ORANGE COUNTY DEPARTMENT OF EDUCATION

Family Support Services

EFFECTIVE JULY 2026

PARENT/PROVIDER PARTICIPATION GUIDELINES

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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.

STEFAN BEAN, Ed.D.
County Superintendent of Schools

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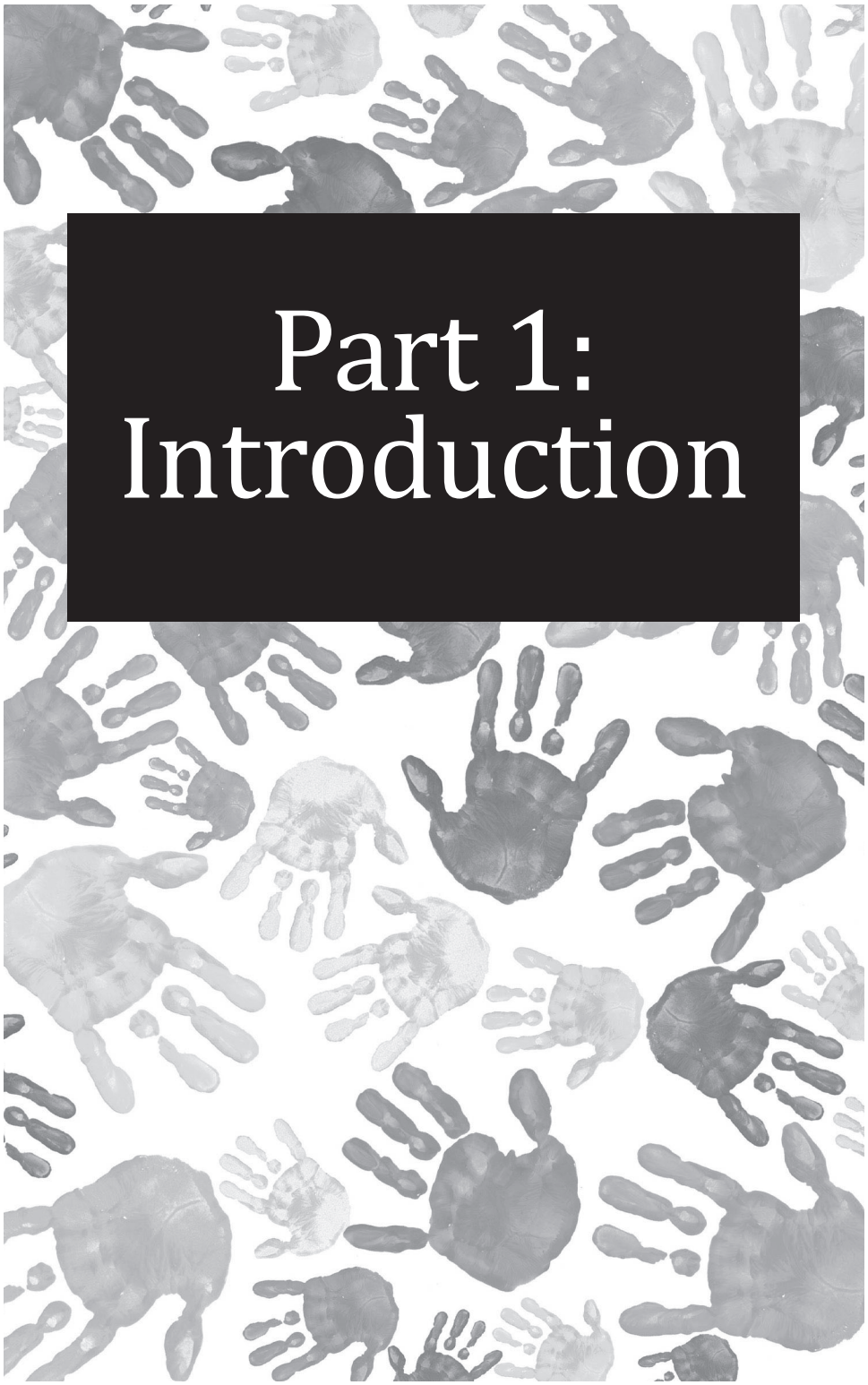
Part 1: Introduction



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 450,000 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.

Stefan Bean, Ph.D.
OC 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.

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

At OCDE FSS, our staff works together as a team to ensure that parents can successfully participate in our Alternative Payment (AP) Program, while child care providers receive timely and accurate reimbursement. We are dedicated to upholding the highest standards of service and compliance, ensuring a positive experience for all parties involved.

- **Commitment to Understanding Regulations:** We are dedicated to fully understanding and following the rules and regulations set by CDSS CCDD.
- **Providing Quality Service:** We strive to offer excellent customer service and are always available to assist families and providers in our program.
- **Staff Accountability and Excellence:** Our team is committed to maintaining high standards of excellence and accountability, ensuring the Family Support Services Program is both financially responsible and legally compliant.

HOW OUR PROGRAM WORKS

APPLY – Families must place themselves on the Childcare Eligibility List (CEL) maintained by the Resource and Referral (R & R) department at Children's Home Society of California (CHS).

ASSIGN TO - When a family is pulled from the CHS CEL, a Family Services Technician (Family Tech) is assigned to family for point of contact with FSS. The Family Tech processes the family's application, determines their eligibility and manages their child care case while the family is enrolled in our Program.

PICK A PROVIDER – A family may choose a child care provider that best meets their family's needs. Parents have a choice of child care arrangements such as a family child care home, child care center or care by a trusted relative or family friend.

PROVIDER ENROLLS – When a provider is selected by a parent that is not currently contracted with OCDE FSS, the provider is assigned a Provider Support Technician (Provider Tech) to be the point of contact with FSS. The Provider Tech enrolls the provider and manages the provider's file during the provider's participation in our Program.

CHILD CARE IS APPROVED – Once a family completes all the enrollment requirements, child care is approved and each child is given a certified schedule of the days and hours that may be used. The family remains eligible for no less than 24 months. They may continue the same services using the same child care schedule and have no changes to their family fees, even if they have changes in their family's eligibility and/or need. A change of child care provider must have prior approval.

CHILD CARE BEGINS – Once authorized child care begins with a provider, the parent and provider are responsible to record each child's attendance daily, on monthly attendance records issued by OCDE FSS. Both parties must ensure the attendance records are complete and accurate prior to submitting to OCDE FSS for payment.

SUBMIT ATTENDANCE RECORDS – The parent and provider are responsible to submit completed attendance records to OCDE FSS office. Attendance record is considered to be an invoice for provider.

REIMBURSEMENT – Based on the submitted attendance records, OCDE FSS payment team calculates payment and issues provider reimbursement. They can also answer questions regarding provider reimbursements that have been issued.

CONTACT INFORMATION

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

COMMUNICATION

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 by email.
2. Program participants are responsible for updating OCDE FSS with changes to physical 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. Participant 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 always be available 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. Parent may register online for OCDE's Parent Portal at https://fpocdoe.nohosoftware.com/.
7. Portal may be used to submit documentation to your Technician and to receive important Bulletins regarding our program.

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

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

- **Priority 1 –** Children receiving Child Protective Services or children at risk of abuse or neglect.
- **Priority 2 –** Income Eligible in relation to family size and income. Within Priority 2, if two or more families are in the same priority in relation to income, then enrollment shall occur as follows:
  - One - A family with a child with exceptional needs
  - Two - A family whose home language is other than English
  - Three - A family who has waited on the waiting list the longest

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 and Need 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. Consider the family to meet the eligibility and/or need requirements for the duration of their eligibility.
3. Provide those services for the duration of their eligibility period before requiring the family to recertify eligibility and need for services.
4. For families funded under CalWORKs and 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 after their eligibility period ends of what is required to recertify and will be required to submit documentation after the eligibility period has expired.
5. Family must recertify eligibility and need no later than 50 calendar days following the last day of family's certification period.
6. 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 Education Code.

DETERMINING A CHILD'S SCHEDULE

Services will be approved based on verified need documentation and/or the program limitations, whichever is less.

Set Schedule: Certified schedule will be based on the verified number of days & hours, or total number of hours parent consistently or expects to work each week.

Variable Schedule: Certified schedule will be based on the highest number of hours worked in any given week within the two-month window preceding certification, OR if there is no work history, the highest number of total hours per week the employer expects the parent to work.

- **Travel time** only applies to parents who are working or in school. Parent must make a written request for travel time. To determine the maximum authorized drive time, divide the work or school hours day by Travel time cannot be more than 4 hours/day (2 hours each way). And, not more than the time from the child's care site to work or school and back.
- **Sleep time** is available for parents who work between the hours of 10 PM and 6 AM. The allowed sleep time can be equal to the authorized work and travel time between 10 PM and 6 AM. Please note that sleep time is not automatic and must be requested in writing.

NOTICE OF ACTION

A Notice of Action (NOA) is to be issued 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 are 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 which is based on documentation of need.

CERTIFICATE FOR CHILD CARE SERVICES

- A Certificate for Child Care Services (Certificate) for each child served, will be issued to the provider with a copy to the parent which shall be used to obtain child care services. The authorized care is referred to as the "certified child care schedule" and will be authorized as either set or variable.
- The Certificate is an "Addendum to Parent's Notice of Action" and reflects the certified child care schedule for child, full-time and part-time monthly family fees, if applicable, and the maximum reimbursement amount the parent is eligible for, based on the Regional Market Rate.

ELIGIBILITY PERIOD – *Once a family establishes eligibility (at initial enrollment, transfer from Stage 1 or recertification), the family will receive child care services for no less than 24-months, before having their eligibility and need re-verified. Parents are not required to report any changes during their eligibility period. There are some exceptions to 24-month eligibility period, including the requirement for parents to report their income exceeding a specific amount, explained later in these guidelines. A parent may, at any time, voluntarily report changes to reduce the family's fees or increase the family's services.*

ELIGIBILITY REQUIREMENTS

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

- The parent is currently receiving CalWORKs cash aid.
- The parent received CalWORKs cash aid or diversion services from the county welfare department within 24 months of enrollment.
- The family is income eligible.
- The family is receiving Child Protective Services (CPS) through the county welfare department or has a child who is at risk of abuse, neglect, or exploitation.
- The family is experiencing homelessness.
- A member included in the family size is certified to receive benefits from one of the following means-tested government programs:
    - Medi-Cal
    - CalFresh
    - CalWORKs
    - Child only cash aid
    - WIC
    - Head Start
    - Early Head Start
    - The Federal Food Distribution Program on Indian Reservations
    - California Food Assistance Program

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

Documentation and Determination of Family Size

A parent shall provide the names of the parent(s) and the name(s), gender, and birth date(s) of the child(ren) 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. Documentation provided must indicate relationship to child.

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, 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, or

    c. Experiencing homelessness.

2. The parent(s) are one of the following:

    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.

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.

Self-Employment

When a parent is self-employed, they shall provide documentation consisting of the following:

- A declaration of need under penalty of perjury to include a description of employment and an estimate of the days and hours worked each week; and
- As many of the following documents needed to support the day/hours of employment such as appointment logs, client receipts, job logs, mileage logs, copy of business licenses, workplace lease or rental agreement.
- 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 and for less than 30 hours per week.

Training Towards Vocational Goal

Child care services for parents participating in educational programs are limited to six (6) years from the start of services for educational programs and adequate progress must be maintained.

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 in writing. 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.

Maintaining Adequate Progress

Parents must make adequate progress to continue receiving child care services in an educational program. Each school term, a parent must submit documentation of progress.

- In a graded program, earn a minimum of a 2.0 GPA for the last enrolled quarter, semester, or academic enrollment period; or
- In a non-graded program, pass the program's requirements in at least 50 percent of the classes or meet the training institution's standard for making adequate progress.

At each recertification, the parent must provide one of the following for the most recently completed training period:

- Report card
- Transcript
- If the training institution does not use formal letter grades, other records to document that the parent is making adequate progress.

If a parent does not make adequate progress, as described above:

- At the time of next recertification, if parent does not make adequate progress as described above, the family may be disenrolled if parent cannot supply documentation of another need for child care. The need of educational training will not be available again for that parent for six (6) months.

Limitations to Services for Educational Programs

Child care services for parents participating in educational programs are limited to six (6) years from the start of services for educational programs and adequate progress must be maintained. 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 Education Program 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 Educational Agreement form.

3. Child care hours will only be approved for courses required. Parent may request study time up to two (2) hours per week per academic unit of study for each class. 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

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. A written referral dated within 3 months prior to the application for services, from one of the following entities, which identifies the child as experiencing homelessness:
    - A legal, medical, or social services agency; or
    - A local educational agency liaison for children and youth experiencing homelessness; or
    - A Head Start program; or
    - An emergency or transitional shelter; and
    - Referral must include the name of the identifying entity, physical address, telephone number and title and signature of the person identifying the family as experiencing homelessness.
2. A written parental declaration that the family is experiencing homelessness signed under penalty of perjury.
3. Child care services may be approved for no more than five (5) days per week and 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. Child care services may be approved for no more than five (5) days per week and for less than 30 hours per week.

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 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 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. OCDE FSS provides family with the most current chart at time of certification and recertification.

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.

Income Eligibility Documentation Required

Family must submit all sources of income received as shown on **Countable Income Reference chart located on page 26.**

Regular & Steady Income: Total countable income from either month of the 2-month window immediately preceding certification

Fluctuating or Inconsistent Income: Total countable income from two (2) to twelve (12) months immediately preceding certification

Guardian or Foster Parent(s): Documentation of Monthly Income (For child and their related siblings)

Biological or Adopted Parent(s): Documentation of Income (ALL sources for ALL parents in family)

Self-Employed Parent(s): Combination of documentation to establish income, including Business Revenue AND Expenses

Means-Tested Governmental Program Income

If a family's eligibility is based on anyone in the family size as being certified to receive benefits from a means-tested government program, the family must provide documentation of current enrollment along with income submitted to receive the assistance.

Families must also provide income documentation by:

- Submitting the application for the means-tested government program indicating the income declared at the time of enrollment; or

- If the parent does not have access to the means-tested government program application, the parent may submit a self-declaration indicating that they do not have access to the application and to the best of their recollection, the income that was declared on the application for the means-tested government program.

COUNTABLE/NON-COUNTABLE INCOME REFERENCE SHEET (CDSS Programs)

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.	**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. 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	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 child care 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 greatest number of hours 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 in family income to reduce family fee. Parent must submit proper documentation necessary to determine income.
    - Parent will receive a NOA indicating reduced fee and effective date of reduction.

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 and 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 seventh (7th) calendar day of the month.

Unpaid Family Fee

Delinquent Payment

Family fees not received in full by the 7th calendar day of the month will be considered delinquent.

- A 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 pages 69-70)
  - 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.

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.

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 issuance of NOA for 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 (RMR) Ceiling.
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 grades Kindergarten or above.

SELECTING A CHILD CARE PROVIDER

Child Care Provider Selection

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.

The family is responsible for selecting an Orange County child care provider. Choosing child care is one of the most important decisions any family will make. Families should choose a program that aligns with their children's needs, supports their family values, and fosters academic success while laying a strong foundation for school readiness.

OCDE FSS highly encourages families with children between the ages of 2 years and 5 years to select a high quality preschool. National research shows that a high-quality preschool programs:

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

What Should a Parent Look For?

Unlimited Access: Parents have a 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.

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. 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 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

License-Exempt child care providers are not licensed. A family may use license-exempt relative or non-relative child care provider for a child who does not attend academic public or private school. If a License-Exempt provider is selected, parent 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.** This type of care is provided by eligible relatives including grandparents, aunts and uncles by blood, marriage or court decree.

- **Non-Relative Out-of-Home (TrustLine Child Care).** This type of child care is regulated by TrustLine, California's Child Care Registry, which includes individuals who have successfully passed a background check and fingerprint clearance. This ensures they have no disqualifying criminal convictions or substantiated child abuse reports in the state. **Individuals who are denied TrustLine approval are ineligible to receive subsidized child care reimbursement under any circumstances.**

"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. Your provider is considered an In-Home License Exempt (LE) provider. OCDE FSS will reimburse the provider up to the Regional Market Rate Ceiling.

In-Home LE providers:

- Are required to submit the same documentation as other LE providers and any other documentation deemed necessary by OCDE FSS and/or CDSS CCDD

- Must review and sign the Agreement for Child Care Services before child care services will be approved or reimbursed
- The provider will be reimbursed directly from OCDE FSS
- The provider 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.

Additional important information for the parent choosing In-Home Child Care:

- As the employer of the In-Home LE provider, you are responsible for paying at least the state's minimum wage, social security tax, Medicare and state worker's compensation insurance for your provider. You may also be responsible for unemployment taxes.
- You may be required to issue an IRS form W2 to your provider and may be required to withhold federal or state income taxes from the child care provider's earnings. The provider is responsible for reporting income and payment of any federal or state income taxes.
- When provider is considered a non-relative, they must be cleared by TrustLine, California's Child Care Registry. This ensures they the child care provider does not have a disqualifying criminal convictions or substantiated child abuse reports in the state. **Individuals who are denied TrustLine approval are ineligible to receive subsidized child care reimbursement under any circumstances.**

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 currently contracted with OCDE FSS, child care will not be approved to begin until the provider has completed all OCDE FSS enrollment 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 ten (10) days per fiscal year. Payment to a back-up provider when your child is ill shall be limited to ten (10) days per fiscal year.

If the parent provides a physician verification of child's illness. OCDE may reimburse a backup provider in excess of ten (10) days per fiscal year.

When Services Are Received from Other Subsidized Programs

Based on Title 5 regulations, a child is not eligible for child care services for any period of time that the child is receiving subsidized services from another subsidized child care and development program. If other subsidized services are being received, child care services with OCDE FSS may only be authorized before and/or after the child's subsidized hours with the other program.

For any child attending subsidized preschool, child care services can be provided before and/or after preschool hours and for the preschool's holidays and vacations, based upon the documented need of the family.

- Parents must supply their child's preschool calendar each year to OCDE FSS.

- If a calendar is not received, child care services may only be authorized before and after the child's preschool hours, even on days the preschool is closed for a holiday or vacation.

24 HOUR CARE

According to state licensing regulations, licensed and non-licensed child care providers are prohibited from providing child care to any child continuously for 24 hours. Based on this regulation, child care schedules cannot be authorized for more than 23.5 hours in a 24-hour period. If a family's certified child care schedule results in a need for care that is more than 23.5 continuous hours the parent must make arrangements for a break in care before the 24th continuous hour of care.

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

Sibling Enrollment

Parent must complete a Sibling Enrollment Request form and submit to OCDE FSS. Parent may request additional eligible children who are part of the family size to be enrolled for services. Requests are processed on a first come, first served bases, contingent upon if available funding and OCDE FSS' ability to enroll with the requested child care provider. If funding is not available to enroll additional children, the additional child(ren) should be placed on the Eligibility List and may receive services as funding becomes available.

Additionally, when applicable, OCDE FSS will extend the current eligibility period to ensure no less than 12 months is provided to that newly added child.

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.
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 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

To maintain child care services, parent(s) must:

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

Disenrollment from services may result if for the following reasons:

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. (Notification in writing to OCDE is required 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 accurately complete or the falsification of Attendance Record submitted for reimbursement.

When a family is disenrolled from services, a NOA will be issued to parent with a copy to the child care provider.

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.
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 69-70).
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.

PROGRAM SELF-EVALUATION

An annual Program Self-Evaluation is conducted for ongoing monitoring of the program. Parents served during the program year will receive an annual survey to obtain feedback on program operations and services. Results are used to inform the Program Self-Evaluation. Participation in the surveys is voluntary. OCDE encourages participation in surveys and appreciates parent feedback.

PARENT PORTAL

Parents are highly encouraged to register for the OCDE Parent Portal at: https://fpocdoe.nohosoftware.com/.

Please use the email address you provided to the agency when creating your account. The Portal may be used to submit documentation directly to your assigned technician, sign required applications and receive important program bulletins and updates.

Part 3: Provider Participation Guidelines

PROVIDER PARTICIPATION PROCESS

The steps to provider participation in the OCDE FSS subsidized child care program are as follows:

1. Family selects a child care provider and submits required documentation.
    a. Existing/Active provider with OCDE FSS - Family completes a **General Information** form which lists selected provider.
    b. New/Inactive provider with OCDE FSS - Family completes a **General Information** form which lists selected provider. Provider Services Technician collects from selected provider all necessary documentation based on program and type of child care.
2. New provider submits fully executed Agreement for Child Care Services to OCDE FSS.
3. Family receives approval for services and certified for child care.
4. OCDE FSS representative will issue a notice for future changes:
    a. Reimbursement amount and/or rate changes
    b. Certified need (hours of care)
    c. Certified schedules
    d. Change of program budget (i.e., CalWORKs, CAPP)
    e. Discontinuation/Disenrollment of services
5. Provider receives monthly Attendance Record for use and submittal to OCDE FSS as invoice for reimbursement.
6. Provider must promptly notify the program if the child abandons care (no longer attending with no parent contact) for seven (7) consecutive calendar days. OCDE FSS will attempt to contact the parent. A Notice of Action for disenrollment will be issued if there has been no communication with the provider or OCDE FSS for 30 consecutive calendar days.

Note: AP will not reimburse the provider for child care expenses incurred by a family before they have been approved to be in the program.

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 their 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 is a contract between the family and provider. Any disputes arising or liability resulting from the family-provider contract shall not involve OCDE FSS in any way.

OCDE FSS assumes no responsibility for injury or damages arising from the participant or child care provider's performance. The family and provider agree to hold harmless OCDE FSS program and its employees, from costs, lawsuits, or liabilities arising from child care services.

Non-Retaliation and Compliance Policy

Providers will not be subject to retaliation for asking questions, reporting concerns, or participating in compliance-related activities. All compliance activities are conducted fairly and consistently, without regard to provider type, language, or union status.

CHILD CARE PROVIDER REQUIREMENTS

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 provider's mailing address, change in location of child care, 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 including families served from another agency 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.

Communication

Ongoing communication is the key to success in the child care subsidy program. Please be aware of the following communication policies and procedures:

- OCDE FSS staff are here to assist child care providers with any questions about the program. Please contact our office to speak with staff during regular business hours.
- Program participation will be notified of important dates, requirements, and actions regarding participation in the child care program in writing through the mail and email (if provided). Child care providers are responsible for receiving and reviewing mail. OCDE FSS is not responsible for mail that is lost, stolen, or not delivered by the postal services.
- OCDE FSS is not responsible for any adverse actions that occur because a provider does not receive a written notice sent by mail. Be sure to review your mail carefully and call our office immediately if you have any questions about any notice that you receive.
- Every child care provider has the responsibility to report the changes that are relevant to their participation. This includes, but is not limited to, change in name, change in director, address, telephone number, license information, tax information, or a correction or change to the information or documentation previously submitted. Failure to report such changes, or any other changes that impact your status as a child care provider, could result in a delay in your reimbursement, non-reimbursement, or could result in the parent being required to select a new child care provider.

PROVIDER REQUIRED DOCUMENTATION FOR INTAKE AND UPDATE OF DATA FILE

The following documents must be on file with OCDE FSS for providers choosing to participate in our program.

Licensed Centers, License-Exempt Center and Licensed Family Homes

- Provider's written policies regarding:
    - Rate sheet (printed list of fees charged for private pay child care)

    - Tuition Policy for all absences, including holidays
    - Provider discontinuation notice
    - Other fees-registration, materials, or insurance
    - List of days of closure when childcare is not provided (non-operational days)
    - Provider's policy if the holiday falls on a weekend
- IRS Form W-9
- Receipt of OCDE FSS Participation Guidelines & Agreement for Services
- Provider Participation Guidelines Acknowledgement of Receipt
- Provider Attendance Sheet Policies & Procedures
- Rate Confirmation/Policy Statement
- Provider agrees to remain in compliance with applicable licensing regulations
- Copy of current license (Note: License is linked to provider and home/facility. If a provider moves or transfer ownership, new provider documentation, including a current license, must be completed.
- License-Exempt centers and recreation programs must provide proof of their exempt center status.
- OCDE FSS may request additional documentation as needed to verify the provider's eligibility to provide child care services, and/or to verify the provider's rates or policies required for unsubsidized families.

In addition, any child care program operating with a private school affidavit, Heritage & Charter School 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

- Be eighteen (18) years old or older:
- Social Security Card
- Photo Identification
- Proof of Residence (Utility Bill or Rental Agreement/Lease Agreement)
- License Exempt 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
- An individual exempt from licensure, pursuant to Health and Safety Code sections 1596.792(d) or (f), who does not have active tuberculosis or chest x-ray results within one (1) year. and has not been convicted of any crime involving violence against, or abuse or neglect of, children and is:

1. **A Relative,** an aunt, uncle, or grandparent of the child receiving services (by blood, marriage, or court decree), not including the child's parent(s), legal guardian(s), or member(s) of the assistance unit; Declaration of Exemption – Signed by Parent and Provider; or
2. **A Non-Relative**, or any other relative other than Grandparent, Aunt or Uncle of child. Registered TrustLine provider (or provisional provider) and may not include the child's parent(s), legal guardian(s) or member(s) of the assistance unit. A license-exempt provider may care for the children of only one family not related to the provider by blood, marriage, or court decree. Registered and cleared through Trustline prior to caring for the family's children.

Multiple Providers

The parents 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 backup provider when the regular provider has a paid day on non-operation shall be limited to 10 days per fiscal year. Payment to a backup provider when your child is ill shall be limited to 10 days per fiscal year.

PROVIDER CHANGES AND STATUS UPDATES

Name Change or Change in Ownership

Licensed providers must notify OCDE FSS of a change of ownership or license name before the change takes place. The provider must submit a copy of the new license before child care will be approved.

Address Changes

Providers must notify OCDE FSS of a change of address in advance of moving to the new address. A provider's Agreement for child care services becomes null and void on the day the provider moves to a new address. Prior to approval of child care at the new address, the following is required:

- A copy of the new license issued by CDSS Community Care Licensing that identifies the new address of the facility, license capacity and age group (if applicable; An updated IRS Form W-9 (name as shown on provider's IRS documentation or Social Security Card and provider's new mailing address).

Licensed Provider Status

Child care providers are responsible for remaining in compliance with applicable licensing laws and regulations, and for providing OCDE FSS with a current copy of their license, if applicable. The provider must immediately inform OCDE FSS of any change in licensing status, including changes to license capacity.

When OCDE FSS is notified that a provider's license has been suspended or revoked, child care reimbursement will end immediately and the parent and provider will be notified in writing. When OCDE FSS is notified that a licensed facility has been placed on probation, as per CDSS regulations, OCDE FSS will provide written notice to the parent(s) that they have option to select a different child care provider or to remain with the facility.

Approved Provider

Child care will not be reimbursed during any time when the child is under the supervision of an adult who is not pre-approved as a child care provider, and certified to care for the child, through OCDE FSS. Child care is not approved during times when the provider is designated as the full-time guardian of the child (for example, if the parent becomes hospitalized, travels out of town, etc.), or if child care is provided by a different adult other than the person (or licensed facility) who is approved with OCDE FSS. Child care must

also take place at the location that was established as approved. For licensed providers, this also means that a child cannot be "transferred" between multiple licensed locations without prior approval.

Child Care Changes

Please be advised that if there is any change related to the family's use of child care or their child care arrangements, that change must be approved by OCDE FSS in advance. This may includes a change in provider, change in schedule, change in where child care takes place, or any other information related to the child care services being provided. The parent has the right to change their child's selected child care provider; however, approval for such changes cannot be back-dated by OCDE FSS. If the family's child care arrangements change without prior approval from OCDE FSS, the parent is responsible to any difference in payment due to you, the child care provider.

Reporting Absences

Absence information must be documented on the attendance record by the parent (by writing the reason for the absence on the attendance sheet), by the provider (on behalf of the parent, if the parent calls in stating the child will not attend), or by the authorized adult that drops off or picks up the child.

Excused Absences

There are four types of excused absences which include:

- **Illness** of the child, sibling, or parent, including quarantine of the child or medical appointments.
- **Best Interest Days** (BID) are absences that are in the best interest of the child. The maximum allowed is ten (10), between July 1st through June 30th. The exception is for children who are recipients of protective services or at risk of abuse or neglect. Examples of BIDs include: Child/parent on vacation; non court-ordered visitation with parent or relative; school function or field trip; visitation to an incarcerated parent; any other activity in the best interest of the child. If all ten (10) days are exhausted for the fiscal year, additional absences under the BID category are considered unexcused (refer to the "Unexcused Absences" section below).
- **Family Emergency,** including child home with parent who had an unexpected day off from work or school; transportation

problems (flat tire, car broke down, public transportation problem); out of town visiting a family member who is ill; death of a family member and/or attending a funeral; surgery of a family member; a natural disaster (flood, fire, earthquake); or accident.

- **Court Ordered Visitation** (documentation of the court order is required on family file).

Unexcused Absences

An unexcused absence is a variation from the schedule that does not fall within the definition of excused absences. Any days where the child does not attend and the reason for absence is left blank will be considered an unexcused absence.

Abandonment of Care

When a family has not used child care nor been in communication with the provider for seven (7) consecutive calendar days and has not notified the provider of the reason the family is not using services, the provider shall promptly notify the family's assigned OCDE FSS Program Specialist, and provider assigned provider technician. OCDE FSS staff will then attempt to contact the parent through a variety of communication methods, including at least one written communication (which may include electronic methods). OCDE FSS will inform parents in these communications that failure to communicate with OCDE FSS or the child care provider may result in disenrollment from services. OCDE FSS is required to issue the parent a Notice of Action (NOA) to disenroll the family on the basis of abandonment of care when there has been no communication from the parent with the provider or OCDE FSS for a total of 30 consecutive calendar days. OCDE FSS will reimburse up to the provider discontinuation notice policy from the last day of attendance if the provider does not report to OCDE FSS the absences after seven (7) consecutive calendar days

Provider Inactivation and Reactivation

OCDE FSS considers a provider file as inactive if there are no active approval for care with that provider based on the following timelines (based on the last child care authorization stop date) Licensed /Licensed-exempt center providers twelve (12) months and license-exempt providers the last day schedule approved for the family. If a parent requests a child care provider who has been on inactive status for less than twelve (12) months, OCDE FSS will contact the provider to determine if updated documentation

is required. If there have been any changes to the information in the provider's file, documentation must be updated prior to the reactivation. If the provider has been inactive for more than twelve (12) months, the provider may be required to complete all new provider documentation before the file is reactivated.

CHILD CARE ATTENDANCE SHEET

As a child care provider, it is important that you understand the process for recording child attendance and for child care reimbursement. It is your responsibility to submit an attendance record or invoice for each child in order to receive payment for child care. We will provide a OCDE FSS Attendance Sheet for each enrolled child on a monthly basis.

Documenting Attendance

Be sure you have an attendance record or invoice available so that the parent can start filling it out the first day that child care begins each month. If you do not have an attendance document available, contact our office immediately. It is your responsibility to submit an attendance sheet record to OCDE FSS every month that contains the following information:

- The name of the child receiving services;
- The specific dates the child care services were provided;
- The actual times the child entered and the times the child left care for each day services were provided, and recorded on a daily basis;
- Signatures of the provider and the parent at the end of the month (including the signature date), attesting under penalty of perjury that the information provided on the attendance record or invoice is accurate.

The provider may submit the attendance record or invoice without parent signature if the parent has not been in communication with the child care provider for a minimum of 7 consecutive days and the child care provider has notified OCDE FSS of the family's abandonment of care per the Abandonment of Care procedures within this publication.

In addition to including the actual times the child is dropped off and the times the child left care for each day services were provided and recorded on a daily basis, the attendance sheet record:

- If a school-age child is using before and after school care, and if the provider drops the child off at school and/or picks the child up after school, provider is responsible for writing those in and out times on the attendance sheet (as the "authorized" adult responsible for the child).

If attendance records or invoices are not completed accurately according to requirements above, OCDE FSS will issue a reminder letter to the parent and provider that documents the issues that were identified in the attendance sheet record. Repeated issuance of a reminder letter will result in contact from the designated OCDE FSS staff to provide counseling and technical assistance.

The attendance record or invoice must be submitted to the OCDE FSS office after the last day of the month that child care is provided. It is the provider's responsibility to send the completed attendance sheet record to OCDE FSS office for reimbursement. If the attendance sheet record submitted does not meet the requirements listed above, reimbursement may be delayed. OCDE FSS suggests that providers maintain a copy of submitted attendance sheet records for their own records.

For children authorized on both a school and vacation schedule, if there is a variation in the child's utilized care from the authorized schedule on the Child Care Certificate (e.g. child was scheduled to be in school, therefore authorized for care utilizing the school schedule, but the child attended child care for the full day), the reason for the variation must be documented on the attendance record in the Reason for Absence/Variance column.

Failure to document the reason for the variance will result in OCDE FSS reimbursing based on the authorized schedule/certification for the given service period (e.g. authorized school schedule in example above), instead of the vacation schedule (if applicable).

REIMBURSEMENT GUIDELINES

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.

Provider fees must be based on the usual and customary rates charged for non-subsidized children. Providers may not charge parents a categorically higher rate for children with disabilities. AP will reimburse providers to a maximum of the Regional Market Rate (RMR) for the type of care provided as established by statute. Reimbursement is based on the family's certified need for services.

Providers approved reimbursement rate(s) are located on the Certificate for Child Care Services. Registration and other special charges must be approved prior to the beginning of services and cannot exceed the RMR.

HOURLY RATE

- **Part-time:** Less than 25 hours per week and less than 5 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 provider's full-time monthly rate or applicable monthly ceiling.

WEEKLY RATE

- **Part-time:** Less than 25 hours of care per week.
- **Full-time:** 25 hours or more per week.

MONTHLY RATE

- **Part-time:** Less than 25 hours per week and occurs in every week of the month.
- **Full-time:** 25 hours or more per week and occurs in every week of the month.

52.5 Hours or More (Licensed providers only)

An adjustment to reimbursement may be made when care exceeds 52.5 hours per week.

Note: Only applicable when not included in the licensed provider's regular full-time weekly/monthly rate policy. This provision applies only if the family utilizes no more than one provider to meet the child's entire need for child care and development services.

Evenings and/or Weekends (Licensed providers and weekly or monthly only)

Adjustments may be made to the RMR ceiling for after-hour care only apply when after-hour services included are at least 10% of the total care used and when services occur between the hours of 6:00pm - 6:00am or on weekends. Rate must be indicated on rate sheet submitted and will only be paid based on RMR regulations.

Unscheduled Care

Rate adjustments for child care exceeding the certified need only apply when proper documentation has been received and prior approval by OCDE FFS has been given.

Children With Exceptional Needs

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. The family file must contain the child's current IEP or IFSP. Provider must have documentation to support that additional services and/or accommodation for that particular child are being provided which result in an on-going financial impact on the provider.

Licensed-Exempt Relative and Non-Relative

These types of child care providers will be reimbursed based on RMR Ceiling as provided by CDSS CCDD.

Prorating

When the child begins or ends care in the middle of a period that corresponds to an RMR ceiling or provider rate, then prorating may be necessary for provider reimbursement. The weekly or monthly RMR ceiling or rates may be prorated when:

- Child care begins or ends in the middle of the week or month,
- The month begins or ends with a partial week,
- There is a non-payable day of non-operation (closures in excess of ten days of non-operation),
- There are child absences when the provider does not require payment for absences, or for variable schedules,
- There is a midweek/mid-month birthdate that changes the Regional Market Rate category being applied to the child.CO-PAYMENT (Co-Pay)

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.

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-Pay to provider. OCDE FSS is not responsible for collecting Co-Pay.

Additional Fees

Any fees assessed for late pick up or early start of child care, co-pay, transportation, activity fees, 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. 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.

Non-Operational Days Licensed Providers Only (Non-Ops)

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 FSS includes payment for Non-Ops, provider will be paid for the first ten (10) Provider Non-Ops. OCDE FSS will not be reimbursed for providers who do not have written policy for Non-Ops.

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.

Parent is responsible for any payment the provider requires for additional days of Non-Ops beyond the ten (10) allowable days, or for unscheduled days of non-operation not listed in the provider's policy or contract.

SUSPENSION OF REIMBURSEMENT FOR SERVICES

Provider will be notified electronically in writing with follow up call regarding the suspension of reimbursement for following reasons:

- Ownership of the child care facility changes.
- Location of the child care facility changes.
- 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.
- Pending submission and approval of requested child care provider documentation.

PROVIDER RATES

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

PROVIDER RATE CHANGES

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.

Provider must submit new rate/policy 60 days prior to their expiration date to receive reimbursement. New rate/policy received will be effective within 60 days of submission of the updated rate sheet. If child care provider fails to submit new rate/policy by 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.

PLAN FOR TIMELY REIMBURSEMENT

- Reimbursement to child care provider will be issued within 21 calendar days of receipt by OCDE FSS of completed attendance records. See attendance sheet sample for more information on how to complete attendance sheet. (See page 66).
- In the unlikely event that OCDE FSS is unable to issue reimbursement within 21 calendar days due to an emergency, payment system malfunction, or other extenuating circumstance OCDE FSS will notify the impacted provider(s) with 48 hours of OCDE FSS becoming aware of the delay.

By submitting attendance sheet/invoice and accepting reimbursement, providers are reaffirming that information is accurate and complete and that they understand reporting requirements

ISSUANCE OF VENDOR PHYSICAL CHECK

- OCDE FSS uses United States Postal Service for delivery of physical check.
- OCDE FSS permits in-person pickup of a physical reimbursement check only when the provider submits a written request. This request must be sent to the provider's assigned OCDE FSS representative in order for the check to be prepared for pickup. Written requests are valid for one (1) month only. Prior to release of the check, the provider must provide the following information to FSS: the name of the authorized individual (must be 18 years of age or older), the month the check was issued, and, at the time of pickup, a copy of the provider's identification and a copy of the authorized individual's identification.
- In the event a check pick up request is missed or the check is unintentially mailed, provider must wait three weeks for check to be reissued.

DIRECT DEPOSIT

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. Direct deposit is available after two months of check issuant.

OVERPAYMENTS OR UNDERPAYMENTS

If the child care provider believes there is an error in their reimbursement, the provider should contact FSS Payment Services, as soon as possible, to determine if an adjustment is required.

Adjustments (positive or negative) can only be made for current fiscal year reimbursements and are subject to the availability of funds.

- For a positive adjustment due to an underpayment, OCDE FSS will issue provider a separate check for the amount or apply the corrected adjustment to a future child care reimbursement.
- For a negative adjustment due to an overpayment, the provider will be contacted to provide written consent for the negative adjustment to be applied to a future child care reimbursement. If the provider fails to give consent within 15 calendar days, the provider will be required to repay OCDE FSS directly via a check.

LOST OR STOLEN PAYMENTS

Provider is to contact OCDE FSS immediately to report missing, lost or stolen reimbursement checks. OCDE FSS will research payment and advise provider of the findings. If a reimbursement check is mailed, the provider must wait three (3) weeks from the mail date before requesting that a check be reissued due to loss or theft. Payment may be re-issued if it is found provider was not paid. OCDE FSS highly encourages child care provider to set up direct deposit of payments.

PROVIDER NOTIFICATION FOR APPROVAL OF SERVICES AND REIMBURSEMENT

Approval of Services for Family

A written notice is to be issued 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 are 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 which is based on documentation of need.

Certificate for Child Care Services

- A Certificate for Child Care Services (Certificate) for each child served, will be issued to the provider with a copy to the parent which shall be used to obtain child care services. The authorized care is referred to as the "certified child care schedule" and will be authorized as either set or variable.
- The Certificate is an "Addendum to Parent's Notice of Action" and reflects the certified child care schedule for child, full-time and part-time monthly family fees, and the maximum reimbursement amount the parent is eligible for, based on the Regional Market Rate.

TERMINATION OF PROVIDER AGREEMENT FOR CHILD CARE SERVICES

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

- Breach or violation of the conditions of the Agreement for Child Care Services, Participation Guidelines, and/or Policy Statement.
- Notification of Temporary Suspension Order, License Revocation, or Probation from the Department of Social Services Community Care Licensing Child Care License.
- Denial of TrustLine application by Department of Justice.
- Abusive, disruptive behavior or harassment towards OCDE FSS staff.
- Providing false, incomplete, and/or misleading information to OCDE FSS. (See Child Care Fraud and Collection Policy, page 67).
- Failure to submit required documentation.
- 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.
- If a provider's Agreement for Child Care Services is terminated, OCDE FSS may opt not to contract with provider in the future.

- Failure to notify OCDE FSS of any changes in child care license and/or location of child care.
- The provider refuses to sign, submit, or does not return required FSS documentation of the basic provider data file;
- There is falsification of attendance sheets (e.g. signatures, days/hours used);
- The provider is the parent and/or full-time guardian of the child receiving child care services

CHILD CARE PROVIDER RIGHTS

- Child care providers may choose not to contract with OCDE FSS.
- Child care providers will be issued a written notification by mail, electronically, and/or contacted by phone when services are changed and it impacts reimbursement amounts or terminated.
- 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).
- Child care providers may suspend or terminate children from services within the scope of applicable laws or regulations.
- 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 using blue/black ink pen. **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.

Should provider misplace or lose OCDE attendance sheet, provider may submit their own attendance records or invoices for single/multiple children and not all individual records or invoices within the submission include adequate information to provide a payment, payments shall not be withheld for those records or invoices that include adequate information to provide a payment.

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.

You must use an original attendance sheet for the correct month. Attendance sheets are provided by OCDE FSS in advance to provider. **Please contact OCDE FSS immediately if an attendance sheet has not been provided to child care provider for use.** OCDE FSS may accept other documentation in lieu of the attendance sheet at the discretion of OCDE FSS.

Family Responsibilities

A family must be in communication with their child care provider regarding their child's attendance. To avoid termination of services for the reason of Abandonment of Care, the family must communicate with their child care provider regarding their child's attendance and inform them for the reason for any absences.

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.

To ensure attendance records match family-reported schedules, additional documentation of provider records may be requested for review as part of routine program monitoring.

Reporting and Documenting Absences

An absence is when a child is not present or attending child care on a day the child is scheduled to attend.

If child care will not be used on a day a child is scheduled to attend, the parent must inform their child care provider. The parent or provider must note the specific reason (Example: child ill, vacation day, doctor's appointment) for the absence on the attendance record.

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 appt.).

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 or visit with friend/family
- 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.
- Provider suspension and/or denial of service.

Abandonment of Child Care

OCDE FSS is required to disenroll a family from child care services on the basis of Abandonment of Care when there has been no communication with the child care provider or OCDE FSS for a total of thirty (30) consecutive days.

When 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 FSS for 30 consecutive calendar days.

Provider Responsibilities

If after (7) seven consecutive calendar days, a family has not been in communication with their child care provider or notified them of the reason for the absence, the provider must promptly (within 24 hours of the 7th day) notify OCDE FSS via email or a phone call.

If the provider expects payment, they must:

- Record these absences as “child absent/no parent contact” in the comments box on the attendance record.
- Record all attempts to contact the parent in the comments box on the attendance record. (Example: Called parent on 11/22/24, emailed parent on 11/23/24, called parent on 11/24/24)
- Notate on the attendance record, in the parent signature section, that the parent has abandoned their child care and is not available to sign.
- The child care provider must notify to Family Tech to avoid OCDE FSS taking action to terminate the family’s child care for the reason of Abandonment of Care.

Note: If the provider does not follow the above requirements when care has been abandoned and submits an attendance record without the parent signature, OCDE FSS will enforce complete attendance record policies as outlined in Warnings Notification and Possible Disenrollment from Child Care Services (see page 64).

OCDE FSS Responsibilities

Upon notification from the child care provider of the child's absence of seven (7) consecutive calendar days, Family Tech will attempt contact with the family by phone. When OCDE FSS is unable to reach the parent, a written request will be issued for parent to contact their Family Tech to avoid termination of child care for Abandonment of Care. If the family fails to respond and has not been in communication with the child care provider or OCDE FSS for a total of thirty (30) or more consecutive calendar days, OCDE FSS will issue a termination Notice of Action (NOA) for the Abandonment of Care to the family with a copy to the child care provider.

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 blue or black 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.

Incorrect/Errors on Attendance Sheet

Escalation threshold for discrepancies/flagged errors on attendance sheets:

- 1–2 discrepancies: Education reminder given to Parent and Provider
- 3–4 within 6 months: Compliance review to complete with Provider
- Pattern over time: Removal from Program Parent and/or Provider

OCDE does not consider a single error as fraud on Attendance Sheet. OCDE looks for continued pattern of misuse and/or errors.

Maintain attendance records daily

Ensure records match family-reported schedules. Additional records may be requested for review as part of routine program monitoring.

HOW TO COMPLETE THE 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						

DATE	DAY	ACTUAL TIME IN	PROVIDER TIME OUT	PROVIDER TIME IN	ACTUAL TIME OUT	REASON FOR ABSENCE	AGENCY USE
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.

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

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	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.

CHILD CARE FRAUD AND COLLECTION POLICY

1. Child care fraud is defined as the crime of obtaining money or child care subsidy service by deliberate deception. In the event that an attendance record clearly reflects misleading or deceitful information, immediate steps will be taken to terminate services and/or business relationship with the parent and/or provider.
2. If OCDE FSS determines that a parent and/or provider had provided fraudulent information or has not provided the required information, an NOA for termination of services may be issued to parent and/or a Letter of Termination sent to the provider.
3. A letter of explanation shall inform the parent and/or provider that they are responsible for reimbursing our office for any costs incurred during the period of ineligibility. The parent and/ or provider may work with our office to determine a reasonable plan within a three (3) month time period. If the parent and/or provider fails to reimburse, OCDE FSS may file a claim through the Small Claims Court and/or contact the District Attorney's Office.

Part 5: Grievance and Complaints

FAMILY 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 - Apply for eligibility list for child care assistance and child care provider referrals. Located at 333 South Anita Drive, Suite 350, Orange, CA 92868, Tel. (714) 543-2273. Visit website at chs-ca.org

My Child Care Plan - Network of child care resource and referral (R&R) agencies across California that will help you find child care that meets your needs. Visit website at mychildcareplan.org

Orange County United Way - NEED HELP? DIAL 2-1-1 FOR IMMEDIATE SUPPORT By dialing 2-1-1, you can 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. Visit website at 211oc.org

Social Services Agency of Orange County - Provides information on Cash Aid, CalFresh, Health Care Services or Reporting Abuse. Visit website at ssa.ocgov.com

Orange County Child Support Services - Information for Court Ordered Child Support. Visit website at css.ocgov.com

Community Care Licensing – Serving the most vulnerable people of California to promote the health, safety, and quality of life of each person in community care through the administration of an effective and collaborative regulatory enforcement system. Visit Website at cdss.ca.gov/inforesources/community-care-licensing

Reimbursement Ceilings for Subsidized Child Care - Visit website at https://rcscc.adm.dss.ca.gov/

Orange County Department of Education
Family Support Services

Tel. 714.708.3860 • Fax 714.708.2916

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P.O. Box 9050
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STEFAN BEAN, Ed.D.
County Superintendent of Schools