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Child Care Services



Provider Handbook

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**Child Care Services Provider Handbook
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Overview of the Child Care Services System

The Child Care and Development Fund (CCDF), is the primary federal funding source for providing child care subsidy assistance to low-income families and for improving the quality of care for all children. The Texas Workforce Commission is the CCDF lead agency in Texas and administered by the 28 Local Workforce development Boards. The CCDBG Act of 2014 was signed and re-authorized for the first time since 1996. The new law made significant changes to the CCDF program, designed to promote children's healthy development and provide support for parents. Beginning October 1, 2016, it will be required to provide a 12 month eligibility and redetermination period for children eligible for subsidized child care.

TWC administers programs such as "Choices", the Temporary Assistance for Needy Families (TANF) employment services program, the Supplemental Nutrition Assistance Program (SNAP), the Workforce Investment Opportunity Act (WIOA) Program, and the Child Care Services (CCS) Program.

The TWC Child Care Services Program

The TWC CCS Program helps eligible families with child care expenses and helps child care providers improve their services. The goals of the TWC CCS Program are:

- To enable low income parents to work or to receive training for work,
- To help prevent abuse and neglect of children, and
- To support the physical, social, emotional, and intellectual development of children.

The Child Care Services System

Most TWC services that help eligible families with child care are combined into one system called the Child Care Services system.

- TWC contracts with community-based agencies across the state to manage the delivery of child care services in their areas. In this *Child Care Services Provider Handbook* these agencies are referred to as the Child Care Services (CCS).
- CCS is responsible to the Panhandle Workforce Development Board (PWDB) for the operation of the system in the area.

Child Care Services Staff

Provider Service Specialists (PSS), who:

- ✧ Offer program support, on-site training, technical assistance and resources,
- ✧ Help providers comply with provider requirements, and
- ✧ Includes Assessors and Mentors to assist with compliance with the Texas Rising Star criteria, if applicable.

Client Service Specialists (CSS), who:

- ✧ Help parents during intake and enrollment,
- ✧ Authorize care based on the client's work or training schedule,
- ✧ Authorize parent share of cost based on income and household composition, and
- ✧ Receive required information such as reporting changes in status.

Providers

Child care providers who meet certain requirements may become providers by signing an agreement with CCS. In this *Child Care Services Provider Handbook*, child care providers who sign this agreement are called providers.

Some advantages of being a provider are:

- Receiving technical assistance and have access to resource materials,
- Receiving direct payment for child care services provided,
- Receiving up to 9 paid holidays based on provider agreement dates, paid for children's absences, and
- Utilizing the Child Care Attendance Automation (CCAA) system

The Provider's Role in the Child Care Services System

The most important role of the provider is to offer quality care for all children throughout the facility. Providers participate in the Child Care Services system in several other ways.

- The Child Care Services must have an advisory council, and membership of the council must include one or more Child Care Services providers.
- The TWC State Advisory Committee on Child Care Programs which advises TWC on the child care program statewide includes providers in its membership, and
- Providers often are asked to give their opinions about the Child Care Services system through surveys, questionnaires and meetings.

Laws, Regulations and Rules Governing the Child Care Services System

All rules, policies, and procedures in this Child Care Services Provider Handbook are based on Texas Administrative Codes (TAC). To view the TAC, Chapter 809 for Child Care Services, visit the TWC website at www.twc.state.tx.us.

Funding for Child Care

The federal and Texas state governments provide funding for children referred to providers by CCS. Funding sources administered by PWDB that help families with their child care needs include:

- Choices ,
- Temporary Assistance for Needy Families (TANF),
- Low income parents,
- Homeless
- Supplemental Nutrition Assistance Program, Employment and Training (SNAP E&T),
- Children with disabilities,
- Teen parents,
- Child Protective Services (CPS) cases, and
- Foster children.

A limited amount of additional funding may be available through other public entities.

Becoming a Provider

Who May Become a Provider?

Any licensed or registered provider of child care in Texas may apply to become a provider. There are two basic requirements that a provider has to meet before becoming a provider.

Requirement 1: Licensing and Registration

To be a provider, a child care provider must:

- Have a current license from the Texas Department of Family and Protective Services (DFPS) as a licensed child care center (LCCC), licensed child care home (LCCH), or registered child care home (RCCH), or
- Operated and monitored by the United States Military Services.

The provider must comply with applicable local/state licensing and registration requirements; and all Registered Child Care Homes must agree to annual visits conducted by DFPS.

Requirement 2: Abiding by Terms of the Provider Agreement

To be a provider, a child care provider must:

- Sign a Provider Agreement, which is also signed by a representative of CCS,
- Agree to abide by the terms of CCS Provider Agreement,
- Agree to follow procedures outlined in this *CCS Provider Handbook* , and

Agree to abide by any and all future issuances from CCS.**The Provider Agreement**

When a child care provider decides to participate in CCS system, a Provider Agreement will be completed and signed by the provider and CCS Program Manager before CCS reimbursement can be made. Provider Agreement includes:

- Provider's operational details;

- CCS guidelines;
- *CCS Provider Handbook*

Provider Agreements are legal contracts that are valid for five years, as long as:

- Providers' license or registration remains current, and/or
- Providers comply with terms of CCS Provider Agreement.

Having a Provider Agreement does not guarantee that a provider will have children referred by CCS. Referrals made by CCS are based on parent choice. Even if providers do not have CCS referred children in care, they must still comply with the terms of CCS Provider Agreement to keep the agreement current.

Renewal of Provider Agreement

Provider Agreements must be renewed at least once every five years. Provider's annual holidays will be updated annually. CCS staff will notify providers in advance that the update or renewal date is near. Provider Agreements will be renewed if the provider:

- Continues to meet all the basic requirements,
- Has met the terms of the Provider Agreement,
- Has no outstanding Service Improvement Agreements (SIA) issued by CCS, and
- Chooses to renew the Provider Agreement.

New or Amended Provider Agreements

Changes in the way a facility operates will mean that a new Provider Agreement must be signed or that the Provider Agreement must be amended. **All changes must be reported to CCS immediately.** Changes will not be effective until the provider's signature has been obtained and returned to the Provider Services Department. Some changes in a facility will cause the Provider Agreement to be terminated.

Changes that must be reported to Child Care Services:

- A change in the facility name,
- A change in governing body or corporate status,
- A change in facility rates or fees (in writing),
- A change in hours of operation (approved by DFPS),
- A change in holiday schedule (2wks. in advance),
- A change in the ages of children served (approved by DFPS),
- A change in the facility owner's address,
- A change in the contact person or director,
- *A change in person authorized to sign Provider Agreement,* and
- A change in transportation policies.

Changes that cause termination of Provider Agreement:

- A change in facility ownership,
- A move to a different location, and
- Loss of DFPS license, registration, or certification status, or
- A provider found to be in serious noncompliance with, seriously deficient by, or debarred from another State or Federal Program.
- If the Commission or Board finds that a provider has committed fraud.

Getting Child Care Services

Parent Contact with the Child Care Services

Parents get help with Child Care Services by contacting CCS. Some parents are referred to CCS by the PWDB *Choices* staff or by DFPS Child Protective Services (CPS) caseworkers. CCS knows these parents are eligible for help with their child care if they are referred by the

Choices Workforce Development Specialists or CPS caseworkers. Some parents who need help are not referred by LWDB staff or DFPS. These “self-referred” parents can contact the local CCS, who will determine if they are eligible for help.

Parent Choice of Provider

Federal law requires that parents be given a choice of where they want their children to go for care.

Parents may choose child care providers who:

- Have a Provider Agreement with CCS, or
- Meet requirements for Regulated Provider Care or Relative Provider Care.

Regulated child care provider is defined as a provider caring for an eligible child in a location other than the eligible child's own residence that is licensed by or registered with DFPS, or monitored by the United States military services.

Alternative Child Care Options

These child care providers may be:

- Regulated without an agreement,
- Licensed in another state if no Texas provider is available or meets the needs of the family. CCS staff will ensure such providers must meet the minimum licensing standards of the state, or
- An eligible relative who is Listed by DFPS, and at least 18 yrs. of age, and is, by marriage, blood relationship, or court decree, one of the following: child's grandparent, child's great-grandparent, child's aunt, child's uncle, or the child's sibling (if the sibling, does not reside in the same household as the eligible child).

**Note: An individual appearing on the Texas Department of Public Safety's Sex Offender registry, pursuant to Chapter 62 of the Texas Code of Criminal Procedure, is not eligible to be a relative provider. Criminal background checks must also be submitted for individuals who regularly or frequently work or live in the home and are turning 14 years of age. Relative care providers are subject to random unscheduled home visits.*

Enrolling and Terminating Children

The Enrollment Process

When a parent is determined to be eligible for child care services, and if funds are available for the child's care, CCS:

- Contacts the provider that the parent has chosen to be sure space is available, and if so,
- Verbally authorizes care to start, and
- Sends the provider a *Form 2450, CCS Authorization for Child Care Enrollment*.

Form 2450 tells the provider:

- The date child care is to begin,
- The amount of the parent share of cost,
- The case number and child's name,
- The days and hours of care authorized, and
- Whether transportation is authorized.

The provider must not accept a child unless CCS has called the provider to authorize enrollment. Even if a CPS caseworker staff refers the child, the provider still must have CCS authorization before accepting the child. The provider will not be paid for care provided before CCS authorization.

Accepting Children Referred by CCS

It is the responsibility of the provider to only accept Child Care referrals that:

- Are within the age range the provider is licensed to serve,
- Are the ages covered by the Provider Agreement, and
- Accepting the children does not put the provider over its DFPS licensed capacity.

Providers:

May not charge an enrollment, registration, supply or activity fee to CCS referred children.

May not exclude CCS referred children from care without terminating care.

May terminate care of children authorized by CCS only if they have reasonable cause, such as:

- the parent refuses to provide an immunization record,
- the parent continually verbally abuses provider staff,
- the parent does not follow provider’s handbook,
- the parent fails to pay their parent share of cost, or
- the parent fails to follow the provider’s attendance policy.

Provider must call CCS **immediately** to terminate care.

Parents must comply with all policies that a provider has, unless the provider’s policy is in conflict with CCS or PWDB policies.

Units of Child Care Service

CCS purchases child care based upon the units of service delivered.

If a parent needsthen CCS will...
... less than six hours of child care enroll the child for one part-day unit ...
... at least six hours of child care enroll the child for one full-day unit ...
... more than 12 hours but less than 18 hours of child care enroll the child for 1½ units.
...	

Children may not be enrolled for more than 1½ units of care per day (24 hours).

Part-Time Care

CCS arranges care based on the time needed to support parents' work and/or training. Many parents work part-time or do shift work; so many children need part-time care.

- Part-day care is **less** than 6hrs/day; full day care is from 6 to 12hrs/day.
- Part-time care is care for less than five days (or 40 hours) a week.

When determining if parents need full-time or part-time care, CCS includes transportation time.

Providers must allow a part-day child to attend up to the full six hours.

Late Fees:

Most providers have policies that require parents to pay a late fee if they pick children up after the facility closes. Parents of CCS- referred children are expected to comply with provider late-pick up policies. The same late fee policies should apply to both CCS-referred and full pay clients.

Providers may:

- charge a late fee to a part-day child who is in attendance for more than six hours, or
- charge a late fee to a full-day child who is in attendance for more than 12 hours, or past the closing time for the facility.

Care is authorized for a specific amount of hours and care must be available for that time frame unless it is past the provider’s operational closing hours. Providers must not use the parent’s work or training schedule to determine how long the child may remain at the facility.

Termination of Child Care Services

CCS may terminate services of an authorized enrollment for the following reasons:

- A parent has a change of income that results in family income exceeding 85% SMI
- A permanent cessation of work, training, or education and three months of continuing care has been provided.
- A child has more than 40 unexplained absences within a 12 month eligibility period
- A parent fails to pay the Parent Share of Cost (PSOC) within a 12 month eligibility period, and provider reports nonpayment to CCS within 30 days of the payment due date
- Eligibility was fraudulently determined
- A parent requests to voluntarily terminate care

Enrolling Children with Disabilities

Commission rule §809.2(6) defines a child with disabilities as:

A child who has a physical or mental impairment that substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment. Major life activities include, but are not limited to, caring for oneself; performing manual tasks; walking; hearing; seeing, speaking, or breathings; learning; and working.

Services to Children with Disabilities

CCS policies/procedures for serving children with disabilities are to:

- Create supportive environments for children and their families, and
- Provide support to the provider.

The ADA and CCS Providers

The Americans with Disabilities Act (ADA), as amended, that went into effect in 1992 requires public accommodations, including licensed child care centers, licensed child care homes, and registered child care homes, to ensure access for all individuals regardless of disabilities. All child care providers, including CCS providers, must comply with this law by accepting children with disabilities into their facility, and by making it possible for parents with disabilities to access child care facilities.

If providers refuse to provide care to children with disabilities, they must be prepared to justify their enrollment decisions if challenged. Providers must document in writing any efforts to provide for a child's needs and show why they were not successful or readily achievable.

Placing Children with Disabilities

Parents of children with disabilities have the same right to parent choice as other parents.

Parents may choose to place children according to location or convenience, even if the provider chosen does not have experience caring for children with disabilities.

In both cases, CCS staff work closely with providers who care for children with disabilities, offering assistance, such as, writing inclusion plans, observing, and providing technical assistance in the classroom.

Confidentiality

All information providers have about children with disabilities is confidential. Information about children with disabilities cannot be given to anyone, either in writing or verbally, without permission from the parent. Caregivers must not share confidential information with:

- Caregiver staff who do not work with the children with disabilities,
- Other providers,
- Other parents, or
- Visitors.

For additional information regarding the inclusion assistance rates you must contact CCS.

Resources

CCS will assist the provider in locating local resources, such as:

- State agencies;
- Federal agencies;
- Local, state, and national associations for persons with disabilities;
- Parent support groups and organizations; and
- Educational services.

Determining Payment Rates to Providers

Provider Reimbursement

Regulated providers shall be reimbursed based on a child's monthly enrollment authorization, excluding periods of suspension at the parents request. Providers are not required to hold a child's spot during the CCS approved suspension.

PWDB Maximum Reimbursement Rates

PWDB sets the maximum rates that Providers can be reimbursed for services to CCS-referred children according to:

- Federal and state laws and regulations, and
- TWC child care services program state plans that have been approved by the federal government.

In order to determine the maximum rates, PWDB and TWC conduct a survey of a random sample of child care providers in each local workforce development area. Providers are asked to report their published rate for care in each category listed above. The rate that represents the 75th percentile is the maximum reimbursement rate that is set for each category.

Maximum reimbursement rates are based on the following:

- The type of child care offered, such as LCCC, RCCH, or LCCH;
- The ages of the children served and the care authorized (Full-time or Part-time),
- The star level of Texas Rising Star provider, if applicable,
- Whether additional adult help is needed for children with disabilities, and
- Funds available to the region for child care assistance and associated performance measures prescribed annually by TWC.

Providers not participating in the Texas Rising Star and Texas School Ready! Certification programs are eligible for the following rates:

	Infant		Toddler		Preschool		School Age	
	0-17 mos.		18-35 mos.		3-5 year		6yrs and up	
	Full	Part	Full	Part	Full	Part	Full	Part
Licensed Center	\$22.44	\$19.54	\$20.91	\$18.21	\$19.33	\$14.28	\$17.91	\$12.96
Licensed Homes	\$18.98	\$15.81	\$17.85	\$14.95	\$17.04	\$12.40	\$15.36	\$11.353
Register Homes	\$18.98	\$15.81	\$17.85	\$14.95	\$17.04	\$12.40	\$15.36	\$11.53

Providers that participate in **integrated school readiness models** pursuant to Texas Education code §29.160 are eligible for increased reimbursement rates for preschool-age children, as shown on the following chart:

	Infant		Toddler		Preschool		School Age	
	0-17 mos.		18-35 mos.		3-5 year		6yrs and up	
	Full	Part	Full	Part	Full	Part	Full	Part
Licensed Center	\$22.44	\$19.54	\$20.91	\$18.21	\$20.30	\$15.00	\$17.91	\$12.96
Licensed Homes	\$18.98	\$15.81	\$17.85	\$14.95	\$17.90	\$13.02	\$15.36	\$11.53
Register Homes	\$18.98	\$15.81	\$17.85	\$14.95	\$17.90	\$13.02	\$15.36	\$11.53

Providers participating in the **Texas Rising Star quality program at a 2 Star level** are eligible for increased reimbursement rates, as shown on the following chart:

	Infant		Toddler		Preschool		School Age	
	0-17 mos.		18-35 mos.		3-5 year		6yrs and up	
	Full	Part	Full	Part	Full	Part	Full	Part
Licensed Center	\$23.76	\$20.68	\$22.14	\$19.28	\$20.47	\$15.25	\$19.32	\$14.73
Licensed Homes	\$20.11	\$17.42	\$19.01	\$18.12	\$18.81	\$15.17	\$16.73	\$13.89
Register Homes	\$19.90	\$18.01	\$18.75	\$17.08	\$18.06	\$14.16	\$16.13	\$13.25

Providers participating in the **Texas Rising Star quality program at a 3 Star level** are eligible for increased reimbursement rates, as shown on the following chart:

	Infant		Toddler		Preschool		School Age	
	0-17 mos.		18-35 mos.		3-5 year		6yrs and up	
	Full	Part	Full	Part	Full	Part	Full	Part
Licensed Center	\$24.43	\$21.08	\$23.09	\$20.06	\$22.19	\$16.94	\$21.47	\$16.37
Licensed Homes	\$22.34	\$19.36	\$21.12	\$20.13	\$20.90	\$16.80	\$18.59	\$15.43
Register Homes	\$21.70	\$20.01	\$20.58	\$18.98	\$20.07	\$15.73	\$17.60	\$14.72

Providers participating in the **Texas Rising Star quality program at a 4 Star** level are eligible for increased reimbursement rates, as shown on the following chart:

	Infant		Toddler		Preschool		School Age	
	0-17 mos.		18-35 mos.		3-5 year		6yrs and up	
	Full	Part	Full	Part	Full	Part	Full	Part
Licensed Center	\$27.14	\$23.14	\$25.66	\$22.29	\$24.66	\$18.82	\$23.85	\$18.19
Licensed Homes	\$24.82	\$21.51	\$23.47	\$22.37	\$23.22	\$18.72	\$20.65	\$17.14
Register Homes	\$24.11	\$22.23	\$22.87	\$21.09	\$22.30	\$17.48	\$19.55	\$16.35

Blended Rates

School age Care:

- During the School year, approximately 205 days, is part-time care reimbursed with a special blended rate,
- During the Summer Vacation, approximately 55 days, is full-time care

*Below is a Blended Rate Calculation **EXAMPLES**. To determine your blended rates use the formula below using your rates.

Blended Rate

During claims processing the system will automatically use this formula for calculating the blended rate for all school referrals

Provider Rate
School Full - 19.34 School Part – 19.34

Max Rate
School Full - 19.87 School Part - 15.33

Calculation
(Lowest Part Rate * 175 days) + (Lowest Full Rate * 30 days) divided by 205 Days

Results
(15.33 *175) + (19.34 * 30)/205 = \$15.91

Provider Payment Rates

Provider reimbursement rates are based on published rates pro-rated to a daily rate and may include fees such as enrollment, registration and supply fees when determining their rates. A copy of the Provider's published rate must be obtained by CCS staff. The provider receives their published rate for each day of care provided to CCS- referred children as long as these rates do not exceed the PWDB Maximum Reimbursement Rates. **The Provider may not charge parents who receive child care assistance the difference between its published rate and the PWDB maximum reimbursement rate.** **When Providers Change Their Rates**

If Providers change their published rates they must send written documentation of the new rates to CCS. The new rates will be effective the first full month after an amended Provider Agreement has been signed showing the new rate.

Provider Reimbursement for Transportation

When Providers provide transportation for children, CCS will reimburse Providers as follows:

- If the transportation fees are included in the Provider's published rates, the Provider is paid that rate.
- If Providers charge a separate transportation fee, CCS will pay the transportation fee for CCS-referred children who have been authorized for transportation.

In either case the combined total must not be more than the PWDB maximum reimbursement rate.

Provider will not be reimbursed for the following reasons:

- Licensed child care centers, including before- or after-school programs and school-age programs, in which the parent or his or her spouse, including the child's parent or stepparent, is the director or assistant director, or has an ownership interest; Except for foster parents authorized by DFPS or
- Licensed, registered, or listed child care homes where the parent also works during the hours his or her child is in care. or
- When CCS has authorized suspension of enrollment at the concurrence of the parent.
- During the appeal process if the child's enrollment is terminated due to excessive unexplained absences or nonpayment of Parent Share of Cost (PSOC).

Debarment from other state or federal programs

A provider shall not be reimbursed if they are debarred from other state or federal programs unless and until the debarment is removed. This includes being placed on the National Disqualification List (NDL) for Child and Adult Care Food Program (CACFP).

Keeping Attendance Records and Collecting Parent Share of Cost

Why Attendance Records Are Important

Providers are responsible for ensuring attendance is reported accurately by the parents. Attendance submissions are the basis for payment to providers. All attendance records must be maintained and made available for inspection at the facility during the facility's hours of operation.

Provider or Parent Initiated Terminations

When a child is terminated due to the request of the parent and/or provider, then the provider and the parent are required to notify CCS ***immediately*** The last day the child is physically present will be considered the last day of care if notification from the provider and/or parent was not received.

Child Care Court-Ordered Visits

A child who is required by a court-ordered custody or visitation arrangement to leave a provider's care is permitted to continue receiving child care by the same provider upon return from the court-ordered custody or visitation arrangement. The parent is still responsible for their share of cost during this time period.

Collecting Parent Share of Cost

Providers keep the parents share of cost they collect and the amount of the assessed parent share of cost is deducted from CCS reimbursement. Parents are responsible for following the Providers payment policies outlined in the Provider's Parent Handbook. The provider will not receive reimbursement of parent share of cost if the parent fails to pay the fee. Providers should report to CCS within 30 days of payment due date when a parent fails to pay the parent share of cost.

Reduction of Parent Fees

Parent share of cost may be lowered temporarily when parents have unusual circumstances. Only CCS staff can authorize a reduction of the parent's share of cost. Documentation will be required prior to authorization of the reduction. CCS notifies providers when parent fees have been reduced and a new form 2450 will be generated.

Record Keeping Requirements

Providers must keep financial documents such as attendance records, receipts for parents' share of cost and records related to financial claims for 3 years and 90 days after the termination of the CCS- referred child.

Access to Records

All attendance records must be maintained and made available for inspection during the facilities hours of operation. People authorized to see Provider records are:CS Staff, LWDB/TWC Staff,

- Representatives of the State Attorney General's office, and
- Representatives of federal government offices with responsibility for managing and auditing federal and state child care programs.

Payment to CCS Providers

Providers will be paid on a Bi-monthly payment cycle.

A delay of payment may occur at holidays, inclement weather and unforeseen instances.

All payments are received electronically through the Provider's banking institution or Board issued Debit Card. Parent share of cost collected by the Provider are deducted from CCS reimbursement to the Provider. Providers will be required to refund any payments to CCS that they are not entitled to; such as, overpayments, duplicate payments, and/or payments made in error.

Child Care Automation Attendance (CCAA) and Payment

Child Care Attendance Automation system gives parents the responsibility for reporting child care benefits they receive. It is important for the provider to provide strong family engagement to promote attendance. Excessive absenteeism should not be tolerated. A provider may end care for an excessively absent child. The absences may be due to a change in work and/or training and a change in the referral may be needed, for this reason a provider may need to contact a CSS to assist the parent with their referral.

Parents are to ensure that their child/ren attend on a regular basis consistent with the child/ren's authorization for enrollment. Meeting attendance requirements means no more than 40 unexplained absences in a 12-month eligibility period. Failure to meet these standards can result in the termination of child care services and a mandatory 60 calendar day waiting period before a parent can reapply for services or be placed on a waiting list. Information can be found in this link to assist families with attendance. If a parent cannot be reached after repeated contact attempts, is not communicating with the provider or bringing the child to care, CCS will end the child care referral after 30 calendar days of no contact.

<http://www.attendanceworks.org/tools/for-early-care-providers/early-education-toolkit/>

There are two convenient ways for the parents to report attendance.

- **Point of Service (POS) Machines:** Clients using Licensed Child Care Centers will be required to use POS machines; however, the Interactive Voice Relay (IVR) can be used until the POS device is installed.
- **Interactive Voice Relay (IVR):** Clients using Licensed or Registered Child Care Homes will be required to report attendance by using the provider's phone number that CCS has in their system.

CCAA System Attendance Requirements

- The provider agrees to review the CCAA system daily and report circumstances beyond the parent's control, including documented instances which include:
 - *Z days are counted as unexplained absences and will be included in the 40 day absence count, so it is important that parents record attendance daily, unless:*
 - The POS machine or IVR (phone) was temporarily unavailable. (only if reported by the provider as required), or
 - The CCAA card was not available to the parent (only applies within 7 calendar days of start date),

Providers must accurately report for circumstances beyond the parent's control on the CCS website at <https://wspanhandle.com/PagesWSP/ForChildCare/ChildCareFiveDayReport.php>

The provider must agree to abide by the following attendance reporting and tracking procedures of the Child Care Automated Attendance (CCAA) System.

- Employees of child care providers shall not:
 - possess, have on the premises, or otherwise have access to the attendance card of a parent or secondary cardholder;
 - accept or use the attendance card or PIN of a parent or secondary cardholder; or
 - perform the attendance or absence reporting function on behalf of the parent;
- The owner, director, or assistant director of a child care provider shall not be designated as the secondary cardholder by a parent with a child enrolled with the provider;
- Providers shall report misuse of attendance cards and PINs to the Board or the Board's child care contractor; and Providers shall report to the child care contractor authorized days that do not match the referral in the Agency's automated attendance system within five days of receiving the authorization. Failure to report the discrepancy may result in withholding payment to the provider.
- Misuse of attendance reporting and violation of the requirements in this section are grounds for a potential fraud determination.

CCAA System Penalties for Misuse

The provider agrees to comply with the security requirements of the CCAA and is aware that failure to do so may warrant corrective or adverse actions, such as investigation and prosecution of fraud, and the actions described in Commission Rule §809.113, §809.114 and §809.11CCS will take corrective action against a provider when a provider:

- possesses, or has on the premises, attendance cards without the parent being present at the provider site;
- accepts or uses an attendance card or PIN of a parent or secondary cardholder; or
- performs the attendance reporting function on behalf of a parent.

Submitting Accurate Claims

Providers are responsible for ensuring attendance is reported accurately by the parents. If claims contain errors, CCS may request to make adjustments to the Financial Department. Misuse of attendance reporting and violation of the requirements are grounds for a potential fraud determination.

Payment for Children's Absences

Providers are paid for days children do not attend, as long as:

- The absences fall on one of the nine Provider holidays listed on the Provider Agreement, or
- The Provider had to close the facility due to weather or natural disasters. Provider Services must be notified within a reasonable amount of time.

In the event of a center closure due to inclement weather, it will be your responsibility to inform parents on the day the center re-opens, that the parent should call the number on their card or back swipe children as absent for the day(s) that the facility was closed as a result of weather. This

procedure will help to minimize the data entry necessary to account for the closures and prevent future delays in provider payments for bad weather days that are out of everyone's control.

Suspected Fraud

A parent, provider, or any other person in a position to commit fraud may be suspected of fraud if the person presents or causes to be presented to the Board or its child care contractor one or more of the following items:

- A request for reimbursement in excess of the amount charged by the provider for the child care; or
- A claim for child care services if evidence indicates that the person may have:
 - known, or should have known, that child care services were not provided as claimed;
 - known, or should have known, that information provided is false or fraudulent;
 - received child care services during a period in which the parent or child was not eligible for services;
 - known, or should have known, that child care subsidies were provided to a person not eligible to be a provider; or
 - otherwise indicated that the person knew or should have known that the actions were in violation of this chapter or state or federal statute or regulations relating to child care services.

Action to Prevent or Correct Suspected Fraud

CCS may take the following actions pursuant to Commission policy if the Commission or Board finds that a provider has committed fraud:

- Temporary withholding of payments to the provider for child care services delivered;
- Nonpayment of child care services delivered;
- Recoupment of funds from the provider;
- Stop authorizing care at the provider's facility or location;
- Prohibiting future eligibility to provide Commission-funded child care services; or
- Any other action consistent with the intent of the governing statutes or regulations to investigate, prevent, or stop suspected fraud.

Failure to Comply may warrant corrective and adverse action.

Providing false information or not reporting changes could constitute fraud and may be reported to the Texas Workforce Commission Office of Investigation.

To report suspected fraud or abuse of TWC programs,

Call: TWC Fraud Hotline - (800) 252-3642, or

E-mail: Childcarefraud@twc.state.tx.us

Taking Corrective or Adverse Actions with Providers

Providers must comply with all terms of the Provider Agreement, Child Care Attendance Automation Agreement and follow procedures in this *CCS Provider Handbook*. CCS will take corrective or adverse action with providers who do not comply as required. If a serious problem happens with a provider, CCS can take immediate action instead of writing a SIA. This is done with PWDB approval.

When determining appropriate corrective actions, the Child Care Services staff shall consider:

- the scope of the violation;
- the severity of the violation; and
- the compliance history of the person or entity.

Corrective actions may include--but are not limited to--the following:

- Closing Intake,
- Moving children to another provider selected by the parent,
- Withholding provider payments or reimbursement of costs incurred,
- Recoupment of funds.

When a provider violates a provision, a written Service Improvement Agreement may be negotiated between the provider and CCS. At the least, the Service Improvement Agreement shall include the following:

- The basis for the Service Improvement Agreement;
- The steps required to reach compliance including, if applicable, technical assistance;

- The time limits for implementing the improvements; and
- The consequences of noncompliance with the Service Improvement Agreement.

Service Improvement Agreements

CCS staff will negotiate Service Improvement Agreements (SIA) for providers if providers have not followed:

- Terms of Provider Agreements,
- Child Care Attendance Automation Agreement,
- TRS criteria, Procedures in this *CCS Provider Handbook*.

A Service Improvement Agreements is a formal document drafted by PSS staff that will:

- State the problem,
- Explain to Providers what improvements must be made,
- List alternative ways for the provider to work on improvements,
- Outline the specific actions of PSS staff to assist Providers in making the requested improvement, including providing technical assistance;
- Set time limits for making improvements, and
- Stipulate the consequences to the Provider for failure to make stated improvements.

Consequences for serious problems, non-compliances with policy, or failure to make needed improvements as defined by a SIA may include the following:

- Temporarily or permanently withholding payment,
- Non-renewal or termination of Provider Agreement,
- Discontinuing referral of children to the provider,
- Removing CCS-referral of children from the provider,
- Suspension or termination of Provider Agreement and
- Recouping funds from the provider.

Corrective or Adverse Action by DFPS

When a provider's Provider Agreement is ended because of corrective or adverse action, the provider cannot apply again for a period of up to twelve months. At the time the Provider Agreement is ended the provider will be told when reapplication can be made.

Steps Taken by CCS When Providers Are Placed on Corrective or Adverse Action by DFPS

Status	Required to Notify Parents within 5 Days	Required to Notify Parents within 2 Days	Required to Stop New enrollments	Required to notify New Enrollments	Required to Remove Currently enrolled children	Written Acknowledgement by parent within 14 calendar days to continue care w/Provider
Evaluation	X			X		X
Probationary	X		X			X
Adverse Action		X	X		X	

Providers will not be reimbursed at the CCS enhanced reimbursement rate if the provider is placed on evaluation or probationary status by DFPS. Suspected Child Abuse or Neglect

Everyone in Texas is required by law to report suspected child abuse or neglect. If the suspected abuse or neglect happens while the child is in care with a provider, the DFPS Child Care Licensing or a local or state law enforcement agency must be notified. CCS staff will notify DFPS if they receive a complaint against a provider.

If a provider suspects abuse or neglect is happening to a child away from the facility, the individual who suspects the abuse or neglect must immediately report the suspicion to DFPS Child Protective Services.

Improving Quality of Care

Texas Rising Star Certification

The Texas Rising Star (TRS) program offers providers the opportunity to participate in a voluntary plan to improve the quality of child care by meeting program criteria that exceed the Minimum Standards for Child Care Licensing as well as receiving an increased reimbursement rate.

Texas Rising Star certification criteria, guidelines, and application can be found at www.TexasRisingStar.org.

How to Apply for Texas Rising Star Assessment

To apply for the TRS program, applicants must complete the steps on-line at www.TexasRisingStar.org

Steps include:

- an orientation on TRS guidelines, which includes an overview of the:
 - application process,
 - program measures
 - the assessment process;
- the TRS Application Interest Form;
- the TRS Site Data Form
- the Licensing Screening form appropriate to the type of facility making application, and
- the TRS program self-assessment tool. The tool contains a facility self-assessment and a classroom self- assessment for each classroom.

The provider will then submit the completed TRS self-assessments, document checklists, TRS application, TRS Site Data Form and licensing screening form to the Child Care Service office.

Application and Assessment for the Nationally Accredited Providers

TRS Guidelines only require nationally accredited providers to submit the following documents to apply for TRS certification:

- TRS Application
- TRS Site Data Form
- Licensing screening form , applicable to the type of facility

Once the CCS staff receives the application package and confirms the provider's eligibility, they will contact the provider within 20 calendars to schedule the on-site Initial Certification Assessment.

TRS assessments will be conducted as follows:

- On-site assessment of 100 percent of the provider classrooms at the initial certification assessment and at each scheduled recertification;
- Annual on-site assessment of 50% of classrooms (does not affect star level); and
- Recertification of all TRS providers every three years

Levels of Certification

- **Four-Star** certification is the highest level of certification awarded and meets all required measures and scoring 2.4 or higher (80% of total points) on the point based measures.
- **Three-Star** certification represents a quality program meeting all required measures and scoring 1.8 – 2.39 (60% to 79.9% of total points) on point based measures.
- **Two-Star** Meet all basic required measures.

Additional Indicators of Child Care Quality include:

- The National Association for the Education of Young Children (NAEYC), a nationally-recognized accrediting body, has identified key characteristics that define quality early childhood programs.
- Texas School Ready!™ is a high quality early childhood model, based proven school readiness components. This program is administered by the Children's Learning Institute (CLI).
- Kindergarten Readiness System (KRS). KRS evaluates the effectiveness of prekindergarten, Head Start. And community-based licensed child care programs in preparing children for kindergarten.

Caregiver Training

CCS can provide training and technical assistance for caregivers upon request. Also available are training materials that can be checked out of the lending library at the Child Care Services office.