

August 17, 2020

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

EXECUTIVE SUMMARY

ALL COUNTY WELFARE DIRECTORS LETTER

The purpose of this letter is to notify counties of temporary waivers regarding the CalWORKs Stage One Child Care Program due to the statewide outbreak of the Coronavirus Disease (COVID-19 or novel coronavirus). The temporary waivers include provider payments, family fees, parent/guardian and provider signatures related to reimbursement of child care services, and reimbursement of child care providers for care provided to school-age children who are participating in K-12 distance learning.



KIM JOHNSON
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
744 P Street • Sacramento, CA 95814 • www.cdss.ca.gov



GAVIN NEWSOM
GOVERNOR

August 17, 2020

ALL COUNTY WELFARE DIRECTORS LETTER

TO: ALL COUNTY WELFARE DIRECTORS

FROM: JENNIFER HERNANDEZ, Deputy

Director

Family Engagement and Empowerment Division

SUBJECT: CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO KIDS (CALWORKS) STAGE ONE CHILD CARE WAIVER REGARDING PROVIDER PAYMENTS, FAMILY FEES, PARENT/GUARDIAN AND CHILD CARE PROVIDER SIGNATURES, AND AUTHORIZATION OF REIMBURSEMENT FOR DISTANCE LEARNING DUE TO THE STATEWIDE OUTBREAK OF CORONAVIRUS DISEASE (COVID-19 or NOVEL CORONAVIRUS)

PURPOSE

The purpose of this letter is to notify counties of temporary waivers regarding the CalWORKs Stage One Child Care Program due to the statewide outbreak of the Coronavirus Disease (COVID-19 or novel coronavirus). The temporary waivers include provider payments, family fees, parent/guardian and provider signatures related to reimbursement of child care services, and reimbursement of child care providers for care for school-age children who are participating in TK-12 distance learning.

BACKGROUND

On March 4, 2020, the Governor declared a State of Emergency in California in response to COVID-19. As families and child care providers continue to face new challenges as a result of the pandemic, the California Department of Social Services (CDSS) is releasing guidance to support families and child care providers during the pandemic by ensuring provider payments, continuing to waive family fees through the month of August 2020, waiving the requirement to collect parent/guardian and child care provider signatures on verification documentation required for reimbursement of services, and expanding on existing guidance to allow child care providers to seek reimbursement for services provided to school-aged children who are participating in TK-12 distance learning.

PROVIDER PAYMENT

Pursuant to Section 111 of [Education Omnibus Budget trailer bill, SB 98 \(Chapter 24, Statutes of 2020\)](#), additional funding was allocated to support child care providers during the next fiscal year. Child care providers serving families utilizing CalWORKs Stage One Child Care must be reimbursed for the maximum authorized hours of care, regardless of attendance, through June 30, 2021, or until the funding is exhausted. These providers shall submit attendance records or invoices in accordance with current reporting policies and shall be reimbursed based on the child-care authorizations. Providers that are unable to submit an attendance record or invoice should contact their Alternative Payment Program (APP) or CWD to arrange payment. The APP or CWD must reimburse based on the maximum child care authorization. For license-exempt providers reimbursement shall be made for the maximum authorized hours.

FAMILY FEES

According to [Education Code Section 8351\(c\)](#), former CalWORKs recipients receiving CalWORKs Stage One Child Care are assessed a family fee based on family size and income pursuant to Sections [8263](#) and [8263.1](#). [Education Code Section 8273.1\(b\)](#) specifies that a family receiving CalWORKs cash aid shall not be charged a family fee.

On March 17, 2020, the Governor signed [Senate Bill 117](#) (Chapter 3, Statutes of 2020) which includes provisions to ensure continuity of care for children and continuity of payments to state-subsidized early learning and care programs, subject to guidance from the State Superintendent of Public Instruction (SSPI).

The law allows the SSPI to develop directives and bulletins to address contractual and reporting requirements applicable for the 2019-20 fiscal year for child and development programs impacted by COVID-19. At the direction of the SSPI, the California Department of Education's (CDE) Early Learning and Care Division released [Management Bulletin 20-05](#) waiving family fees for early learning and care programs supervised by the CDE. This guidance expired on June 30, 2020.

[Education Code Section 8209](#) authorizes the SSPI to waive any requirements related to child care and development programs operated pursuant to [Education Code Sections 8200-8498](#) for a period of 45 days to the extent that enforcement of the regulations or requirements would directly impede recovery efforts or would disrupt the level of service in child care and development programs.

Pursuant to its authority under [Education Code 8209](#), CDE is waiving family fee requirements in the Education Code. In alignment with CDE listserv email dated August 7, 2020, counties will waive family fees for former CalWORKs recipients receiving Stage One Child Care for the months of July and August 2020. The waiver of family fees for parents

will not affect the amounts paid to providers. Counties must continue to reimburse providers for the full amount of the applicable reimbursement without deducting family fees. If family fees have already been collected for the months included in this waiver, then those fees must be reimbursed to the family or applied as a credit to future non-waived months. Families who were disenrolled, voluntarily or involuntarily, due to an inability to pay family fees from July or August 2020 must be reenrolled, without the need for any additional eligibility documentation, subject to guidance from the SSPI.

SIGNATURE REQUIREMENT

Education Code Section 8221.5 requires monthly attendance records or invoices submitted to alternative payment programs to be signed by the parent or guardian of the child receiving services. The [Manual of Policies and Procedures Section 47-420.213](#) requires that both clients and child care providers sign, under penalty of perjury, verification of the information submitted for the purposes of reimbursement of child care services provided when payments are made to the client.

The [Manual of Policies and Procedures Section 47-420](#) does not require signatures when reimbursement payments are made directly to the provider.

Signature requirements for CalWORKs, including requirements specific to CalWORKs Stage One Child Care in CDSS rules and guidance, have been waived for the duration of the statewide emergency declaration or until rescinded (see [All County Welfare Director's Letter dated July 16, 2020](#)). Pursuant to its authority under [Education Code 8209](#), CDE is waiving the signature requirement in [Education Code Section 8221.5](#). Counties must process and provide reimbursements to providers regardless of parental signature on attendance records and/or invoices if the parent or guardian is unable to sign due to the COVID-19 pandemic.

DISTANCE LEARNING

The [Manual of Policies and Procedures Section 47-401.51](#) states that a county shall not pay for child care during the time a child is attending school. Due to COVID-19, many school districts throughout California are beginning the school year with distance learning. Distance learning in Transitional Kindergarten through 12 grades does not provide supervision for school-age children. For this reason, the Department does not consider the child to be attending school while participating in TK-12 distance learning for the purposes of reimbursing child care providers. Counties are authorized to reimburse for child care during the time school-age children participate in TK-12 distance learning and are attending their child care program or are being cared for by a child care provider during the typical school hours. If the child is participating in a hybrid model (a combination of in-person instruction and distance learning) the provider may only be reimbursed for the time that the child is not receiving in-person instruction and supervision. Counties are responsible for budgeting their

All County Welfare Director's Letter
Page Four

allocated funds to ensure providers will be reimbursed for the cost of care associated with school-age children that are participating in distance learning. This guidance is in alignment with CDE listserv email dated August 7, 2020.

If you have any questions or need additional guidance regarding the information in this letter, contact the Child Care Intergenerational Services Bureau at (916) 657-2144 or at CCPB@dss.ca.gov.

Sincerely,

Original Document Signed By

JENNIFER HERNANDEZ, Deputy Director
Family Engagement and Empowerment Division