexual harassment. The Department prohibits retaliatory behavior against any complainant or any participant in the complaint process. Any individual who feels that he/she is being sexually harassed, or who witnesses sexual harassment, is encouraged to immediately contact the Assistant Superintendent of Human Resources/Support Services at (714) 966-4000 or to:

**Orange County Department of Education**  
**Attn: Assistant Superintendent of**  
**Human Resources/Support Services**  
**P.O. Box 9050**  
**Costa Mesa, CA 92628-9050**

## POLICIES

### *Accepting Gifts*

OCDE FSS employees are not allowed to accept gifts of any kind from families or child care providers. Families and providers who wish to express their gratitude for services or to recognize an outstanding employee are welcome to contact the employee's supervisor.

### *Recovery of Child Care Costs*

OCDE FSS is required to recover child care costs, which are made to, or on the behalf of families (clients), who knowingly used or submitted incorrect or inaccurate information to obtain benefits, when they would otherwise not be entitled to receive.

1. All child care and development contractors must make a "reasonable effort to recover" the costs of services to non-eligible recipients of services. "Reasonable efforts" may include filing a claim with Small Claims Court or referring the claim to the District Attorney's office. Cost of services is based upon the California Department of Social Services, Child Care and Development Division (CDSS CCDD) approved contract rate of services.

2. Section 1709 of the Civil Code regarding “Fraud” states the following:

One, who willfully deceives another with intent to induce him to alter his position to his injury or risk, is liable for any damage, which he there suffers. “Deceit” is defined in Section 1710 of the Civil Code as either:

- a. The suggestion, as a fact, of that which is not true, by one who does not believe it to be true;
  - b. The assertion, as a fact, of that which is not true, by one who has no reasonable ground for believing it to be true;
  - c. The suppression of a fact, by one who is bound to disclose it, or who gives information of other facts which are likely to mislead for want of communication of that fact; or,
  - d. A promise made without any intention of performing it.
3. If OCDE FSS determines that a recipient of child care services has submitted fraudulent information, OCDE FSS shall notify via Notice of Action as specified in the California Code of Regulations, Title 5, Section 18095, that services or contract are being terminated.
  4. If the recipient refuses to reimburse the program for services provided during the period of ineligibility, or refuses to pay the correct fee, or both, a “reasonable effort to recover” costs will be made.
  5. If OCDE FSS determines that a provider has knowingly submitted or used incorrect or inaccurate information to receive reimbursement for child care services that they would otherwise not be entitled to receive, OCDE FSS shall notify the provider via a letter that the agreement is terminated as specified on page two (2) of the Provider Agreement.

***We hope these guidelines assist in providing  
a positive experience with OCDE FSS.***

# Part 6: Resources

**Children’s Home Society of California** – (714) 456-9800

333 South Anita Drive, Suite 350, Orange, CA 92868

Resource and Referral Hotline: (714) 543-2273

<https://www.chs-ca.org/>

## **Orange County United Way**

By dialing 2-1-1, you reach a FREE, 24-hour emergency hotline linking you to thousands of local health and human services resources. Staffed 24 hours per day by caring, experienced and trained specialists

<https://www.unitedwayoc.org/how-we-are-doing-more/get-help-211/>

## **Social Services Agency of Orange County**

To find local office visit <http://ssa.ocgov.com/>

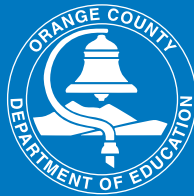
**Child Care Licensing** – (714) 703-2800

<https://www.cdss.ca.gov/inforesources/child-care-licensing>

## **Reimbursement Ceilings for Subsidized Child Care**

<https://rcscm.adm.dss.ca.gov/>





**Orange County Department of Education  
Family Support Services**

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