



## Child Care Fund Program Participation Manual

**2020-2021**

*CocoKids is a private, non-profit corporation governed by a volunteer Board of Directors that has provided a variety of services to children and families in Contra Costa County since 1976. Through Area Offices in Richmond, Concord, and Antioch, CocoKids offers a wide variety of child care programs and services designed to support and empower parents and child care providers.*

*The purpose of this booklet is to inform both parents, license-exempt child care providers, and licensed child care providers of the requirements which govern CocoKids's subsidized programs. Updated versions of this Manual supersede any previous versions. Parents and providers have the option to participate in this program and as participants have a duty to abide by the rules and regulations herein.*

The **Child Care Fund Program** operates in accordance with applicable State laws and regulations, and advocates for high quality child care placements for all children. Staff speak a number of diverse languages and offers culturally competent services to the families of Contra Costa County. Staff also receive ongoing training on case management and confidentiality as well as training on early indicators of program misrepresentation and is directed to contact their managers if they have concerns. CocoKids is committed to open and timely communication. It is our policy to treat all families and child care providers fairly and respectfully.

### **OUR VISION**

*To have every parent, child care professional, and policy maker be expert in all aspects of child care and development-fostering the child's cognitive, social, emotional, and physical wellbeing.*

### **OUR MISSION STATEMENT**

*To Champion and advance quality child care and early education.*

*Through a variety of initiatives, programs and services, CocoKids partners with:*

- *Parents - to strengthen families*
- *Child Care Providers - to build a system of quality care and early education that respects parents as primary caregivers and teachers, values diversity and encourages children to make positive life choices*
- *Community - to broaden the base of support for children, families and quality care and early education*

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## **SECTION I: VOLUNTARY PARTICIPATION**

CocoKids's **Child Care Fund** is a government-funded, voluntary program, which offers eligible families the ability to choose a child care provider and receive reimbursement for child care and development services. This program gives parents the duty to select a child care provider who best meets the needs of their family and to monitor the quality of care provided. Children can move from one child care program to another and still receive financial assistance as long as the family continues to meet the eligibility and service need requirements.

### **Parental Choice**

The Child Care Fund subsidizes the cost of child care for children whose parents qualify for the program based on income eligibility, service need, and who live, work or have a child care provider in Contra Costa County. The Child Care Fund is a parental choice subsidy program that supports the parents' responsibility to select the most appropriate child care provider for their children. Parents may select child care services from licensed centers, licensed family child care homes, or license-exempt providers. CocoKids has no duty to supervise children, and parents have a duty to choose, inspect, and monitor the quality of care provided.

### **Daily Sign-In and Sign-Out Requirements**

The California State Department of Education requires parents to enter the time a child arrives and leaves the provider. On a daily basis, parents are responsible for using CocoKids issued "Attendance Sheet" system for tracking child care utilization, which includes making sure the Attendance Sheet is filled out correctly. Child care providers, in partnership with parents, are required to confirm the accuracy of the form.

**Licensed Providers:** Both parents and providers are required to sign and date the Attendance Sheet for monthly submission to the relevant Area Office. The completed Attendance Sheet also serves as the child care provider's invoice for reimbursement. If the family has a family fee, both the parent and provider must sign the back of the Attendance Sheet indicating the family fee has been paid.

**Exempt Providers:** Both parents and providers are required to sign and date the Attendance Sheet for monthly submission to the relevant Area Office. The completed Attendance Sheet also serves as the child care provider's invoice for reimbursement. If the family has a family fee, both the parent and provider must sign the back of the Attendance Sheet indicating the family fee has been paid. In signing the back of the Attendance Sheet, exempt providers are also acknowledging that they understand that they are an independent contractor and not an employee of CocoKids.

### **30-Day Reporting Rule**

Families are required to report when they exceed the 85<sup>th</sup> percentile income within 30 days. Failure to report the changes may lead to disenrollment from the program. Changes to services based on reported changes will never be authorized retroactively.

### **Unauthorized Use of Care**

At the time of enrollment parents are issued paperwork, including a "Notice of Action", and a "Child Care Certificate" which establishes the parameters of a child's authorized use of care. Services used which pre-date or are outside of the authorized days or hours of care are the financial responsibility of the parent.

Throughout the time parents are using services, additional paperwork will be sent to the parent's home address, and parents are expected to respond within a designated time frame determined by Subsidy Staff. Failure to respond will result in disenrollment of services. Parents are required to keep their mailing address up to date.

### **Non-Discrimination**

CocoKids does not discriminate on the basis of sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability, in determining which children are served. If a child's parents speak a language other than English or are hearing impaired, information shall be provided either through written materials or through an interpreter in the language the parents understand. All CocoKids offices are designed to offer full access for our community.

### **American's with Disabilities Act**

CocoKids welcomes the participation of adults and children with disabilities and provides offices and services which offer full access for our community.

The Americans with Disabilities Act is a federal law which prohibits discrimination against people with disabilities. The law requires that CocoKids and child care providers do not discriminate based on a child's disability. Providers are required to offer reasonable accommodations to enable children with disabilities to become fully

included in their program. An accommodation is considered "reasonable" if it does not cause "undue hardship" to the provider. This is assessed on a case- by-case basis, taking into consideration the provider's available resources. CocoKids's Inclusion Program can assist providers in assessing and providing reasonable accommodations.

**Oliver’s Law and Notification of Parent’s Rights (Open Door Policy)**

Parents are informed that prior to choosing a child care program, they have the right to review Community Care Licensing reports on licensed facility site visits and substantiated complaint investigations. Parents also have the right to visit their child's programs anytime during operating hours. Licensing regulations require both homes and centers to have an open door policy, but they also state that anyone coming into the facility or home shall be respectful of the children's routines and activities. Child care centers must be available for drop-in visits by the public anytime during business hours. Licensed homes must be available for inspection by the parents of children enrolled in their program during business hours. CocoKids reserves the right to visit licensed homes and centers unannounced at any time during hours of operation.

**Conduct Limitation/Zero Tolerance Policy**

The Board of Directors of CocoKids has adopted a policy that prohibits inappropriate behavior towards CocoKids Staff, volunteers, or in the presence of families or providers on the program at any CocoKids location. Such conduct will not be tolerated and includes, but is not limited to, persistent and belligerent emails or voicemails, physical or emotional harassment, verbal abuse, racial slurs, foul language, destruction of property, and threats or acts of physical violence. Documentation of such action will result in delay of services or disenrollment from the program.

**Priorities for Enrollment**

The Child Care Fund currently consists of local, state, and federally funded subsidy programs:

- CAPP Combined Alternative Payment Program
- C2AP Combined CalWORKs Stage 2
- C3AP Combined CalWORKs Stage 3

Each funding source has regulations to follow. Although most of the information for eligibility and service need is similar for each program, one major difference is how families enter our program. The CalWORKs Stage 2 families are transferred to CocoKids from Community Service Bureau (CSB) or other Stage 2 programs in a different county. CAPP families are selected from CocoKids Eligibility List.

**Child Care Eligibility List (CCEL)** is a list of families who are waiting for subsidized child care. It is identified as an “eligibility list” rather than a “waiting list” because families are ranked in terms of their eligibility for services, rather than by time on the list.

**First priority** shall be given to Children identified to be At-risk or receiving Child Protective Services with upon written referrals from a legal, medical, or social services agency.

**Second priority** shall be given to eligible families who are income eligible.

**Eligibility Based on Income**

Subsidized child care services are generally limited to low-income families. In order to participate in the Child Care Fund, parents are required to document their “countable” income.

At the time of enrollment & recertification, a family’s gross monthly income must be at or below the Monthly Income Ceiling listed below for their family size. Once a family is enrolled on the program their gross monthly income cannot exceed the income listed below for their family size. Once the maximum income is reached, the family will no longer be eligible for subsidized child care services.

Family Size	1 o 2	3	4	5	6	7	8	9	10	11	12
Monthly Income Ceiling	\$5,540	\$6,157	\$7,069	\$8,199	\$9,330	\$9,542	\$9,755	\$9,967	\$10,179	\$10,391	\$10,603

### **Eligibility Based On Service Need**

Families who are income eligible must also have at least one “service need” in order to be enrolled or to continue services. The family (including custodial adults and guardians and any other adult counted in the family size) must be working, looking for work, attending vocational training, medically incapacitated, or seeking permanent housing. A child can have a service need of Child Protective Services (CPS) or be At-Risk of abuse, neglect, or exploitation.

### **Working**

Parents who work are required to submit one complete month of original wage stubs, and document the days and hours of employment. Their employers will be called or sent a letter to verify the parent’s employment. Additional paperwork may be required to verify employment. Child care services will not be authorized for work performed for relatives or friends unless the relative can show proof of both a Business License and copies of check stubs received for work performed by the parent.

- Child care for parents on the CalWORKs and CAPP program may be provided if the parent has received a firm commitment from an employer that he/she will be employed within the next two weeks.
- If the parent (or other adult counted in the family size) works in the home, the nature of the work must not include the supervision of his or her own children. Thus, family child care providers are not eligible for subsidized services because their work includes the supervision of their own children.
- Parents employed by child care centers may receive child care services as long as they are not supervising their own child. If the parent is a family child care home assistant in a large family child care home and registered with Community Care Licensing they may receive child care.
- Parents who work for In Home Service agencies and have school-age children may be required to submit additional documentation for child care services to be approved during evenings and weekends. If a provider is a recipient of any In Home Services; they cannot be an exempt provider and provide care for children on the program. In addition, when a parent cares for an in home services recipient, and they reside in the same home, the provider cannot live in the same home as the parent, child(ren), and recipient.
- To be qualified as self-employed, parents must either have a Business License or be paid in cash, must work a minimum of 20 hours per week, and their gross income must be at or above the federal minimum wage. Parents who are self-employed must sign a declaration that includes a description of the employment and an estimate of the days and hours worked each week. Additional Business Records such as, but not limited to, ledgers, receipts, business logs, a workspace lease, a Business License, and client information may also be required. Parents who are self-employed may only care for an individual if the employment is through a certified Agency.

### **Seeking Employment**

Child care for parents seeking employment can only be authorized for part time services. Parents must submit a written declaration stating they are looking for employment.

### **Vocational Training**

Parents who are participating in training activities must declare their vocational goal and explain how their goal will lead to self-supporting work. Documentation of the training schedule is required. A secured electronic copy of the class schedule and/or registration from the college will be accepted. Parents are required to have a 2.0 G.P.A. or in a non-graded program, pass the program’s requirements in at least 50 percent of the classes or meet the training institutions standard for making adequate progress. Any parent who receives a grade lower than a 2.0 GPA for a term shall be expected to make adequate progress for the following recertification year and may be disenrolled if grades do not improve at the following recertification. Services will not be approved for continued training activity without grades or proof of approved program’s requirements from the previous term. Study time is authorized based on the number of academic units a student is taking or no more than the number of class hours per week for non-academic or non-unit bearing training. (Limitations: Authorization for training hours may not exceed six years from the date of enrollment on the program. This includes time disenrolled from the program or years not enrolled in school, or 24 units post BA degree). GED or ESL classes can also be taken.

**Online Classes:** Online or televised classes that are unit bearing classes from an accredited training institution are acceptable and will be counted as one hour per week per unit. A copy of the class syllabus or other documentation is required and, as applicable, the Web address of the online program.

A parent enrolled in an online class with a school age child will be required to take their online class during the hours the child is in school. However, on a case by case basis, if the parent has another status need or the online class requires the parent to log on or meet with the class after the hours the child attends school, child care services may be authorized with proper documentation to prove the need of child care services for their school age child.

### **Children and Family Services (Child Protective Services)**

If a child is receiving CPS services through the county welfare department, the child's welfare services worker must submit a CPS Referral for Child Care Services form stating that child care services are part of the case plan. If a child is not receiving Children and Family Services but is at-risk of abuse, neglect, or exploitation, a legally qualified professional (e.g., social worker, psychologist, doctor) must submit an At-Risk Referral for Child Care Services stating the child's case and indicate that child care services are necessary for the health and safety of the child.

### **Homelessness and Seeking Permanent Housing**

Families receiving services through the CAPP program may have a service need of homelessness or seeking permanent housing in order to stabilize the family. The parent can provide a written parental declaration describing current living situation and plan to secure fixed, regular, and adequate residence and/or a signed written referral from an emergency shelter or other legal, medical or social service agency. Child care services will be granted part time.

### **Medically Incapacitated**

Some families may be eligible to receive child care services because they have a medical or psychiatric special need. To qualify, these circumstances must significantly limit the parent's ability to provide normal care for their child. A release is required signed by the incapacitated parent authorizing a legally qualified health professional to disclose the necessary information. A Statement of Incapacity from a licensed medical professional is required. Eligibility for medical incapacity will only be determined after a careful review of the referral and a phone call to the licensed medical professional, and CocoKids's assessment of certified need for services. Child care services based on Incapacity cannot exceed 50 hours per week. Foster parents on our program cannot be approved for services based on incapacitation, unless the need is CPS or At-Risk.

### **Children with Exceptional Needs**

Families may receive child care services for children ages 13-21 that have exceptional needs. To qualify, the following documentation is required: a copy of the child's current Individual Family Service Plan (IFSP) or the Individualized Education Program (IEP) and a statement signed by a legally qualified professional that states that the child requires special attention of adults in a child care setting. In some cases, the child's provider may receive a small differential, if the caregiver submits a letter of request documenting the reason for the adjustment. CocoKids's Inclusion Department will review the request.

## **SECTION II: AUTHORIZATION OF SERVICES FOR 24 MONTHS AND 12 MONTHS FOR SEEKING EMPLOYMENT**

### **Certification of Child Care Services**

The Child Care Certificate is an agreement for services between the child care provider and the parent. The Certificate is based on the child's authorized need for services. The Child Care Certificate delineates the family's certified days and hours of child care needed and the parent's reimbursement ceiling. If applicable, the Child Care Certificate will indicate the family's family fee. CocoKids requires that the parent review, sign, and return the Certificate within ten (10) days of receiving it. It is the parent's responsibility to send the signed Child Care Certificate back to the Subsidy staff, if care is with a license-exempt provider. For families choosing a licensed provider, the provider is required to sign and return the Child Care Certificate.

The signed Child Care Certificate indicates that the parent and CocoKids agree to the provider's rates and the days and hours of child care. The provider's reimbursement or payment will be based on the signed Child Care Certificate.

Child care services are not approved until parents have submitted documentation of their income eligibility and service need. CocoKids staff will issue a Notice of Action and Child Care Certificate to the parent.

### **Family Benefit Ceilings**

At each certification, the family’s need for child care will be discussed, and a determination made of the amount of authorized hours necessary to meet that need. Child care benefit levels are assigned per child depending on the child’s need in the context of the family’s overall need. A child’s certified need can never exceed the need assessed for the family.

**Recertification**

Families are required to update their records in person every twenty-four months. Families must report when their income exceeds the 85<sup>th</sup> percentile within 30 days of the change.

The Subsidy staff will meet with families to discuss their continued eligibility and need for services. A new Notice of Action will provide a new start and stop date for services, contracted hours and days approved for child care, and family fee (if applicable).

CocoKids will send a Notice of Action disenrolling participation in the program if the parent does not comply with the requirements outlined in the Notice of Action.

**SECTION III: SHARE OF COST**

**Family Fee Collection by the Child Care Provider**

Some families will have to pay a portion of their child care costs directly to their child care provider. The providers’ reimbursement will be reduced by the calculation of a monthly Family Fee owed. The sliding fee schedule used to determine a “Family Fee” is prepared by the State of California, Child Development Division. This fee is state mandated and is based on family size and family income. The amount of the Family Fee a parent must pay is indicated on both the Notice of Action and Child Care Certificate. The Family Fee is a monthly fee based on the number of hours for which child care services are contracted (including all licensed providers non-operational days) and is only applicable for the child who uses the most care, which is usually the youngest child in the family. If the child attends over 130 hours or more per month the parent will be required to pay a fulltime Family Fee. If the child attends less than 130 hours per month the parent will be required to pay a part-time Family Fee. For school-age children, some months will have a fulltime Family Fee and some months will have a part-time Family Fee. Fees will begin once the family’s gross monthly income reaches the level indicated below. Family Fees are subject to change.

<b>Family Size</b>	<b>1 or 2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8 or more</b>
<b>Fee Begins</b>	2,542	2,825	3,243	3,762	4,281	4,378	4,476

**Non-Payment of Family Fees**

Family Fees will be considered delinquent on the date CocoKids is notified by the provider or the Attendance Record shows no family fee was paid. A Subsidy staff will issue a Notice of Action for Delinquent Family Fees after the 3<sup>rd</sup> delinquent notice and the parent will have nineteen days to pay the delinquent Family Fees or create a reasonable payment plan with their provider that will be signed by both the parent and the provider. CocoKids will continue to provide services to the family, provided that the family pays the current Family Fee when due and complies with the provisions of the payment plan. If the parent fails to make payments once the payment plan is put in place, the family will be disenrolled from the program. Upon disenrollment of services for nonpayment of delinquent Family Fee, the family will be ineligible for child care and development services until all delinquent Family Fees are paid.

Family Fees are due in advance, on the first of each month. The provider will indicate on the back of the Attendance Record that the family fee for the month has been “paid”. For families using multiple providers, family fee collection is given to the provider caring for the child with the most hours of care. When an error is made in the calculation of the family fee, parents will be issued an under-payment notice. Accounts must be settled prior to the next invoice period.

**Co-Payment**

When a family chooses a child care provider who charges a higher rate than the parent’s benefit ceiling, the parent will be responsible for paying the difference. This difference between the benefit ceiling and the additional amount charged by the provider is known as a co-payment. Co-payments are paid directly to the child care provider, just like Family Fees.

### **Additional Costs**

Parents are responsible for any fees or costs related to the use of any unauthorized days of care. These costs are due to the provider, and are not part of the family's benefit ceiling.

## **SECTION IV: SELECTING A CHILD CARE PROVIDER**

### **Choosing Care**

Parents are responsible for the selection and monitoring of their child care provider or center. Parents must have chosen a child care provider before they can enroll with CocoKids. A Child Care Certificate will not be issued until all necessary paperwork has been completed.

CocoKids can assist parents in choosing the best child care program for their children by providing parents with at least four referrals to licensed child care providers. These referrals are not to be construed as recommendations, but rather as suggestions of a larger universe of caregivers from which parents can choose. Information may also be available if a parent chooses a license exempt provider. For families participating in the Child Care Fund programs, the family's child care program must be located within 20 miles from where the parent lives, works, attends training, or where the child attends school.

Community Care Licensing, the State's regulatory agency, sets minimum standards for care which include the ratio of children to adults, and the safety of the environment. Parents may phone Community Care Licensing to check on a program's history, or complaints. Parents have the duty to monitor the day to day care of their children and to report any unusual activity to Community Care Licensing. The Regional office is located in Oakland; they may be contacted at (510) 622-2602.

### **TYPES OF CARE**

#### **Licensed Centers (also known as preschools, nursery schools, or day care centers)**

Licensed child care centers are facilities that provide child care services, and are monitored by The State of California's Department of Social Services Community Care Licensing Division Title 22. Licensed programs are required to have a practice that they charge the same rates for subsidized and non-subsidized families.

**Licensed Family Child Care Homes** are private homes that provide child care and development services in a smaller setting. Many homes are open "non-traditional" hours and are available to serve multiple ages of children. They must also have a policy that they charge the same rates for subsidized and non-subsidized families.

**License-Exempt Providers** are not licensed by the State. Parents are responsible for hiring, firing and setting the days and hours they will be using care. CocoKids will only reimburse licensed exempt providers on behalf of the parent for the services authorized.

Parents and providers are responsible for filling out the Attendance Sheets, and providers are responsible for submitting the Attendance Sheets to their local CocoKids Area Office for reimbursement. Parents are responsible for payment to the provider for any unauthorized use of care, and for any un-reimbursed expenses owed to the provider.

**In-Home License-Exempt Providers** under special circumstances, if a parent wishes to use an in-home license-exempt provider, they are required to submit the following documentation before a Child Care Certificate can be issued: (1) A copy of a Worker's Compensation policy that the parent has taken out for the employee (caregiver), (2) A copy of required documents the parent has filed indicating that they (the parent) are the employer and will be withholding income tax, social security tax, and additional withholds from the provider's pay as required for the Internal Revenue Service, the Franchise Tax Board and Social Security Administration, (3) Must register with Trustline and obtain a Tuberculosis clearance (this excludes verified grandparents, aunts, and uncles), and (4) Complete the required CocoKids Licensed Exempt Provider packet and In-Home Exempt Caregiver Agreement.

Parents are also responsible for ensuring their children's immunization records are up to date and on file with CocoKids and selecting and monitoring the health and safety of these homes.

License exempt providers and In-home license-exempt providers are required by the State of California to be fingerprinted and have a TB clearance. License exempt providers and In-home exempt caregivers who are not aunts, uncles, or grandparents, are also required to be TrustLine registered. TrustLine is a mandatory background check required of all license exempt child care providers who are not related to the child as an aunt, uncle, or grandparent. License exempt providers and In-home license-exempt providers must be cleared through TrustLine within 30 days of the submitting the TrustLine application in order to be reimbursed for services. This includes

immediate care with provisional providers. In the event that the exempt provider is not cleared during this time period, the parent will be required to find another provider, and the exempt provider will not be eligible to receive reimbursement for any child care services provided on the Child Care Fund Program. If the exempt provider is cleared within the 30-day allotted time, the exempt provider will be reimbursed for authorized services. If a provider's TrustLine Application is denied or revoked, he/she is immediately ineligible to be paid. **Grandparents, Aunts and Uncles:** A Declaration of Exemption from TrustLine Registration and proof of being related is required for grandparents, aunts and uncles

**Family, Friends and Neighbors** (also known as Kith and Kin Care): In addition to being cleared by TrustLine, parents choosing an unlicensed provider must submit State required documents including a Health and Safety Self-Certification form, and a Tuberculosis (TB) clearance.

## **DOCUMENTATION OF RATES**

**Licensed Family Child Care Homes and Centers** are required to submit copies of their rate sheet and/or a "usual and customary rates and services" when a rate is not identified on their rate sheet, and copies of the contracts or agreements they use with all subsidized and non-subsidized parents, to CocoKids's Resource and Referral Department. Information which addresses rates, holidays, staff training days, school closures, discounts for siblings, registration fees, scholarship programs, etc. will be shared with the Child Care Fund to ensure accurate reimbursement. Licensed homes and centers can be reimbursed based on enrollment, not attendance if only their policy clearly states that all parents are charged the same, and that no extra charges are applied to subsidy parents. CocoKids can pay up to a family's benefit level; the parent is responsible for any additional costs.

**License Exempt Providers and In-Home License-Exempt Providers** are reimbursed on behalf of the parent only for days and hours authorized on the Child Care Certificate. Parents should ask their provider to fill out a statement which shows how they expect to be paid. The parent must sign and date the form. CocoKids can reimburse on behalf of the parent up to a family's benefit level. The parent is responsible for any additional costs.

## **Family Benefit Ceilings (known as the Regional Market Rates)**

Families participating in CocoKids's Child Care Fund programs are assigned a Benefit Ceiling based on regulatory State Department of Education codes. Children attending less than thirty hours a week will be reimbursed at a part time Benefit Ceiling. Children attending thirty hours or more hours per week will be reimbursed at a full-time Benefit Ceiling. When the child's hours regularly vary more or less than thirty hours, CocoKids will assess the appropriate Benefit Ceiling.

CocoKids will consider the provider's rate sheet and/or usual and customary rates when assigning a family's Benefit Ceiling. However, CocoKids is not allowed to pay more than the rate the provider charges other children. Additionally, CocoKids is not allowed to pay more than the full-time Benefit Ceiling in any category. Specific regulatory language dictates calculation limitations in certain instances.

CocoKids can only pay up to a family's benefit level; the parent is responsible for any additional costs. Thus, if the parent is assigned a part-time Benefit Ceiling (fewer than thirty hours), and uses more time, the parent, not CocoKids, is responsible for the unauthorized hours.

## **Complaints Regarding Licensed Providers**

Parents using licensed care, whether in a child care center or in a licensed family child care home, are encouraged to contact Community Care Licensing, or CocoKids to report health and safety concerns.

If a provider's child care license is suspended or revoked by Community Care Licensing, CocoKids will terminate subsidized child care with the provider within one to two days of receiving notification. Both the parent and provider will be notified that payment will be terminated. Parents will be given 19 calendar days to find a new child care provider.

CocoKids will not continue making child care payments to a provider if his or her child care license is suspended or revoked, even if the provider chooses to become a license-exempt provider after having his or her license suspended or revoked.

If a provider's license is placed on probation, a Subsidy staff will notify all parents by a phone call and follow up in writing within two days of receiving notification. Parents have the option to stay with the provider, (parental consent) or choose another caregiver. The Resource and Referral Department can help by providing at least 4 referrals from which parents can choose.

## **Complaints Regarding Licensed Exempt Providers and In-Home Exempt Caregivers**

If parents with children in license-exempt care have a complaint, they should talk to the provider.

### **Changing providers**

Parents have a right to change child care settings. CocoKids limits changing license-exempt providers to twice per fiscal year (July 1<sup>st</sup> to June 30<sup>th</sup>). If the parents wish to change license-exempt providers more than twice in a fiscal year they must request a meeting with the Director of Subsidy and Quality Assurance to discuss their child care situation.

Parents who are currently enrolled in the program will be given a NOA to inform them that they have 19 calendar days to find a new child care provider. If a provider is not found within 19 days, the parent may be disenrolled from the program. Additionally, prior to changing providers, participating parents are required to settle any and all past debts, including Family Fees, to their current provider in order to authorize child care with the new provider.

If a parent terminates care with no notice given, and the provider requires a two-week notice, CocoKids can pay the provider for (1) week of authorized child care services.

### **Multiple or Alternate Providers**

CocoKids can pay only one provider for child care services per child. However, there are some exceptions:

- CocoKids may reimburse more than one provider per child when the hours of operation of the first provider cannot accommodate the certified need for child care, or
- When a family's first provider is not a licensed center and the parent also chooses a licensed center for the specific purpose of providing the child with "large group school readiness" experiences, the agency may also reimburse the services provided by the licensed center. This is only for children birth-5 years.
- CocoKids will pay an alternate child care provider for days of non-operation of the primary provider for up to 10 days per fiscal year.
- CocoKids can pay an alternate child care provider when the child is ill and cannot go to the primary provider for up to 10 days per fiscal year.
- CocoKids can pay for more days with verification from the child's physician.

## **SECTION V: REIMBURSEMENT**

The Child Care Fund will only reimburse providers up to the maximum family benefit ceilings for Attendance Sheets that are correctly submitted and based on the certified need as stated on the Child Care Certificate. Providers will receive a Child Care Certificate for each child authorized to receive services. The Child Care Certificate contains the parent's name and address, the child's name and date of birth, the child's first day of enrollment, the authorized days & hours, the rate and family benefit ceilings, the period of enrollment, and the family fee (if applicable). If a child is absent for an extended period of time, the child may be dis-enrolled in the program.

### **Customary Rates and Services (Licensed Only)**

Child care rates charged to CocoKids must be the same as the rate charged to non-subsidized parents. These are also known as "market" rates.

### **Daily Record of Attendance**

Parents must write the time in and out of care on a daily basis and sign and date the back of the Attendance Sheet each month in order for payment to be processed without delay. If the child was absent, the parent should write the reason for any absence.

1. Providers must write the arrival and departure times daily for school-aged children on the Attendance Sheet. Providers cannot write in times when the parent drops off or picks up the child. The parent must write the time in for drop off and pick up.
2. Original Attendance Sheets must be submitted for payment. Payment can never be reimbursed on a copy.
3. It is the parent and provider's responsibility to maintain accurate records and oversee that the Attendance Sheet. It is the provider's responsibility to submit the Attendance Sheet for reimbursement.

### **Payment Deadlines**

Reimbursement will be made as follows:

- 1) Attendance Records received by the fifth (5th) will be processed and uploaded to the bank on the twentieth

(20th) of the month.

- a) If the fifth (5th) calendar day falls on a Saturday, Sunday or Holiday, CocoKids will accept the completed Attendance Sheets on the first following business day.
- 2) Attendance Records received by the tenth (10<sup>th</sup>) of the month will be processed and uploaded to the bank on the twenty-fifth (25<sup>th</sup>) of the month.
- 3) Attendance Records received by the twenty-ninth (29<sup>th</sup>) of the month will be processed and uploaded to the bank on the on the last day of the month.
- 4) Attendance Sheets for the month of June are due no later than the fifteenth (15<sup>th</sup>) of July to be paid. Any Attendance Sheets submitted past the 15<sup>th</sup> of July may not be paid.

### **Payment Limitations**

It is the responsibility of the parent participating in the Child Care Fund to select the best child development services for their children based on the family's benefit ceiling, documented eligibility, certified need and the child's schedule. The Resource & Referral Department has listings of licensed child care providers in each area of the county to help parents select the most appropriate facility.

It is the parent's responsibility to pay for expenses that CocoKids will not pay for:

- Any child who does not have a signed Child Care Certificate
- Service days and hours not authorized on the Child Care Certificate
- Charges incurred after a family has been disenrolled
- Overtime or Late Fees
- Private school tuition, educational fees, and supplies
- Transportation and field trips
- Diapers, clothing items, or other expenses that are not part of the tuition costs for child care services
- Instructional minutes for any child that is attending a private or public kindergarten program

### **Rate Increases**

A request for a rate increase is limited to once per fiscal year (July 1<sup>st</sup>-June 30<sup>th</sup>). CocoKids requires 30 calendar days advance written notice for rate increases. All increases must be submitted in writing to R&R and approved by QA.

All rate increases are subject to the availability of funds.

### **Registration fees**

Rate of reimbursement of the registration fee is determined by State guidelines, and will be paid no more than once per fiscal year if applicable.

### **Form 1099 (Statement of Non-Employee Earnings) (Applies to both Licensed and Exempt providers)**

Reimbursements to providers of \$600.00 or more during the calendar year will be reported to the Internal Revenue Service, the California Franchise Tax Board and any other government body as required by law. At the end of the calendar year, CocoKids will send the program/provider a 1099 Form stating the total amount of money paid by CocoKids during that calendar year. Each provider is responsible for paying her/his own Social Security and other taxes. All providers are independent contractors and are NOT employees of CocoKids.

### **LICENSED FAMILY CHILD CARE HOMES AND CHILD CARE CENTERS**

#### **Absences**

Providers have a duty to notify CocoKids staff when the following circumstances exist:

A child is absent for more than three (3) consecutive days and the parent has not contacted the provider with the reason of the absence. Providers will be reimbursed based on the certified need of care, whether the child attended full or part time care.

#### **10 Non Operational Days**

Licensed child care homes and centers may also claim to be paid for up to ten closure days for things like holidays, staff in-service days, or other school closure days per fiscal year. Policies on school closures must be clearly stated in the programs handbook and/or rate sheet.

### **Broadly Consistent Policies**

The EESD (Early Education and Support Division) requires agencies to have Broadly Consistent set of policies. These policies define the range a parent can attend within their certified need of care that does not prompt us to notify the parent if the child is attending a different schedule. This is designed to give families some flexibility, but

make sure families are still attending close to their certified need schedule. CocoKids Broadly Consistent policy is defined as the following:

An Attendance Sheet that matches the certified need for care or may have up to 5 days in which the child is not attending according to the certified need for care.

If a child attends outside of the Broadly Consistent schedule for 6 or more days, the parent will be notified to see if their schedule has changed. If not, no changes shall be made. If so, the parent may voluntarily report changes. If the child continues to attend and the schedule indicates attending outside the Broadly Consistent definition, the family may be dis-enrolled from the program.

#### **EXEMPT PROVIDERS/IN-HOME EXEMPT PROVIDER**

##### **Days of Attendance:**

If a child has an exempt provider and is authorized fulltime care, the provider will be reimbursed based on the certified need. If the child attends part-time, only the actual days the child attended within the certified need are reimbursable.

CocoKids will monitor Attendance Sheets each month. If the child is not attending according to the certified need, the parent will be contacted to discuss and provide proof of any changes. If the child continuously does not attend according to the certified need, the family may be disenrolled from the program.

#### **PROGRAM INTEGRITY AND FRAUD POLICY**

The California Department of Education requires CocoKids to create a Fraud Policy which applies to families on the program and providers receiving reimbursement from the program. CocoKids has designed policies around program integrity which will help prevent, detect, and when necessary refer improper use of State funds to the District Attorney's office. CocoKids will also actively pursue recovery of any payments received through deceit, fraud or misrepresentation. At the time of enrollment or recertification on the Child Care Fund, parents will receive the Child Care Fund Parent Agreement and Fraud Policy for a full description of the Fraud Policy.

1. Deceit is to intentionally cause someone to believe that which is not true.
2. Fraud is a deliberate deception to receive something for which you are not eligible.
3. Misrepresentation is to give misleading or incorrect information in order to gain something for which you are not eligible. Recovery of funds may include administrative costs associated with child care payments and the cost of recovering these payments. Any additional Family Fees owed will also be pursued.

Any parent or provider whose participation is disenrolled under the Fraud Policy will not be eligible to participate in the Child Care Fund Program for a minimum of twelve months. Any past debts or expenses must be paid in full prior to reinstatement.

#### **Confidentiality**

The use or disclosure of any information maintained in the family file concerning families is limited to purposes directly connected with the administration of the program. Families on our program can request and receive access to the information in their file. CocoKids retains the right to verify documentation supplied by families. In certain circumstances, records may be submitted to legal authorities when requested.

In order for families to experience no interruption in their child care services due to a transition between the stages of child care, the Education Code requires agencies administering CalWORKs child care services to share the information necessary to administer the program. From time to time, legal subpoenas or court requests will require CocoKids to give authorized representatives access to identified information.

#### **Independent Contractor Status**

Parents and Providers enter into an agreement with each other. Thus CocoKids reimburses the provider on behalf of the parent. This Parent/Provider relationship should in no way be construed as a "business partnership" with CocoKids. CocoKids relinquishes control over the manner and means by which child care services are performed. Parents are responsible for overseeing when and how work is performed, and should request a change of providers if the level of care does not meet their expectations.

#### **Indemnity and Defend**

Parents and providers participating in the program agree that CocoKids assumes no responsibility for injury or damages arising from the performance of services and agree to indemnify and hold harmless CocoKids, its officers, and employees in any costs, suit or liability allegedly arising from the provision of child care services.

## **Uniform Complaint Policy**

The California Department of Education, Child Development Division, requires programs receiving state and federal funding to inform participants of their rights to due process. A Uniform Complaint is a written statement alleging discrimination or a violation of federal or state law within the Child Development program or a variety of other state and federally funded programs.

For information regarding the Uniform Complaint Policy and Procedures, contact:

California Department of Education  
Child Development Division  
1430 N Street, Suite 3410  
Sacramento, CA 95814-5901  
(916) 319-0929

## **SECTION VI: Disenrollment and Grievance Procedures – Parents**

By participating in CocoKids's subsidy program, it is the parent's duty to abide by all policies, procedures, and regulations set forth by CocoKids and the State of California. Failure to abide by these policies, procedures, and regulations may result in immediate disenrollment from the Child Care Fund subsidy program.

### **Reasons for Disenrollment – Parents or Child**

CocoKids may disenrollment parents for any, but not limited to, the following reasons:

- Failure to adhere to any rules established by CocoKids.
- Failure to be recertified or failure to keep scheduled appointments.
- The family's gross monthly income exceeds the 85<sup>th</sup> percentile state income ceiling.
- Failure to pay Family Fees by the required date.
- Failure to submit information regarding eligibility or service need, or any other required information, by the assigned due date.
- Falsification of or refusal to sign the Attendance Sheet.
- Excessive absences for reasons other than illness (absences for longer than 2 consecutive weeks may be grounds for disenrollment).
- Failure to maintain a 2.0 G.P.A, per term if parent is receiving child care to attend vocational training.
- Providing CocoKids with any fraudulent, false or misleading information or documentation.
- Using abusive or vulgar language, attempting to bribe, coerce or extort CocoKids employee or threatening any CocoKids employee.
- Failure to sign an Attendance Sheet "in" and "out" as authorized.
- The child on the program has turned 13 years old.
- Failure to correctly complete the Attendance Sheet 4 times within a Fiscal Year.

### **Grievance Procedures**

Families have the right to request a local appeal hearing if they disagree with a decision and/or change made by the Subsidy staff or Payment Analyst. With parent approval, Appeals may be recorded. On the back of the Notice of Action, you will find instructions on how to appeal a decision with the Local Appeal Hearing Officer. If families disagree with the local appeal hearing decision, their next step is to appeal to the California Department of Education's Child Development Division. Families are required to complete the local appeal hearing process before appealing to the state. A sample of the Notice of Action, including the steps for filing an appeal is included at the end of this manual.

In addition, if a family has been disenrolled from CocoKids on three occasions for not complying with the requirements of the program, even though the family is eligible and has a service need, the family will be ineligible for child care services through CocoKids for a period of twelve months from the date of the last disenrollment.

## **SECTION VII: Disenrollment and Grievance Procedures – Providers**

Participation in CocoKids's subsidy program is voluntary, and it is the provider's duty to abide by all policies, procedures, and regulations set forth by CocoKids and the State of California. Failure to abide by these policies, procedures, and regulations may result in the provider being ineligible to participate in the Child Care Fund subsidy program

### **Reasons for Disenrollment-Provider**

CocoKids reserves the right to immediately suspend or terminate a provider's participation in the Child Care Fund program without notice, if there is a substantial complaint of corporal punishment,

if the provider is the subject of an investigation by Community Care Licensing for chronic deficiencies, or is the subject of a complaint of a “serious” nature.

Current and future Child Care Provider Agreements may also be disenrolled and the provider may be determined “Ineligible to Participate” in the Child Care Fund Program if any of the following occurs:

- A licensed provider refuses or is unable to provide CocoKids with a copy of a current license, or if a program’s license is suspended or revoked.
- The provider fails to provide current and correct information regarding child care attendance and child care rates.
- The provider falsifies or misrepresents information and documentation in any way to receive a higher rate of reimbursement.
- The provider repeatedly fails to comply with the Child Care Fund program regulations and procedures, including collection of “Family Fees” (if any) directly from the parent.
- Failure to maintain TrustLine Standards.
- Failure to abide by CocoKids policies and procedures.
- Failure to maintain regulatory or Community Care Licensing standards.
- Knowingly concealing or obfuscating a parent’s status or activities.
- Refusal to admit CocoKids staff when making an unannounced site visit.
- Failure to maintain Attendance Sheets with “in” and “out” parent signatures as authorized.

**Grievance Procedures**

*Disagreement with CocoKids’s Child Care Fund Policies and Procedures is not legitimate grounds for a grievance.*

**Licensed** family child care homes and child care centers, who feel they have been treated unfairly, should discuss the issue with the Director of Subsidy and Quality Assurance in their local Area Office. If a satisfactory resolution cannot be reached, the provider may lodge a grievance with CocoKids’s Executive Director as follows.

A letter from the provider detailing, documenting, and supporting their case, must be submitted to CocoKids within fourteen (14) days of discussing the matter with the Director of Subsidy and Quality Assurance. Grievance letters should be addressed to:

Office of the Executive Director  
CocoKids  
1035 Detroit Ave, Suite 200  
Concord, CA 94518

Within fourteen (14) calendar days following the receipt of a grievance, the Executive Director, or designee, will call to schedule an appointment. Arrangements will be made with the provider to determine a convenient time for the hearing. The provider is required to attend the hearing. Tardiness or failure to appear will be considered abandonment of the grievance.

The Executive Director, or designee, shall act as the Hearing Officer. During the Hearing, the provider will be given an opportunity to explain why they believe the decision was incorrect. Only the provider may attend. CocoKids staff may present additional information; and if necessary, parents may be contacted to further clarify issues. The Executive Director will respond in writing within fourteen (14) calendar days of the hearing. The decision of the Executive Director shall be considered final, and providers do not have the right to appeal to the Board of Directors or other governing body.

**License exempt** providers who feel they have been treated unfairly should discuss the issue with the parent. If the issue is not resolved, the caregiver may write a letter to the Director of Subsidy and Quality Assurance of the Area Office describing the situation. The decision of the Director of Subsidy and Quality Assurance shall be considered final and no further grievance opportunities shall be granted.

## SAMPLE NOTICE OF ACTION (NOA)

Appeal Information: If you do not agree with CocoKids's action as stated in the Notice of Action, you may appeal the intended action. To protect your appeal rights, you must follow the instructions described in each step listed below. If you do not respond by the required due dates or fail to submit the required appeal information with your appeal request, your appeal may be considered abandoned.

**STEP 1:** Complete the following appeal information to request a local hearing:

Name of Parent/Caretaker		Telephone No.	
Address	City	Zip	
In this section, please explain why you disagree with the agency's action.			
Check Box If an Interpreter is Needed at the Local Hearing: <input type="checkbox"/>	Signature of Person Requesting a Local Hearing	Date	

**STEP 2:** Mail, email, fax or deliver your local hearing request within 14 days of receipt of this notice to your local Area Office:

**CENTRAL COUNTY**

CocoKids  
 Attn: Local Appeals Hearing Officer  
 1035 Detroit Avenue, Suite #400  
 Concord, CA 94518  
 (925) 676-6610  
 Fax: (925) 265-6510

**EAST COUNTY**

CocoKids  
 Attn: Local Appeals Hearing Officer  
 5095 Lone Tree Way.  
 Antioch, CA 94531  
 (925) 778-5437  
 Fax: (925) 778-6241

**WEST COUNTY**

CocoKids  
 Attn: Local Appeals Hearing Officer  
 3220 Blume Drive  
 Plaza One-Suite 225  
 Richmond, CA 94806  
 (510) 758-2099  
 (510) 233-5445

*\*Please note: If emailing your Appeal, please send it to [dee.herman@cocokids.org](mailto:dee.herman@cocokids.org)  
 Parents may also call in an Appeal to their local Area Office*

**STEP 3:** Within ten (10) calendar days following the agency's receipt of an appeal request, the agency will notify the parent of the time and place of the hearing. CocoKids will make every attempt to make the hearing convenient for the parent. Parents may attend the hearing or assign an authorized representative to attend. If you or your representative does not attend the hearing, you abandon your rights to an appeal, and the action of the agency will be implemented.

**STEP 4:** Within ten (10) calendar days following the hearing, the agency shall mail or delivery to you a written decision.

**STEP 5:** If you disagree with the written decision of the agency, you have 14 days from your receipt of the written decision to file an appeal with the California Department of Education (CDE). Your appeal to CDE must include the following documents and information: (1) a written statement specifying the reasons you believe the agency's decision was incorrect, (2) a copy of the agency's local appeal hearing decision letter, and (3) a copy of both sides of this notice. Mail your appeal to the following address:

California Department of Education  
 Child Development Division  
 1430 N Street, Suite 3410  
 Sacramento, CA 95814  
 Attn: Appeals Coordinator

**STEP 6:** Within 30 calendar days after the receipt of your appeal, CDD will issue a written decision to you and the agency. *If your appeal is denied, the agency will stop providing child care and development services immediately upon receipt of CDE's decision letter.*

## **SECTION VIII: Executive Order by the Governor**

The State Governor may sign an Executive Order that may indicate a change of the requirements to the need and eligibility of subsidized child care services. CocoKids will comply by the Executive Order and will implement based on the directives provided by Early Learning and Care Division and notify active families and providers receiving services.

### **HEALTH AND SOCIAL SERVICES RESOURCES**

#### **Child Abuse**

(Children & Family Services/CPS)

Central (925) 646-1680

East (925) 427-8811

West (510) 374-3324

Toll Free (877) 881-1116

#### **Child Care and Parenting**

*\*CocoKids*

Child Care Eligibility List (925) 676-8570

Central (925) 676-KIDS (5437)

East (925) 778-KIDS (5437)

West (510) 758-KIDY (5439)

Brentwood (925) 513-7900

[www.cocokids.org](http://www.cocokids.org)

#### **Community Care Licensing, Oakland**

(510) 622-2602

#### **Disability Services**

CARE Parent Network 1(800) 281-3023

Regional Center of the East Bay (925) 798-3001

*\*Contra Costa*

Inclusion Program (925) 676-5442

#### **Emergency Services**

Amber Alert 1(800) 541-0777

California Poison Control Center 1(800) 222-1222

Public Health Emergency Line 1(888) 959-9911

#### **Financial Assistance**

CalWORKs

Central (925) 313-7987

East (925) 706-4580

West (510) 412-3000

#### **Food**

Food Bank of Contra Costa & Solano (925) 676-7543

WIC Program 1(800) 414-4942

#### **Health Services & Insurance**

Healthy Families 1(877) 503-9350

Contra Costa Health Plan (800) 211-8040

Medi-Cal (New applicants) (800) 709-8348

Medi-Cal (Current clients) (866) 663-3225

Family Health Toll-Free Line (800) 696-9644

#### **Homeless/Housing**

Contra Costa Crisis Center (800) 808-6444 or 211

Greater Richmond Interfaith Contra Costa (510) 233-2141

#### **Legal & Mediation Services**

Bay Area Legal Aid 1(800) 551-5554

Center for Human Development

Conflict Resolution Panels

Central (925) 687-8844

West (510) 234-5359

East (925) 753-1004

#### **Crisis Help**

Contra Costa Crisis Center (800) 833-2900 or 211

Family Stress Center

East (925) 706-8477

Central (925) 827-0212

#### **Utility Assistance**

California Alternate Rates for Energy (CARE)

1 (800) 743-2273

Low-Income Home Energy Assistance Program

1 (866) 675-6623

Relief for Energy Assistance Through Community

Help (REACH)

1 (800) 933-9677

Energy Assistance Program

(925) 646-5540

For additional resources and referrals please call the Contra Costa Crisis Center at 211 or visit their database [www.cccord.org](http://www.cccord.org).

**CocoKids**

**Administration Office**

1035 Detroit Avenue, Suite #200  
Concord, CA 94518  
(925) 676-5442  
[www.cocokids.org](http://www.cocokids.org)

**Area Offices**

**Central/South Area**

1035 Detroit Avenue, Suite #400  
Concord, CA 94518  
(925) 676-KIDS (5437)  
central@cocokids.org

**West Area**

3220 Blume Drive  
Richmond, CA 94806  
Plaza One-Suite 225  
(510) 758-KIDY (5439)  
west@cocokids.org

**East Area**

5095 Lone Tree Way  
Antioch, CA 94531  
(925) 778-KIDS (5437)  
east@cocokids.org

**My Important Phone Numbers**

Subsidy Counselor

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Child Care Provider

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***\*Copies of the Child Care Fund Participation Manual are always available at any Area Office***