

# Center-Based Contracts Review Guide

## Governance and Administration



California Department of Education  
Early Learning and Care Division



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## INTRODUCTION

In 2010, the California Department of Education (CDE) began the process of developing a review guide for the full-day center-based programs to implement federal guidelines for reducing errors in Child Care and Development Fund (CCDF) programs. The review guide contains instructions for: 1) selecting a statistically valid sample of children receiving subsidized child care services, 2) analyzing the family and provider files associated with those children for errors, and 3) recording and aggregating those errors for the purposes of administrative improvement.

The material presented in the guide is to provide clear written information that will be used in full-day center-based monitoring review. We also believe the guide will assist local contractors in developing and implementing quality assurance processes.

The current version of the review guide is consistent with contract rules and regulations. The review guide distinguishes between Improper Payment errors<sup>1</sup>, Administrative Errors<sup>2</sup> and compliance findings.<sup>3</sup>

Our goal is to provide support and technical assistance that will lead to successful administration of programs. Questions or feedback regarding the review guide should be directed to your assigned Field Services Consultant or Governance and Administration Managers. The Consultant Regional Assignment web page shows contact information at <http://www.cde.ca.gov/sp/cd/ci/assignments.asp>.

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<sup>1</sup> An improper payment error occurs when a violation of misapplication of policy or procedure governing the child care program results in an overpayment of underpayment to the child care provider.

<sup>2</sup> An administrative error is defined as any instance in which child care subsidy policy was misapplied, or rules or regulations were not followed, that did not result in an improper payment.

<sup>3</sup> Compliance finding is when a contractor ~~is out of compliance with applicable laws~~ ~~does not meet minimum legal requirements in statutes~~, regulations, or contractual provisions.

# I. GOVERNANCE AND ADMINISTRATION CENTER-BASED REVIEW GUIDE

## 1. CDD-801A Monthly Population Report

Question Number	CDD-801A: Monthly Population Report	Findings
1.1	Did the child receive services in the review month? <i>California Code of Regulations (5 CCR), Title 5, Section 18070 and Management Bulletin (MB) 09-12</i>	<b>Compliance:</b> If the random sample files pulled include children that did not receive services during the review month, a compliance finding will be determined.

## 2. Initial Certification and Recertification (Application for Services)

The Application for Services (ELCD 9600) includes basic data regarding eligibility, need, and family information.

**NOTE:** Effective July 1, 2017, in accordance with California *Education Code (EC)* sections 8263(h) and 8263.1, once a family establishes eligibility and need at initial certification or recertification, a family shall be considered to meet all eligibility and need requirements for not less than 12 months (unless their income goes over 85% of State Median Income).

Question Number	Initial Certification and Recertification (Application for Services)	Findings
2.1	Is there a completed, accurate and signed Application for Services in the family data file? (5 CCR sections 18081, 18082 and 18083)	<b>Material Improper Payment:</b> If the Application for Services is not present in the family data file an error will be determined in eligibility. The error will equal the <del>cost of services provided for the sample months</del> <u>sample month payment</u> or the portion of the month in which there was insufficient documentation, whichever is less.  <b>File Administrative Error:</b> If the Application for Services is incomplete/inaccurate, an error will be determined in eligibility.
2.2	Was the Application for Services completed prior to serving the child? (5 CCR Section 18082[b])	<b>Material Improper Payment:</b> If services were provided prior to the Application for Services being completed, an error will be determined in eligibility. The error amount will be determined as in 2.1.

Question Number	Initial Certification and Recertification (Application for Services)	Findings
2.3	<p>If applicable, did the recertification occur no sooner than twelve (12) months from when they were last certified? (MB 17-14)</p>	<p><b>Note:</b> CDE is currently working on timeline for recertification <b>FileAdministrative Error:</b> If the recertification was completed before the twelve month timeframe an error will be determined eligibility.</p>
2.4	<p>Does the family data file contain all child health and current emergency information required by <i>California Code of Regulations (22 CCR)</i>, Title 22, Social Security, Division 12, Community Care Facilities Licensing regulations? (5 CCR Section 18081[e])</p> <p><b>Note:</b> Immunization records are not required for children attending a public or private elementary school or receiving care in licensed facilities.</p>	<p><b>FileAdministrative Error:</b> If the family data file does not contain all child health and current emergency information, an error will be determined in eligibility.</p>
2.5	<p>Does the family data file contain residency requirements? (5 CCR Section 18107)</p>	<p><b>FileAdministrative Error:</b> If the family data file does not contain residency requirements, an error will be determined in eligibility.</p>
2.6	<p>If applicable when the family's basis of eligibility is income, did the contractor inform the parent in writing, at initial certification or recertification, of the requirement to report when their income exceeds the exit 85% State Median Income (SMI) threshold? <b>AND</b> Did the contractor provide a Schedule of Income Ceilings 85% SMI with the maximum adjustment monthly income the family may earn clearly identified on the table? (MBs 17-08, 17-09 and 17-14, 5 CCR, Section 18084.3[b][1][A-B])</p> <p>Examples: Acknowledgement form, written on Notice of Action (NOA), listed on certification checklist, etc.</p>	<p><b>FileAdministrative Error:</b> If the contractor did not inform the parent in writing of the income threshold and/or provide the Schedule of Income Ceilings, an error will be determined in eligibility.</p>

### 3. Parent's Right to Voluntarily Report Changes

At any time between the initial certification or recertification period a parent may voluntarily request to reduce their family fee, increase the ~~subsidy amount~~~~family services~~ or extend the period of eligibility. A family may also at any time voluntarily request a reduction in their ~~service level~~~~subsidy amount~~, 5 CCR, Section 18084.2.

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Question Number	Parent's Right to Voluntarily Report Changes	Findings
3.1	<p>If applicable, did the family voluntarily request a change to <b>reduce their family fee, increase the subsidy amount</b><del>family services</del> or extend the <b>period of eligibility</b>? (5 CCR Section 18084.2[a] and MB 17-14)</p> <p>Did the contractor request documentation to support a reduction of family fees, increase the <b>subsidy amount</b><del>family's services</del>, or extend the period of eligibility? <b>AND</b></p> <p>If applicable, reduce the family fee effective on the first of the month following the receipt and approval of the required supporting documentation? (5 CCR, Section 18084.2, MB 17-11 and 17-14)</p> <p>Did the contractor issue a (NOA) no later than 10 business days after receipt of applicable documentation <b>and</b> not use the documentation received to make other changes to the service agreement? (5 CCR Section 18084.2[a][3][4] and MB 17-11 and 17-14)</p> <p><b>EXCEPTION:</b> If the family exceeds the 85% income threshold, when you recalculate income follow MB 17-08 directives.</p>	<p><b>MaterialImproper Payment:</b> If the family voluntarily requested a change to reduce the family fee, submitted the supporting documentation, but the contractor did not reassess the family fee an error will be determined in family fee. The error will equal the difference between the assessed family fee and the new family fee.</p> <p><b>MaterialImproper Payment:</b> If the contractor reassesses a family fee without supporting documentation, an error will be determined in family fee. The error will equal the difference between the initial family fee and the new family fee.</p> <p><b>MaterialImproper Payment:</b> If the contractor did not make the effective date of the reduced fee the first of the month following the receipt and approval of the required supporting documentation, an error will be determined in family fee. The error will equal the difference between the assessed family fee and the new family fee.</p> <p><b>MaterialImproper Payment:</b> If the contractor increases the family services without supporting documentation, an error will be determined in need. The error will equal the <del>cost of services provided for the sample months</del><b>sample month payment</b> or the portion of the month in which there was insufficient documentation, whichever is less.</p> <p><b>FileAdministrative Error:</b> If the family voluntarily requested a change to reduce their family fee and the contractor reassessed the family fee, but did not issue a NOA within the required timelines, an error will be determined in family fee.</p>

Question Number	Parent's Right to Voluntarily Report Changes	Findings
3.2	<p>If applicable, did the family voluntarily request to decrease their <u>service-levelsubsidy amount</u> in writing? (5 CCR Section 18084.2 and MB 17-14)</p> <p>Does the voluntary written request include:</p> <ul style="list-style-type: none"> <li>• Days and hours per day requested</li> <li>• Effective date of proposed reduction of <u>service-levelsubsidy amount</u>;</li> <li>• Acknowledgment in writing that parent understands that they may retain their current <u>service-levelsubsidy amount</u></li> </ul> <p>(5 CCR Section 18084.2 and MB 17-14)</p> <p>Upon receipt of the parents written request to decrease their <u>service-levelsubsidy amount</u>, did the contractor:</p> <ul style="list-style-type: none"> <li>• Notify the family in writing of their right to continue to bring the child pursuant to the original <u>certified service-levelsubsidy amount</u>.</li> <li>• If applicable, collect documentation to support the changes requested?</li> </ul> <p>(5 CCR Section 18084.2 and MB 17-14)</p> <p>Did the contractor issue a NOA no later than 10 business days after receipt of applicable documentation and not use any other documentation received to make other changes to the service agreement? (5 CCR Section 18084.2 and MB 17-14)</p>	<p><b>MaterialImproper Payment:</b> If the completed written request to decrease <u>service-levelsubsidy amount</u> was received, but the contractor did not reassess the <u>service-levelsubsidy amount</u>, an error will be determined in need. The error will equal the difference between the original certified <u>service-levelsubsidy amount</u> and the requested decreased <u>service-levelsubsidy amount</u> reimbursements.</p> <p><b>MaterialImproper Payment:</b> If the contractor makes a change to the family's approved <u>service-levelsubsidy amount</u> with missing/incomplete written request, an error will be determined in need. The error will equal the difference between the original <u>certified service-levelsubsidy amount</u> and the decreased <u>certified service-levelsubsidy amount</u> reimbursement.</p> <p><b>FileAdministrative Error:</b> If the family voluntarily requested a change to decrease their <u>service-levelsubsidy amount</u> and the contractor reassessed the <u>service-levelsubsidy amount</u>, but did not issue a NOA within the required timelines, an error will be determined in need.</p>



#### 4. Eligibility

The Eligibility Section refers to the following categories:

- A. Child Protective Services (CPS)/At Risk
- B. Income Eligibility - Employed
- C. Income Eligibility – Self-Employed
- D. Income Eligibility – Self-Certification
- E. Current Aid Recipient
- F. Homeless
- G. Exceptional Needs

For a family to receive child care services, they must be deemed eligible in one (1) of the categories of eligibility. Review documentation to determine if the family is eligible for child care services.

**NOTE:** If the parent(s) is/are eligible based on multiple categories, complete the questions for each applicable category.

Question Number	A: Child Protective Services (CPS)/At-Risk	Findings
4.1	<p>Does the child have a written referral from a legal, medical, social service agency or emergency shelter, dated within six (6) months immediately preceding the date of the Application for Services? (5 CCR Section 18092)</p> <p>Does the written referral include a statement that child care and development services are a necessary component of the child protective services (CPS) plan? <b>OR</b> Needed to reduce or eliminate the risk of abuse or neglect? (5 CCR Section 18092)</p> <p>Does the written referral include the name, address, telephone number, and the signature of the legally qualified professional? (5 CCR Section 18092[d])</p>	<p><b>Material Improper Payment:</b> If the written referral is missing, not from a legal, medical, social service agency or emergency shelter or dated within six (6) months immediately preceding the date of the Application for Services, an error will be determined in eligibility. The error will equal the <del>cost of services provided for the sample months</del> <u>sample month payment</u> or the portion of the month in which there was insufficient documentation, whichever is less.</p> <p><b>File Administrative Error:</b> If the written referral is incomplete (does not include the name, address telephone number, or the signature of the legally qualified professional), a <u>n</u> <del>file administrative error-error</del> will be determined in eligibility.</p>

Question Number	B: Income Eligibility - Employment	Findings
4.2	<p>Is there a release authorizing the contractor to contact the employer(s)? <b>OR</b> A declaration signed under penalty of perjury indicating such a request for income verification would adversely affect their employment? (5 CCR Section 18084[a][1][A] and [a][2])</p>	<p><b>File Administrative Error:</b> If either the release or declaration is not present or incomplete, an error will be determined in eligibility.</p>

Question Number	B: Income Eligibility - Employment	Findings
4.3	<p>Are there payroll check stubs, a letter, from the employer or other record of wages issued by the employer for the month preceding the initial certification or recertification?</p> <p><b>OR</b></p> <p>Did the parent provide other means of verification that may include a list of clients and amounts paid, the most recently signed and completed tax returns, quarterly estimated tax statements, or other records of income to support the reported income, along <b>with</b> a self-certification of income for which no documentation is possible? (5 CCR Section 18084[a][1][B] and [a][2])</p> <p><b>NOTE:</b> If income fluctuates because of agricultural work, intermittent income, or unpredictable income, calculate income based on regulatory requirements as specified in 5 CCR Section 18096.</p>	<p><b>MaterialImproper Payment:</b> If income documentation is not present, an error will be determined in eligibility. The error will equal the <del>cost of services provided for the sample months</del> <u>sample month payment</u> or the portion of the month in which there was insufficient documentation, whichever is less.</p> <p><b>MaterialImproper Payment:</b> If the income documentation is not from the month preceding the certification or reflecting the family's current income, an error will be determined in eligibility. The error will equal the <del>cost of services provided for the sample months</del> <u>sample month payment</u> or the portion of the month in which there was insufficient documentation, whichever is less.</p>
4.4	<p>If applicable, did the contractor verify income documentation? (5 CCR Section 18084[b][2])</p> <p><b>Examples:</b> Case notes, telephone log, or notes written on income documentation</p>	<p><b>MaterialImproper Payment:</b> If the contractor did not verify income of a parent and verification was necessary an error will be determined in eligibility. The error amount will be determined as in 4.3.</p>

Question Number	C: Income Eligibility - Self-Employment	Findings
4.5	<p>Does the parent have a letter from the source of income?  <b>OR</b>            Did the parent provide the most recently signed and completed tax returns with a statement of current estimated income for tax purposes?  <b>OR</b>            Did the parent provide other business records, such as ledgers, receipts, or business logs?            (5 CCR Section 18084[a][3][A-C])</p>	<p><b>MaterialImproper Payment:</b> If the required self-employment income documentation is not present, an error will be determined in eligibility. The error will equal the <del>cost of services provided for the sample months</del> <u>sample month payment</u> or the portion of the month in which there was insufficient documentation, whichever is less.</p>
4.6	<p>Did the parent provide a combination of documentation necessary to establish current eligibility for at least the month preceding the initial certification or recertification?            (MB 17-14, 5 CCR sections 18084[a][3] and 18096)</p> <p><b>NOTE:</b> If income fluctuates because of agricultural work, intermittent income, or unpredictable income, calculate income based on regulatory requirements as specified in 5 CCR Section 18096.<sup>4</sup></p>	<p><b>MaterialImproper Payment:</b> If the income documentation is not the month preceding the certification or reflecting the family's current income, an error will be determined in eligibility. The error amount will be determined as in as in 4.5.</p>
4.7	<p>If applicable, did the contractor verify self-employment income documentation?            (5 CCR Section 18084[b][3])</p> <p>If income cannot be independently verified, did the contractor assess whether the reported income is reasonable or consistent with community practice (via contractor attestation) for the employment?            (5 CCR Section 18084[b][3])</p>	<p><b>MaterialImproper Payment:</b> If the contractor did not assess whether the income is reasonable or consistent with the community practice, an error will be determined in eligibility. The error amount will be determined as in 4.5.</p>

<sup>4</sup> **NOTE:** Definition of reliable and/or reasonable documentation is the agencies familiarity and/or knowledge of community practice.

**NOTE:**

**Self-Certification of income** means a declaration signed by the parent under penalty of perjury identifying:

To the extent known, the employer, date of hire, rate and frequency of pay, total amount of income received for the preceding month(s), the type of work performed, hours and days worked. (5 CCR, Section 18078 [s][1-2])

**Examples:**

- Employer refuses or fails to provide requested employment information
- A request for documentation would adversely affect the parent's employment
- The amount and frequency of source(s) of income for which no documentation is possible

Question Number	D: Income Eligibility - Self Certification	Findings
4.8	<p>Did the parent self-certify income under penalty of perjury?  <b>AND</b>            Did the parent provide other means of verification that may include:</p> <ul style="list-style-type: none"> <li>• A list of clients and amounts paid</li> <li>• The most recently signed and completed tax returns</li> <li>• Quarterly estimated tax statements</li> <li>• Other records of income to support the reported income?            (5 CCR, Section 18084[a][2])</li> </ul> <p>If applicable, if income cannot be independently verified, did the contractor assess whether the reported income is reasonable or consistent with community practice (via contractor attestation) for the employment?            (5 CCR Section 18084[b][2-3])</p>	<p><b>Material Improper Payment:</b> If the self-certification of income is not present in the family data file, an error will be determined in eligibility. The error will equal the <del>cost of services provided for the sample months</del> <u>sample month payment</u> or the portion of the month in which there was insufficient documentation, whichever is less.</p> <p><b>Material Improper Payment:</b> If the contractor did not assess whether the income is reasonable or consistent with the community practice, an error will be determined in eligibility. The error will equal the <del>cost of services provided for the sample months</del> <u>sample month payment</u> or the portion of the month in which there was no attestation, whichever is less.</p>

**C: Income Eligibility Current Aid Recipient**

Question Number	E: Current Aid Recipient	Findings
4.9	Did the parent provide documentation of public cash-aid assistance (e.g., GEARS, Passport to Services, CalWin, etc.)? (5 CCR Section 18085)	<del>Material</del> <b>Improper Payment:</b> If public cash-aid assistance documentation is not in the family data file, an error will be determined in eligibility. The error will equal the <del>cost of services provided for the sample months</del> <b>sample month payment</b> or the portion of the month in which there was insufficient documentation, whichever is less.

**Note:**

If the parent has been identified as homeless on the application for services, contractors should permit the enrollment of children to begin immediately upon the parent signing the application for services. The contractor can provide child care for the first 30 days while the family obtains the required documentation.

Question Number	F: Homelessness	Findings
4.10	By the end of the 30-day period, did the parent submit a written referral from a legal, medical or social service agency, local educational agency liaison for homeless children and youth, a Head Start Program, or an emergency or transitional shelter? <b>OR</b> By the end of the 30-day period, did the parent submit a written parental declaration that the family is homeless and a statement describing the family's current living situation? (5 CCR Section 18090 & MB 18-04)	<del>File</del> <b>Administrative Error:</b> If the written referral or the written parental declaration was not received within 30 days of certification and the contractor did not provide a NOA, Denial of Services, an error will be determined in eligibility.

**NOTE:** Age eligibility (**13 through 21 years of age**), the family must be otherwise eligible and the child must have an active Individualized Education Program (IEP) and a letter from a legally qualified professional stating the child requires the special attention of adults in a child care setting.

Question Number	G: Exceptional Needs	Findings
4.11	<p>Is the child between the ages of <b>13 through 21 years of age</b>? (5 CCR Section 18089, EC 56026)</p> <p>Exception: Refer to EC 56026 for any individual who turns 22 years of age during the months of January to June of the current fiscal year</p>	<p><b>MaterialImproper Payment:</b> If the child is not between the <b>ages of 13 through 21 (22 years of age and meets the exception requirements)</b>, an error will be determined in reimbursement. The error will equal the <del>cost of services provided for the sample months</del><b>sample month payment</b> or the portion of the month in which the child was not age eligible, whichever is less.</p>
4.12	<p>Is there evidence the child has an active IEP and a statement signed by a legally qualified professional stating the child requires the special attention of adults in a child care setting? (5 CCR Section 18089[b][1])</p> <p>Does the statement include the name, address, license number, telephone number, and signature of the legally qualified professional? (5 CCR Section 18089[b][2])</p>	<p><b>MaterialImproper Payment:</b> If there is no evidence of an active IEP, an error will be determined in need.</p> <p><b>MaterialImproper Payment:</b> If a statement from a legally qualified professional is missing, an error will be determined in need.</p> <p><b>MaterialImproper Payment:</b> If the statement from a legally qualified professional does not specify that the child requires the special attention of adults in a child care setting, an error will be determined in need.</p> <p><b>FileAdministrative Error:</b> If the statement from a legally qualified professional does not include the name, address, license number, telephone number, or signature, an error will be determined in need.</p> <p><b>The above <del>materialImproper Payment errors</del> will equal the <del>cost of services provided for the sample months</del><b>sample month payment</b> or the portion of the month in which there was insufficient documentation, whichever is less.</b></p>

## 5. Family Size

**NOTE:** An error in family size may also result in an error in eligibility and/or family fee.

Question Number	Family Size	Findings
5.1	Is there documentation for all the children reported in the family size that indicates the relationship of the child to the parent (e.g., birth certificates, court orders, etc.)? (5 CCR Section 18100[a][1])	<b>MaterialImproper Payment:</b> If the supporting documentation for all children is not present in the family data file, an error will be determined in eligibility. The error will equal the <del>cost of services provided for the sample months</del> <u>sample month payment</u> or the portion of the month in which there was insufficient documentation, whichever is less.
5.2	If applicable, if a child and his or her sibling(s) are living in a family that does not include their biological or adoptive parent, were <b>only</b> the child and related siblings counted to determine family size? (5 CCR Section 18100 [c])	<b>MaterialImproper Payment:</b> If the family size was documented inaccurately, an error will be determined in eligibility or family fees. The error will equal the <del>cost of services provided for the sample months</del> <u>sample month payment</u> or the portion of the month in which the family was ineligible for services, whichever is less. <b>OR</b> The difference in the family fee assessed and the correctly determined family fee. <b>FileAdministrative Error:</b> If the family size was documented inaccurately on the application for services, but does not affect the eligibility or family fee, an error will be determined in eligibility.
5.3	If applicable, did the parent who signed the application for services appropriately self-certify their single parent status under penalty of perjury: <ul style="list-style-type: none"> <li>• Check the box in Section I</li> <li>• Initial Section V.1</li> <li>• Sign under penalty of perjury?</li> </ul> (MB 16-14)	<b>MaterialImproper Payment:</b> If the parent did not complete a self-certification of single parent status under penalty of perjury, an error will be determined in eligibility. The error amount will be determined as in 5.1. <b>FileAdministrative Error:</b> If the parent only completed one of the following: check the box in Section 1 or initial Section 5 of the application for services, but did sign under penalty of perjury to self-certify single parent status, an error will be determined in eligibility.



Question Number	Family Size	Findings
5.4	Is the family size documented correctly on the application for services? (5 CCR Section 18100)	<p><b>Material/Improper Payment:</b> If the family size was documented inaccurately on the application for services resulting in an ineligible family being certified for care, an error will be determined in eligibility. The error amount will be determined as in 5.1.</p> <p><b>File/Administrative Error:</b> If the family size was documented inaccurately on the application for services, but does not affect the eligibility or family fee, an error will be determined in eligibility.</p>

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## 6. Income Calculation

The family data file shall include sufficient and current documentation to determine the total countable income for the family. The reviewer shall ensure the family's income was calculated correctly and if family's eligibility is based on income, the family's income is equal to or less than 70 percent SMI at initial certification. Once determined and certified as income eligible for services, families remain income eligible until their adjusted monthly income exceeds 85 percent SMI, adjusted for family size.

The contractor shall calculate total countable income based on income information reflecting the family's current and on-going income.

**NOTE:** Fluctuating Income:

- (1) **Migrant, agricultural, or seasonal work:** This covers workers whose annual employment has periods of highs and low to no activity (average monthly income from the preceding 12 months prior to the period that establishes eligibility for services).
- (2) **Intermittent earnings or income:** This covers income that is infrequent or single occurrences over a period of certification (average the intermittent income from the preceding 12 months by dividing by 12 and add this to the other countable income).
- (3) **Unpredictable income:** This covers parents whose income is difficult to calculate because it has no recognizable pattern (average the income from at least three (3) consecutive months and no more than 12 months preceding the period that establishes eligibility for services).

If a family is voluntarily requesting a change in income refer to Section 3 of this Review Guide.

Question Number	Income Calculation	Findings
6.1	Is there an income calculation worksheet present? (5 CCR Section 18096[a])	<b>FileAdministrative Error:</b> If the income calculation worksheet is missing or incomplete, but the income is calculated correctly, an error will be determined in eligibility.
6.2	Was the income calculated and documented correctly to include all individuals counted in the family size? (5 CCR sections 18096 and 18078[u])	<b>MaterialImproper Payment:</b> If the monthly income is miscalculated and the family is determined to be over-income, an error will be determined in eligibility. The error will equal the <del>cost of services provided for the sample months</del> <b>sample month payment</b> or the portion of the month in which the family was over-income, whichever is less.  <b>FileAdministrative Error:</b> If the monthly income is miscalculated, but it does not affect the family's eligibility or family fee, an error will be determined in eligibility.
6.3	If applicable, did the family notify the contractor within 30 calendar days of any change in ongoing income that caused the family's adjusted monthly income to exceed 85% SMI? <b>AND</b> Upon notification did the contractor obtain income documentation, calculate the family's adjusted monthly income and if the monthly income exceeded the 85% SMI determine if the family is eligible for services based upon other eligibility criteria or issue a NOA dis-enrolling the family? (MB 17-14 and 5 CCR Section 18084.3)	<b>MaterialImproper Payment:</b> Upon notification, If the contractor did not obtain income documentation, recalculate, and issue a NOA dis-enrolling the family, an error will be determined in eligibility. The error will equal the <del>cost of services provided for the sample months</del> <b>sample month payment</b> or the portion of month in which the family ineligible for services, whichever is less.

## 7. Need for Services

The Need for Services Section refers to the following categories:

- A. Employment
- B. Self-Employment
- C. Seeking Employment
- D. Vocational Training
- E. Parent Incapacitation
- F. Homeless
- G. Seeking Permanent Housing
- H. Child Protective Services (CPS)
- I. At-Risk

**At initial certification or recertification the contractor shall certify services for not less than twelve (12) months.**

**NOTE:** At any time between the initial certification or recertification period a parent may voluntarily request an increase to their certified child care schedule based on provided documentation.

For a family to receive child care services, they must have a qualifying need in at least one (1) of the Need for Services categories.

**NOTE: Unpredictable days and hours of employment (variable schedule)**

Authorize care based on regulatory requirements specified in 5 CCR Section 18086 (b)(2)9D)

The certified hours of care indicated on the NOA must include and correspond to the hours and days established by the supporting need documentation in the family data file.

Question Number	A: Employment	Findings
7.1	Does the documentation of need indicate the days and hours of employment (e.g., payroll check stubs, employer verification, contact with employer, etc.)? (5 CCR Section 18086[a-b][1][2][A-D])	<b>MaterialImproper Payment:</b> If the required documentation of need is not present in the family data file, an error will be determined in need. The error will equal the <del>cost of services provided for the sample months</del> <u>sample month payment</u> or the portion of the month in which there was insufficient documentation, whichever is less.
7.2	If the employer refuses or is non-responsive in providing the requested information are there recorded attempts to contact the employer? <b>AND</b> Did the contractor specify and attest on the application for services to the reasonableness of the days and hours of employment based on the description of the employment and community practice? (5 CCR Section 18086[b][2][E])	<b>MaterialImproper Payment:</b> If the contractor did not record attempts to contact the employer and/or did not specify and attest on the application for services to the reasonableness of the days and hours of employment based on the description of the employment and community practice an error will be determined in need. The error will be determined as in 7.1.
7.3	If applicable, is there a declaration signed under penalty of perjury indicating a request for employment documentation would adversely affect their employment? <b>AND</b> Did the contractor attest to the reasonableness of the parent's assertion and the days and hours of employment based on the description of the employment and community practice? (5 CCR Section 18086[b][2][F][i][ii])	<b>MaterialImproper Payment:</b> If the contractor did not specify and attest on the application for services to the reasonableness of the days and hours of employment based on the description of the employment and community practice per the signed declaration, an error will be determined in need. The error will be determined as in 7.1.

Question Number	A: Employment	Findings
7.4	<p>If applicable, is the parent's employment in the family's home or on property that includes the family's home? (5 CCR Section 18086.1[b])</p> <p>Did the parent provide justification for requesting subsidized child care and development services based on:</p> <ul style="list-style-type: none"> <li>• Type of work being done and its requirements,</li> <li>• Age of the family's child for whom services are sought,</li> <li>• The specific child care needs (only if the child is more than five years old)?</li> </ul> <p>(5 CCR Section 18086.1[b])</p> <p>Did the contractor determine and document whether the parent's employment and the identified child care needs preclude the supervision of the family's child (5 CCR Section 18086.1[b])</p>	<p><b>MaterialImproper Payment:</b> If the required justification is missing or incomplete, an error will be determined in need. The error will equal the <del>cost of services provided for the sample month</del> <u>sample month payment</u> or the portion of the month in which the justification was missing or incomplete, whichever is less.</p> <p><b>MaterialImproper Payment:</b> If the contractor did not determine and document whether the parent's employment and the identified child care needs preclude the supervision of the family's child, an error will be determined in need. The error will be determined as in 7.1.</p>
7.5	<p>If applicable, is the parent a licensed family day care home provider? (5 CCR Section 18086.1[c])</p> <p>Did the parent request child care and development services during their business hours? (5 CCR Section 18086.1[c])</p>	<p><b>MaterialImproper Payment:</b> If the parent is a licensed family day care home provider and requested services during their business hours, an error will be determined in need. The error will equal the <del>cost of services provided for the sample month</del> <u>sample month payment</u> or the portion of the month in which the parent received services during their business hours, whichever is less.</p>

Question Number	A: Employment	Findings
7.6	<p>If applicable, is the parent employed as an assistant in a licensed large family day care home? (5 CCR Section 18086.1[d])</p> <p>Did the parent provide documentation per 5 CCR:</p> <ul style="list-style-type: none"> <li>• Copy of facility license</li> <li>• Signed statement from the licensee stating that the parent is the assistant, pursuant to the staffing ratio requirements of 22 CCR</li> <li>• Proof that the parent's fingerprints are associated with that licensed family day care home as an assistant</li> <li>• Payroll deduction withheld for the assistant by the licensee? (5 CCR Section 18086.1[d][1-4])</li> </ul>	<p><b>MaterialImproper Payment:</b> If the required documentation is missing or incomplete, an error will be determined in need. The error will equal the <del>cost of services provided for the sample month</del> <u>sample month payment</u> or the portion of the month in which the need documentation was missing or incomplete, whichever is less.</p>
7.7	<p>If applicable, were additional hours requested and given for travel and/or sleep time to support employment? (5 CCR Section 18086[e][1-2])</p> <p><b>NOTE:</b> Travel – not to exceed half of the daily hours authorized for employment to a maximum of four hours per day. Sleep – If parent employed between 10:00 p.m. and 6:00 a.m., not to exceed the number of hours authorized for employment and travel between those hours</p>	<p><b>MaterialImproper Payment:</b> If travel and/or sleep hours were requested and the contractor did not authorize or authorized incorrectly, an error will be determined in need. The error amount will equal the difference between the reimbursement made and what should have been authorized.</p> <p><b>FileAdministrative Error:</b> If travel and/or sleep hours were requested and the contractor did not authorize or authorized incorrectly, but it did not result in a higher reimbursement, an error will be determined in need.</p>
7.8	<p>Do the days and hours of child care and development services approved and documented by the contractor meet the family's need for child care? (5 CCR sections 18074.1[a], 18086[a][b], 18086[e][1-2])</p>	<p><b>MaterialImproper Payment:</b> If the certified hours of care do not meet the family's need for child care, an error will be determined in need. The error will equal the difference between what the documentation supports and what was certified.</p> <p><b>FileAdministrative Error:</b> If the inaccurately certified hours of care do not affect reimbursement, an error will be determined in need.</p>

Question Number	B: Self-Employment	Findings
7.9	<p>Does the parent have a declaration that includes:</p> <ul style="list-style-type: none"> <li>• Description of the employment</li> <li>• Estimate of the days and hours worked per week?</li> </ul> <p>(5 CCR Section 18086[c][1][A])</p> <p>Does the parent's documentation indicate the days and hours worked (e.g., appointment logs, client receipts, job logs, or other similar records)?</p> <p>(5 CCR, Section 18086[c][1][B])</p> <p>If applicable, does the parent have a business license, a workspace lease, or workspace rental agreement?</p> <p>(5 CCR Section 18086[c][1][C])</p>	<p><b>MaterialImproper Payment:</b> If the required self-employment documentation is not present in the family data file, an error will be determined in need.</p> <p><b>MaterialImproper Payment:</b> If the documentation does not indicate the days and hours worked, an error will be determined in need.</p> <p><b>The above <del>materialImproper Payment errors</del> will equal the <del>cost of services provided for the sample month</del> <u>sample month payment</u> or the portion of the month in which there was insufficient documentation, whichever is less.</b></p>
7.10	<p>If applicable, did the contractor assess the certified hours of care by dividing the parent's self-employment income by the applicable minimum wage?</p> <p>(5 CCR Section 18086[c][3])</p> <p><b>NOTE:</b> The resulting quotient shall be the maximum hours needed for employment per month.</p>	<p><b>MaterialImproper Payment:</b> If the contractor did not assess the certified hours of care by dividing the parent's self-employment income by the applicable minimum wage, an error will be determined in need. The error amount will be determined as in 7.9.</p>
7.11	<p>If applicable, were additional hours requested and given for travel and/or sleep time to support self-employment</p> <p>(5 CCR Section 18086[e][1-2])?</p> <p><b>NOTE:</b> Travel – not to exceed half of the daily hours authorized for employment to a maximum of four hours per day.</p> <p>Sleep – If parent is employed between 10:00 p.m. and 6:00 a.m., not to exceed the number of hours authorized for employment and travel between those hours</p>	<p><b>MaterialImproper Payment:</b> If travel and/or sleep hours were authorized incorrectly, an error will be determined in need. The error amount will equal the difference between the reimbursement made and what should have been authorized.</p> <p><b>FileAdministrative Error:</b> If travel and/or sleep hours were requested and authorized incorrectly, but it did not affect reimbursement, an error will be determined in need.</p>



Question Number	B: Self-Employment	Findings
7.12	Do the days and hours of child care and development services approved and documented by the contractor meet the family's need for child care? (5 CCR sections 18074.1[a], 18086[c], 18086[e][1-2])	<p><b>MaterialImproper Payment:</b> If the certified hours of care do not meet the family's need for child care, an error will be determined in need. The error will equal the difference between what the documentation supports and what was certified.</p> <p><b>FileAdministrative Error:</b> If the inaccurately certified hours of care do not affect reimbursement, an error will be determined in need.</p>

Question Number	C: Seeking Employment	Findings
7.13	<p>Is there a written parental declaration of seeking employment signed under penalty of perjury? (5 CCR Section 18086.5[b])</p> <p>Does the declaration include the parent's plan to secure, change, or increase employment? (5 CCR Section 18086.5[b])</p> <p>Does the declaration identify a general description of when the services will be necessary? (5 CCR Section 18086.5[b])</p>	<p><b>MaterialImproper Payment:</b> If the required seeking employment documentation is incomplete or not present in the family data file, an error will be determined in need. The error will equal <del>cost of services provided for the sample month</del> <u>sample month payment</u> or the portion of the month in which there was insufficient documentation, whichever is less.</p>
7.14	Did the contractor determine services for no more than 5 days per week and for less than 30 hours per week? (5 CCR Section 18086.5[a])	<p><b>MaterialImproper Payment:</b> If the certified days and/or hours exceed the limitations, an error will be determined in need. The error will equal the <del>cost of services provided for the sample month</del> <u>sample month payment</u> or the portion of the month in which the parent exceeded the seeking employment limitations, whichever is less.</p>

Question Number	C: Seeking Employment	Findings
7.15	Do the days and hours of child care and development services approved and documented by the contractor meet the family's need for child care? (5 CCR sections 18074.1[a], 18086.5)	<p><b>Material Improper Payment:</b> If the certified hours of care do not meet the family's need for child care, an error will be determined in need. The error will equal the difference between what the documentation supports and what was certified.</p> <p><b>File Administrative Error:</b> If the inaccurately certified hours of care do not affect reimbursement, an error will be determined in need.</p>

**NOTE:** Per EC 66060, For the following the service limitations specified in 5 CCR, Section 18087 (b)(1-2) shall not apply to a parent who demonstrates he or she is:

- As of June 27, 2008, receiving services for vocational training and has attained a Bachelor's Degree;
- Receiving services from a program operating pursuant to EC 66060 (Campus child care and development programs);
- Attending vocational training when the parent has been deemed eligible for rehabilitation services by the California Department of Rehabilitation; or
- Attending retraining services available through the Employment Development Department of the State or its contractors due to a business closure or mass layoff. If parent voluntarily requests in writing to increase or decrease their service hours refer to Section 3.

If the parent voluntarily requests in writing to increase or decrease their service hours, refer to Section 3.

Question Number	D: Vocational Training	Findings
7.16	Is the parent eligible for vocational training based on time limitations? (1) Six years from the initiation of services; <b>OR</b> (2) Twenty- four semester units or its equivalent after the attainment of a Bachelor's Degree? (5 CCR Section 18087[b][1-2])	<p><b>Material Improper Payment:</b> If the contractor certified services that exceed a vocational training limitation, an error will be determined in need. The error will equal the <del>cost of services provided for the sample months</del> <u>sample month payment</u> or the portion of the month in which the family was ineligible, whichever is less.</p>

Question Number	D: Vocational Training	Findings
7.17	<p>Is there a written statement of the parent's vocational goal? (5 CCR Section 18087[c][1])?</p> <p>Does the vocational training, General Education Development (GED) or English language acquisition documentation include the name of the training institution the parent is currently enrolled? (5 CCR Section 18087[c][2][e])</p> <p>Does the documentation include the dates of the current quarter, semester, or training period, as applicable, will begin and end? (5 CCR Section 18087[c][3][e])</p> <p>Does the documentation include a current class schedule that is either an electronic print-out, <b>OR</b> A document that includes; the classes in which the parent is currently enrolled, the days of the week and times of day of the classes and the signature or stamp of the training institution's registrar? <b>OR</b> For on-line or televised instructional classes that are unit bearing from an accredited training institution shall provide a copy of the syllabus, or other class documentation, and as applicable, the Web address of the on-line program?  (5 CCR Section 18087[c][4][A-C][e][f])</p> <p>Does the documentation include the anticipated completion date of their vocational training? (5 CCR Section 18087[c][5])</p>	<p><b>MaterialImproper Payment:</b> If the vocational training, GED or English language acquisition documentation is missing, an error will be determined in need. The error will equal the <del>cost of services provided for the sample months</del> <u>sample month payment</u> or the portion of the month in which there was missing documentation, whichever is less.</p> <p><b>FileAdministrative Error:</b> If the parents' written statement of their vocational goal is missing, an error will be determined in need.</p> <p><b>FileAdministrative Error:</b> If the vocational training, GED or English language acquisition documentation is incomplete, but there is sufficient documentation in the family data file to verify training, an error will be determined in need.</p>

Question Number	D: Vocational Training	Findings
7.18	<p>If applicable, at the <b>first</b> recertification did the parent provide documentation from the most recently completed quarter, semester, or training period that indicates the parent is making adequate progress toward the attainment of their vocational goal (e.g., report card or transcript)? (5 CCR Section 18087[g] and MB 17-14)</p>	<p><b>MaterialImproper Payment:</b> If the parent has not submitted documentation from the most recently completed quarter, semester, or training period, and is still receiving services under vocational training, an error will be determined in need. The error amount will be determined as in 7.16.</p>
7.19	<p>If applicable, at the <b>second</b> recertification did the parent provide documentation from the most recently completed quarter, semester, or training period that indicates the parent is making adequate progress toward the attainment of their vocational goal (e.g., report card or transcript)? (5 CCR Section 18087[g] and MB 17-14)</p> <p>If applicable, did the contractor dis-enroll the family for not meeting the adequate progress requirements? (5 CCR Section 18087[g] and MB 17-14)</p>	<p><b>MaterialImproper Payment:</b> If the parent has not submitted documentation from the most recently completed quarter, semester, or training period, and is still receiving services under vocational training, an error will be determined in need. The error amount will be determined as in 7.16.</p> <p><b>MaterialImproper Payment:</b> If the contractor did not dis-enroll the family for not making adequate progress, an error will be determined in need. The error amount will be determined as in 7.16.</p>

Question Number	D: Vocational Training	Findings
7.20	<p>If applicable, were additional hours given for travel and/or study time to support vocational training? (5 CCR Section 18087[k][1-2])</p> <p><b>NOTE:</b> Travel - not to exceed half of the weekly hours authorized for training to a maximum of four hours per day; <b>and/or</b>  Study - including study time for on-line and televised instructional classes, according to the following:  (A) Two hours per week per academic unit;  (B) On a case-by-case basis and as may be confirmed with the class instructor, additional time not to exceed one hour per week per academic unit in which the parent is enrolled;  <b>AND</b>  (C) On a case-by-case basis, no more than the number of class hours per week for non-academic or non-unit bearing training.</p>	<p><b>MaterialImproper Payment:</b> If travel and/or study hours were authorized incorrectly, an error will be determined in need. The error amount will equal the difference between the reimbursement made and what should have been authorized.</p> <p><b>FileAdministrative Error:</b> If travel and/or study hours were requested and authorized incorrectly, but <b>did not</b> affect reimbursement, an error will be determined in need.</p>
7.21	<p>Do the days and hours of child care and development services approved and documented by the contractor meet the family's need for child care? (5 CCR sections 18074.1[a] and 18087[j][k][1][2][A-C])</p>	<p><b>MaterialImproper Payment:</b> If the certified hours of care do not meet the family's need for child care, an error will be determined in need. The error will equal the difference between what the documentation supports and what was certified.</p> <p><b>FileAdministrative Error:</b> If the inaccurate certified hours of care <b>did not</b> affect reimbursement, an error will be determined in need.</p>

Question Number	E: Parental Incapacitation	Findings
7.22	<p>Did the parent provide a release authorizing a legally qualified health professional to disclose information necessary to establish that the parent meets the definition of incapacity and needs services? (5 CCR Section 18088[b])?</p> <p><b>NOTE:</b> "Parental Incapacity" means the temporary or permanent inability of the child's parent(s) to provide care and supervision of the child(ren) for part of the day due to a physical or mental health condition. (5 CCR Section 18078[o]).</p>	<p><b>FileAdministrative Error:</b> If the contractor does not have a release authorizing a legally qualified health professional to disclose information, an error will be determined in need.</p>
7.23	<p>Is there documentation provided by a legally qualified health professional? (5 CCR, Section 18088[c])</p> <p>Is there a statement that the parent is incapacitated, that the parent is incapable of providing care and supervision for the child for part of the day, and, if the parent is physically incapacitated, identifies the extent to which the parent is incapable of providing care and supervision? (5 CCR sections 18078[o] and 18088[c][1])</p> <p>Does the statement include the days and hours per week of recommended services? (5 CCR Section 18088[c][2])</p> <p>Does the statement include the name, business address, telephone number, professional license number, signature of the legally qualified health professional and if applicable the name of the health organization the health professional is associated? (5 CCR Section 18088[c][3])</p>	<p><b>MaterialImproper Payment:</b> If the documentation signed by the legally qualified health professional is missing, an error will be determined in need. The error will equal the <del>cost of services provided for the sample months</del> <u>sample month payment</u> or the portion of the month in which there was insufficient documentation, whichever is less.</p> <p><b>FileAdministrative Error:</b> If the incapacity documentation is incomplete, but there is sufficient documentation in the family data file to verify incapacity, an error will be determined in need.</p>

Question Number	E: Parental Incapacitation	Findings
7.24	Did the contractor determine the days and hours of service based on the information provided by the legally qualified health professional, not to exceed 50 hours per week? (5 CCR Section 18088[a] and [e])	<p><b>MaterialImproper Payment:</b> If the certified need for care exceeds the total hours of care requested by the health professional, an error will be determined in need. The error will equal the cost of services provided which exceeded the total hours of care requested by the health professional for the sample month or the portion of the month in which the documentation of need did not correspond to the certified hours of care, whichever is less.</p> <p><b>MaterialImproper Payment:</b> If the certified need for care exceeds 50 hours per week, an error will be determined in need. The error will equal the cost of services provided which exceeded 50 hours per week for the sample month.</p>
7.25	Do the days and hours of child care and development services approved and documented by the contractor meet the family's need for child care? (5 CCR sections 18074.1[a] and 18088)	<p><b>MaterialImproper Payment:</b> If the certified hours of care do not meet the family's need for child care, an error will be determined in need. The error will equal the difference between what the documentation supports and what was certified.</p> <p><b>FileAdministrative Error:</b> If the inaccurate certified hours of care <b>did not</b> affect reimbursement, an error will be determined in need.</p>

Question Number	F: Homeless	Findings
7.26	<p>Does the family need the childcare services because the child is identified by legal, medical, social service agency, a local educational agency liaison for homeless children and youths, a Head Start program, or an emergency or transitional shelter as homeless?  <b>OR</b>            Did the parent provide a written parental declaration of homelessness supported by documentation of at least one of the types of need requirements which include:</p> <ul style="list-style-type: none"> <li>• seeking permanent housing for family stability</li> <li>• seeking employment</li> <li>• engaging in vocational training employment</li> <li>• an educational program for English Language Learners</li> <li>• to attain a high school diploma or general educational development certificate?</li> </ul> <p>(EC 8263[a][1][B] and MB 18-04)</p>	<p><b>MaterialImproper Payment:</b> If the referral was not completed by a legal, medical, social service agency, a local educational agency liaison for homeless children and youths, a Head Start program, or an emergency or transitional shelter, and the contractor continued to provide services, an error will be determined in need. The error will equal the <del>cost of services provided for the sample month</del> <u>sample month payment</u> or the portion of the month in which there was insufficient documentation, whichever is less.</p> <p><b>MaterialImproper Payment:</b> If the written parental declaration of homelessness is not supported by documentation of at least one of the types of need, an error will be determined in need. The error will equal the <del>cost of services provided for the sample month</del> <u>sample month payment</u> or the portion of the month in which there was insufficient documentation, whichever is less.</p>
7.27	<p>Do the days and hours of child care and development services approved and documented by the contractor meet the family's need for child care?            (EC 8263[a][1][B])</p>	<p><b>MaterialImproper Payment:</b> If the certified hours of care do not meet the family's need for child care, an error will be determined in need. The error will equal the difference between what the documentation supports and what was certified.</p> <p><b>FileAdministrative Error:</b> If the inaccurate certified hours of care <b>did not</b> affect reimbursement, an error will be determined in need.</p>

**Note:** If the parent has been identified as homeless on the application for services, contractors should permit the enrollment of children to begin immediately upon the parent signing the application for services. The contractor can provide child care for the first 30 days while the family obtains the required documentation.



Question Number	G: Seeking Permanent Housing	Findings
7.28	<p>Is there a written parental declaration signed under penalty of perjury that the family is seeking permanent housing? (5 CCR Section 18091[b] and MB 17-14)</p> <p>Does the written declaration include the parent's search plan to secure a fixed, regular, and adequate residence? (5 CCR Section 18091[b] and MB 17-14)</p> <p>Does the written declaration identify a general description of when services will be necessary? (5 CCR Section 18091[b] and MB 17-14)</p>	<p><b>MaterialImproper Payment:</b> If the written seeking permanent housing parental declaration is missing, an error will be determined in need. The error will equal the <del>cost of services provided for the sample month</del> <u>sample month payment</u> or the portion of the month in which there was insufficient documentation, whichever is less.</p> <p><b>FileAdministrative Error:</b> If the written seeking permanent housing parental declaration is incomplete, but there is sufficient documentation in the family data file to verify that the parent is seeking permanent housing, an error will be determined in need.</p>
7.29	<p>Are services for no more than five days per week and less than 30 hours per week? (5 CCR Section 18091[a] and MB 17-14)</p>	<p><b>MaterialImproper Payment:</b> If the certified days and/or hours exceed the limitations, an error will be determined in need. The error will equal the <del>cost of services provided for the sample month</del> <u>sample month payment</u> or the portion of the month in which the parent exceeded the regulatory limitations, whichever is less.</p>
7.30	<p>Do the days and hours of child care and development services approved and documented by the contractor meet the family's need for child care? (5 CCR sections 18074.1[a] and 18091)</p>	<p><b>MaterialImproper Payment:</b> If the certified hours of care do not meet the family's need for child care, an error will be determined in need. The error will equal the difference between what the documentation supports and what was certified.</p> <p><b>FileAdministrative Error:</b> If the inaccurate certified hours of care <b>did not</b> affect reimbursement, an error will be determined in need.</p>

Question Number	H: Child Protective Services	Findings
7.31	<p>Is there a statement from the local county welfare department, child protective services unit certifying that the child is receiving child protective services and that child care and development services are a necessary component of the child protective services plan? (5 CCR Section 18092[a] and MB 17-14)</p>	<p><b>MaterialImproper Payment:</b> If the statement from the local county welfare department is missing, an error will be determined in need. The error will equal the <del>cost of services provided for the sample month</del> <u>sample month payment</u> or the portion of the month in which there was insufficient documentation, whichever is less.</p> <p><b>FileAdministrative Error:</b> If the statement from the local county welfare department is incomplete, but there is sufficient documentation in the family data file to verify that the child is receiving child protective services, an error will be determined in need.</p>
7.32	<p>Do the days and hours of child care and development services approved and documented by the contractor meet the family's need for child care? (5 CCR Section 18092 and MB 17-14)</p>	<p><b>MaterialImproper Payment:</b> If the certified hours of care do not meet the family's need for child care, an error will be determined in need. The error will equal the difference between what the documentation supports and what was certified.</p> <p><b>FileAdministrative Error:</b> If the inaccurate certified hours of care <b>did not</b> affect reimbursement, an error will be determined in need.</p>

Question Number	I: At Risk	Findings
7.33	Is there a statement by the legally qualified professional that the child is at risk of abuse or neglect and child care and development services are needed to reduce or eliminate that risk? (5 CCR Section 18092[b] and MB 17-14)	<p><b>MaterialImproper Payment:</b> If the statement by the legally qualified professional is missing, an error will be determined in need. The error will equal the <del>cost of services provided for the sample months</del> <u>sample month payment</u> or the portion of the month in which there was insufficient documentation, whichever is less.</p> <p><b>FileAdministrative Error:</b> If the statement by the legally qualified professional is incomplete, but there is sufficient documentation in the family data file to verify that the child is at risk of abuse or neglect, an error will be determined in need.</p>
7.34	Do the days and hours of child care and development services approved and documented by the contractor meet the family's need for child care? (5 CCR Section 18092 and MB 17-14)	<p><b>MaterialImproper Payment:</b> If the certified hours of care do not meet the family's need for child care, an error will be determined in need. The error will equal the difference between what the documentation supports and what was certified.</p> <p><b>FileAdministrative Error:</b> If the inaccurate certified hours of care <b>did not</b> affect reimbursement, an error will be determined in need.</p>

## 8. Family Fee

Total countable income, family size and certified need are the three factors which determine if a family fee is to be assessed. Fees are not adjusted for excused and unexcused absences.

In determining whether a part-time or full-time monthly fee should be assessed, if the total certified hours are less than 130 hours, the part-time fees apply or if the total hours are 130 hours or more, the full time fees apply. If determining the family fee based on a weekly certified need, multiply the number of certified hours by 4.33 (52 weeks/12 months) and then assess according to the above.

### **Unpredictable schedule calculation:**

When assessing family fees for families whose parents' employment is **unpredictable** use the average hours of the parent's verified work schedule for the 4 months immediately preceding the certification.

If at the time of initial certification the parent does not have a work history assess a flat monthly fee based on:

- (1) the verified hours the employer expects the parent to work
- or**
- (2) the self-employment documentation provided by the parent

The fees are not assessed for the following:

- Families receiving (CalWORKs) cash aid
- Children enrolled in part-day CSPP
- Children enrolled in severely handicapped program (CHAN)
- At Risk/CPS if a waiver exists, not to exceed 12 months

**NOTE:** If the parent voluntarily requests in writing to reduce their family fee refer to Section 3, question 3.1.

Question Number	Family Fee	Findings
8.1	Was the family fee assessed correctly based on income, family size, and certified hours of care? (5 CCR Section 18109[a][1-3] and MB 17-11)	<p><b>MaterialImproper Payment:</b> If the income, family size, and/or certified hours of care are determined incorrectly and affect the assessment of the family fee, an error will be determined in family fee. The error will equal the difference in the family fee assessed and the correctly determined family fee.</p> <p><b>MaterialImproper Payment:</b> If the family fee was assessed incorrectly (part-time vs full-time monthly), an error will be determined in family fee. The error will equal the difference in the family fee assessed and the correctly determined family fee.</p>
8.2	Was the family fee collected? (5 CCR Section 18109[a][3-4])	<b>MaterialImproper Payment:</b> If family fees were not collected, an error will be determined in family fee. The error amount will be determined as in 8.1.
8.3	<p>If applicable, did the contractor retain a copy of the family fee receipt? (5 CCR Section 18113[b])</p> <p>Does the receipt include the amount paid; the date of payment, rate of payment, and the period of service? (5 CCR Section 18113[a])</p>	<b>FileAdministrative Error:</b> If the family fee receipt is missing or incomplete, but the family fee was assessed correctly, an error will be determined in family fee.
8.4	<p>If applicable, did the contractor grant a fee credit to the amount paid to another provider(s) for child care and development services?</p> <p><b>AND</b></p> <p>Did the contractor have copies of the receipts or cancelled checks for the other child care and development services? (5 CCR Section 18112[b-c])</p>	<b>MaterialImproper Payment:</b> If a fee credit was granted, but there is no supporting documentation of an amount paid to another provider, an error will be determined in family fee. The error will equal the amount of the fee credit.

Question Number	Family Fee	Findings
8.5	<p>Did the contractor adopt policies regarding fee assessment, collection of family fees in advance of providing services and the possible consequences for delinquent payment of family fees? (5 CCR sections 18109[c], 18114, 18115, and 18116)</p> <p>If applicable, did the contractor accept a reasonable plan from the parent(s) for payment of delinquent family fees? (5 CCR Section 18115)</p>	<p><b>Compliance:</b> If the contractor did not adopt policies regarding fee assessment, collection of family fees in advance of providing services and the possible consequences for delinquent payment of family fees, a compliance finding will be determined.</p> <p><b>Material Improper Payment:</b> If a payment plan was established and the contractor did not terminate services for nonpayment of delinquent fees, an error will be determined in family fee. The error will equal the <del>cost of services provided for the sample month</del> <u>sample month payment</u>. (Documentation of the error will be as follows: The family fee amount assessed for the review month will be documented as a family fee error and the remainder of the cost of services for the sample month will be documented as an eligibility error).</p> <p><b>File Administrative Error:</b> If the policy does not align with regulatory requirements, an error will be determined in family fee.</p>

### 9. Notice of Action

Question Number	Notice of Action	Findings
9.1	<p>Did the contractor mail or deliver a completed NOA to the parents within thirty (30) calendar days from the date the parent signed the application for services for approval or denial of child care and development services? (5 CCR Section 18118)</p> <p><b>NOTE:</b> Refer to Section 3 regarding the NOA timelines when a parent voluntarily reports changes.</p>	<p><b>Compliance:</b> If the contractor did not mail or deliver a NOA within thirty (30) calendar days from the date the application for services was signed by the parent, an error will be determined.</p>
9.2	<p>Is the NOA complete and accurate? (5 CCR sections 18094, 18095, and 18118)</p>	<p><b>FileAdministrative Error:</b> If the NOA is not complete and accurate, an error will be determined.</p>
9.3	<p>Did the contractor notify parents of due process requirements? (5 CCR Section 18120)</p>	<p><b>Compliance:</b> If the contractor did not notify the parent of due process requirements, an error will be determined.</p>

## 10. Attendance

The attendance record is the primary source document for audit and reimbursement purposes.

**NOTE:** The use of a digital signature for all child care contractors (MB 17-04)

- Must be created by an acceptable technology
- Is unique to the person using it
- Is capable of verification
- Is under the sole control of the person using it
- Is linked to the data in such a manner that if the data is changed, the digital signature is invalidated

**NOTE:** When the attendance forms show that care is different from what has been certified/approved. Refer to 12 Month Eligibility - Frequently asked Questions #12.

Question Number	Attendance	Findings
10.1	Is there a daily sign-in/sign-out sheet for the sample month? (5 CCR Section 18065[a])	<b>Material Improper Payment:</b> If there is no daily sign-in/sign-out sheet for the sample month, an error will be determined in attendance. The error will equal the <del>cost of services provided for the sample month</del> <u>sample month payment</u> or the portion of the month in which there was no sign in/out sheet.



Question Number	Attendance	Findings
<p><b>10.2</b></p>	<p>Has the parent or other adult authorized by the parent entered the time of arrival and departure of the child on the sign-in/sign-out sheet?  <b>AND</b>  Did the parent sign using their full signature?  (5 CCR Section 18065[b][1-2])</p> <p>For a school-age child, has the contractor's authorized representative noted the time of departure and return from school during the day along with their first and last initials?  (5 CCR Section 18065[c])</p> <p><b>NOTE:</b> The full signature of the parent or other authorized adult shall correspond to the signature(s) within the family data file.</p>	<p><b>Material Improper Payment:</b> If the time of arrival/departure of the child with <b>variable certified hours of care</b> is missing from the daily sign-in/sign-out sheet, an error will be determined in attendance. The error will equal the <del>cost of services provided for the sample month</del> <b>sample month payment</b> or the portion of the month in which there was no time of arrival/departure on the daily sign in/out sheet.</p> <p><b>File Administrative Error:</b> If the time of arrival/departure of the child with <b>set certified hours of care</b> is missing from the daily sign-in/sign-out sheet, an error will be determined in attendance.</p> <p><b>File Administrative Error:</b> If the full signature is not used by the parent or other authorized adult, an error will be determined in attendance.</p> <p><b>File Administrative Error:</b> If the time a school-age child departs <b>and/or</b> returns from school during the day is missing, an error will be determined in attendance.</p> <p><b>File Administrative Error:</b> If the first and last initials of the contractor's authorized representative is missing, an error will be determined in attendance.</p>
<p><b>10.3</b></p>	<p>Did the contractor adopt and apply attendance policies that correspond with regulatory requirements for excused and unexcused absences?  (5 CCR Section 18066[c][d][e])</p>	<p><b>Compliance:</b> If the contractor did not adopt and apply attendance policies that correspond with regulatory requirements, a compliance finding will be determined in attendance.</p>

Question Number	Attendance	Findings
10.4	<p>Are excused absences “in the best interest of the child” limited to ten (10) days during the contract period? (5 CCR Section 18066[f])</p> <p><b>NOTE:</b> Children who are recipients of CPS or at-risk of abuse or neglect are <b>not</b> limited to ten (10) days.</p>	<p><b>MaterialImproper Payment:</b> If the contractor does not limit excused absences “in the best interest of the child” to ten (10) days during the contract period, an error will be determined in attendance. The error will equal the portion of the <del>sample month payment</del> <u>sample month payment</u> in which the contractor was reimbursed for more than ten (10) best interest days.</p> <p><b>NOTE:</b> Children who are recipients of CPS or at-risk of abuse or neglect are <b>not</b> limited to ten (10) days.</p>
10.5	<p>Does the sign-in/sign-out sheet contain:</p> <ul style="list-style-type: none"> <li>• the name of the child</li> <li>• dates of the absence</li> <li>• specific reason for the absence</li> <li>• signature of the parent or the contractor’s authorized representative if verification is made by telephone?</li> </ul> <p>(5 CCR Section 18066[a][1-4])</p>	<p><b>MaterialImproper Payment:</b> If the excused absence verification is missing/incomplete, an error will be determined in attendance. The error will equal the <del>cost of services provided for the sample months</del> <u>sample month payment</u> or the portion of the month in which there was no excused absence verification.</p>
10.6	<p>Does the certified need for child care and development services support the claim for reimbursement? (5 CCR sections 18074.1 and 18067[b])</p>	<p><b>MaterialImproper Payment:</b> If the claim for reimbursement did not support the certified need for child care and development services, an error will be determined in attendance. The error will equal the <del>cost of services provided for the sample months</del> <u>sample month payment</u> or the portion of the month.</p>

## 11. Family Child Care Home Education Networks – CCTR contract only

**NOTE:** Contractors operating family child care home education networks using a CCTR contract:

- are required to comply with EC sections 8245 and 8246
- are not required to use the regional market rate ceiling

Question Number	Family Child Care Home Education Networks – CCTR Contract Only	Findings
11.1	Did the contractor reimburse the provider in accordance with the contractor/provider agreement? (EC 8246 [b])	<b>Compliance:</b> If the contractor did not reimburse the provider in accordance with the contractor/provider agreement a compliance finding will be determined.

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## II. Resource Tools

### 1. Process to Select Sample Size

Contractors will use this guide to review a sampling of their family files. All direct service contracts are combined for the purpose of selecting the sample size. To identify the sample size complete the following:

Step 1:

To establish a sample size, go to the Raosoft website at <http://www.raosoft.com/samplesize.html>. Enter the following data:

- Margin = 10%
- Confidence Level = 90%
- Population size = the total number of children reported to ELCD on the 801A data report for the selected sample month
- Response distribution = 15%

A sample size will automatically be displayed.

Step 2:

To determine the interval counts to select children from the list. To do this:

- Divide the total number of children by the number of files to be sampled. For example, 400 (total # of children) divided by 60 (sample size) = 6.66 (round up to 7).
- Pick any number from 1 to 100 to be the first child selected on the list (e.g., 24).
- Beginning with the first child to be reviewed (#24), count down 7 children to the 2nd child to be reviewed.
- Continue through the remainder of the list and cycle back to the beginning of the list until the sample size is reached (e.g., 60 family files to review).

## 2. ~~File~~Administrative Error ~~Error~~ Determination Process

When an ~~file~~Administrative Error ~~error~~ occurs, the contractor will develop a Corrective Action Plan. The plan assists the contractor by strategically analyzing, correcting and validating the processes necessary to ensure compliance.

To develop a Corrective Action Plan, the contractor should:

1. Analyze the identified errors to determine how and why the errors were made.
2. Develop the process necessary to remedy the errors.
3. Develop specific training for all staff involved.
4. Develop a Quality Assurance Process to validate the accuracy of documentation and processes.
5. Establish a timeline for implementation.

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### 3. Method to Determine Material Improper Payment Error Amount

When an material Improper Payment error is found the reviewer can utilize the calculation example below to determine the material Improper Payment error amount.

The error will equal the ~~cost of services provided for the sample month~~ sample month payment or the portion of the month in which there was insufficient documentation, whichever is less.

#### **Example: Provider was reimbursed \$500 for the sample month:**

If there is insufficient documentation for the entire sample month, the error equals the cost of services provided.

Example:

\$500.00	- Provider Reimbursement (plus)
\$000.00	- Correctly Calculated Reimbursement
<b>\$500.00</b>	- <b><u>Material Improper Payment</u> Error Amount</b>

If there is insufficient documentation for any portion of the month, the error will equal the difference between what was reimbursed and the correctly determined reimbursement based on sufficient documentation.

Example:

\$500.00	- Provider Reimbursement (minus)
\$275.00	- Correctly Calculated Reimbursement
<b>\$225.00</b>	- <b><u>Material Improper Payment</u> Error Amount</b>

**EXAMPLES: Did agency claim an adjustment factor? Was the appropriate adjustment factor used?**

a. Determining Material/Improper Payment Errors in Eligibility, Need and Attendance

(A) Days of Enrollment	x	(B) Adjustment Factor	=	(C) Adjusted Days of Enrollment	x	(D) Daily Rate	=	(E) Total Reimbursement	(F) Total Number Days in Error	(G) Total Material Error
20	x	0.66	=	13.20	x	\$34.38	=	\$453.82	5	\$113.45

Using the sample diagram above will assist in calculating the total material/Improper Payment error for eligibility, need and attendance

- The Days of Enrollment column (A) are the number of days the child was enrolled in the report month
- The Adjustment Factor column (B) is the adjustment factor claimed by the contractor for the child
- Rather than complicate contracts with multiple reimbursement rates, the CDE uses adjustment factors to change actual enrollment to *Adjusted* Days of Enrollment (column C)
- The formula for calculating the Adjusted Days of Enrollment is:  
 $A \times B = C$   
 $\$20 \times \$0.66 = \$13.20$
- The Daily Rate column (D) is the designated rate in the contract.
- The formula for calculating Total Reimbursement column (E) is:  
 $C \times D = E$   
 $\$13.20 \times \$34.38 = \$453.82$   
 $(A \times B) \times D = E$   
 $(20 \times 0.66) \times 34.38 = \$453.82$
- The formula for calculating Total Material/Improper Payment Errors column (G) is:  
 $(E \div A) \times F = G$   
 $(\$453.82 \div 20) \times 5 = \$113.45$

**b. Determining Material/Improper Payment Errors in Family Fees**

(A) Correct Family Fee Assessment	-	(B) Family Fee Assessed by Agency	=	(C) Total Fee Amount in Error	x	(D) Total Number Days in Error	=	(E) Total Family Fee <u>Material/Improper Payment</u> Error
\$3.00	-	\$1.25	=	\$1.75	x	22	=	\$38.50

Using the sample above will assist in calculating the total family fee material/Improper Payment error.

- The Correct Family Fee Assessment column (A) is determined by family size and income using the current Child Care and Development Family Fee Schedule.
- The Family Fee Assessed column (B) is the amount the agency is collecting from the family.
- The formula for calculating Total Fee Amount in Error column (C) is:  
 $A - B = C$   
 $\$3.00 - \$1.25 = \$1.75$ .
- The Total Number Days in Error column (D) is the number of days the error occurred in the report month.
- The formula for calculating Total Family Fee Material/Improper Payment Error column (E) is:  
 $C \times D = E$   
 $\$1.75 \times 22 = \$38.50$ .



**c. Sample ~~Material~~Improper Payment Error Rate Determination Worksheet**

The Error Rate Worksheet can be utilized to determine the error rate for the entire sample. Once all the names and errors have been entered the error rate can be calculated.

Sample Worksheet:

File #	Child Name	Reimbursement	Eligibility Dollar Errors	Need Dollar Errors	Attendance Dollar Errors	Family Fee Dollar Errors	Total Dollar Errors
01	Maria Garcia	\$643.00	\$643.00	\$0	\$0	\$0	\$643.00
02	Joseph Glass	\$892.50	\$0	\$245.00	\$0	\$0	\$245.00
03	Susie Yee	\$525.31	\$0	\$0	\$0	\$0	\$0
04	Eric Onye	\$235.00	\$0	\$0	\$235.00	\$0	\$235.00
05	Abdul Mohammed	\$350.00	\$0	\$0	\$0	\$80.00	\$80.00
<b>N/A</b>	<b>Review Month Totals</b>	<b>\$2,645.81</b>	<b>\$643.00</b>	<b>\$245.00</b>	<b>\$235.00</b>	<b>\$80.00</b>	<b>\$1,203.00</b>
<b>N/A</b>	<b>Error Rate Percentage:</b>	<b>N/A</b>	<b>24%</b>	<b>9%</b>	<b>9%</b>	<b>3%</b>	<b>45%</b>

The Error Rate Percentages for Eligibility, Need, Attendance, Family Fee, and Total Dollar Errors are the sum of each column (Review Month Totals) divided by the sum of Reimbursement (Review Month Totals).

For example, the formula to determine the error rate percentage for eligibility is:  
 $\$643 \div \$2,645.81 = 0.243$  or 24%.

Repeat the formula for each column.

The formula to determine Total Dollar Errors is:  
 $\$1,203 \div \$2,645.81 = 0.454$  or 45%.

#### 4. Error Rate Reduction Plan Process

When an error rate is above 10 percent, the contractor will develop an Error Rate Reduction Plan. The plan assists the contractor by strategically analyzing, correcting and validating the processes necessary to ensure compliance.

To develop an Error Rate Reduction Plan, the contractor should:

1. Analyze the identified errors to determine how and why the errors were made.
2. Develop the process necessary to remedy the errors.
3. Develop specific training for all staff involved.
4. Develop a Quality Assurance Process to validate the accuracy of documentation and processes.
5. Establish a timeline for implementation.

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**a. Sample Error Rate Reduction Plan Form**

**Governance and Administration Review  
Error Rate Reduction Plan**

**Agency:** XYZ Child Development Center, Inc.

**CDE/ELCD Reviewer(s):** John Davis, Joan Smith

**Review Date(s):** October 1-4, 2018

**Agency Rep. Signature:** Mary Williams (actual signature)

**Title:** Executive Director

**Error Rate Reduction Plan Due Date:** November 26, 2018

Example:

**Error/Description:** EES-2 Family Eligibility Requirements

**Current Practice:** Collecting too many or too few paystubs to appropriately calculate income.

**Proposed End Date:** 10/5/2018

**Proposed Changes:** Calculate income by collecting all paystubs from the previous month of certification/recertification date.

**Contractor Responsible:** Mary Williams

**Contractor Implementation Date:** 10/5/2018

**Contractor Progress Check Date:** 1/4/2019