



Early Learning and Care Division Field Services Office

Alternative Payment Program Monthly Attendance Recording, Reporting, and Provider Payments



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Agenda

- Early Learning and Care Division (ELCD) Updates
- Purpose and Goals
- Alternative Payment (AP) Discussion Topics
 - Choosing a Regional Market Rate Ceiling
 - Reimbursement Rate Categories
 - Child Care Certificate/Voucher
 - Records on File Concerning Service Providers
 - Provider Rate/Family Co-Payment



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Agenda (2)

- AP Monthly Attendance and Recording - AB 274
- Provider Payments
- Contractor Policies
- Timely Provider Payments
- Next Steps
- Resources
- Questions



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Early Learning and Care Division Updates

Fiscal Year 2018–19 Attendance Recording, Reporting, and Provider Payments Training Based on Current Law

The California Department of Education (CDE) is currently updating *California Code of Regulations*, Title 5 (5 CCR).



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Early Learning and Care Division Updates (2)

Management Bulletin (MB) 18-01: Program Self-Evaluations

<https://www.cde.ca.gov/sp/cd/ci/mb1801.asp>

MB 18-02: Service Need-Engaged in an Education Program for English Language Learners or to attain a High School Diploma or High School Equivalency Certificate

<https://www.cde.ca.gov/sp/cd/ci/mb1802.asp>



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Early Learning and Care Division Updates (3)

MB 18-03: Revised State Median Income for
2018-19

<https://www.cde.ca.gov/sp/cd/ci/mb1803.asp>

MB 18-04: Homeless Children and Youth

<https://www.cde.ca.gov/sp/cd/ci/mb1804.asp>

MB 18-05: Transfer of Families into a California
Work

Opportunity and Responsibility to Kids Stage 2
Child Care Program

<https://www.cde.ca.gov/sp/cd/ci/mb1805.asp>



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Early Learning and Care Division Updates (4)

MB 18-06: California State Preschool Programs (CSPP): Expulsion or disenrollment due to behavior

<https://www.cde.ca.gov/sp/cd/ci/mb1806.asp>

MB 18-07: 2018–19 Family Fee Schedule

<https://www.cde.ca.gov/sp/cd/ci/mb1807.asp>

MB 18-08: Fiscal Year 2019-20 Continued
Funding
Application

<https://www.cde.ca.gov/sp/cd/ci/mb1808.asp>



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Purpose and Goals

- Provide an overview of required attendance recording, reporting and provider payments for AP Programs.
- Ensure that participants understand where to find AP program requirements and stay informed.
- Support continuous improvement and program integrity.



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Sources for Attendance and Provider Payments

Where can I find attendance recording, reporting and provider payments requirements?

- California *Education Code (EC)*
- 5 *CCR*
- MB
- Contractor's policies approved by its governing board

Note: These statutes and regulations are also in the Child Care & Development Block Grant (CCDBG), the *Code of Federal Regulations (CFR)*, Title 45, Part 98, and Child Care & Development Fund State Plan.



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California *Education Code*

California legislative enactments are included in the *EC*. Statutes apply to child care programs identified within the Child Care and Development Services Act. Legislative and budgetary actions can happen throughout the year. ELCD will update contractors via MBs. *EC* supersedes 5 *CCR*.

The Law: What we must do
(See *EC* Section 8222)



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California Code of Regulations, Title 5

5 *CCR* organizes general rules and regulations that are administered by California State Agencies. Education is covered in Title 5, Division 1. Chapters 19 and 19.5 provide program operation requirements for a recipient of child care services funds made available by the CDE.

Administration of the Law:

How we must do it

(See 5 *CCR* Section 18074.2)



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Early Learning and Care Division Management Bulletins

- Periodically, MBs are issued to provide legal and regulatory information to contractors and other interested parties. MBs also include child care funding announcements.
- Current Executive Officers and Program Directors in the Child Development Management Information System (CDMIS) database must subscribe to the e-mail distribution list.
- MBs are also available to the general public.

Anyone can subscribe to the e-mail distribution list at <http://www.cde.ca.gov/sp/cd/ci/emailindex.asp>



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Contractor's Approved Policies

California Code of Regulations, Title 5, Section 18221

- Contractors may adopt reasonable policies related to the program that are not in conflict with federal or state laws, or terms of the contract, including any contract amendments.
- Some regulations require contractors to develop policies.
- Some policies must be approved by the contractor's governing board, per specific regulations.



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Contractor's Approved Policies (2)

Management Bulletin 14-04

EXAMPLE: When Contractor Must Develop Policy

Contractors must develop written policies for parents and providers describing requirements and responsibilities, including clear and consistent consequences for the following:

- Attendance documentation requirements, including recording of absences for the purpose of determining whether hours are broadly consistent.
- Submittal of attendance records or invoices, including timely reimbursement.



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Contractor's Approved Policies (3)

Management Bulletin 14-04

EXAMPLE: When Contractor Must Develop Policy

- Follow-up when attendance is not broadly consistent with certified need.
- Fraudulently completed attendance records or invoices.



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Child Care & Development Block Grant: The *Code of Federal Regulations*, Title 45, Part 98

The CCDBG, also called the *Child Care and Development Fund* (CCDF), is the primary source of United States federal funding for child care subsidies for low-income working families and funds to improve child care quality.



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EXAMPLE: *Code of Federal Regulations, Title 45, Part 98.30*

45 CFR 98.30

(6) For purposes of the CCDF, funds for child care services provided through a **child care certificate** will be considered obligated when a child care certificate is issued to a family in writing that indicates:

- (i) The amount of funds that will be paid to a child care provider or family, and
- (ii) The specific length of time covered by the certificate, which is limited to the date established for redetermination of the family's eligibility, but shall be no later than the end of the liquidation period.



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Alternative Payment Discussion Topics

Where do we start?

- Choosing a Regional Market Rate Ceiling
- Reimbursement Rate Categories
- Child Care Certificate/Voucher
- Records on File Concerning Service Providers
- Provider Rate/Family Co-Payment



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Alternative Payment Discussion Topics (2)

- AP Monthly Attendance and Recording - AB 274
 - AP Attendance Record/Invoice
 - What Applies/What No Longer Applies
- Provider Payments
- Contractor Policies
- Timely Provider Payments



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WHERE DO WE START?

- ✓ Family is found eligible for care
- ✓ Child's certified need has been determined
 - Do we know the facility type that the family will use?



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Choosing a Regional Market Rate Ceiling

California Code of Regulations, Title 5, Section 18074.2 and Code of Federal Regulations, Title 45, Part 98.45

- 5 CCR, 18074.2 states “Contractors shall use the age of the child, the certified need for child care, and the type of facility to identify the applicable regional market rate ceiling”
- 45 CFR 98.45 states “The lead agency shall certify that the payment rates for the provision of child care services under this part are sufficient to ensure equal access for eligible families...to child care services comparable to those provided to families not eligible to receive CCDF assistance”



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Choosing a Regional Market Rate Ceiling (2)

California Code of Regulations, Title 5, Section 18074.2 and Code of Federal Regulations, Title 45, Part 98.45

The **Regional Market Rate** (RMR) ceiling is the parent's maximum child care assistance level. It is not necessarily equal to the provider's rate. The contractor should select the ceiling based on the requirement that families have equal access to child care providers of the type they prefer.



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Choosing a Regional Market Rate Ceiling

Scenario

Based on the following:

- Five year old child
- Certified Hours: Monday through Friday, five hours a day
- Licensed Center



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Choosing a Regional Market Rate Ceiling (2)

Scenario

Based on the following:

- Five year old child
- Certified Monday through Friday, six hours a day
- Licensed Family Child Care



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Records on File Concerning Service Providers

California Code of Regulations, Title 5, Section 18230

If the contractor's policies allow payment of in-home care, the contractor shall maintain in its file the following records concerning in-home care providers:

- A description of the caregiver's qualifications and work experience
- A declaration by the care giver that he or she is in good health



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Records on File Concerning Service Providers (2)

California Code of Regulations, Title 5, Section 18230

- A signed statement from the parent verifying the parent has interviewed and approved the caregiver
- A California driver's license number or other valid and recognized form of identification to verify the caregiver is at least 18 years of age



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Records on File Concerning Service Providers (3)

California Code of Regulations, Title 5, Section 18231

The contractor shall maintain in its file the following records concerning each service provider:

- A statement of the service provider's current fees, with information regarding the provider's usual and customary services provided for those fees



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Records on File Concerning Service Providers (4)

California Code of Regulations, Title 5, Section 18231

- A document that contains the rate and schedule of payments for approved services that is signed by both the service provider and the contractor
- A copy of the facility license that shows the authorized capacity of the facility
- The name, address, and telephone number of the service provider; and
- The age group(s) serviced by the provider



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Provider Rate

Family Co-Payment

California Code of Regulations, Title 5, Section 18220.6

- A family may choose a child care provider regardless of the provider's rate.
- When a provider's rate and other allowable charges exceed the maximum subsidy amount, the family shall be responsible for paying the provider the difference between the provider's rate and the maximum subsidy amount. This shall be considered the family's co-payment. The contractor shall not be responsible for collecting the family's co-payment.



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Alternative Payment Monthly Attendance Recording

AB 274 (Chapter 733, Statute of 2014) added *EC* Section 8221.5

- Changed requirement to monthly attendance record/invoice
- Parent or provider can record attendance
- No daily signature required
- Contractors will not track attendance for reimbursement purposes
- Alternative Payment and CalWORKs only



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Alternative Payment Monthly Attendance Record/Invoice

MB 14-04 describes requirements for **Monthly Attendance Record or Invoice Requirement:**

- Child care providers must submit to the AP Program a monthly attendance record or invoice for each child who received services. The monthly attendance record or invoice must include:



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Alternative Payment Monthly Attendance Record/Invoice (2)

- Name of the child receiving services
- Specific dates services were provided
- Actual times the child entered and left care for each day services were provided, recorded on a daily basis
- Signatures from both provider and parent at the end of each month, attesting under penalty of perjury, that the information provided on the attendance record or invoice is accurate



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Alternative Payment Monthly Attendance Record/Invoice (3)

- When the attendance record or invoice meets the requirements of **MB 14-04**, contractors must reimburse providers for services that are consistent with the voucher issued
- Contractors do not have the authority to reduce or withhold reimbursement from a provider for any attendance record or invoice that includes all the required elements
- If the attendance record(s) was fraudulently completed, contractors must follow their written policies and take appropriate action



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What No Longer Applies

The following **no longer** apply to AP/CalWORKs contractors:

- Daily Sign-in/Sign-out or signatures/initials
- Absence Policies
- Excused Absences
- Best Interest Days
- Unexcused Absences



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What Applies

The following **still** apply to AP/CalWORKs contractors:

- Non-Operational Days
- Eligible Alternate Provider



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Days of Non-Operation

California Code of Regulations, Title 5, Section 18076.2

Time the provider has a paid day of non-operation, and can provide documentation that the contractual terms used by the provider for services to unsubsidized families require payment for such day(s) of non-operation:

- The number of reimbursable paid days(s) of non-operation shall be **limited to a maximum of 10 days per fiscal year (FY) per provider.**



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Alternate Provider

California Code of Regulations, Title 5, Section 18076.2

Time that services are provided when the regular provider has a paid day of non-operation, and the parent has to obtain an alternate provider to meet the certified need for child care:

- Payment to an alternate provider when the regular provider has a paid day of non-operation **shall be limited to 10 days per child per FY.**



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Alternate Provider (2)

California Code of Regulations, Title 5, Section 18076.2

Time that child care services are provided by an eligible alternate provider when the child is ill and the parent has to obtain care from an eligible alternate provider:

- Payment to an alternate provider when the child is ill **shall be limited to a maximum of 10 days per child per FY**
- May extend payment beyond 10 days **if** the parent provides a physician verification



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Provider Payments

California Code of Regulations, Title 5, sections 18413 and 18428

The contractor shall reimburse each provider no more than the amount the provider charges unsubsidized families, and not to exceed the maximum subsidy amount (the RMR ceiling plus any applicable adjustments pursuant to sections 18075.1 or 18075.2)



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Provider Payments

Management Bulletin 14-04

When a complete attendance record/invoice is received, the agency shall reimburse provider based on:

- Certified need for care, as documented on the child care certificate.
- For families with variable/unpredictable schedules - reimbursement will be based on the actual days and hours for which services were provided, as documented on the monthly attendance record or invoice, up to the maximum hours of certified need as documented on the child care certificate.



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Provider Payments (2)

Management Bulletin 14-04

- The contractor must reimburse the provider based on the RMR ceiling selected (as noted on the Child Care Certificate or the provider's bill/invoice amount, whichever is less.



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Reviewing Attendance Records: Contractor Policies Management Bulletin 14-04

When contractors have clearly written policies (that are not in conflict with law or contract requirements) to address program violations, and adhere to these policies, errors will not be determined.



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Timely Provider Payments

California Code of Regulations, Title 5, sections 18224.6, 18226 and Management Bulletin 12-18

- Contractors must develop and implement a plan for timely payment to providers
- The plan must include a description of parent fee collection methods, per 5 *CCR* Section 18221(h)
- Contractors must have a schedule for payment to providers. Include a specific date when attendance records are due for providers to receive timely payment



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Timely Provider Payments (2)

California Code of Regulations, Title 5, sections 18224.6, 18226 and Management Bulletin 12-18

- ELCD strongly recommends contractors have more than one date when payments will be made, and a final date when attendance records must be submitted for payment.

<http://www.cde.ca.gov/sp/cd/ci/mb1218.asp>



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Next Steps

- Reflect on your current policies, procedures, and practices.
- Change or modify policies and procedures to ensure alignment with applicable statutes and regulations. Distribute updated materials to concerned parties i.e. parents, general public.
- Ensure that you have all active MBs.



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Next Steps (2)

- Contact your Field Services Consultant or Governance and Administration Manager for technical assistance.
- The Field Services Office will continue to support continuous improvement by providing trainings via webinars, in-person, and in clusters as needed and requested.
- Work toward standardization of policies, procedures, and practices.



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Resources

Consultant List

<http://www.cde.ca.gov/sp/cd/ci/assignments.asp>

Child Development Fiscal Services

<http://www.cde.ca.gov/fg/aa/cd/faad.asp>

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Questions





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Thank you for your participation!