



# **Resource and Referral Network and California Alternative Payment Program Administrators Joint Annual Conference 2018**

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**12-month Eligibility – one year later**

October 17, 2018

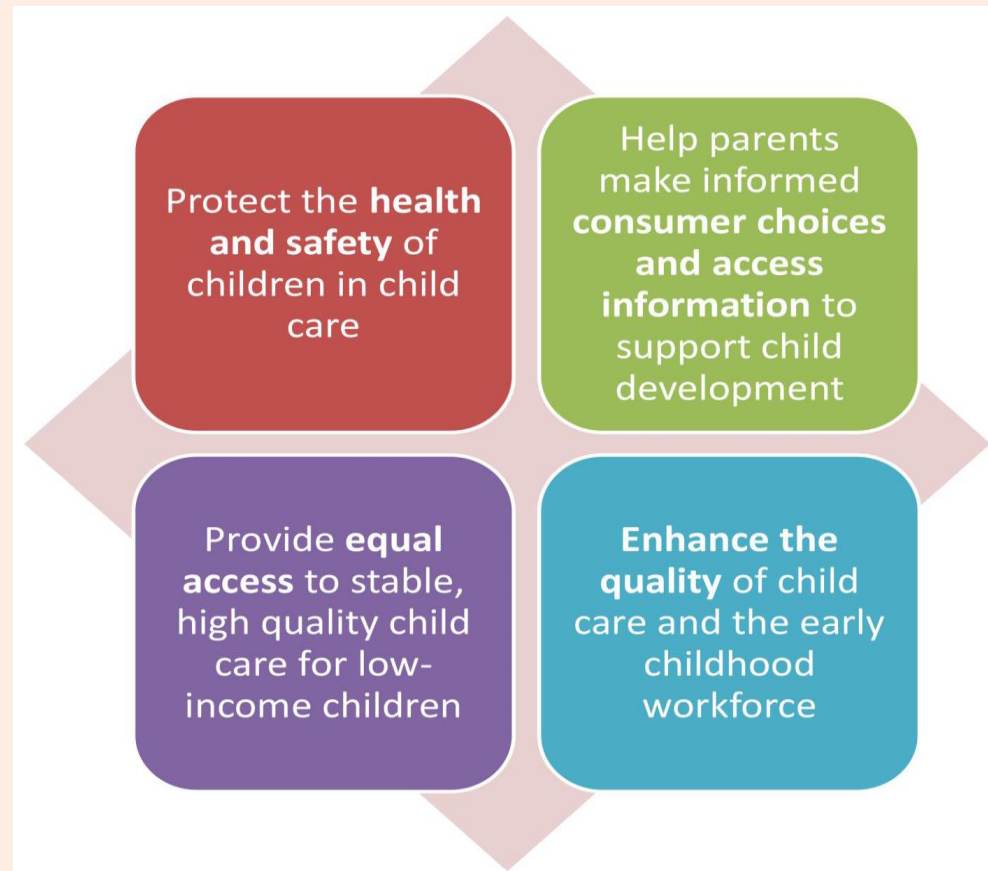
Presented by  
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California Department of Education  
Early Learning and Care Division



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State Superintendent  
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# Background

- Child Care and Development Block Grant (CCDBG) was reauthorized in 2014





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# Early Education in California

## Early Learning and Care Division's (ELCD) Top Three Priorities

- One System
- Equity, Capacity and Quality
- Excellent Service



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# One System

- ELCD continues to work with our advocates and other state departments to ensure consistent messaging of 12-month eligibility and other early learning and care issues throughout the state.



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# Legislative Authority

- As part of the Budget Act of 2017, Assembly Bill 99 required the CDE to implement “12-Month Eligibility” effective July 1, 2017.



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# ***Education Code 8263(h) and Education Code 8263.1***

- *EC 8263(h)* states once a family establishes eligibility and need at initial certification or recertification, a family shall be considered to meet all eligibility and need requirements for not less than 12 months and shall not be required to report changes to income or other changes for at least 12 months.
- And *EC 8263.1* states a family is considered income eligible if at the time of initial certification the family's adjusted family income is below 70% of the SMI and at recertification it is below 85% of the SMI.



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# Exceptions to not reporting changes

- Families who exceed 85 percent of the SMI
  - Refer to Section 18084.3 in the Implementation Guidance
- Families who voluntarily report changes
  - Refer to Section 18084.2 in the Implementation Guidance



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# 12-Month Eligibility Implementation Guidance

- The Implementation Guidance released with MB 17-04 remains in place until the adoption of formal regulations.
- The Guidance has the same force and effect in law as regulations.





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# Frequently Asked Questions (FAQs)

- You are encouraged to review the list of Budget Implementation Frequently Asked Questions (FAQ) on the CDE website.
- We will address some of the ones that seem to be a bit challenging for some of our contractors.



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# Frequently Asked Question #1

- Do we disenroll a child when she/he turns 13 years during the 12-month eligibility period?



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# FAQ #1 Answer

- Disenrolling the child who turns 13 is not done until the next recertification period at the end of the 12-month eligibility period.



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# Frequently Asked Question #2

- Family A = Parent A and Child A
- Parent A “leaves” the family and Child A now lives with Parent B.
- Does this child continue to receive child care services until the end of the 12 month eligibility period now that the family is comprised of different people?



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# FAQ #2 Answer

- Yes. The child continues to receive care until the end of the 12-month eligibility period.
- Contractors must inform Parent B of:
  - their right to voluntarily report changes to increase their service hours, or reduce their family fee. (Section 18084.2 of Implementation Guidance)
  - and their requirement to report when their family's adjusted monthly income adjusted for family size exceeds 85% of the SMI. (Section 18084.3 of Implementation Guidance)



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# Frequently Asked Question #3

- What do we do when a family requests an extended absence from services due to child illness or an extended family vacation or any other reason?



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# FAQ # 3 Answer

- Excused absences include the illness of a child, illness or quarantine of their parent, a family emergency, time used to spend with a parent or relative as required by law or an absence that is in the best interest of the child.
- As far as gaps in service due to unexcused absences, for example, an extended family vacation, the parent is still required to abide by the contractor's absence policies.
- See *California Code of Regulations, Title 5 (5 CCR) Section 18065 and Section 18086.*



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# Frequently Asked Question #4

- What should we do when a family stops using care, but has not voluntarily reported any changes to their need?





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# FAQ #4 Answer

- The intent of the law is to provide a family with continuity of care for a full 12 months, but contractor's are required to have reasonable policies concerning excessive unexcused absences.
- The focus should be on family support rather than disenrollment.
- Until the family has been disenrolled, the contractor would continue to report absences consistent with current policies.



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# Frequently Asked Question #5

- When a school aged child who has been receiving full-time services returns to school after a vacation, which reduces the care to part-time, do we pay the full-time care until the next recertification date?



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# FAQ #5 Answer

- At the time of initial certification and recertification contractors should certify both the hours for the school days and the vacation days.
- If the different service levels have not been clearly defined for the school days and vacation days, no change in the approved service hours or the resulting fee that was assessed at the time of initial certification or recertification can occur.



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# FAQ #5 Answer (continued)

- Contractors are reminded that pursuant to *EC* Section 8263(h)(4) a family may at any time request changes to reduce their service hours or decrease their family fees.
- See Section 18084.2 of the Implementation Guidance to support the family's request.



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# For Further Assistance

- Your Field Services Consultant is always your point of contact for questions and support as we provide continuous quality early learning and care services through our subsidized programs.

CDE Consultant Regional Assignment webpage at:  
<http://www.cde.ca.gov/sp/cd/ci/assignments.asp>