# CALIFORNIA DEPARTMENT OF SOCIAL SERVICES (CDSS) PROGRAM REQUIREMENTS FOR LOCAL CHILD CARE AND DEVELOPMENT PLANNING COUNCIL PROGRAM (CLPC)

**FISCAL YEAR 2021-22**

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## I. PROGRAM REQUIREMENTS

These are the program requirements for fiscal year 2021-22. Each contractor is required, as a condition of its contract with the California Department of Social Services (CDSS), to adhere to the following:

* *Education Code* (*EC*) statutes applied to child care programs identified within the Child Care and Development Services Act;
* The Funding Terms and Conditions (FT&C);
* The Program Requirements;
* The CDSS Audit Guide;
* The California School Accounting Manual;
* The procedures and standards set forth in the *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*, (2 CFR Part 200), hereinafter referred to as Uniform Guidance (UG);
* *Title 5* California Code of Regulations (5 *CCR*) Division 1, Chapter 19 and 19.5, sections 18000 et seq., including 12-Month Eligibility Implementation Guidance (Implementation Guidance);
* [*Title 22*](http://www.cdss.ca.gov/inforesources/Child-Care-Licensing/Resources-for-Providers/Laws-and-Regulations) California Code of Regulations, Community care facilities license regulations, including child care centers.
* Any other requirements incorporated into the contract, in addition to all other applicable laws and regulations, including any applicable law and regulations that may become effective during the term of this contract.

Any variance from the contract, the Program Requirements, the FT&C, or other requirements, laws, or regulations may be considered a noncompliance issue and subject the contractor to possible termination of the contract.

Any interpretation of the FT&C or Program Requirements must be in writing from the CDSS and signed by the Deputy Director of the Child Care and Development Division (CCDD) or his or her authorized designee.

Contractors may adopt any reasonable policies relating to the program that are not in conflict with law, regulations or the terms of this contract including any contract amendments. Those potentially affected shall be duly notified and due process, if applicable, shall be assured.

Child Care and Development Contracts are funded with state general funds, federal funds, or a combination of funds. The funding amounts are listed on the contract encumbrance page.

This contract may be fully or partially funded through a grant from the federal Department of Health and Human Services and subject to *Code of Federal Regulations* (CFR) 45, Parts 98 and 99, the Child Care and Development Block Grant Act of 1990, as amended by the CCDBG Act of 2014, *Public Law* 1113-186, the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996, 42 USC 9858.

If the Catalogue of Federal Domestic Assistance (CFDA) number is 93.596 (shown as FC# in the funding block), the fund title is Child Care Mandatory and Matching Funds of the Child Care and Development Fund. If the CFDA number is 93575, the fund title is Child Care and Development Block Grant subject to the Child Care and Development Block Grant Act of 1990, the Omnibus Budget Reconciliation Act of 1990, Section 5082, *Public Law* 101-508, as amended, Section 658J and 658S, and *Public Law* 102-586.

## II. LOCAL CHILD CARE AND DEVELOPMENT PLANNING COUNCIL PROGRAM REQUIREMENTS

1. It is the intent of the Legislature, that local child care and development planning councils (LPCs) shall provide a forum for the identification of local priorities for child care and the development of policies to meet the needs identified within those priorities (*EC* Section 8499.3). It is further the intent of the Legislature, that communities implementing new programs or initiatives, connect with existing program strategies and build upon existing local collaboratives, when possible, to provide a unified integrated system of service for children and families (*EC* 54744).

The following program requirements are provided to assist the designated legal entity in meeting the legislative intent.

1. Responsibilities of the County Board of Supervisors (CBS), County Superintendent of Schools (COE/CSS) and County Offices of Education (COEs)

Pursuant to *EC* sections 8499.3 and 8499.5, both the CBS and COE/CSS/COE are mandated to be involved in the local child care planning process.

Specifically, the CBS, COE/CSS/COEs are directed to:

1. Appoint members to the LPC according to the guidelines prescribed in statute;
2. Publicize their intention and invite local organizations to submit nominations before selecting the members;
3. Establish the term of appointments for the members of the LPC;
4. Approve the local priorities that are developed by the LPC for submission to the CDE, for new state and federal child care funding for the county;
5. Approve the results of the needs assessment developed by the LPC prior to submission to the CDE;
6. Identify member(s), as prescribed in *EC* Section 8499.5, to serve as part of the team that reviews and scores contract child care service applications submitted to the CDE.
7. Membership of the Local Child Care and Development Planning Council

The statute provides guidelines for the composition of the LPC membership and how appointments are made. The statute specifically requires that every effort should be made by the appointing agencies to assure that the ethnic, racial, and geographic composition of the LPC is reflective of the population of the county. Members shall be appointed from each of the five following categories of representation:

1. 20 percent (20%) consumers, defined as a parent or person who receives, or who has received within the past 36 months, child care services.
2. 20 percent (20%) child care providers, defined as a person who provides child care services or represents persons who provide child care services.
3. 20 percent (20%) public agency representatives, defined as a person who represents a city, county, city and county, or local education agency.
4. 20 percent (20%) community representatives, defined as a person who represents an agency or business that provides private funding for child care services, or who advocates for child care services through participation in civic or community-based organizations but is not a child care provider and does not represent an agency that contracts with the CDE to provide child care and development services.
5. The remaining 20 percent (20%) are to be appointed from any of the above categories or outside of these categories at the discretion of the appointing agencies.

The CBS, COE’s/COE/CSS are each to appoint one-half of the LPC members. In the case of uneven membership, both appointing entities will agree on the odd-numbered appointee.

No member of the LPC shall participate in a vote if he or she has a proprietary interest in the outcome of the matter.

The LPC is required to adhere to the requirements in the Ralph M. Brown Act; *Government Code,* sections 54950-54963, in the conduct and public notification of LPC meetings scheduled.

1. LPC Responsibilities

When legislation does not identify specific target populations or geographic areas to be served in allocating expansion funds, the CDE will use the LPC priorities for the purpose of allocating new state and federal funds within each county. Priorities shall be submitted in accordance with *EC* 8499.5. The LPC shall meet the requirements of *EC* 8499.5 to the extent feasible and to the extent data is readily accessible.

The priorities shall be identified in a manner that ensures that all child care needs in the county are met to the greatest extent possible. To accomplish this, the LPC shall do all of the following:

1. Elect a chairperson.
2. Employ, as an LPC Coordinator, a staff person, as funding permits. The staff person shall assist the LPC in meeting the mandates set forth in Title 1, Division 1, Part 6, Chapter 2.3 of the *EC* and in the Child Care Salary/Retention Incentive Program (CRET) set forth in Assembly Bill 212 (Aroner, 2000).
3. Conduct an assessment of child care needs at least once every five years, as funding permits. The needs assessment shall meet the requirements as specified in *EC* 8499.5(b).
4. Document information gathered during the needs assessment which shall include, but is not limited to: data on supply, demand, cost, and market rates for each category of child care in the county.
5. Submit the results of the needs assessment and the local priorities identified by the LPC to the CBS and COE/CSS for approval before submitting them to CDE.
6. Prepare a comprehensive countywide child care plan designed to mobilize public and private resources to address identified needs.
7. Encourage public input in the development of the LPC priorities. Opportunities for public input shall include at least one public hearing during which members of the public can comment on the proposed priorities.
8. Conduct a periodic review of child care programs funded by the CDSS and California Department of Education (CDE) to determine if identified priorities are being met.
9. Collaborate with all interested parties, including, but not limited to, subsidized and non-subsidized child care providers, county welfare departments, human service agencies, regional centers, job training programs, employers, integrated child and family service councils, local and state children and families commissions, parent organizations, early start family resource centers, family empowerment centers on disabilities, and local child care resource and referral programs, to foster partnerships designed to meet local child care needs.
10. Facilitate community-based efforts to coordinate part-day programs, including state preschool and Head Start, with other child care and development services to provide full-day, full-year child care and development services based on guidelines and funding models approved by state and federal agencies.
11. Develop and implement a training plan to provide increased efficiency, productivity, and facilitation of LPC meetings.
12. Report significant activities and challenges quarterly and complete an annual self-evaluation review by November 15 and submit reports and the annual self-evaluation review to CDE.
13. Actively participate in local Quality Counts California (QCC) and Quality Rating Improvement System (QRIS) consortium per *EC* § 8203.1 (b) (2).
14. Participate in the Preschool Development Grant implementation as required by the United States Division of Health and Human Services and the United States Education Department for the period of December 31, 2018 through December 30, 2020 in order to inventory currently existing state needs assessments, reports, and strategic planning efforts and align them with the needs assessment questions to identify gaps. **This federal grant is designed to improve states’ early childhood systems by building upon existing federal, state, and local early care and learning investments. Additional information can be found at:** [Preschool Development Grant Birth through Five Grant Competition.](https://www.acf.hhs.gov/occ/grant-funding/preschool-development-grant-birth-through-five-grant-competition)
15. Local Match Requirement

Each contractor shall contribute a match, in the form of monetary and/or in-kind services, equal to 25% of the annual 1998/99 LPC grant award amount. The local contribution for this contract is shown on the face sheet. This amount must be reported on the Quarterly Expenditure Report (CDFS 9529) Expenditure and Revenue Report Form in Section I –Revenue under Match Requirement.

1. Reporting Requirements and Other Critical Dates

The following is a listing of required activities and due dates that the contractor must adhere to during the contract period. Failure to comply with these requirements may be considered a noncompliance issue and subject the contractor to possible termination of the contract.

Table 1-Activities Timeline

| Report/Activity | Due Date | Reporting Period |
| --- | --- | --- |
| Fiscal Plan/Yearly Budget | September 18, 2021 | July 1, 2021 – June 30, 2022 |
| Annual Self-Evaluation Report  | November 15, 2021 | July 1, 2021 – June 30, 2022 |
| CD-6002-Annual Summary of Activities Report | July 19, 2022 | July 1, 2021 – June 30, 2022 |
| CDFS-9529-Submit 1st Quarter Revenue and Expenditure Reports | October 20, 2021 | Jul. 1, 2021 – Sep. 30, 2022 |
| CDFS-9529-Submit 2nd Quarter Revenue and Expenditure Reports | January 20, 2022 | Oct. 1, 2021 – Dec. 31, 2021 |
| CDFS-9529-Submit 3rd Quarter Revenue and Expenditure Reports | April 20, 2022 | Jan. 1, 2022 – Mar. 31, 2022 |
| CDFS-9529-Submit 4th Quarter Revenue and Expenditure Reports | July 20, 2022 | Apr. 1, 2022– Jun. 30, 2022 |
| CD-3020-Certification Statement Regarding Composition of LPC Membership | January 15, 2022 | N/A |
| Changes to:* Bylaws
* Previously submitted needs assessments
* Comprehensive countywide child care plan – TBD
 | Within 4 weeks after approval | N/A |
| CD-3022-LPC County Priorities Report | May 29, 2022 | For use in allocating 2022-2023 EESD Program Funding |

1. The Support Contract Expense Report must be submitted via the Child Development Provider Accounting Reporting Information System (CPARIS) reporting system. CPARIS can be accessed on CDE’s website at [CPARIS](https://cparis.cde.ca.gov/cparis/logon.aspx). If you need more information about how to submit your Support Contract Expenses report, contact your assigned fiscal analyst.
2. The Revised Annual Program Activities Report (Revised CD 6002) may be submitted electronically via survey.
3. The Annual Self-Evaluation Review Documents must be submitted by November 15th to: LPC@dss.ca.gov
4. All other reports shall be submitted to: LPC@dss.ca.gov

## III. CDSS CONTACT INFORMATION

If you have questions regarding these program requirements, please contact the Child Care and Development Division at: LPC@dss.ca.gov.