

KERN COUNTY DEPARTMENT OF HUMAN SERVICES
POLICY IMPLEMENTATION MEMORANDUM NO. 08-28

Date: August 8, 2008
Re: CalWORKs Child Care Program

Purpose

The purpose of this Memorandum is to provide information about the CalWORKs child care program and to provide instructions for referring clients to Community Connection for Child Care (CCCC) to receive child care services.

I. General Information – CalWORKs Child Care Program

- A. The CalWORKs child care program provides child care supportive services to the following CalWORKs clients receiving cash-aid:
 - 1. Welfare-to- Work participants who are employed or participating in WTW activities, and
 - 2. Cal-Learn participants
- B. The child care program is also designed to ensure that former CalWORKs recipients who leave cash-aid and meet certain requirements are eligible to continue to receive subsidized child care services.
- C. CalWORKs child care is a three-stage child care delivery system. Families move seamlessly and quickly between the stages and the family should be able to retain the same child care provider.
Note: Families who are using in-home care (child is being cared for in his/her own home) may need to change to a different provider in order to be eligible for a California Department of Education funded child care program, like Stage 2.
- D. *Community Connection for Child Care (CCCC), operated by the Kern County Superintendent of Schools, operates all three child care stages.*
- E. Community Connection for Child Care receives referrals from case managers in Employment Services for WTW and Cal-learn clients.
- F. Community Connection for Child Care (CCCC) Responsibilities:
 - Case manage each family's eligibility for child care based on information provided by the DHS case manager regarding the client's participation in approved activities and the family composition.

- Provide families with information about the CalWORKs child care program and their responsibilities to ensure their provider is paid for services. Offer licensed child care referrals and help families find and choose child care that best meets their needs, including the After School Education and Safety Program.
- Ensure providers meet certain requirements to receive payment. Provide an Orientation meeting with license-exempt child care providers to explain program regulations and licensing or Trustline registration requirements.
- Provide payments to child care providers for services.

	Description of Child Care Stages for Kern County	Local and State Agencies
Stage 1	• Begins when an individual enters the CalWORKs program. • In Kern County, child care is received in Stage 1 until the participant is discontinued from cash-aid or is determined to be stable as defined by DHS. (Effective 07-01-14) • DHS contracts with CCCC for Stage 1 Child Care.	Dept. of Human Services Calif. Dept. of Social Services (CDSS)
Stage 2	• Individuals are transitioned to Stage 2 when they are discontinued from cash aid (including reaching the 60-month time limit) or determined to be stable as defined by DHS. (Effective 07-01-14) • Former participants who are employed or participating in an approved training/school program can receive Stage 2 child care for up to 24 months after transitioning off cash aid. • Clients who receive Diversion payments are served in Stage 2.	Community Connection for Child Care (CCCC) California Dept. of Education (CDE)
Stage 3	• Former participants in Stage 2 who are receiving child care services at 24 months and continue to be employed or participate in an approved training/school program are transitioned to Stage 3.	Community Connection for Child Care (CCCC) California Dept. of Education (CDE)

II. Informing Clients about Child Care

- A. The DHS case manager discusses the need for child care and the client's plans for child care arrangements during the initial appraisal/orientation and when there is a change in the client's activities and/or hours.
- B. The client receives and signs an informing notice (KCDHS 173) about the availability of Stage 1 child care services at the following times:
 - CalWORKs Application and Renewal: *Issued by HST*
 - WTW Plan is first signed or amended: *Issued by Employment SSW*
- C. The individual may request child care services either verbally or in writing.

III. Instructions to Refer Clients to CCCC

- *Be sure the client understands that he/she needs to call CCCC as soon as possible for an appointment with a CCCC case manager to begin the process to receive child care services. If the client needs to leave an audix message, advise the client to leave a telephone number where he/she can be reached.*
- Evaluate who is in the home prior to requesting child care services.
- When it is known that the client has chosen/or may choose a provider that will need to be approved by Trustline:
 - Advise the client that the provider must also meet with CCCC to complete the Trustline application and be fingerprinted.
 - A Trustline informing handout is given to the client to explain the Trustline process and the importance of beginning the process immediately.
- Provide complete information on the KCDHS 1000 (Child Care Referral /Change) to help ensure the CCCC case manager knows the activities the client is participating in, activity locations, and household members.

Instructions to Refer Clients to CCCC
Complete the “Child Care Referral/Change” form - KCDHS 1000. 1) If two parents are in the home, provide complete information for the second parent. 2) Activity Information: Be as specific as possible to help the CCCC case manager arrange the correct hours of child care for the family. • List employer name and location for employed clients. • List activity location. List the name of the school for students. • Complete WTW activity “Start” date and WTW activity “End” date. • Show hours for each activity. 3) Advise client to call CCCC for an appointment. 4) Route the KCDHS 1000 to CCCC.

- A. Information provided by CCCC to clients:
 1. Clients will receive a Notice of Action from CCCC approving child care with the child care start date, end date, and the rates of care.
 2. Clients are notified by CCCC ten days prior to child care changes.
- B. Information provided by CCCC to Employment SSW:

1. A notice is received from the CCCC case manager to advise that child care services have been authorized.
 2. After receiving the referral (KCDHS 1000), CCCC will return the referral to the DHS case manager if the parent does not make contact with CCCC or complete the enrollment within 30 days. The DHS case manager submits a new referral if the family is re-referred to CCCC.
- C. Information provided by Employment SSW to CCCC: The KCDHS 1000 is used to provide information to CCCC after the initial referral. Information provided to CCCC includes:
- Changes in WTW activities/hours or new employer.
 - Changes in family composition.
 - Client is sanctioned or does not cure a sanction.
 - Client/case is discontinued.

IV. Eligibility for Child Care – Stage One

Eligible Child	• Child is a member of the assistance unit (AU), or the child is excluded from the AU because he/she is receiving foster care benefits or SSI/SSP; or • Child is the child of a Cal-Learn participant; or • The lack of child care would result in the client not being able to participate in approved WTW or Cal-Learn activities or employment, <u>and</u> the child is someone the client is responsible to support. Discuss the family situation with the Supervisor.
Age Limits	• Children under 10 years of age. • Children 11 and 12 years old as long as funds are available.* • Children 11 years of age and older who are physically or mentally incapable of caring for themselves. (Need verification from physician or psychologist or the child must be in receipt of SSI/SSP.) * Funding is available. Staff will be notified prior to any changes.
Required Activities	• Employment • Participating in approved WTW activities • Participating in Cal-Learn Note: Exempt clients who volunteer to participate in Employment Services are eligible for CalWORKs child care.

Adults in home	- Child care is not authorized if there is a parent, legal guardian, or adult member of the AU living in the home who is able and available to provide child care. <u>Two Parents in Home</u> - Child care is approved when both parents are working and/or in WTW activities during the same hours. - Child care is approved when one parent is disabled and verification is on file that this parent is unable to provide care for the children.
Sanctioned & penalized clients	Clients may be eligible for Stage 2 child care as long as they are employed or participating in an approved training/school program.
Beginning Date	- A newly granted CalWORKs client, who is employed or attending a school/training activity and requests child care, is not eligible for child care prior to the effective date of cash aid. - Retroactive child care is limited to 30 days prior to an oral or written request for child care, if all other eligibility criteria are met.

V. Types of Providers - Stage One Child Care

- Parents have the right to choose the type of child care most appropriate to their needs.
- Parents select the provider for their children.
- A child care provider must be 18 years of age or older.

A. Licensed Child Care Provider

- Child care is provided in a licensed child care center or a family child care home.
- The child care provider is licensed by the California Department of Social Services.
 - Licensed providers have a criminal background check.
 - Licensed providers are required to meet basic health and safety standards developed by CDSS.

B. License-Exempt Child Care Provider (family member, friend, or neighbor)

- Child care is provided in the provider's home or in the child's home. These providers are providing child care for children in one family other than their own.

2. License-exempt providers are not required to be licensed by CDSS.
3. A health and safety self-certification form is completed by the client and provider to help create a safe environment for children.
4. License-exempt providers (see exceptions below) must comply with a background check known as “Trustline” to help ensure the children are cared for in a safe environment.
5. For license-exempt providers not required to be Trustlined, CCCC issues the “Exempt Providers Self-Disclosure Application and Criminal Record Statement” for the provider to self-disclose any criminal convictions or child abuse/neglect investigations.

When is Trustline Required for Stage One Providers	
Type of Provider	Trustline?
Provider is the grandparent, aunt, or uncle of the child.	NO
Provider is a relative (other than the grandparent, aunt or uncle of the child) <u>or</u> Provider is not a relative (such as a friend or neighbor)	YES See Section VI

VI. Trustline Requirements - Stage One Child Care

- A. Trustline is California’s computer based registry of license-exempt child care providers who have been fingerprinted and cleared criminal background checks. The purpose of Trustline is to ensure that the person providing child care has no disqualifying criminal convictions or substantiated reports of child abuse in California.

The Trustline process is explained to license-exempt providers when they meet with a CCCC representative. Providers complete the Trustline application and have their fingerprints taken at a Live Scan site. Criminal and child abuse records from State and Federal law enforcement agencies are checked.

- B. *All license-exempt providers must be Trustline registered, except for aunts, uncles, and grandparents of the child(ren) in care by blood, marriage, or court decree.*
- C. Trustline Payment Rules – Stage 1
 1. Providers are advised to begin the Trustline process as soon as possible.

- The completed Trustline application package should be completed within seven calendar days, or as soon as possible, from the date of receiving the application package.
2. The provider must be Trustline registered before child care payments can be made.
 - Providers are allowed to care for children while the application is being processed.
 - California Department of Social Services, Community Care Licensing Division, sends a letter to the provider with the status of Trustline registration as approved or denied.
 3. Payment Rules When Trustline is Approved:
 - Providers cannot be paid until Trustline is approved.
 - Providers will be retroactively paid from the date Trustline is approved back to the date that services were requested and provided. The payment period cannot exceed 120 days.
 4. Payment Rules When Trustline is Denied:
 - The provider is not eligible for any payment if Trustline is denied. The client would be responsible for any child care payment to the provider.
 - A provider who receives an “exemption needed” letter will have an opportunity to request an exemption and provide requested information. Providers who subsequently clear Trustline **are** entitled to payment.
 - *Some crimes are considered “non-exemptible” and cannot be appealed.*
 5. If a provider is Trustline registered, then later commits a crime, his or her registration with Trustline is revoked.
- D. Payment rules for providers who are required to be Trustline registered are different in Stages Two and Three.

VII. Child Care for Families Discontinued from Cash Aid

- A. Stage Two:

The individual remains eligible for child care for 24 months in Stage 2 after being discontinued from cash-aid, including reaching the 60-month time limit.

1. The client must be employed or participating in an approved training/school program.
2. The 24 months of child care begins from the time the parent is discontinued from cash aid (not from the time child care services are requested).
3. The former participant also must meet all of the following:
 - Child must be under 13 years of age.
 - Family must meet income requirements.
 - The family may be required to pay a family fee (family's share of cost for child care) based on the family income and family size.
4. The 24-month limit applies to each instance of leaving cash-aid.

B. Stage Three:

Former CalWORKs clients, who are being served in Stage 2 at the time their 24 months of Stage 2 eligibility ends, are transferred to Stage 3.

1. The client must be employed or participating in an approved training/school program.
2. The former participant also must meet all of the following:
 - Child must be under 13 years of age.
 - Family must meet income requirements.
 - The family may be required to pay a family fee (family's share of cost for child care) based on the family income and family size.

VIII. "Good Cause" for Not Participating in Welfare-to-Work Activities Due to Child Care Reasons

- A. A client is excused from participation for good cause when it is determined that there is a condition or other circumstance that temporarily prevents, or significantly impairs, the individual's ability to be regularly employed or participate in WTW activities.
- B. The criteria for evaluating good cause reasons due to problems with child care include:

1. Child care is not “reasonably available” during the individual’s hours of employment or assigned activity hours, including commuting time, or child care arrangements have broken down or have been interrupted.
2. Child care is unavailable for children with special needs, including disabilities or chronic illness.
3. Definition of “Reasonably Available”

Regulations state child care is “reasonably available” when there is at least one appropriate, suitable, and affordable child care arrangement that is commonly available in the participant’s community to a person that is not receiving aid, that is available to parents during the hours they are required to participate in county-approved activities or employment, and that is a reasonable distance from the participant’s home or place of work.

- C. The months that the client does not participate due to the unavailability of appropriate and suitable child care will count toward the 60-month time limit on cash-aid.

IX. Confidentiality

Client information may be exchanged between the Department of Human Services and Community Connection for Child Care for purposes of administering the CalWORKs child care program. All client information is kept confidential.

X. Overpayments and Underpayments

- Counties are required to take all reasonable steps necessary to promptly correct any overpayments or underpayments. When child care payments are incorrect, overpayments and underpayments will be established by DHS and CCCC, following established procedures.
- If there are indicators of fraud on the part of the client or provider, a referral is made to the Special Investigations Unit (SIU), following established procedures, for investigation and evaluation.

XI. Hearing Requests

The client has the right to request a hearing if he/she disagrees with a reduction, termination, or other child care action.

- A. Stage One

1. The back of the Notice of Action contains information regarding the client's right to a state hearing and how to request the hearing. Hearings are handled by the Appeals Unit - Department of Human Services.
2. If the client requests the hearing timely and the hearing is to appeal a suspension, reduction, or termination of CalWORKs child care or a change in the method of providing services, the client is entitled to a continuation of child care in the same amount or form pending the hearing decision.
3. The client is not entitled to a continuation of child care if the action appealed is related to the health and safety of the child, failure of the provider to obtain Trustline approval, or there is credible information that a license-exempt provider has been convicted of a disqualifying crime or child abuse.

B. Stages Two and Three

CalWORKs hearings do not apply to clients in Stages 2 and 3. The Notice of Action that the client receives will contain information on the back about the right to request a review of the action that was taken and the procedures to request a hearing through CCCC.

XII. Attachments

- A. Parent Pamphlet (PUB 438 - 06/2008)
*Changes to Trustline Registration Requirements
Issued by California Department of Social Services*
- B. License-Exempt Provider Pamphlet (PUB 439 - 06/2008)
*Trustline Registration Requirements
Issued by California Department of Social Services*

Child Care Assistance

Do you need help finding a child care provider?

The California Resource and Referral Network will assist you with locating available licensed child care centers and licensed child care homes in your area.

To find the local child care R&R in your area please call the number or visit the website below:

(800) KIDS-793 or (800) 543-7793

www.rrnetwork.org

Questions?

Contact your local County Office of Social Services:

County contact information or stamp:



State of California
Department of Social Services
Health and Human Services Agency



PARENT PAMPHLET

Have you chosen a friend, neighbor or relative to care for your child?
If so, read this pamphlet!



Changes to the Trustline Registration Requirements

On February 1, 2008, the California Department of Social Services implemented changes to the Trustline background check requirements for license-exempt California Work Opportunities and Responsibility to Kids (CalWORKs) Stage One child care providers.

Child care payments that were previously made to CalWORKs child care providers who were pending Trustline registration are no longer permitted. **Child care payments will be retroactively paid when a Stage One child care provider becomes Trustline registered.**

What is the Trustline Registry?

Trustline is the registry of license-exempt child care providers who have been fingerprinted and have received clearance of their background check by:

- **The California Department of Justice:** Checks the Automated Criminal History System (ACHS) for arrests and convictions in California and checks the California Child Abuse Central Index (CACI) for substantiated child abuse reports.
- **The United States Federal Bureau of Investigations:** Checks arrests and convictions across all 50 states.

Trustline is one of the nation's most extensive criminal background check registries and is used to ensure that the child care providers who are being paid for child care services have no previous criminal or child abuse history that might place children in subsidized child care in danger.

Who will be impacted by the new payment requirements in the Trustline regulations?

After February 1, 2008, child care providers who are license-exempt, and who provide care to children receiving CalWORKs or other subsidized child care will be affected by the new Trustline requirements. Grandparents, aunts and uncles of the child in care are not required to register with Trustline.

If you think your child care provider is already registered with Trustline, please call Trustline at (800) 822-8490 to find out.

Your Responsibility as a Parent

You should make every effort to choose a provider who will create a safe and healthy environment for your child. You must inform any license-exempt child care providers that they have to be Trustline registered in order to get subsidy payments from the County Welfare Department (CWD) or the Alternative Payment Program (APP). If a provider has taken care of children and has not received subsidy payments from the CWD or APP, the provider may try to get payment directly from you.

Your Provider's Responsibility

To get paid for providing child care, your provider must become Trustline registered. To get Trustline registered, he/she must go through several steps:

- Have his/her fingerprints taken at a Live Scan site.
- Submit his/her completed Trustline application form within seven days of their provider orientation.
- Answer all the questions honestly and give the most current information.
- Provide complete information about any criminal history he/she may have.



Providing care while going through the Trustline registration process

Your provider is allowed to care for children while his/her Trustline application is being processed. However, it is important to understand that your provider will **not** get paid for the care he/she provides until **after** he/she has successfully completed Trustline registration. If your provider's Trustline registration takes more than 120 days, he/she will get paid retroactively for only 120 days. If your provider's Trustline application is denied or closed, he/she will not get paid for any care he/she provided while going through the registration process.

What will lead to the denial or closure of a Trustline application?

A Trustline application can be denied or closed for several reasons. Sometimes, when CDSS denies your provider's application because of something in his/her criminal history, he/she is given a chance to explain and ask for an "exemption." However, there are some crimes that are not "exemptible." If your provider has a conviction for one of these crimes, he/she will not be able to be Trustline registered.

The list of crimes can be found online at:

http://ccl.dss.cahwnet.gov/res/pdf/non_exempt.pdf

Also, if your provider fails to reveal any conviction on his/her Trustline application, his/her application may be denied or registration may be delayed.

How do I know if my provider has been registered on Trustline?

It is important that you keep in contact with your child care coordinator so that you know when your provider becomes registered on Trustline or when his/her Trustline application has been denied or closed.

If the provider you have selected has not been Trustline registered after 30 days, you may contact Trustline at (800) 822-8490 to get an update on your provider's status. You will need the provider's full name and identification number to obtain his/her status. You always have the option to choose another provider or wait for the final notification. However, the CWD or APP will only make retroactive payments up to 120 days if the provider becomes Trustline registered.

LICENSE-EXEMPT PROVIDER PAMPHLET

What is my status on Trustline?

All Trustline applicants will receive a letter from the California Department of Social Services (CDSS) confirming the results of their Trustline background check.

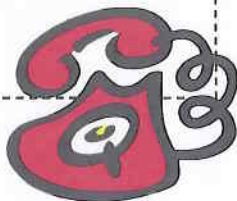
If it has been 30 days or more since you applied to Trustline and you have not received a letter from CDSS, or if you have any other questions about Trustline, please call Trustline at:

1-800-822-8490

Questions?

Contact your local County Office of Social Services:

County contact information or stamp:



PUB 439 (6/08)

**Are you a child care provider who is
applying to Trustline?**

If so, read this Pamphlet!

Trustline Registration Requirements

On February 1, 2008, the California Department of Social Services implemented changes to the Trustline background check requirements for license-exempt California Work Opportunities and Responsibility to Kids (CalWORKs) Stage One child care providers.

Child care payments that were previously made to CalWORKs child care providers who were pending Trustline registration are no longer permitted. **Child care payments will be retroactively paid when a Stage One child care provider becomes Trustline registered.**



What is the Trustline Registry?

Trustline is the registry of license-exempt child care providers who have been fingerprinted and have received clearance of their background check by:

- **The California Department of Justice:** Checks the Automated Criminal History System (ACHS) for arrests and convictions in California and checks the California Child Abuse Central Index (CACI) for substantiated child abuse reports.
- **The United States Federal Bureau of Investigations:** Checks arrests and convictions across all 50 states.

Trustline is one of the nation's most extensive criminal background check registries and is used to ensure that the child care providers who are being paid for child care services have no previous criminal or child abuse history that might place children in subsidized child care in danger.

Who will the new Trustline requirements affect?

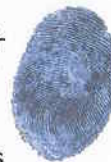
After February 1, 2008, child care providers who are license-exempt, and who provide care to children receiving CalWORKs or other subsidized child care will be affected by the new Trustline requirements. Grandparents, aunts and uncles of the child in care are not required to register with Trustline.

If you think you are already registered with Trustline, please call Trustline at (800) 822-8490 to find out.

Your Responsibility as a Provider

To get paid for providing subsidized child care, you must become Trustline registered. To become Trustline registered, you must go through several steps:

- Have your fingerprints taken at a Live Scan site.
- Submit your completed Trustline application form within seven days of your orientation.
- Remember to answer all the questions honestly; give the most current information.
- Give complete information about any criminal history you may have.



Providing care while going through the Trustline registration process

You are allowed to care for children while your Trustline application is being processed. However, it is important to understand that you will **not** get paid for the care you provide until **after** you have successfully completed Trustline registration. If your Trustline registration takes more than 120 days, you will be retroactively paid for only 120 days. If your Trustline application is denied, you will not be paid for any care you provided while going through the registration process.

The Parent's/Guardian's Responsibility

Parents and guardians must inform any license-exempt child care providers that they have to be Trustline registered in order to get subsidy payments from the County Welfare Department (CWD) or the Alternative Payment Program (APP). If a provider has taken care of children and has not received subsidy payments from the CWD or APP, the provider may try to get payment directly from the parent/guardian.



What crimes will lead to the denial of Trustline registration?

A Trustline application can be denied or closed for several reasons. Sometimes, when CDSS denies your provider's application because of something in his/her criminal history, he/she is given a chance to explain and ask for an "exemption." However, there are some crimes that are not "exemptible." If your provider has a conviction for one of these crimes, he/she will not be able to be Trustline registered.

The list of crimes can be found online at:

http://ccl.dss.cahwnet.gov/res/pdf/non_exempt.pdf

Also, if your provider fails to reveal any conviction on his/her Trustline application, his/her application may be denied or registration may be delayed.

Are you a great grandparent, great aunt, or great uncle currently providing care?

Great grandparents, great aunts and great uncles who were being paid to provide child care before February 1, 2008, are not required to register with Trustline. However, if you stop providing child care services and start again at a later date, or if you decide to care for children to whom you are not related, you will then be required to register with Trustline.

Grandparents, aunts and uncles of the child(ren) in care are still exempt from the Trustline requirement.