



RIVERSIDE COUNTY
OFFICE OF EDUCATION
EDWIN GOMEZ, Ed.D.
County Superintendent of Schools

Division of Early Education Services
Early Care and Education

Participant HANDBOOK

For Child Care and Development Programs

- Alternative Payment Program
- CalWORKs Stages 2 and 3
- Emergency Child Care Bridge Program for Foster Children



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WELCOME TO EARLY CARE AND EDUCATION, EARLY EDUCATION SERVICES

Welcome to Early Care and Education (ECE), Early Education Services – Where the Success of All Children is Our Focus!

This handbook was created to assist parents/guardians and child development professionals in working effectively with ECE's child care and development programs. [5 CCR 18221, WIC 10207]

As a participant on our program, you have access to many services. This is a partial list of items that may be of interest to you. Please let us know how we can best assist you.

Parents/Guardians

- Education-based child care and development programs
- Referrals to licensed child care centers and family child care homes
- Information on choosing quality child care settings
- Parenting resource information on selected topics
- Referrals to other agencies for resources
- Parenting workshops and trainings
- Your home as a learning environment
- Family Portal Access
- Monthly Parent E-Newsletter

Child Care Providers

- Resource information on child care and development
- Age-appropriate activities
- Positive child guidance strategies
- Preventative Health and Safety (inclusive of CPR and first aid)
- Children with special needs
- Child abuse and neglect prevention
- Site visits by ECE staff
- Quality improvement supports
- Provider Trainings, technical assistance, and conferences
 - Quality improvement trainings such as early literacy and math, trauma-informed care, child development, business practices, meaningful interactions, innovative practices, and more
- Resource & Referral services and supports
- Professional development programs
 - Passport to Success and Passport to Quality

If you have any questions or need assistance, please call your local regional office.

COLEGATE- MAIN ECE OFFICE

3610 Fourteenth Street | Riverside, CA 92501
(951) 826-6626 | [951] 826-4479 FAX

RIVERSIDE

4101 Almond Street | Riverside, CA 92501
(951) 826-6655 | [951] 826-4479 FAX

INDIO

47-110 Calhoun Street | Indio, CA 92201
(760) 863-3345 | [951] 826-4479 FAX

LAKE ELSINORE

575 Chaney Street | Lake Elsinore, CA 92530
(951) 826-7240 | [951] 826-4479 FAX

MECCA FAMILY AND FARMWORKERS SERVICE CENTER

91-275 66th Avenue, Suite 600 | Mecca, CA 92254
(760) 863-3270 | [951] 826-4479 FAX

MURRIETA

24990 Las Brisas Road | Murrieta, CA 92562
(951) 600-5620 | [951] 826-4479 FAX

COUNTYWIDE TOLL-FREE NUMBER:
800-442-4927 for Resource & Referral

E-MAIL FOR RESOURCE & REFERRAL:
randr@rcoe.us

E-MAIL FOR PROVIDER REIMBURSEMENT INQUIRIES:
providerpayments@rcoe.us

In addition, ECE program information and commonly requested forms are available through Riverside County Office of Education's website at:
www.rcoe.us/ece-forms.



OVERVIEW OF EARLY CARE AND EDUCATION PROGRAMS

ECE provides federal and state child care subsidies to families throughout Riverside County. The programs are funded through the California Department of Social Services or the California Department of Education and must comply with the regulations that govern these programs: California Code of Regulations, Title 5 and the California Welfare and Institutions Code (WIC). All families and child care providers participate in the programs without regard to sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability. Information pertaining to families served through ECE is considered confidential and will be used for program administration purposes only. [5 CCR 18117]

In order to access the majority of ECE's programs, families must be part of the ECE Eligibility List (EL). The EL provides a comprehensive list of families requesting subsidized child care and development services. The EL ranks the families according to the enrollment priorities set by state regulations. [WIC 10271, 5 CCR 18106]

The child care and development programs offered by ECE serve children ages 0 through 12 years old. Once a child reaches his/her 13th birthday, services will be discontinued for the child as part of the subsequent recertification unless the child has an exceptional need requiring ongoing adult supervision documented through an Individualized Education Plan (IEP). Families enrolled in any of these programs must meet their program's need and/or eligibility criteria as outlined in this handbook in order to receive services.

ECE's Subsidized Child Care Programs

The following subsidized child care and development programs are offered by ECE to assist Riverside County families with the cost of child care. The programs provide families with a benefit with which to "shop" for a child care provider that will provide the most nurturing and educational setting for their child(ren).

California Alternative Payment Program (CAPP)

Families access this program through the ECE Eligibility List (EL). As CAPP funding becomes available, the most eligible families from the EL receive services first. Families may remain on the CAPP program as long as they continue to meet the need and eligibility criteria of the program, follow the program rules and regulations, and funding is available.



CalWORKs Stage 2 Child Care (C2AP)

Families have access to this program if they have previously received public cash assistance (welfare) or a diversion payment through the Department of Public Social Services. Families may be eligible for this program for up to 24 months after discontinuing cash assistance as long as they continue to meet the need and eligibility criteria of the program, follow the program rules and regulations, and funding is available.

CalWORKs Stage 3 Child Care (C3AP)

This program is available to families who continue to need child care services after their 24 months of eligibility expires in C2AP. Families may only access this program if they transfer directly from a C2AP program with no break in services. Families may remain on the C3AP program as long as they continue to meet the need and eligibility criteria of the program, follow the program rules and regulations, and funding is available.

Emergency Child Care Bridge Program for Foster Children (Foster Bridge): Riverside County Office of Education (RCOE), in partnership with Riverside County Department of Public Social Services (DPSS), offers the Emergency Child Care Bridge Program for Foster Children (Foster Bridge Program) for children who have a foster case in Riverside County. The Foster Bridge Program is a time-limited program designed to increase the number of foster children successfully placed in home-based family care settings by reducing child care barriers for approved resource/foster families and parents under the jurisdiction of the juvenile court.

Please Note: Referrals to the Foster Bridge Program must be made through the resource family's Social Services Practitioner at DPSS and submitted to childcarebridge@rivco.org.

INFORMATION FOR PARENTS/GUARDIANS

Selecting a Child Care Provider

As the funding is provided through the California Department of Social Services, the preferred placement for all children served through an ECE program is a quality, education-based program. Parents/guardians should take time to select a child care provider who will meet their needs and the needs of their child(ren). Parents/guardians are strongly encouraged to thoroughly research a child care provider before placing children at the location. Parents may contact Resource & Referral for assistance in locating licensed child care and to obtain information on choosing quality child care.

When a family enrolls in subsidized child care through ECE, or plans to change child care providers, the parent/guardian will have two weeks to select a new provider. If additional time is needed, the parent/guardian must request additional time (not to exceed two weeks) from their assigned ECE staff person. Parents/guardians must inform ECE of their selected provider choice **prior** to beginning services with the provider.

- Families may select from the following types of child development and care settings which are required to meet minimum quality standards set forth by ECE: [5 CCR 18245, 18411 and 18426]
 - **Licensed Child Care Centers** – licensed by Community Care Licensing and following Title 22 regulations
 - **Licensed Family Child Care Homes** – licensed by Community Care Licensing and following Title 22 regulations
 - **License-Exempt Child Care Centers** – following Title 22 regulations
 - **License-Exempt Homes** – care provided in the home of the family or the home of a family relative, friend or neighbor. Please note that if care is provided in the family home there are additional financial and tax implications. Please contact your assigned ECE staff person for more information. Care may not be provided by an adult counted in the family size or a parent of the child(ren).



Parents/guardians must notify ECE two weeks prior to changing child care providers. Parents/guardians are encouraged to give their child care provider a two-week notice before discontinuing services with the provider. If the parent fails to give this notice to the provider, or discontinues services earlier than the two-week timeframe, any financial obligation for the notice is the parent/guardian's sole responsibility.

Parents/guardians, who change providers more than three times within a 12-month period may be called in for a conference with ECE staff to discuss the circumstances of the changes and the needs of the family.

Please Note: If the parent/guardian selects a provider who provides religious instruction or worship as a portion of the curriculum, these services are reimbursed with federal funds.

FAMILY REQUIREMENTS AND RESPONSIBILITIES

Certification

[CAPP WIC 10271(h), C2AP WIC 10271(h), 5 CCR 18410, C3AP 5 CCR 18424 and WIC 10271]

Parents/guardians are required to complete a certification appointment with ECE staff to establish and document eligibility and need for the program, complete the program application and all necessary forms, and review program requirements and regulations.

Recertification

[5 CCR 18082.1 and WIC 10271H]

Parents/guardians are required to meet with ECE staff for a recertification appointment to document continued eligibility and need for services, update the program application and forms, and review program requirements and regulations. Recertification must be completed within fifty (50) calendar days of the expiration of the prior certification period.

Eligibility Period

The need and eligibility information provided by the family during the certification/recertification process is used to authorize services for a certification period of no less than 24 months for C2AP, C3AP, and CAPP. If the authorized services no longer meet the family needs, the parents/guardians may report changes to ECE and must submit supporting documentation to change the authorized services. The requested changes must be submitted through a written and signed statement or through email.

Photographic Consent

Your assigned ECE staff person may ask you to sign a release of photographic consent. As part of the program activities, pictures/video of your child(ren) may be taken and shared. By granting permission, the pictures and videos may be used by the Riverside County Office of Education, Early Care and Education for publications to include, but not limited to, program handbooks, websites, recruitment efforts, newsletters, and/or displays.



Documentation and Determination of Family Size

[5 CCR 18083.1, 5 CCR 18107]

Parents/guardians receiving services through an ECE program are required to document the reported family size. The parents and the biological/adopted children (under age 18) for whom the parents are responsible in the household are considered part of the family size. Children who reside with adults who are not their biological/adoptive parents are considered their own family (foster or guardian placements). To document the number of children in the family, parents/guardians must provide *at least one* of the following:

- Birth certificates or other live birth records;
- Court orders regarding child custody;
- Adoption documents;
- Records of Foster Care placements;
- School or medical records; or
- County welfare department records.

If the parents/guardians are unable to provide any of these forms of documentation, please ask the assigned ECE staff person about other acceptable forms of documentation.

Any adult residing in the family home is counted in the family size if they are the biological parent, adoptive parent, stepparent, or parent to siblings of a child included in the family size. Other adults who may be included in the family size are the domestic partner of the parent/guardian or caretaker relatives, as designated by the parent/guardian. A copy of current government-issued photo ID for all adults included in the family size is required. All included adults must meet the eligibility and need criteria of the ECE programs. All families must provide proof of California residency. If the parents/guardians are unable to provide a government-issued photo ID and/or proof of residency, please ask the assigned ECE staff person about other acceptable forms of documentation.

When only one parent has signed the application for child care and development services, and the documentation for the child(ren) included in the family size indicates the child(ren) have another parent not included as part of the family on the application, then the parent who has signed the application must indicate this information on the application and shall self-certify the presence or absence of the second parent under penalty of perjury.

FAMILY REQUIREMENTS AND RESPONSIBILITIES



Family Needs Assessment

[5 CCR 18276]

At certification and recertification, parents/guardians will complete a *Family Needs Assessment* to indicate family need for additional information and services. Support services and referrals will be provided, when requested, to meet a family's individual needs. Parents/ guardians are encouraged to contact ECE for referrals and assistance.

Notification of Changes

[5 CCR 18082.3, 5 CCR 18082.2, 5 CCR 18076.2]

During the certification period, parents/guardians are required to report to ECE if the gross monthly family income exceeds the 85th percentile of the state median income, within thirty (30) calendar days.

To ensure continued and accurate services, parents/ guardians are encouraged to report changes in phone number, home/mailing address, email address, change in child care provider, income changes resulting in a decreased family fee, work/school hours changes resulting in the need for more child care hours or a decreased family fee, or if services need to be temporarily discontinued. The requested changes must be reported through a written and signed statement or through email.

If it is determined that your child will be starting elementary school or will have a school schedule change, you will be asked to estimate the change in schedule and effective date. If we do not receive this information during the certification or recertification period, we may reach out during the certified eligibility period in order to collect this information.

Verification of Documentation

[Title 5, §18078(b) and 18086(d)]

Any documentation submitted for the purposes of establishing eligibility and need for the program is subject to verification. Parents/guardians are required to complete a *Release of Information* form for this reason. The information that may be verified includes, but is not limited to: employment status, income, work hours, school attendance, school status, address, telephone numbers, family size, marital status, medical information, provider information, etc. ECE staff may contact the Department of Public Social Services, Department of Child Support Services, Housing Authority, First 5 Riverside, Riverside County Child Care Consortium, training sites/schools, social service agencies, referring physicians, emergency shelters, and employers/clients, or other agencies, as required, to verify eligibility, need, and/or location of services. ECE may also conduct a review of information via other resources to include, but not limited to: online employment verification sites, social networking sites, searches through online search engines, address verifications through online mapping, and review of court or law enforcement databases.

Child Health Histories and Immunization Records

[5 CCR 18081]

Parents/guardians are required to complete a *Preadmission Health History* for all children receiving services through an ECE program. In addition, current immunization records are required for the children not yet enrolled in an elementary school program. If, due to a medical reason, the child(ren) are exempt from immunization, the parent/guardian must submit a written statement of exemption from the California Department of Public Health, Immunization Branch. For assistance please contact your assigned ECE staff person.

FAMILY REQUIREMENTS AND RESPONSIBILITIES

Adding Children to an ECE Program

[WIC 10271, 5 CCR 18106]

Since ECE serves families, additional eligible children who are part of the family size may receive services if funding, in the same program, is available. If funding is not available to enroll additional children, the child(ren) should be placed on the ECE Eligibility List and may receive services as funding becomes available.

Documentation of a Child's Exceptional Needs

[EC 56026, 5 CCR 18089, WIC 10281.5, WIC 10260(d), 5 CCR 3030, 5 CCR 3031]

ECE programs serve children who are ages 0 to 13 years old. Children are eligible for initial certification or recertification until their thirteenth birthday. Children 13 through 21 years old may receive services if they have a documented exceptional need requiring on-going adult supervision. The parent/guardian must provide documentation of the child's exceptional need if child care services are requested for a child 13 years or older. The documentation required is one of the following: an individualized education program (IEP) or a statement signed by a legally qualified professional indicating that the child requires the special attention of adults in the child care setting. This signed statement must also include the name, address, license number, and telephone number of the legally qualified professional.

Providers may request an adjustment rate for Children with Exceptional Needs or with a severe disability. The provider must document that additional services and/or accommodations for the child specified are being provided and that such services and/or accommodations result in an ongoing financial impact to the provider.

Families enrolled through ECE programs must meet eligibility criteria in order to receive subsidized child care services. Families may receive services if they meet one or more of the following eligibility criteria:
[5 CCR 18081 & 18082, WIC 10271]

- ***Child Protective Services:*** Families identified as eligible for child care and development services due to a current case through Child Protective Services or deemed "At-Risk" are referred through a written referral from a legal, medical, social service agency, local educational agency liaison for homeless children and youths, a Head Start program, or an emergency or transitional shelter. The referring agency must indicate the anticipated duration of the services. A new referral must be provided at each recertification. If the referral indicates the family is exempt from paying State Family Fees, the family is not required to submit proof of income.

- ***Current Aid Recipient:*** In Riverside County, families that are currently receiving public cash assistance generally receive child care services through the Department of Public Social Services in order to receive the other supportive services offered by these programs. If families, based upon this eligibility, are served through an ECE program, they are required to meet the income eligibility requirements, have an ongoing need for services, and report all changes in their public cash assistance within required reporting timelines.
- ***Homeless:*** Families who are eligible for services through an ECE program due to homelessness are referred by an emergency shelter or other legal, medical, or social service agency. Families may also document this eligibility through a written declaration indicating that the family is homeless and describing their current living situation.
- ***Income Eligible:*** Families are income eligible for services when their gross monthly income is at or below 85 percent of the state median income at certification. After certification, families remain eligible for services as long as their income does not exceed 85 percent of the state median income. Income eligibility is based upon all sources of countable, gross income adjusted for the family size.
- ***Categorically Eligible:*** Families eligible for this category can document they have a family member counted in the family size actively enrolled in one of the following means-tested government programs: Medi-Cal CalFresh, California Food Assistance Program, California Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), The Federal Food Distribution Program on Indian Reservations, Head Start, Early Head Start, CalWORKs.



CERTIFICATION OF FAMILY ELIGIBILITY

Documentation of Income Eligibility

[WIC 10271 & 10271.7, 5 CCR 18084]

Total Countable Income

[5 CCR 18078(q)]

Families who receive services based upon income eligibility must document all sources of countable income, including:

- Gross wages from employment, including commissions, overtime, tips, bonuses, housing and automobile allowances, gambling/lottery winnings, and wages for migrant, agricultural, or seasonal work;
- Public cash assistance (including Safety-Net received for children) or diversion payments received from the Department of Public Social Services;
- Gross income from self-employment less business expenses with the exception of wage draws;
- Disability, unemployment, or workers compensation;
- Spousal support or child support received from a former spouse or absent parent; this includes financial assistance for housing costs, living expenses, and/or car payments paid as part of this support;
- Survivor or retirement benefits, pensions or annuities, inheritance, dividends, interest on bonds, income from trusts, or royalties;
- Rental income received from rent for room within the family's residence or rental property;
- Insurance or court settlements for lost wages or punitive damages; or
- Other enterprises for gain (i.e. – reimbursement for services provided, donation of blood, etc.).

Documentation of Categorical Eligibility

Families who receive services based upon categorical eligibility must provide:

- proof of current enrollment in any of the means-tested government programs: Medi-Cal, CalFresh California Food Assistance Program, California Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), The Federal Food Distribution Program on Indian Reservations, Head Start/Early Head Start, CalWORKS.

A copy of the original application for any of the above listed programs to document the family income at time of enrollment or the Self-Declaration of Categorical Eligibility form.

Please Note: Parents currently receiving cash-aid for themselves, or those who have received cash aid within the past 24 months, must report this to their ECE staff person to ensure accurate eligibility determination and program enrollment.

Documentation of Income from Employment

[WIC 10271, 5 CCR 18084, 18084.1, 18086]

When a parent/guardian is employed, the following is required to document income from employment:

- An *Employment Verification* form or a letter from the employer indicating the employer's name, address, telephone number, business hours, and employment information (hire date, rate of pay, work hours) of the parent/guardian.
- Payroll check stubs or an independently drafted letter from the employer, or other records of wages issued by the employer. The income documentation must be from the two month period of time preceding the initial certification, recertification, or parent requested income evaluation to determine eligibility for services.
 - If the parent/guardian's income fluctuates due to migrant, agricultural, seasonal, inconsistent and/or unstable employment or self-employment, intermittent income, or the parent/guardian has received a lump sum earning due to bonuses, commissions, back child support, etc., the parent may choose to provide a minimum of 2 months up to 12 months of the most current income to be utilized to calculate an average of the family income.

Documentation of Income from Self-Employment

[WIC 10271, 5 CCR 18084 (c), 18086 (2)]

When a parent/guardian is self-employed, ECE must be able to independently verify the employment of the parent/guardian. In addition to completing the applicable *Self-Employment Declaration* form, the parent shall obtain and provide a combination of documentation, from the two month period of time preceding the initial certification, recertification, or parent requested income evaluation, necessary to establish current income eligibility for services. Documentation shall consist of a written self-certification of income and as many of the following types of documentation as reasonably necessary to determine income:

CERTIFICATION OF FAMILY ELIGIBILITY

- A letter from the source of income. If working as a private contractor for a company/agency, a letter from that source, or a copy of the contract, in addition to any payroll check stubs received.
- A copy of the most recently signed and completed tax returns with a statement of current estimated income.
- Profit & Loss (P&L) Statement
- Other business records: service contracts, invoices, ledgers, receipts, work schedules/logs, client lists (including contact information), bank statements, advertisements for services, website for services, etc.
- If the parent/guardian's income fluctuates due to migrant, agricultural, seasonal, inconsistent and/or unstable employment or self-employment, intermittent income, or the parent/guardian has received a lump sum earning due to bonuses, commissions, back child support, etc., the parent may choose to provide a minimum of 2 months up to 12 months of the most current income to be utilized to calculate an average of the family income.

Documentation of Income from Child Support

[Title 5, §18078(q)(7)]

Parents/guardians are encouraged to open a child support case through the Department of Child Support Services (DCSS) in order to receive child support payments. If a parent/guardian does not already have a case with DCSS, ECE staff can provide information to assist with this process. Parents/guardians, with open child support cases through DCSS, must submit documentation of all child support payments received for the previous 12 months. This information can be accessed through a DCSS office or with a PIN number through the DCSS website: www.childsup.ca.gov.

If parents/guardians choose not to open a case through DCSS, child support income may be documented by providing one of the following:

- Court order for child support being received;
- Self-declaration of the child support received;
- Documentation indicating that the absent parent is incarcerated, deceased, or has relinquished parental rights;
- Domestic violence documentation (court documentation, restraining order, etc.); or
- Child's birth certificate indicating that the father is unknown, or documentation that the person believed to be the father has been excluded based upon paternity testing.

Please Note: Documented outgoing child support paid by a parent/guardian included in the family size will be deducted from the parent/guardian's gross income.

State Family Fees

[WIC 10271, 5 CCR 18084 & 18109]

Once a family's gross monthly income is determined, State Family Fees (fees) will be assessed. Fees are assessed based upon the State Family Fee Schedule and determined by family size and income. If it is determined that the parent/guardian has a fee, the fees are based on the child who is enrolled in services for the greatest number of hours. Monthly fees are paid directly to the child care provider as part of the parent/guardian's share of cost for services.

Families enrolled through ECE programs must have a documented need for subsidized child care services. Families may receive services if all adults included in the family size meet one or more of the following need criteria: [5 CCR 18085.5(a)]

- Employment
- Seeking Employment
- Vocational or Educational Program
- Seeking Permanent Housing
- Incapacitation

Families are also eligible for services if they meet the following criteria:

- The children are recipients of CPS services or identified as being abused, neglected, or exploited, or at risk thereof, or
- The family is experiencing homelessness.

The hours of authorized child care are approved based upon the hours of documented need. Services are not authorized during the hours in which an adult included in the family size is available to supervise the children, the children are in an elementary/middle school program, an elementary/middle school program is available to the children, the children are enrolled in another subsidized program (Head Start/State Preschool), and/or the children are in the custody of a parent that is not part of the family size. [5 CCR 18085(b)]

Please Note: For children who are enrolled in home/private school or are enrolled in a virtual or distance-learning elementary/middle school setting, when the school or assigned public school offers in-person instruction, or voluntarily held back from kindergarten, although they are kindergarten age, child care services are not available during any hours the child could be enrolled in a public school classroom setting. [Title 5, 18076.2(d)]

CERTIFICATION OF FAMILY NEED

Documentation of Employment

[5 CCR 18086(a)(b)]

Parents/guardians who are requesting child care services for their hours of employment must be able to document their days and hours of employment, and ECE staff must be able to independently verify this employment. The following is required to document the days and hours of employment:

- An *Employment Verification* form or an independently drafted letter from the employer indicating the employer's name, address, telephone number, business hours, and employment information (hire date, rate of pay, work hours) of the parent/guardian.

ECE staff will contact the parent's/guardian's employer to verify the information provided.

Please Note: A parent/guardian who works as an assistant in a large family child care home must be able to provide additional documentation to prove that he/she is the assistant and an employee of the family child care home.

Please Note: Parents/guardians who work over night shifts may request additional hours of child care services to allow for sleep time. This time is approved on a case-by-case basis, as requested by the parent, and the amount of time that may be authorized is limited.

Documentation of Self-Employment

[5 CCR 18086(c)]

Parents/guardians who are requesting child care services for their hours of self-employment must be able to document their days and hours of self-employment, and ECE staff must be able to independently verify this employment. The following is required to document the days and hours of self-employment:

- A *Self-Employment Declaration* form, to be completed at each recertification and one or more of the following items;
 - A copy of service contracts, invoices, quarterly taxes, appointment logs, client receipts, job logs, mileage logs, a list of clients with contact information, or similar records; and
 - If applicable, a copy of a business license, and/or workspace lease/rental agreement.

Please Note: The parent/guardian must provide ECE staff with a contact or means of independently verifying self-employment information provided.



Please Note: Child care service hours will be approved to the extent to which the employment prevents a parent/guardian from providing care and supervision of the child(ren).

Unpredictable Work Schedules

When a parent/guardian works an unpredictable schedule (not consistently part time nor full time), during certification/recertification, the maximum hours of services are determined by reviewing the paystubs/work schedule for the preceding four weeks and authorizing services based upon the week with the most work hours. Services will be reimbursed based upon the actual hours of care provided, not to exceed the maximum authorized services.

Documentation of In-Home Employment

[5 CCR 18086.1]

Parents/guardians who are employed in the family home must provide the same required documentation as other employed/self-employed parents/guardians. In addition to this documentation, parents/guardians who are employed in the family home, and are requesting services for this employment, must also provide:

- Justification for requesting services (type of work being performed, days/hours requested, and the reason that care is needed). Child care service hours will be approved to the extent to which the employment prevents the parent/guardian from providing care and supervision of the child(ren).

Please Note: For parents/guardians who are Child Care Home Providers (Licensed or Exempt), services cannot be authorized during the hours of operation on file with Community Care Licensing as this work does not preclude them from caring for their own children.

CERTIFICATION OF FAMILY NEED

Documentation of Seeking Employment

[5 CCR 18086.5]

Parents/guardians who are requesting child care services for seeking employment hours in order to secure, change, or increase employment must complete a *Declaration of Seeking Employment* form and are subject to the following requirements and limitations on services:

- Limited to no less than 24 months for C2AP, C3AP, and CAPP
- Limited to no more than five (5) days per week and for less than 30 hours per week
- Unless a parent/guardian is authorized to seek employment during nontraditional hours/days, services may not be authorized for this need when children are in attendance at a full-day elementary/middle school program.

Please Note: Upon securing employment, parents/guardians are strongly encouraged to report the change in need in order to update authorized services. The request for the changes must be submitted through a written and signed statement or through email.

Documentation of Vocational Training/ Educational Program

[5 CCR 18087]

Parents/guardians who are requesting child care services for the hours during which they are attending school/vocational training must complete/submit the following:

- An enrollment confirmation letter from the training institution or a *Training Verification* form, completed and signed by the parent, along with one of the following:
 - A current class schedule that is an electronic printout from the training institution, or
 - The registrar's office of the training institution must complete and sign/stamp the bottom half of the *Training Verification* form.

Please Note: If a parent/guardian needs to adjust their child care schedule when their school schedule changes, an updated class schedule will be required to document the change in hours, along with a written and signed statement or email requesting the change.

• Grades/progress/reports/unofficial transcripts must be submitted to ECE during the recertification (official, sealed transcripts may be required). Parents/guardians must demonstrate adequate progress to continue to receive services for this need. This means that parents/guardians must:

- Earn a 2.0 grade point average in a graded program;
- Pass at least 50 percent of their classes in a non-graded program (this includes credit/no-credit classes taken as part of a graded program); and/or
- Meet the training institution's standard for making adequate progress.

Please Note: Parents/guardians who do not make adequate progress are provided with one additional certification period to demonstrate that they have met one of the above requirements. At the conclusion of this additional certification period, if the parent has not made adequate progress and cannot establish another basis of need for services, the family shall be:

- (1) Disenrolled from services; and
- (2) Once disenrolled, the parent shall be ineligible to be certified for services based on enrollment in vocational training for six months from the date of disenrollment.

- Parents/guardians who are enrolled in online courses or telecourses must submit a copy of the course syllabus and the web address for online courses.



CERTIFICATION OF FAMILY NEED



Authorized Hours, Study Time, and Limitations for Vocational Training

[5 CCR 18087]

- Parents/guardians may receive child care services during the days and hours of their scheduled classes. For online courses or telecourses, parents/guardians may receive services for one (1) hour per unit, per week for class time.
- Parents/guardians may receive study time for academic courses, as needed. Services are limited to two (2) hours per unit per week for each academic course. If a course requires additional study time, this can be reviewed by the assigned ECE staff person and may need to be confirmed with the course instructor.
- Study time hours will be authorized and scheduled to provide consistent child care hours. Parents/guardians should work with their assigned ECE staff person to determine the best schedule for this purpose.
- Child care services for vocational training are limited to one of the following, whichever occurs first:
 - Six (6) years from the initiation of services for vocational training – from the start date of child care services for vocational training; this six-year (6) time limit does not change if a parent/guardian starts and stops services for this need; or
 - 24 units following the attainment of a bachelor's degree.

Travel Time

[5 CCR 18086(e)(1) and 18087(k)(1)]

Parents/guardians whose need for child care services is employment and/or vocational training are eligible to receive child care services for the time needed to travel to and from the location of services (child care provider location) and work or school. Parents/guardians may request a reasonable amount of time needed for this purpose. Travel time is limited to half of the hours authorized for employment/training, not to exceed four (4) hours per day.

Child Protective Services/“At Risk”

[5 CCR 18092]

Families identified as needing child care and development services due to a current case through Child Protective Services or deemed “At-Risk” are referred through a written referral from a legal, medical, social service agency, local educational agency liaison for homeless children and youths, a Head Start program, or an emergency or transitional shelter. The referring agency must indicate the needed days/hours of services and the anticipated duration of the services. A new referral must be provided at each recertification. If the referral indicates the family is exempt from paying State Family Fees, the family is not required to submit proof of income.

CERTIFICATION OF FAMILY NEED



Homelessness

[5 CCR 18090]

Families identified as needing child care and development services due to experiencing homelessness must provide a written referral for services or a written parental declaration. The referral must be dated within 3 months prior to their application and be from a legal, medical, or social services agency, a local educational agency liaison for children and youth experiencing homelessness, a Head Start Program, or an emergency or transitional shelter. The referral should contain the name of identifying entity, the physical address, telephone number, and title and signature of the person issuing the referral. If the eligibility is established by a referral, no additional documentation is needed. If eligibility is established by a written parental declaration, it must be signed under penalty of perjury that the family is experiencing homelessness. Parents/guardians who are requesting child care services due to experiencing homelessness are limited to no less than 24 months for C2AP, C3AP, and CAPP, and no more than five days and less than 30 hours per week for this purpose.

Documentation of Parental Incapacity

[5 CCR 18088]

Parents/guardians who are requesting child care services for parental incapacity must be able to document that the incapacity prevents the parent/guardian from providing the care and supervision of the child(ren). The parent/guardian must provide a *Statement of Incapacity* form that has been completed and signed by a legally-qualified health professional. ECE staff may contact the health professional to verify this information and/or request additional information. Child care services for this need are limited to no more than 50 hours per week. The parent's period of eligibility for services is no less than 24 months for C2AP, C3AP, and CAPP.

Documentation of Seeking Permanent Housing

[5 CCR 18091]

Parents/guardians who are requesting child care services to seek permanent housing are limited to no less than 24 months for C2AP, C3AP, and CAPP, and no more than five days and less than 30 hours per week for this purpose. Parents/guardians must complete a *Declaration of Seeking Housing* form and may be required to submit additional documentation of the activities completed for the purposes of securing housing.

Please Note: Upon securing housing, parents/guardians may choose to voluntarily report the change if additional hours of child care services are needed. The voluntary request for additional hours must be submitted through a written and signed statement or through email to ECE.

Extended Leaves of Absence

If the family temporarily does not have a need for child care services, an extended absence may be granted for a period not to exceed 16 consecutive weeks. This provides the family with a limited period of time to hold their space on the child care program without being terminated from services. No child care services may be used during the extended absence, and providers are not required to hold space for children on extended absence. Parents must complete a *Declaration of Extended Absence* form to request extended absence in advance, if possible, and receive approval for the leave from the assigned ECE staff person.

Parents/guardians are strongly encouraged to provide their child care provider with advance notice when an extended absence will be taken. Any additional costs to hold space with the provider would be the responsibility of the parent/guardian.

INFORMATION FOR PARENTS/GUARDIANS AND CHILD CARE PROVIDERS

Notifications Sent to Parents/Guardians and Child Care Providers

Notices of Action

[5 CCR 18094, 18095, 18118, 18119]

A Notice of Action (NOA) is issued to the parent/guardian upon approval, denial, termination, or change of services (family fee changes, hour changes, etc.). The NOA provides a summary of the family's application information and an explanation of the action being taken with regard to the child care services.

Child Care Certificates

[5 CCR 18074.2]

A signed Child Care Certificate (certificate) is issued to the parent/guardian and child care provider for each child approved for services. The certificate is the summary of the authorized child care hours, benefit amount for provider reimbursement, and State Family Fees (if applicable). A new certificate is issued whenever there is a change in child care provider, hours, benefit, and/or fees. Parents/guardians and providers are encouraged to carefully review all certificates and contact the assigned ECE staff person if there are any questions regarding the information.

Other Notifications

Parents/guardians and child care providers receive several notices from ECE staff throughout the year. The notifications contain important information regarding documentation required and changes in services and/or regulations. It is crucial that the parents/guardians and child care providers review all notifications sent from ECE staff, as the majority are time sensitive and require a response.

Please Note: ECE provides notifications to parents/guardians and providers through regular U.S. Mail, text messaging, email, phone calls, and/or posts to portal databases. Parents/guardians and providers are encouraged to regularly check all means of communication on a regular basis for notifications from ECE.

Attendance Notification Requirements

[5 CCR § 18066.5, WIC 10227.5 (b)(2)]

Parents and providers must notify ECE whenever:

- A child is absent seven (7) consecutive days with or without notice to the provider.

Parents are strongly encouraged to voluntarily notify ECE whenever there is irregular use of approved hours (change in hours, change in days, and/or a break in use of child care services).

- Providers must notify ECE whenever:

- a child is absent seven consecutive days with or without notice to the provider.
- a parent withdraws from care.

Please Note: Actual attendance is to be consistent with the authorized services. Families will be disenrolled on the basis of abandonment of care when there has been no communication with the provider or ECE for a total of 30 consecutive calendar days.

Attendance Documentation and Reimbursement System

Daily Sign-In/Sign-Out Records

[WIC 10227.5, 5 CCR 18065]

Parents/guardians are required to document the attendance of each child receiving child care services through an ECE program on a Daily Sign-In/Sign-Out Record (DSSR). The parent/guardian receives an original DSSR for each child and must submit it to the child care provider as record of approved services. The DSSR must be kept at the location at which child care services are provided. ECE issues one original DSSR for each child; therefore, copies must be made to ensure that the parent has DSSRs for each child, for each month of services. DSSRs may also be downloaded through the ECE Parent and Provider Portals.

The DSSRs must be completed on a daily basis as the services are provided. Parents/guardians and child care providers are responsible for the following:

- **Parent/Guardian:** Indicating the **exact clock time(s)** of drop-off and/or pick-up for each day of utilized services. Parents/guardians must not round-off times. For example, an exact clock time is 7:03 a.m.

INFORMATION FOR PARENTS/GUARDIANS AND CHILD CARE PROVIDERS

Please Note: Parent/guardian may authorize another adult (aged 18, or older) to drop-off and/or pick-up the child(ren). This person is then responsible for indicating the drop-off and/or pick-up time(s) for the utilized services.

- **Parent/Guardian:** Indicating the **specific** reason for absences on days of authorized services.
- **Parent/Guardian:** Reviewing the DSSR for completion before signing the bottom of the DSSR indicating, under penalty of perjury, that the information on the DSSR is true and accurate and that services were utilized for the certified need.
- **Provider:** Indicating the times in and/or out, with the **exact clock time(s)**, for children who leave the provider's care to participate in another program or activity (elementary/middle school, another subsidized program, Head Start, State Preschool, private instruction, or another activity).
- **Provider:** Completing the Family Fee Receipt indicating the amounts paid by fee-paying families, if applicable.
- **Provider:** Reviewing the DSSR for completion before signing the bottom of the DSSR indicating, under penalty of perjury, that the information on the DSSR is true and accurate.

Submitting and Processing DSSRs for Reimbursement

[5 CCR 18086, WIC 10227.5]

After services for the month have concluded, the provider shall be responsible for submitting complete DSSRs to ECE. The DSSR shall serve as the invoice for services provided. Completed DSSRs shall be processed and dispersed within 21 calendar days of receipt in ECE. If a child care provider has not received reimbursement within this timeframe, the provider may contact ECE to verify the DSSR has been received and reimbursement has been processed. Providers may email inquiries to providerpayments@rcoe.us.

If DSSRs are received incomplete or incorrect, processing will be delayed, and reimbursement may be affected. It is important that DSSRs be thoroughly reviewed by the parent/guardian and provider before they are submitted to ECE. Missing or incomplete information on the DSSR may reduce reimbursement to the provider, and the parent may be responsible to reimburse the provider for the reductions.

DSSRs are considered incomplete if they are missing any of the following information:

- 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.
- Pre-dating DSSR.

Please Note: This is a legal document, please use black or blue ink only. Falsification of DSSRs is grounds for termination from the program.

Reimbursement Calculation

Reimbursement for child care services is based upon the provider requested/published rates on file with ECE, not to exceed the family benefit amount and authorized days/ hours of service indicated on the Child Care Certificate. Any State Family Fees, paid by the family, are considered part of the family share of cost for services and are deducted from the reimbursement issued through ECE.

Payment Inquiries

If there is a discrepancy in or question regarding the reimbursement amount received, the provider must email providerpayments@rcoe.us. If it is determined that the reimbursement amount resulted in an overpayment, a collection will be made on subsequent reimbursement(s) until the overpayment is collected in full. A written notice will be issued prior to collection of overpayment, outlining a mutually agreed upon payment plan. If it is determined that the reimbursement amount resulted in an underpayment, an adjustment will be processed for the remaining amount due.

1099

A 1099 IRS form will be sent to all providers for the reimbursement amounts paid through the family's benefit through the ECE program. No taxes are deducted from these reimbursements. It is the provider's sole responsibility to report earnings to the IRS and the California Franchise Tax Board and to pay any applicable income taxes. To request an additional copy of a 1099, please email providerpayments@rcoe.us.

INFORMATION FOR PARENTS/GUARDIANS AND CHILD CARE PROVIDERS

Child Care Provider Rates

[5 CCR 18231, WIC 10280]

License-Exempt Home Providers

License-Exempt providers are not required to submit rate sheets to ECE. Reimbursement for License-Exempt providers is based on the authorized days and hours of care and assigned Regional Market Rate, as indicated on the applicable Child Care Certificate.

Licensed Family Child Care Home Providers, Licensed Centers, and License-Exempt Centers

Each child care provider must submit a provider generated rate sheet and a copy of the provider's written policies for families. The provider agrees that the rates charged to all families are the same regardless of the family's subsidized or unsubsidized status. [5 CCR 18413 and 18428]

ECE is unable to honor any rates, fees, or paid days for holidays, absences, closures that are not supported in writing by the provider on either the provider's rate sheet or provided policies documented on file with ECE. The following information should be included in the provider rate sheet and/or policies:

- All rates charged to families;
- All provider fees (registration, materials, food, activity, etc.) charged to families;
- Any discount policies (sibling, employee, pre payment, etc.); and
- Policies with regard to child absence/vacation days and provider holidays, vacation days, and closure days.

Exceptional Needs Adjustment

[5 CCR §18075.2, WIC 10260(d)]

Providers may request a rate adjustment when additional services and/or accommodations resulting in ongoing financial impact are provided to a child. To request the adjustment, the provider must submit a request to ECE.

Please Note: The request is subject to review.

Provider Rate Changes

[WIC 10228]

Providers may change their rates with ECE, as needed. Updated rates will be effective within 60 days of submission of the updated rate sheet to ECE. Effective dates of rates cannot be retroactive (please refer to the Provider Agreement Terms).

All licensed providers (homes and centers) and license exempt centers must provide ECE with a copy of their family policies whenever they are updated.

Reimbursement Limitations

The child care hours authorized through the ECE program are based upon the family's documented need for services. Title 5 Regulations place limits on the hours of family need; therefore, the reimbursable hours of service through the family's benefit are limited in the following ways:

- **License-Exempt Home Providers:** License-Exempt providers may not be reimbursed for any services beyond those authorized. Part-time care is reimbursed based upon the actual days and hours of care provided. License-Exempt home providers do not receive any reimbursement for absences, vacations, holidays, etc. when no child care is provided. [5 CCR 18413 and 18428]
- **Unpredictable Schedules:** When a parent/guardian has an unpredictable schedule, the maximum allowable services are authorized, based upon need documentation provided by the parent during certification/recertification. Services will be reimbursed based upon the actual hours of care provided, not to exceed the maximum authorized services. In these cases, providers do not receive reimbursement for absences, vacations, holidays, etc., when no child care is provided.
- **Hold Harmless:** Through 6/30/2025, License-Exempt home providers and families with unpredictable work schedules will be reimbursed per maximum authorized hours reflected on the signed Child Care Certificate. Please note that when children are not in custody of the enrolled parent, reimbursement limitations apply.
- **Care for School-Age Children:** Child care services are limited to those hours of need during which the child is not enrolled in an elementary/middle school or subsidized preschool program (Head Start/State Preschool). Care is authorized for the documented need that occurs during the hours before and after school, and when school is not in session. This also applies to children who are enrolled in a virtual or distance-learning school setting when in-person instruction is offered by the school, home schooled, or voluntarily held back from kindergarten although they are kindergarten age; child care services are not available during any hours that the child could be enrolled in public school. [5 CCR 18076.2 (d)(1)(2)]

INFORMATION FOR PARENTS/GUARDIANS AND CHILD CARE PROVIDERS

- **Transportation Time:** Children may not be transported in a motor vehicle during the hours they are enrolled in an ECE program. Time during which a child is in transit with a provider is not authorized. Should a child care provider choose to transport children, the provider cannot claim the transportation time for reimbursement through the family's benefit through ECE, and the provider assumes all liability. [5 CCR 18413 and 18428]

Please Note: Community Care Licensing and California state law require the use of appropriate car seats and seat belts.

- **Shared Custody:** Services are not authorized during the hours in which children are in the custody of a parent that is not part of the family size. A court order must be on file. [5 CCR 18085(b), 18083.1(a)]
- **Extended Absence:** If a family temporarily does not have a need for child care services, they may request an extended absence. During the extended absence, a family may not utilize child care services, and ECE does not reimburse to hold a child's space with a provider for this purpose.

- **Two-Week Notice:** ECE encourages parents/guardians to provide their child care provider with a two-week notice prior to ending services or changing providers.

Please Note: If the parent fails to give this notice to the provider, or discontinues services earlier than the two-week time frame, any financial obligation for the notice is the parent/guardian's sole responsibility. [5 CCR 18413 and 18428]

- **Provider Closures, Holidays, and Vacations:** If a licensed provider (home, center, or License-Exempt center) indicates in their written policies that they charge for their own closures, holidays, and vacations, up to ten (10) days may be reimbursed for this purpose. These dates of closure must be on file with ECE for reimbursement to occur. Any additional closures are not reimbursed through the family's benefit through ECE, and reimbursement for those days would be the parent/guardian's sole responsibility. [5 CCR 18076.2(b)(2)]

Please Note: If a provider refuses services to a child on an authorized day of enrollment for a reason other than documented provider closure, holiday, or vacation, such as suspension, capacity concerns, etc., the provider forfeits reimbursement for any days that services were not provided for that reason.



INFORMATION FOR PARENTS/GUARDIANS AND CHILD CARE PROVIDERS

Parent/Guardian Share of Cost for Services [5 CCR 18109, 18220.6, 18414, and 18429; WIC 10290 and 10291]

- **Co-payments:** The California Department of Social Services sets the State Regional Market Rate (RMR) ceiling for subsidized child care programs. This RMR is the maximum benefit amount allowable based upon the family's need for services, the child's age, and the provider type. ECE must adhere to these limits when determining the family benefit amount for services. The family benefit amount is listed on the Child Care Certificate for each child. If the provider requested rate exceeds the family benefit amount, the difference results in a co-payment. The co-payment is the sole responsibility of the parent/guardian to the provider.
- **State Family Fees:** If, based upon family income and size, it is determined that the parent/guardian has a State Family Fee (fee), the fees are based on the child who is enrolled in services for the greatest number of hours and are paid directly to the child care provider by the parent/guardian.
 - The fees will appear on the Child Care Certificate and Notice of Action. Full-time monthly fees are based upon authorized services of 130 hours or more per month/part-time monthly fees are based upon authorized services of less than 130 hours per month.
 - Family fees may be waived if the family is currently receiving cash-aid through the Department of Public Social Services or has been referred through written referral indicating the family eligibility is based upon Child Protective Services or "At-Risk".

Payment of Monthly State Family Fees

[5 CCR 18109, WIC 10290]

- Fees are calculated based upon the hours of service authorized on the Child Care Certificate/Notice of Action for the month - not the actual hours of service utilized.
- Provider closure days/hours are not included in the calculation to assess the monthly fees owed.
- Fees are paid directly to the child care provider as part of the parent's/guardian's share of cost for services, and this amount is deducted from the reimbursement issued to the provider through ECE.
- The provider indicates the fee amount paid by the parent/guardian on the Family Fee Receipt on the monthly DSSR.

- Fees are paid in advance and in accordance with the provider's policies for the family.
- Payment of fees is a requirement of the ECE programs. Parent/guardian will be terminated for nonpayment of fees. For families having difficulty paying fees, a repayment plan may be established through ECE.
- Parents/guardians may not change child care providers until all outstanding fees are paid to the current child care provider.

● **Delinquent Fees:**

- Fee payment is considered late if not paid within seven (7) calendar days of the due date, and the family has not made arrangements for a repayment plan.
- A Notice of Action to terminate services will be issued for delinquent fees. The family must pay the fees or enter a repayment plan before the expiration date of the notice.
- If a family has a second instance of delinquent fees, a Notice of Action will be issued, and the family will be required to attend a meeting to review the fee policy and pay the delinquent fees prior to the expiration of the notice.
- If the family has a third instance of delinquent fees, a Notice of Action will be issued, and the family is subject to the termination process.

Other Parent/Guardian Share of Cost

Parents/guardians are responsible to reimburse child care providers for any other fees or costs not covered by their benefit through the ECE program. These may include, but are not limited to: late fees, transportation fees, tuition and materials fees for private elementary school programs, amounts not reimbursed due to incomplete/incorrect DSSRs, two-week notice when no notice is given, and/or registration, materials, food, activity, etc. fees that could not be covered by the family benefit amount. [5 CCR 18076.1, WIC 10290 and 10291]

INFORMATION FOR PARENT/GUARDIANS AND CHILD CARE PROVIDERS REGARDING PROVIDER PARTICIPATION

General Provider Information

[5 CCR 18221, 18223, and 18224]

It is the expectation that providers will provide child care services without regard to sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability.

RCOE expects that all child care providers, as independent contractors with the agency, will treat potential and existing clients, families, and children with dignity, respect, and extraordinary customer service. As a provider working with RCOE, through the child care referral list and/or subsidized child care program, it is vital that extraordinary customer service and professionalism are extended during all interactions on the phone, via email, on social media, and/or in person. The partnership between the provider community and RCOE is critical to serving the communities of Riverside County and ensuring the needs of children and families are being met. Extraordinary customer service is essential to the success of these services.

Licensed Child Care Providers

Licensed family child care centers and family child care homes are required to maintain an active child care license through Community Care Licensing and follow Title 22 Regulations. ECE must have a copy of the provider's current child care license(s) on file.

License-Exempt Centers

License-Exempt centers must be in compliance with Title 22 Regulations with regard to staffing requirements, ratios, and attendance recording requirements. ECE must have a signed document on file from the center indicating that they are aware of and follow Title 22 Regulations. The family benefit for the ECE program may not be used for child care services through unregulated summer camps or recreational programs.

License-Exempt Home Providers

If a parent/guardian is authorized to utilize services in this provider setting, ECE expects that License-Exempt home providers meet the intent of Title 22 licensing regulations, and, therefore, ensure the health and safety of all children in their care.

Legally License-Exempt home providers are those who are not required to be licensed through Community Care Licensing because:

- the provider is the grandparent, aunt, or uncle of all the children in care by blood or marriage;
- or the provider is caring for the children of only one family in addition to his/her own children.

The provider must be age 18 years of age or older. The parent/guardian and provider must complete additional steps and provide specific documentation before services can be approved in this setting:

- Complete an ECE License-Exempt Overview meeting to review program policies, regulations, and the reimbursement system;
- The parent/guardian and provider must complete a health and safety certification;
- The provider must disclose the names of **all** adults residing in the home in which child care will be provided; and
- The provider must complete a criminal record statement:
 - ECE completes a preliminary quality assurance check on all License-Exempt home providers and any adults residing in the home with the provider.
 - ECE reserves the right to deny services with a provider who has a disqualifying criminal history or resides with someone having a disqualifying criminal history based on TrustLine guidelines.
- The provider must complete the *Guardian* and LiveScan/fingerprinting process in order to have a background check completed through the California Criminal History System, the California Child Abuse Central Index, and the FBI Criminal History System;
 - ECE will not utilize the family's child care benefit to reimburse a provider who fails to receive TrustLine clearance.
- The provider must be the only provider in the home – ECE will not authorize care with more than one provider in the same residence. In addition, ECE will not utilize the family's child care benefit to reimburse the License-Exempt provider for care provided by a "substitute caregiver" in the provider's absence.
- If the provider is also an employee of Riverside County Superintendent of Schools, the provider must disclose their employment information and days and hours of employment. This information will be verified to avoid any potential conflict of interest.

INFORMATION FOR PARENT/GUARDIANS AND CHILD CARE PROVIDERS REGARDING PROVIDER PARTICIPATION

Please Note: ECE strongly encourages License-Exempt providers to learn more about becoming licensed through Community Care Licensing. There are resources available to assist individuals with this process and to provide training opportunities. Providers may contact Resource & Referral for more information.

Provider Status

The parent/guardian is the client of the ECE program, receiving a benefit for child care services. Since the parent selects the child care provider, the status of the provider shall be that of an independent contractor. At no time is the provider considered an officer, agent, or employee of the Riverside County Superintendent of Schools, Riverside County Office of Education, Division of Early Education Services, Early Care and Education.

Please Note: Employee verifications cannot be completed on behalf of providers due to their status as independent contractors.

Changes in Provider Information

Child care providers are required to notify ECE of any changes in name, address, phone number, licensing capacity, or licensing status within five (5) calendar days of the change. All changes must be completed in writing/email with an ECE staff person. Licensed providers must take appropriate steps to report changes to Community Care Licensing.

Please Note: All child care providers are required to have a working phone number at all times. If the provider is found to have a phone number that is no longer in service, the parent/guardian will need to select a new child care provider.

Site Visits and Program Monitoring/Assessment

ECE staff may visit child care provider homes and sites in which children served through an ECE program are receiving child care services. These can include both announced and unannounced home/site visits. The purpose of these visits is to provide technical assistance to the child care provider, review attendance records, and address any questions or concerns that the provider may have.

If an ECE staff person observes a licensing violation during a visit, they are required to report the incident to Community Care Licensing. ECE is not a licensing agency; our staff members offer services and resources to help maintain quality programs.



Any programs participating in Quality Start Riverside County (QSRC) are subject to monitoring/assessment/coaching visits by staff and contract agency representatives of ECE and First 5 Riverside County. The purpose of these visits is to support and assess program quality standards as a condition of QSRC participation.

Please Note: ECE staff members are mandated reporters and are required to report any suspected child abuse. ECE will not utilize the family's benefit to reimburse for services provided in an environment where corporal punishment is used.

Program Self-Evaluation

[5 CCR, § 18279]

An annual Program Self-Evaluation is conducted for ongoing monitoring of the program. Parents and providers served during the program year will receive an annual survey to obtain feedback on program operations and services. Results are used to inform the Program Self-Evaluation. Participation in the surveys are optional, but highly encouraged and appreciated.

Complaints About Child Care Providers

If at any time a parent/guardian feels that the child care provider is not meeting licensing requirements and/or health and safety standards, he/she is encouraged to contact:

- Community Care Licensing (844) 538-8766, or letusno@dss.ca.gov
- Resource & Referral (800) 442-4927, or randr@rcoe.us
- Their assigned ECE staff person

INFORMATION FOR PARENT/GUARDIANS AND CHILD CARE PROVIDERS REGARDING PROVIDER PARTICIPATION

Termination of Provider Participation

[5 CCR 18223]

ECE may require a parent to end services with a child care provider, thereby terminating the provider's participation with the ECE program. The reasons for this may include, but are not limited to:

- Failure to maintain minimum standards established by Community Care Licensing;
- Failure to abide by ECE program regulations and/or policies;
- If a licensed provider has their license revoked or has a temporary suspension order of their license by Community Care Licensing;
- Failure to keep a working phone number at all times;
- Failure to inform ECE of a change in address/location of child care services within five (5) calendar days of the change;
- Falsifying DSSRs to inaccurately document family need or increase provider reimbursement; and/or
- Insulting, berating, threatening, or physically harming ECE staff person, parent/guardian, or child. ECE reserves the right to terminate meetings/phone calls with providers displaying any of these behaviors.

Child care providers, who have had their participation with the ECE program terminated, will remain in a terminated status for a minimum of six months. ECE will not allow providers who have committed fraud, have a history of licensing violations, or have been closed by Community Care Licensing to participate in an ECE program.

ECE reserves the right to determine whether children enrolled through an ECE program may be placed or remain with a provider, based on provider licensing status or history.

Reporting Process for Provider Concerns

Reporting Concerns: Level I – Informal Process

When concerns about the program related to reimbursement, direct deposit, or customer service occur, the provider shall contact ECE at (951) 826-6655 and request to speak with the supervisor in charge of the program. The supervisor and provider will work together to resolve the issue at this level.

Reporting Concerns: Level II – Formal Process

When the issue cannot be resolved between the supervisor and provider, the provider shall have the right to submit a written report of the concern to the designated coordinator for ECE:

Executive Director, Early Care and Education or Early Education Programs
Riverside County Office of Education
P.O. Box 868
Riverside, CA 92502-0868
951-826-6608 | eceappeals@rcoe.us

The coordinator shall be responsible for reviewing concerns within the ECE program. The coordinator may assign the review to a designee provided such designee does not have a bias or conflict of interest that would prohibit an objective review.

The coordinator shall provide written notification of the final decision to the provider within 30 days from receipt of the written report in ECE. If the issue is not resolved at the Level II – Formal Process, the provider shall have the right to exercise his/her rights as outlined in the Uniform Complaint Procedure located at the end of this Participant Handbook.

Please Note: The grievance procedure does not apply to those instances in which a parent/guardian chooses to transfer services to another child care provider.



POLICIES AND PROCESSES RELATED TO END OF SERVICES AND APPEALS

Fraud Policy

Intentionally providing false or inaccurate information in order to access services, or submitting false claims for services for which the family or provider is not entitled, is considered fraud. Fraud is grounds for termination from the program and legal actions will result. Some examples of fraud include, but are not limited to:

- Failure to report the actual number of family members living in the household;
- Failure to report the actual gross monthly income for the family;
- Submitting falsified documentation of income;
- Submitting falsified documentation of employment;
- Submitting falsified documentation of vocational training days, hours, progress, etc.;
- Inaccurately representing family eligibility or need in any way;
- Falsifying DSSRs to inaccurately document family need or increase provider reimbursement; and/or
- Submitting DSSRs for reimbursement when the child care provider is no longer providing services.

ECE reserves the right to verify the accuracy of any information/documentation submitted by the parent/guardian for the purposes of accessing services through an ECE program. If it is found that the parent/guardian and/or provider provided inaccurate or false information, the family and/or provider will be terminated from the program and will be responsible for repayment to ECE of the reimbursement made to the provider through the family's benefit to which the family was not entitled. The authorities will be contacted for investigative services and to assist ECE in collecting the repayment of unauthorized services by the parent/guardian and/or provider.

Termination of Family Participation

[5 CCR 18119, 18066.5, and WIC 10271.5]

When a family is disenrolled or terminated from services, ECE issues a Notice of Action (NOA). Any services used beyond the discontinuance date on the NOA becomes the parent/guardian's sole financial responsibility. The reasons that ECE may terminate services to a family include, but are not limited to the following scenarios.

Disenrollment prior to the end of the 24-month certification period:

- Parent/guardian request;
- Family income exceeds 85 percent of the state median income and does not meet the requirements for another eligibility basis;
- When the parent changes residency outside of California as reported by the parent;
- When there is substantiated evidence of fraud that invalidates the initial certification and the family is not otherwise eligible;
- When the family has abandoned care (no communication with provider or ECE for 30 consecutive calendar days);
- Except for children with exception needs, children shall be disenrolled the day before their 14th birthday (If the child turns 13 within the first 12 months of the 24 month certification period, this termination would be effective at the end of the first year.)
- Failure to pay State Family Fees.

Disenrollment at recertification:

- When a family no longer meets the eligibility criteria for services;
- When the family does not have a documented need for services;
- Failure to demonstrate adequate progress as required for student parents;
- Failure to recertify with all necessary documentation within the required time frame;
- When a child reaches his/her thirteenth birthday, unless there is documentation for the child's exceptional needs to continue services;
- Intentionally providing false or inaccurate information to access services;
- Falsifying DSSRs, eligibility documentation, or need documentation;
- Insulting, berating, threatening, or physically harming an ECE staff person or child care provider. ECE reserves the right to terminate meetings/phone calls with parents displaying any of these behaviors;
- Consistent into abide by program policies and requirements.

POLICIES AND PROCESSES RELATED TO END OF SERVICES AND APPEALS

Families who are terminated with cause will remain ineligible for services through ECE for a minimum of six months. After this period, the family may only re-enter the program through the ECE Eligibility List or the Stage 2 transfer process through the Department of Public Social Services.

Families who have committed fraud and/or have intentionally misrepresented their eligibility and/or need for the program will no longer be permitted to access services through ECE at any time.

Please Note: If a parent/guardian receives a notice terminating services, the provider will be notified in writing that the services through ECE will be discontinued. If services are to resume, the provider will be notified in writing.

Parent/Guardian Appeal Process

[5 CCR 18120, 18121, and 18122]

When a parent/guardian receives a Notice of Action (NOA), the parent/guardian has the right to appeal the action if he/she feels it is unwarranted.

Appeal requests must be received by ECE on or before the appeal date indicated on the NOA. Failure to follow the process and meet the deadlines will result in an invalid appeal. The appeal request must be submitted in one of the following ways:

- In writing (via personal drop-off, mail, fax, or email at eceappeals@rcoe.us):
 - The parent/guardian completes the appeal request on the last page of the NOA and submits it to ECE on or before the appeal date indicated on the NOA.
 - The parent/guardian prepares any written statement to request an appeal of the intended action indicated on the NOA.
- In person or by phone:
 - The parent/guardian must speak with a member of the ECE management team to request an appeal.

Once the appeal request has been received, the following steps will then be taken:

- The parent/guardian will be contacted to set up an appointment for a hearing. If the parent/guardian cannot attend a hearing appointment, he/she may choose to have an authorized representative attend the

hearing on his/her behalf. The name of the authorized representative must be provided to ECE when the appeal hearing is scheduled, and an authorization form must be submitted to ECE on or before the date of the hearing appointment.

- If ECE is unable to reach the parent/guardian within ten (10) calendar days of receipt of the appeal request, an appointment will be scheduled on the parent/guardian's behalf.
- If the parent/guardian is unable to attend a face to-face appeal hearing appointment, alternative arrangements can be made for hearing by telephone or online meeting platform.
- Within ten (10) calendar days of receipt of the appeal request, the parent/guardian will be sent a letter confirming the date, time, and location of the hearing.
 - If the parent/guardian/authorized representative, fails to appear at the hearing, the parent's/guardian's appeal will be deemed abandoned.
- The appeal will be heard by a hearing officer; additional ECE staff person(s) may attend at the hearing officer's request.
- The parent/guardian may request an interpreter, if needed, or may bring his/her own.
- During the hearing, the appeal process, the reason for the action, and any written response from the parent/guardian will be reviewed with the parent/guardian/authorized representative.
- The parent/guardian/authorized representative will be given the opportunity to present his/her side of the case and present any information/documentation specific to the action.
- Within ten (10) calendar days following the hearing, the hearing officer will send a written response regarding the outcome of the hearing.
- If the parent/guardian is dissatisfied with the outcome of the hearing, a written appeal may then be filed within 14 calendar days to the California Department of Social Services as indicated on the last page of the NOA.

Please Note: Child care services continue during the appeal process, and the parent/guardian is subject to all rules and policies of ECE during this time.

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*Riverside County Office of Education
Board Policy 1312.3 Uniform Complaint Procedures*

COMMUNITY RELATIONS

SUBJECT: Uniform Complaint Procedures

The County Superintendent of Schools or designee (County Superintendent) and the County Board of Education (County Board) recognize that the County Office of Education (County Office) has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing its educational programs. The County Office encourages the early resolution of complaints whenever possible. To resolve complaints that may require a more formal process, the County Office adopts the uniform system of complaint processes specified in (5 CCR 4600-4670 and the accompanying administrative regulation (AR)).

Complaints Subject to UCP

The County Office's uniform complaint procedures (UCP) policy applies to all acts related to school activity or school attendance occurring within a school under the jurisdiction of the County Office, and all acts of the County Board and the County Superintendent in enacting policies and procedures that govern the County Office. The UCP shall be used to investigate and resolve complaints regarding the following programs and activities:

1. Accommodations for pregnant and parenting students (Education Code 46015)
2. Adult education programs (Education Code 8500-8538, 52334.7, 52500-52617)
3. After School Education and Safety programs (Education Code 8482-8484.65)
4. Agricultural career technical education (Education Code 52460-52462)
5. Career technical and technical education and career technical and technical training programs (Education Code 52300-52462)
6. Child care and development programs (Education Code 8200-8488)
7. Compensatory education (Education Code 54400)
8. Consolidated categorical aid programs (Education Code 33315; 34 CFR 299.10-299.12)
9. Course periods without educational content (Education Code 51228.1-51228.3)
10. Discrimination, harassment, intimidation, or bullying in County Office programs and activities, including in those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on a person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on

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the person's association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610)

11. Discrimination could include if the County Board were to refuse to approve the use or prohibit the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or other resource in a school library, on the basis that it includes a study of the role and contributions of any individual or group consistent with the requirements of Education Code 51204.5 and 60040, unless such study would violate Education Code 51501 or 60044. A complaint alleging such unlawful discrimination may, in addition to or in lieu of being filed with the County Office, be directly filed with the Superintendent of Public Instruction (SPI). (Education Code 243)
12. Educational and graduation requirements for students who are migratory, students participating in a newcomer program, students in foster care, students experiencing homelessness, students from military families, and students formerly in a juvenile court school (Education Code 48645.7, 48853, 48853.5, 49069.5, 51225.1, 51225.2)
13. Every Student Succeeds Act (Education Code 52059.5; 20 USC 6301 et seq.)
14. Local control and accountability plan (Education Code 52075)
15. Migrant education (Education Code 54440-54445)
16. Physical education instructional minutes (Education Code 51210, 51222, 51223)
17. Student fees (Education Code 49010-49013)
18. Reasonable accommodations to a lactating student (Education Code 222)
19. Regional occupational centers and programs (Education Code 52300-52334.7)
20. School plans for student achievement as required for the consolidated application for specified federal and/or state categorical funding (Education Code 64001)
21. School safety plans (Education Code 32280-32289)
22. School site councils as required for the consolidated application for specified federal and/or state categorical funding (Education Code 65000)
23. State preschool programs (Education Code 8207-8225)
24. State preschool health and safety issues in license-exempt programs (Education Code 8212)
25. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy

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26. Any other state or federal educational program the SPI or designee deems appropriate

The County Board shall protect all complainants from retaliation. In investigating complaints, the parties' confidentiality shall be protected as required by law. For any complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the County Superintendent shall keep the identity of the complainant, and/or the subjects of the complaint, if different from the complainant, confidential when appropriate and as long as the integrity of the complaint process is maintained.

(cf. 4119.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 5125 - Student Records)
(cf. 9011 - Disclosure of Confidential/Privileged Information)

The County Board and County Superintendent prohibit retaliation in any form for participating in complaint procedures, including but not limited to the filing of a complaint or the reporting of instances of discrimination, harassment, intimidation, unlawful pupil fees, and bullying. Such participation shall not in any way affect the status, grades or work assignments of the complainant.

The County Board and County Superintendent recognize that a neutral mediator can often suggest a compromise that is agreeable to all parties in a dispute. An Alternate Dispute Resolution (ADR) process such as mediation may be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. The County Superintendent shall ensure that mediation results are consistent with state and federal laws and regulations.

When an allegation that is not subject to the UCP is included in a UCP complaint, the County Office shall refer the non-UCP allegation to the appropriate staff or agency and shall investigate and, if appropriate, resolve the UCP-related allegation(s) through the County Office's UCP.

The County Superintendent shall provide training to County Office staff to ensure awareness and knowledge of current law and related requirements, including the steps and timelines specified in this policy and the accompanying administrative regulation.

(cf. 4131 - Staff Development)

The County Superintendent shall maintain records of all UCP complaints, subsequent related actions, including steps taken during the investigation and all information required for compliance with 5 CCR 4631.

(cf. 3580 – County Office of Education Records)

Non-Uniform Complaint Procedure Complaints

The following complaints shall not be subject to the County Office's UCP but shall be referred to the specified agency or through an alternative process: (5 CCR 4611)

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services Protective Services Division and the appropriate law enforcement agency.

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(cf. 5141.4 - Child Abuse Prevention and Reporting)

2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to the Department of Social Services (5 CCR 4611)
3. Any complaint alleging that a student, while in an education program or activity in which the County Office exercises substantial control over the context and respondent, was subjected to sexual harassment as defined in 34 CFR 106.30 shall be addressed through the federal Title IX complaint procedures adopted pursuant to 34 CFR 106.44-106.45, as specified in AR 5145.71 - Title IX Sexual Harassment Complaint Procedures.
4. Any complaint alleging employment discrimination or harassment shall be investigated and resolved by the County Office in accordance with the procedures specified in AR 4030 - Nondiscrimination in Employment, including the right to file the complaint with the California Department of Fair Employment and Housing.
5. Any complaint alleging a violation of a state or federal law or regulation related to special education, a settlement agreement related to the provision of a free appropriate public education (FAPE), a due process hearing order, or a physical safety concern that interferes with the County Office's provision of FAPE shall be submitted to the California Department of Education (CDE) in accordance with AR 6159.1 - Procedural Safeguards and Complaints for Special Education. (5 CCR 3200-3205)

(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)

6. Any complaint alleging noncompliance of the County Office's food service program with laws regarding meal counting and claiming, reimbursable meals, eligibility of children or adults, or use of cafeteria funds and allowable expenses shall be filed with or referred to CDE in accordance with Board Policy (BP) 3555 - Nutrition Program Compliance. (5 CCR 15580-15584)

(cf. 3555 - Nutrition Program Compliance)

7. Any allegation of discrimination based on race, color, national origin, sex, age, or disability in the County Office's food service program shall be filed with or referred to the U.S. Department of Agriculture in accordance with BP 3555 - Nutrition Program Compliance. (5 CCR 15582)

(cf. 3555 - Nutrition Program Compliance)

8. Complaints related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, teacher vacancies and misassignments, shall be investigated and resolved pursuant to the Board Policy 1312.4 - Williams Uniform Complaint Procedure and applicable ARs. (Education Code 35186)

(cf. 1312.4 Williams Uniform Complaint Procedure)

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Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

8200-8498 Child care and development programs 8500-8538 Adult basic education

18100-18203 School libraries

32280-32289 School safety plan, uniform complaint procedures

35186 Williams Uniform Complaint

46015 Parental leave for students

48853-48853.5 Foster youth

48985 Notices in language other than English

49010-49014 Student Fees

49060-49079 Student records

49069.5 Records of foster youth

49490-49590 Child nutrition programs

49701 Interstate Compact on Educational Opportunity for Military Children

51210 Courses of study grades 1-6

51222 Physical education

51223 Physical education, elementary schools

51225.1-51225.2 Foster youth, homeless children, former juvenile court school students, military-connected students, migrant students, and newly arrived immigrant students; course credits; graduation requirements

51226-51226.1 Career technical education

51228.1-51228.3 Course periods without educational content

52060-52077 Local control and accountability plan, especially:

52075 Complaint for lack of compliance with local control and accountability plan requirements

52300- 52462 Career technical education

52500-52616.24 Adult schools

54400-54425 Compensatory education programs

54440-54445 Migrant education

54460-54529 Compensatory education programs

64000-64001 Consolidated application process; school plan for student achievement

65000-65001 School site councils

GOVERNMENT CODE

11135 Nondiscrimination in programs or activities funded by state

12900-12996 Fair Employment and Housing Act

HEALTH AND SAFETY CODE

1596.792 California Child Day Care Act; general provisions and definitions

1596.7925 California Child Day Care Act; health and safety regulations

CODE OF REGULATIONS, TITLE 2

11023 Harassment and discrimination prevention and correction

CODE OF REGULATIONS, TITLE 5

3200-3205 Special education compliance complaints

4600-46701 Uniform complaint procedures

4680-4687 Williams uniform complaint procedures

4690-4694 Complaints regarding health and safety issues in license-exempt preschool programs

4900-4965 Nondiscrimination in elementary and secondary education programs

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15580-15584 Child nutrition programs complaint procedures

PENAL CODE

422.6 Interference with constitutional right or privilege

422.55 Chapter 1. definitions: Hate Crime UNITED STATES CODE, TITLE 20

20 USC 1221 Application of laws

20 USC 1232g Family Educational Rights and Privacy Act

20 USC 1681-1688 Title IX of the Education Amendments of 1972

20 USC 6301-6576-Title I Improving the Academic Achievement of the Disadvantaged

20 USC 6801- 7014 Title III, Language instruction for limited English proficient and immigrant students

UNITED STATES CODE, TITLE 29

29 USC 794 Section 504 of Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

42 USC 2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended

42 USC 2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964

42 USC 6101-6107 Age Discrimination Act of 1975

42 USC 11431-11435 McKinney-Vento Homeless Assistance Act

42 USC 12101-12213 Title II equal opportunity for individuals with disabilities

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy Act

100.3 Prohibition of discrimination on basis of race, color or national origin

104.7 Designation of responsible employee for Section 504

106.1-106.82 Nondiscrimination on the basis of sex in education programs, especially:

106.8 Designation of responsible employee for Title IX

106.9 Dissemination of Policy

110.25 Prohibition of discrimination based on age

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Uniform Complaint Procedure 2020-21 Program Instrument

Sample UCP Board Policies and Procedures

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/offices/OCR>

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Uniform Complaint Procedure 2020-21 Program Instrument

Sample UCP Board Policies and Procedures

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Dear Colleague Letter, September 22, 2017

Dear Colleague Letter: Title IX Coordinators, April 2015

Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014

Dear Colleague Letter: Harassment and Bullying, October 2010

Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001

U.S. DEPARTMENT OF JUSTICE PUBLICATIONS

Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 2002

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WEB SITES

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

Student Privacy Policy Office: <http://www2.ed.gov/about/offices/list/opepd/sppo>

U.S. Department of Justice: <http://www.justice.gov>

The complete Uniform Complaint Procedures, forms, and notices are available through the following website: <https://www.rcoe.us/title-ix/>

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TITLE IX: PROHIBITING SEX-BASED DISCRIMINATION

Pupil and Public Rights Under Title IX of the Education Amendments of 1972 ("Title IX") is a federal law prohibiting sex-based discrimination in all educational programs and activities, including athletic programs. No person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity operated by RCOE.

Title IX protects all participants in RCOE's educational programs and activities, including students, parents, employees, and job applicants. RCOE does not discriminate on the basis of sex. Discrimination on the basis of sex can include sexual harassment and sexual violence.

In addition to Title IX, the California Education Code prohibits discrimination on the basis of sex in schools (California Education Code §§ 220-221.1). Other state and federal laws also prohibit discrimination and ensure equality in education. Please refer to an overview of all RCOE's nondiscrimination policies and the following specific policies and procedures regarding sexual harassment:

- Non-Discrimination in Employment – Board Policy 4030
- Non-Discrimination in Programs and Activities – Board Policy 0410.3
- Sexual Harassment (Employees) – Administrative Regulation 4119 11 01/4129 01/4319 01
- Non-Discrimination/Harassment (Students) – Board Policy 5145.3
- Sexual Harassment (Students) – Board Policy 5145.7
- Sexual Harassment (Students) – Administrative Regulation 5145.7
- Uniform Complaint Procedures – Board Policy 1312.3
 - Uniform Complaint Procedures – Administrative Regulation 1312.3

Information provided here applies to every RCOE school site and all RCOE programs and activities.

Pupil and Public Rights Under Title IX

- You have the right to fair and equitable treatment, and you shall not be discriminated against based on your sex, pregnancy, or related condition.
- You have the right to be provided with an equitable opportunity to participate in all academic and extracurricular activities, including athletics.
- You have the right to have access to a sex/gender equity coordinator, referred to as the Title IX Coordinator (find contact information below), to answer questions regarding sex/gender equity laws.
- You have the right to contact the State Department of Education and the California Interscholastic Federation to access information on sex/gender equity laws.
- You have the right to file a confidential discrimination complaint with the United States Department of Education Office for Civil Rights or the California Department of Education if you believe you have been discriminated against or if you believe you have received unequal treatment on the basis of your sex.
- You have the right to pursue civil remedies if you have been discriminated against.
- If you file a discrimination complaint, you have the right to be protected against retaliation (California Education Code § 221.8).

Filing a Complaint

A complaint alleging unlawful discrimination or retaliation must be filed no later than six months from the date the discrimination or retaliation occurred or six months from when the complainant first learned of the unlawful discrimination. The Superintendent or designee may extend this timeline by up to 90 days for good cause upon written request by the complainant setting forth the reasons for the extension.

A student, parent, guardian, employee, individual, or organization may file an oral or written complaint alleging discrimination, harassment, intimidation, sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, gender identity, and/or bullying on the basis of a protected characteristic under RCOE's Uniform Complaint Procedure by sending a complaint to RCOE's Title IX Coordinator.

TITLE IX: PROHIBITING SEX-BASED DISCRIMINATION

Title IX Coordinator

RCOE's Title IX coordinator oversees compliance with Title IX requirements and promotes sex equity in RCOE programs. For any incidents or concerns related to Title IX, please immediately notify the Early Education Services, Early Care and Education, Executive Director, Jennifer Beggs, Title IX Coordinator, or you may contact the RCOE Division of Personnel Services Title IX Coordinator.

Early Education Services, Early Care and Education Title IX Coordinator

Name: Jennifer Beggs, Executive Director
Email: jbeggs@rcoe.us
Phone: (951) 826-6608

Personnel Services Title IX Coordinator

Name: Hector L. Alegria, Ed.D.
Email: halegria@rcoe.us
Phone: (951) 826-6677

For additional resources and information regarding Title IX, please visit the RCOE website at the following URL: <https://www.rcoe.us/departments/personnel-services/title-ix>. On the website, you will find Title IX training materials and all related policies.

How RCOE Investigates Complaints

Complaints filed under RCOE's Uniform Complaint Procedure will be investigated, and a decision will be made within sixty calendar days of the RCOE's receipt unless the complainant agrees to an extension. RCOE's compliance officer or designee may conduct the investigation or choose an investigator to interview alleged victims, alleged offenders, and relevant witnesses. The compliance officer and/or investigator may choose to review available records, statements, or notes related to the complaint, including evidence or information received from the parties during the investigation. The compliance officer and/or investigator may visit reasonably accessible locations where discrimination is alleged to have occurred. As appropriate, RCOE's compliance officer periodically will inform the parties of the status of the investigation. The complainant will be notified when a decision is made. Complaints that are not filed under RCOE's Uniform Complaint Procedure will be investigated and decided pursuant to the applicable procedure.

What Happens After the Investigation

The compliance officer will prepare and send a final written decision to the complainant and respondent, if any, within sixty (60) working days of RCOE's receipt of the complaint (unless this deadline is extended by mutual agreement).

The complainant or respondent may appeal RCOE's decision to the California Department of Education within fifteen calendar days. The appeal must specify the reason for the appeal and whether RCOE's facts are incorrect and/or the law is misapplied. It must also include a copy of the original complaint to RCOE and a copy of RCOE's decision.

For complaints alleging unlawful discrimination based on state law, the complainant may pursue available civil law remedies, including seeking assistance from mediation centers or public/private interest attorneys, sixty calendar days after filing an appeal with the California Department of Education. (California Education Code § 262.3.) Note that this sixty-day moratorium does not apply to complaints seeking injunctive relief in state courts or discrimination complaints based on federal law. (California Education Code § 262.3.) Complaints may also be filed with the United States Department of Education, Office for Civil Rights, within 180 days of the alleged discrimination.

If the compliance officer finds that a complaint has merit, RCOE will take appropriate corrective action. For more information regarding Title IX and sex equity in education or RCOE employment, please contact RCOE's Title IX coordinator.



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