



**CHILD CARE LAW CENTER.**



## **Immediate, Stable Child Care for Families Enrolled in CalWORKs**

New improvements to the CalWORKs Stage 1 child care program will ensure that families get immediate and consistent child care services.<sup>1</sup> The budget provides \$56.4 million this year and \$70.5 million ongoing, to give an extra 3,724 children in the CalWORKs program 12 months of immediate, full-time child care. The expansion in the Stage 1 child care program will promote stability, foster children's healthy development, and open opportunities for children, families and communities.

### **Families enrolled in CalWORKs will now get:**

- Child care that is authorized immediately upon CalWORKs approval, and the authorization lasts for 12 months or until transfer to the Stage 2 program;
- Child care to attend Welfare-to-Work (WTW) activities or work. If the parent hasn't found suitable child care, they have good cause for not participating;
- Child care so that parents can attend to a broad set of family needs. For example: housing search, domestic violence, addiction or mental health counseling, court and medical appointments, or other similar activities;
- County must verify that the parent has actually secured child care before they need to show up for required activities or welfare appointments;
- Full-time child care, unless a parent decides part-time care better meets their family's needs;
- Child care for exempt volunteers who choose to participate in activities; and
- Child care for sanctioned adults who indicate an intent to participate in any program activity.

These provisions go into effect on October 1, 2019.

### **County Worker's Duty to Offer Child Care**

County workers must "offer and make available" child care to families who want to work, participate in WTW activities, or an expanded list of program activities. Workers must inform participants about the availability of child care when they enroll in the CalWORKs program, at the time of signing a new or amended WTW plan, and whenever they express a need for child care. Once automation is operational (January 2021 or later) the times when child care *must* be offered will increase to include any time a new activity, job, or earnings are reported.

### **Child Care Available for an Expanded List of Activities**

Program activities for which *full-time* Stage 1 child care is available include, but are not limited to: any WTW activity, orientation, appraisal, assessment, job search, job club, domestic violence services, court appearances, housing search or

classes, homeless support programs, shelter participation requirements, eviction proceedings, mental health services (including therapy or personal counseling), home visiting programs, drug or substance abuse services, parenting classes, and medical or education-related appointments for the participant or their dependents.

## Transition between CalWORKs Child Care Stages

There are three stages of CalWORKs child care through which families should seamlessly move through as they go from entry into the CalWORKs program to WTW activities and employment. Families enrolled in Stage 1 child care should seamlessly move to Stage 2 when the county determines they are “stable.” Counties are required to manage the transition from Stage 1 to Stage 2 so that participants do not experience a break in their child care services due to the transfer. The new law makes clear that the County must provide all the information needed to enroll the family in the next stage of child care, and must receive confirmation that the family’s enrollment in the next stage of child care is complete, or that the family is not eligible, *before* discontinuing Stage 1 child care.<sup>2</sup>

## Child Care for Families that have been Sanctioned

Participants who have been sanctioned are eligible to receive full-time Stage 1 child care for 12 months if they express an intent to participate in any program activity or work and need child care in order to do so. CalWORKs participants who are receiving Stage 1 child care services and then are sanctioned should continue to receive their Stage 1 child care services for the remainder of the 12 months, or through their transfer to Stage 2 child care.

## Diversion Services to Get CalWORKs Child Care

Counties must inform every applicant for CalWORKs cash assistance at the time of application of the availability of diversion services. A one-time diversion payment or service should be considered when it will resolve the need for ongoing assistance. Diversionary child care services are available for a family who appears to be eligible for CalWORKs, but only needs child care to resolve the circumstances that necessitated the CalWORKs application.<sup>3</sup> For example, CalWORKs Stage 2 child care services can be provided as a diversionary service to a family who needs child care in order to obtain or maintain employment.<sup>4</sup>

For further information or client-specific questions, please contact Patti Prunhuber, Senior Policy Attorney at the Child Care Law Center  
Email: [pprunhuber@childcarelaw.org](mailto:pprunhuber@childcarelaw.org)  
Phone: 415-523-7800

<sup>1</sup> Human Services Omnibus, S., S. B. 80, 2019-20 Sess., ch. 27 (Cal. 2019) (enacted). *See id.* §1 (amending CAL. EDUC. CODE § 8350(c)); *id.* §§ 46-51 (amending WELF. & INST. CODE §§ 11323.1-4); as amended by A.B. 121, Sept. 18, 2019.

<sup>2</sup> Cal. Educ. Code § 8350(c), amended by Stats. 2019, Ch. 27, Sec. 1. (SB 80) Effective June 27, 2019. *See also*, Cal. Dept. of Social Services [ACIN I-19-17](#); [CDE Management Bulletin 18-05](#).

<sup>3</sup> Department of Social Services, Manual of Policies and Procedures, Secs. 81-200 and 81.215.2.

<sup>4</sup> Cal. Welf. & Inst. Code § 11266.5(i).



## FACT SHEET

October 2019



### IMMEDIATE AND CONTINUOUS STAGE ONE CHILD CARE ELIGIBILITY

#### **Program Overview**

Immediate and continuous child care eligibility is the concurrent approval of California Work Opportunity for Kids (CalWORKs) cash aid and authorization for full-time Stage One Child Care for 12 months or until the participant is transferred to Stage Two. The 12-month eligibility begins the date the authorization was provided or the first day of child care, whichever is later.

#### **Purpose**

Immediate and continuous child care eligibility is part of a two-generational approach to disrupting the cycle of poverty by simultaneously focusing on the needs of parents and children.

Immediate and continuous child care benefits children, maximizes parental choice, promotes child care continuity, and provides stability to vulnerable families starting or continuing the path to economic mobility. Children benefit from consistent and uninterrupted child care and these conditions allow them to grow and achieve their full potential.

Immediate and continuous child care aligns Stage One Child Care eligibility periods with all other statewide child care and development subsidy programs. It also aligns with the recommendations of the AB 104 workgroup that provided recommendations to streamline data and reporting requirements for child care providers and program administrators.

#### **Policy Implementation:**

Beginning October 1, 2019, eligible CalWORKs families will have access to immediate and continuous Stage One Child Care for 12 months or until CalWORKs recipients are transferred to Stage Two.

The child care shall be authorized full-time, unless a parent specifically requests part-time care.

With this new policy, Stage One Child Care recipients do not need to recertify child care eligibility more frequently than once every 12 months unless: the recipient indicates that their child care needs have increased, they have a new child who needs care, they have changed child care providers, or the eligible child becomes ineligible.

If a mandatory WTW participant stops participating in their activity, child care services will continue for the remainder of the authorization period or until the child care authorization is discontinued

Exempt individuals who choose to participate in activities shall also receive an immediate and continuous child care authorization. Exempt volunteers who do not subsequently sign a WTW plan will have their child care authorization discontinued until they become mandatory participants or sign a WTW plan.

#### **Responsibilities of the Counties**

County workers must inform participants about the availability of child care when they enroll in the CalWORKs program, at the time of signing a new or amended WTW plan, and whenever they express a need for child care.

County workers must offer child care to families who want to work, participate in WTW activities, or participate in other program activities.

County workers must verify that suitable child care has been both authorized and secured before mandating participation any activities, and before initiating any sanction or non-compliance process.

### **Program Activities**

Program activities for which full-time immediate and continuous Stage One Child Care should be authorized include, but are not limited to:

- WTW activities
- Orientation
- Appraisal and assessment
- Job search and job club
- Domestic violence services
- Court appearances
- Housing searches and classes
- Homeless support programs
- Shelter participation requirements
- Eviction proceedings
- Mental health services, including therapy or personal counseling
- Home visiting
- Drug and substance abuse services
- Parenting classes
- Medical or education-related appointments for the participant or their dependents

The list of program activities applies to mandated participants, exempt volunteers, and sanctioned individuals.

### **Sanctioned Participants**

Participants that have been sanctioned are eligible to receive immediate and continuous Stage One Child Care if they express an intent to cure sanction by participating in any program activity or work and need child care in order to do so.

If participants become sanctioned after being authorized for 12 months of immediate and continuous child care, they shall continue in Stage One until the 12-month period has concluded or until they are transferred to Stage Two.

### **Diversion**

Diversion services are available for CalWORKs applicants who are apparently eligible for CalWORKs cash aid. A one-time diversion payment or service should be considered when it will resolve the need for ongoing assistance.

### **Transitions from Stage One to Stage Two**

Counties are required to manage a participant's transition from Stage One to Stage Two so that participants do not experience a break in child care services as they move between the stages of CalWORKs child care services.

A participant's child care shall continue in Stage One until confirmation is received from the Stage Two administrator that child care is provided in Stage Two, unless the family is otherwise ineligible.

### **Automation**

Beginning no later than January 1, 2021, counties will provide online access through the State Automated Welfare System databases to local administrators providing CalWORKs Stage Two and Three Child Care services. Access shall include a single summary page of data elements needed to enroll a family in CalWORKs child care or transfer a family between stages.

### **Funding**

The Budget Act of 2019 allocates \$52.2 million dollars of Federal Temporary Assistance to Needy Families and General Fund to implement immediate and continuous Stage One Child Care.

## CALWORKS CHILD CARE REQUEST FORM AND CHILD CARE PAYMENT RULES

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### NOTICE: You may be eligible for CalWORKs Stage One Child Care

The county pays for child care for children under age 13, and for children up to age 21 with disabilities.

### MY CHILD CARE RIGHTS

- I have a right to receive child care services to help meet my family's needs. For example: housing search, domestic violence or mental health counseling, court and medical appointments, or other similar activities.
- I have a right to child care so that I can go to any Welfare-to-Work (WTW) activity or work.
- My child care will be authorized for 12 months, so that my children get stable, reliable care.
- I have the right to have child care in place before I need to show up for required activities or appointments.
- I have a right to full-time child care, unless I choose part-time care.
- I have a right to child care as a WTW volunteer, if I choose to participate in activities but don't have to.
- If I don't want child care now, I can ask for it later.

### WHO CAN BE MY CHILD CARE PROVIDER?

You can choose who will take care of your child(ren). You can choose a child care center, a licensed family child care provider, or a family member, friend or neighbor. If you choose a family member, friend or neighbor, they may need to get fingerprinted. Please see the **TrustLine** section on the back of this form.

### HOW DO I ASK FOR CHILD CARE?

You can get child care by asking your county worker, at your On-line CalWORKs Appraisal Tool (OCAT) assessment, or by submitting this form or any request in writing. You should ask for child care as soon as you know you will need it. Child care will be approved when you get approved for cash aid.

### HOW DO I FIND CHILD CARE?

The local Child Care Resource and Referral Agency (R&R) can help you find the best child care option for your family. You can visit or contact them using the information below, or you can call the California Resource and Referral Network at: **1-800-KIDS-793**.

R&R Agency Name: \_\_\_\_\_ Telephone: (\_\_\_\_) \_\_\_\_\_

Address: \_\_\_\_\_ Website: \_\_\_\_\_

### PLEASE ANSWER THE FOLLOWING QUESTIONS:

1. Do you want child care for any of your children now? ☐ Yes ☐ No
2. You are eligible for full-time child care (30 or more hours per week). Would you rather have part-time child care? ☐ Yes ☐ No
3. Will you need child care if you start working, going to school, training, job search, counseling, housing search, or other activity? ☐ Yes ☐ No

If you answered **No** to **questions 1, 2, or 3** above:

4. Is somebody watching your children who does not want to get paid? ☐ Yes ☐ No
5. Are all of your children in Head Start, another free or low-cost child care program, or school?  
☐ Yes ☐ No

**Even if you don't need child care now, you can ask for child care at any time.**

## CHILD CARE RULES: TRUSTLINE

Your child care provider must be eligible before they can get paid. An eligible provider is a licensed child care provider, a provider who has cleared the TrustLine fingerprinting and background check process, or a provider who doesn't have to get TrustLine registered. If you choose a child care provider who is required to be TrustLine registered, the county will only pay your provider if they clear TrustLine. Once your child care provider is TrustLine registered, the county will pay for child care for up to 120 days from the date you asked for child care or when the child care began, whichever is later. A grandparent, aunt, or uncle of the child(ren) does not need to be TrustLine registered but must turn in a form called a Declaration of Exemption from TrustLine Registration and Health and Safety Self-Certification (CCP1).

## TWO-PARENT FAMILIES

In two-parent families, if one parent is able and available to care for the child(ren), the county will not pay for child care. A parent is considered available to provide care unless they are working (or sleeping after working), doing a county-approved WTW activity, or have a condition verified by a doctor, that prevents them from caring for the child(ren).

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## CERTIFICATIONS Please initial the below certifications.

\_\_\_\_\_ I understand that if I choose a child care provider who is required to be TrustLine registered, the provider is not eligible for any reimbursement if they do not get TrustLine registered.

\_\_\_\_\_ I understand that I do not have to go to any Welfare-to-Work (WTW) appointment or activity unless I have found child care that will accept child care payment from the County.

\_\_\_\_\_ I understand that I must tell my worker as soon as I need child care. I understand that I need to ask for child care within 30 calendar days from the first day I received child care services for my provider to get fully paid.

\_\_\_\_\_ I have read this notice, or had it read to me in \_\_\_\_\_. If I have any questions or need additional information about this notice, I can ask my worker.

My worker can be reached at: \_\_\_\_\_.

Case Name	Case No.
Client Signature	Date
Case Worker Name	Phone

**CALWORKS STAGE ONE CHILD CARE AUTHORIZATION FORM**

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**NOTICE:** You are authorized for CalWORKs Stage One Child Care. Please complete and return this form when you have found someone to take care of your child(ren).

**CHILD CARE AUTHORIZATION**

You have been authorized for: Full-time child care \_\_\_\_\_ Part-time child care \_\_\_\_\_

Child Care Authorization Start Date: \_\_\_\_\_ End Date: \_\_\_\_\_

**CHILD CARE PROVIDER INFORMATION**

Please complete the following information about your child care provider:

Child Care Provider Name: \_\_\_\_\_ Telephone: (\_\_\_\_) \_\_\_\_\_

Address: \_\_\_\_\_

My child will start care on: \_\_\_\_\_

My child care provider is: ☐ Licensed ☐ License-exempt

If your child care provider is license-exempt, they may have to go through the TrustLine finger printing and background check process. Please see **TrustLine** section below.

If you have more than one child care provider, please complete the following information for your additional provider:

Child Care Provider Name: \_\_\_\_\_ Telephone: (\_\_\_\_) \_\_\_\_\_

Address: \_\_\_\_\_

My child will start care on: \_\_\_\_\_

My child care provider is: ☐ Licensed ☐ License-exempt

If your child care provider is license-exempt, they may have to go through the TrustLine finger printing and background check process. Please see **TrustLine** section below.

**CHILD INFORMATION**

Please complete the following information about your child(ren) needing care:

Name: \_\_\_\_\_ Birth Date: \_\_\_\_\_

Name: \_\_\_\_\_ Birth Date: \_\_\_\_\_

Name: \_\_\_\_\_ Birth Date: \_\_\_\_\_

Name: \_\_\_\_\_ Birth Date: \_\_\_\_\_

**HOW DO I CHANGE MY CHILD CARE PROVIDER?**

You can change child care providers at any time by talking to your county worker. You must inform your worker within 30 days of when you change providers. Your county worker can be reached at:

\_\_\_\_\_ .

The local Child Care Resource and Referral Agency (R&R) can help you find child care options for your family. You can visit or contact them using the information below, or you can call the California Resource and Referral Network at: **1-800-KIDS-793**.

R&R Agency Name: \_\_\_\_\_ Telephone: (\_\_\_\_) \_\_\_\_\_  
Address: \_\_\_\_\_ Website: \_\_\_\_\_

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Case Name	Case No.
Client Signature	Date
Case Worker Name	Phone