



## Child Care Services

P.O. Box 850, Jasper, Texas 75951

800-256-1030 / 409-384-7731

Fax: 409-384-6741

# Child Care Provider Manual



## TABLE OF CONTENTS

OVERVIEW.....	1
SUSPECTED CHILD ABUSE OR NEGLECT (1-800-252-5400).....	1
CONTRACTING WITH CCS.....	2
Provider Agreements.....	2
Types of Care Authorized.....	2
Enrollment Procedures.....	3
Attendance Tracking.....	3
Termination.....	5
Parent Share of Cost.....	5
Payment.....	6
Provider Fees.....	7
Policy Conflicts.....	8
Provider Responsibilities, Reporting, and Record Keeping Requirements.....	8
Provider Monitoring.....	9
CHILDREN WITH DISABILITIES.....	10
TEXAS RISING STAR PROVIDER CERTIFICATION PROGRAM.....	11
DISSATISFACTION WITH SERVICES.....	12
COMPLAINTS.....	12
APPEALS.....	13
APPENDIX 1 Parent Eligibility and Enrollment Process.....	14
APPENDIX 2 Sample Provider Agreement.....	15

## OVERVIEW

Workforce Solutions Deep East Texas is a business-led organization with a 31-member Board of Directors (Board) representing local area businesses, organized labor, community-based organizations, education, economic development organizations, and state agencies. The Board is responsible for public workforce services within the 12-county deep east Texas region. Those counties are Angelina, Houston, Jasper, Nacogdoches, Newton, Polk, Sabine, San Augustine, San Jacinto, Shelby, Trinity, and Tyler. Workforce Solutions Deep East Texas is one of 28 local workforce development boards that, together with the Texas Workforce Commission, make up the Texas Workforce Network. The Board is committed to providing business with needed services and a qualified workforce and dedicated to providing services to individuals to prepare them to take advantage of job and career opportunities. Included in offering public workforce services is the provision of child care subsidies to eligible parents who are working or are in training.

Workforce Solutions Deep East Texas contracts with Neighborhood Centers, Inc. (NCI) to be the Child Care Services (CCS) contractor in the Board area. . NCI has several contracts throughout the state of Texas providing child care services. NCI uses the name Workforce Solutions Deep East Texas Child Care Services in this area, which will be referred to as CCS throughout this manual. Services for this area are provided mainly through their main office in Jasper, Texas. CCS determines eligibility for low-income parents; monitors child care attendance through the CCAA system, oversees the Texas Rising Star Program, offers technical assistance to child care providers; and makes payments to providers for CCS-referred children.

Funding for child care subsidies comes from a variety of federal and state government programs, including the Department of Health and Human Services, Department of Agriculture, TANF, SNAP, and the Texas Department of Family and Protective Services.

The rules dealing with child care subsidies in Texas are determined by the Texas Workforce Commission. The rules may be viewed at the CCS office or online at <http://www.twc.state.tx.us/twcinfo/rules/ch809.pdf>. When the rules allow for local flexibility, the Workforce Solutions Deep East Texas (Board) determines local policy in board meetings that are open to the public. Local policy is incorporated into this Provider Manual and is also available to be viewed at the CCS office or at [www.detwork.org](http://www.detwork.org). Providers who have questions about this *Child Care Provider Manual* or other program issues should contact CCS.

## SUSPECTED CHILD ABUSE OR NEGLECT (1-800-252-5400)

Everyone in Texas is required by law to report suspected child abuse or neglect. If the suspected abuse or neglect happens while the child is in care with a provider, the TDFPS Child Care Licensing or a local or state law enforcement agency must be notified. If the CCS receives a complaint of abuse or neglect against a provider, the CCS will encourage the caller to report the abuse or neglect to TDFPS Child Protective Services via the 1-800 line.

If a provider suspects abuse or neglect of a child is happening away from a facility, the individual who suspects the abuse or neglect must immediately report the suspicion to TDFPS Child Protective Services via the 1-800 line.

Providers may not take any action against an employee for reporting suspected child abuse or neglect.

# CONTRACTING WITH CCS

## Provider Agreements

Providers who are willing to accept CCS payments and requirements must sign a Provider Agreement. The Provider Agreement sets forth the terms and conditions under which CCS may refer children to providers for child care services and reimburse providers for authorized child care. References to “providers” in this manual refer to child care providers who have signed a Provider Agreement.

Agreements are the basis of payment to providers for CCS-referred children. CCS may not refer or obligate funding prior to an executed Agreement.

To enter into an agreement with CCS, a child care provider must meet the following requirements:

1. Operate under the authority of a licensing agency, either
  - the Texas Department of Family and Protective Services (TDFPS) for a licensed child care center, a licensed child care home, or a registered child care home; or
  - the Texas Department of Health (TDH) for a youth camp;
  - the United States Military Service; and
2. Not be on corrective or adverse action or corrective denial with the TDFPS Licensing Division, the TDH, or the United States Military; and
3. Not have been found to be in serious non-compliance with, seriously deficient by, or debarred from any other State or Federal programs (such as the Child Care Food Program).

Child care businesses who are interested in signing an Agreement with CCS may call 1-800-256-1030 or 409-384-7731. CCS staff will collect necessary information, address any questions, and mail two original Provider Agreements to the interested party for signature. The interested provider must agree to the terms conditions, sign both copies of the Provider Agreement and mail both back to CCS. CCS will sign both copies and return one of the original executed Agreements back to the child care provider.

The Provider Agreement is then in effect until terminated by one or both parties, as stated in the Agreement. If the Provider Agreement is terminated because of a DFPS corrective action, the provider will be notified when they can request a new Agreement. The length of time before a new Agreement can be executed will depend on the reason for the termination and can be up to six months.

## Types of Care Authorized

### Part- and Full-time Care

CCS authorizes child care based on the amount of time needed by the parent to complete work and/or training up to a maximum of 18 hours of care per 24 hour day.

- A full day of care is 6 to 12 hours of care within a 24-hour period

- A part day of care is less than 6 hours of care within a 24-hour period
- A part week of care is either part or full time care for less than 5 days in a Monday through Sunday week

When determining if parents need full-day, or part-day care, CCS includes transportation time. CCS can authorize child care to cover up to 1 hour of transportation.

CCS does not refer parents who need part-week or part-day care to providers who do not offer part week or part day care, unless there are no other options for care. Providers must allow a part-day child to attend up to the full six hours and a full day child up to the full twelve hours.

### School-Age Care

Part-day care before and after school hours is school-age care. School-age children may be authorized for before and after-school care or for summer care.

During school holidays or other breaks, children referred for part-day may need to attend full-time. If this type of care is with different providers for school days and school holidays, it will be two separate referrals. If the part-time school days and full-time care on school holidays is with the same provider, the reimbursement rate will be a blended rate. Blended rates are calculated as indicated in the Parent Agreement.

Summer care for school ages will be authorized based on the full- or part-time needs of the parents.

### **Enrollment Procedures**

Federal law requires that parents be given a choice of providers. When an eligible parent chooses a provider and there is no waiting list, CCS:

1. Contacts the provider to be sure space is available, and if so,
2. Verbally authorizes the start date of care by giving the provider an authorization code, and
3. Sends the provider an Authorization for Child Care Enrollment (Form 2450) which informs the provider of the care start date, the parent share of cost, days and type of care authorized, and if transportation is authorized.

Providers must accept CCS-referred children if the children are within the age range the provider is licensed to serve, unless accepting the CCS-referred children will place the provider over its TDFPS licensed capacity.

### **Attendance Tracking**

#### Child Care Attendance Automation System

Attendance is reported to CCS through the Child Care Attendance Automation System (CCAA) using a Point-of-Service device (POS) and a swipe card, unless the provider is a licensed or registered home provider. These facilities will use a phone system called an Interactive Voice Response (IVR) system. Attendance is automatically recorded and viewable on the CCAA website in real time using either method.

Providers will receive a packet containing information about the CCAA system. If the provider is a licensed center, Texas Workforce Commission (TWC) will contact the provider concerning installation of the POS devices after the first child is enrolled.

Providers must:

- Never possess or use a parent's or secondary cardholder's CCAA card or personal identification numbers (PINS);
- Never perform the attendance/absence reporting function on behalf of a parent,
- Maintain the POS machine and have it available for parents to use.

Providers are required to review the CCAA system attendance and absence reports, at a minimum, every five business days, as well as provide assistance to the parents when needed to help retain their customers.

The CCAA system allows parents to report daily arrival and departure. When care is authorized, parents will receive a swipe card and instructions on how to record attendances and absences. The POS machine and the IVR system will allow one of the following–

A - absent

I – ill

P - present (parent must report arrival and departure)

C - court ordered visit (CCS must have the visitation section of the divorce decree on file prior to use of this code)

H - provider holiday

When attendance is properly entered, the POS/IVR system will confirm the entry. If the parent does not receive a confirmation and needs assistance, the parent should notify CCS. Parents must also notify CCS if they have lost their card. Parents have up to 6 days to enter attendance for a previous day. Days where attendance is not recorded will count as an absence.

### Absences

Parents of CCS-referred children are required to notify the Provider of any days their children will not be in care.

CCS referred children are allowed a total of 48 absences a year beginning the day children are scheduled to begin care. These absences can be for any reason and CCS occasionally notifies parents of the number of absences. Providers will be paid for up to 48 absences in an authorized care year. When the number of absences reaches 48, CCS will terminate enrollment with the provider and eligibility for the child. CCS may be able to grant a waiver of policy when a child's absence is due to extended illness or other extreme circumstances that cause the child(ren) to be absent over 48 days. Parents must request this waiver prior to the 48<sup>th</sup> absence day.

When parents report absences using the CCAA system, the absences can be reported up to three days in advance. If using the POS system, absences can be recorded up to 6 days later. . If the parent does not receive an approval code using an activated card on either the POS machine or the IRV system for 6 consecutive authorized care days, regardless of whether or not the child attended care, care will be terminated immediately as this is considered a voluntary withdrawal from CCS benefits. This does not apply if a new card is being issued and has not arrived within 5 days, and the parent notifies CCS of non-receipt.

When CCS referred children are absent 3 consecutive days without parental notice, providers must notify CCS. If the child has not attended by the end of the 5<sup>th</sup> consecutive day with no notice, providers must again notify CCS, who will then terminate care as of the 6<sup>th</sup> day as this is considered a voluntary withdrawal from CCS benefits. If there is a reason given for non-attendance, CCS will inform the provider whether or not the child will still be enrolled. If enrollment continues, the days missed will count as absences.

When parents have a short break in their work and/or education activity, care may continue. A short break is defined as 2 weeks or less, but may be longer for those working in educational environments or enrolled in educational activities if it is Thanksgiving break, Christmas break, spring break, breaks between the end of the last summer session and the beginning of the fall semester, or other breaks of similar duration.

If parents know they will be unable to participate in their work and/or education activity, or the child will not be able to attend for longer than 2 weeks but will return within 90 days, care may be suspended for up to 90 days. Enrollment with the provider is terminated, but the children remain eligible during the suspension period. The provider is not required to hold a space for the child(ren) on suspended enrollment. When the suspension period is over, the child is eligible for re-enrollment and may be placed with the original provider if space is available, or with another provider.

## **Termination**

At application, recertification or a change report, CCS may terminate enrollment for the following reasons including:

- The parent(s) is no longer in a work or training activity the required number of hours,
- The family income exceeds the maximum amount for their family size,
- The child no longer lives with the parent,
- The parent no longer needs child care,
- The child is too old for care,
- The parent did not pay the parent fee,
- The child has excess absences,
- The parent did not comply with the terms of the parent agreement, or
- The parent did not return all required paperwork within the stated timeframes.

In most instances, CCS will notify the provider in advance that a child's enrollment is to be terminated. However, there may be occasions when a child's enrollment must be terminated immediately and the CCS is unable to let the provider know in advance.

## **Parent Share of Cost**

The parent share of cost (sometimes called a parent fee) requires parents to pay part of the expense for the child care they receive. CCS determines the parent share of cost according to the family's gross monthly income and family size. CCS informs providers of the amount of the parent share of cost, if any. Not all parents are required to pay a parent share of cost. Parent share of cost may be lowered temporarily when parents have unusual circumstances. Providers may recommend that a parent ask CCS for a share of cost reduction. CCS will notify the provider if a parent share of cost has been reduced and will adjust the reimbursement to the provider for that child. .

Some parents receive other subsidies to help pay for child care. CCS will tell providers which parents receive an additional subsidy and the amount of the additional help, if known.

Providers must collect the parent share of cost and other subsidies prior to services being rendered. Providers keep the share of cost they collect, and the amount of the assessed parent share of cost is deducted from the CCS reimbursement to the provider.

Providers must notify CCS within two weeks or by the end of the billing period in which the parent did not pay the assessed fee, whichever is later. If parents do not pay their parent share of cost or subsidy on time, or pays the wrong amount, the provider must notify CCS that they wish to discontinue child care for the child. When providers notify CCS about nonpayment of parent share of cost or subsidies, CCS will terminate the enrollment of the CCS-referred child(ren). Providers will not be reimbursed when parents do not pay the parent share of cost as required. CCS will not require parents to repay unpaid share of cost if the provider does not inform the contractor of the unpaid fees within the required time limit. However, as long as the provider follows reporting requirements, CCS will not allow a parent to transfer to another provider or allow the parent to re-enroll in CCS until the provider is paid in full.

Parents are required to pay their parent share of cost and subsidies even when the children are scheduled to attend but do not, and when the parent takes vacation days.

## Payment

### Provider Published Rate

The provider's published rate is the rate charged to the general public plus any enrollment/registration and supply fees not charged to the parent prior to enrollment, pro-rated to a daily rate. Providers may charge parents the enrollment/registration and supply fees prior to enrollment and not include those fees in the pro-rated daily rate. Provider's published rates must be provided to CCS prior to the effective date of the Provider Agreement. If providers change their published rates they must send written documentation of the new rates to CCS. A Provider Agreement amendment will be prepared that shows the new rates. The new rates will be effective the first full month after an amended Provider Agreement has been signed showing the new rates.

Licensed or registered child care homes determine a single rate for part-time and for full-time. Licensed child care center providers determine a single rate for full-time care and a single rate for part-time care for each of four age categories, for a total of eight rates. The age categories are: infant (birth through 17 months), toddler (18 through 35 months), preschool (36 months through 5 years), and school age (6 years to 13 years). CCS will assist providers who have multiple rates within an age category in determining their rate for that category.

### CCS Rates

Actual payment rates for individual providers are calculated as indicated in the Provider Agreement and shown in Exhibit A of the Agreement. Provider payment rates are based on the following:

- The ages of the children served;
- The type of facility;
- Whether additional adult help is needed for children with disabilities;
- Texas Rising Star, Texas School Ready!, or National Association for the Education of Young Children status;
- Whether or not the provider charges a separate charge for transportation.

The reimbursement paid to the provider will be the CCS maximum rate or the provider's published rate, whichever is lower, except in cases meeting the criteria for the inclusion rate (see the children with disabilities section), less the parent share of cost; and any child care funds received by the parent from other public or private entities.

Workforce Solutions Deep East Texas (Board) will establish maximum reimbursement rates for child care subsidies based on local factors, including a market rate survey provided by TWC to ensure that the rates provide equal access to child care in the local market and in a manner consistent with state and federal statutes and regulations governing child care.

Workforce Solutions Deep East Texas (Board) will establish enhanced reimbursement rates for child care providers participating in integrated school readiness models developed by the State Center or that obtain Texas School Ready!™ certification, or are designated as Texas Rising Star Providers. Providers that are awarded National Association for the Education of Young Children (NAEYC) accreditation are considered to be 4 star Texas Rising Star Providers. CCS reimbursement rates are 5% greater than the maximum rate established for providers not meeting these standards for the same category of care up to, but not to exceed, the provider's published rate.

An inclusion rate, a special rate requested by the parent, takes into consideration the estimated cost of additional staff or equipment needed by a child with disabilities and can be up to 190% of the provider reimbursement rate for a child of the same age.



CCS will ensure that the provider complies with requirements for the inclusion assistance rate within thirty (30) days, and will visit a provider receiving the inclusion rate quarterly to ensure that the additional staff or equipment is used as required.

CCS may reimburse providers that offer transportation as long as the combined total of the provider's published rate, plus the transportation rate, is equal to or less than the determined maximum reimbursement rate.

### Payment

Attendance records from the CCAA system will be used as the basis for payment; adjustments will be made as appropriate for non-swipes as allowable. The Provider is paid through the CCS Electronic Payment System using the CCS debit card or direct deposit either once or twice per month, as determined by the provider.

The provider will be paid:

- For up to 9 holidays. If a holiday is to be paid, information must be submitted before the beginning of the year and any changes must be done before the holiday occurs.
- For up to 5 days per event when providers must close due to extraordinary circumstances beyond the control of the provider, such as closing for extreme weather, emergency situations, or when essential services are not available. Provider centers and licensed homes must inform CCS by phone or email within 24 hours, and must confirm the closing in writing (email or letter) within one week of the closing.
- For any authorized days the child was scheduled on the authorization form to the date care was terminated.
- When enrolled children are absent, as long as the provider follows the reporting requirements for absences.

Providers will not be paid:

- If the provider has not received either the verbal enrollment authorization code or the Enrollment Authorization form.
- For holding spaces open.
- For child care provided prior to the effective date of a Provider Agreement.
- For late pick-up fees or insufficient funds fees.

CCS will not pay providers less when a child enrolled full time occasionally attends for a part day; or more when a child enrolled part time occasionally attends for a full day. Children enrolled for part-day care may occasionally attend full day for no additional payment. Occasional attendance is defined as no more frequently than once a month and is always pre-arranged between the parents and the provider.

A relative child care provider will not be reimbursed for more children than permitted by the DFPS minimum regulatory standards for Registered Child Care Homes.

Providers will be required to refund any payments that they are not entitled to, including over payments, duplicate payments, or payments made in error.

### **Provider Fees**

Because the provider will be reimbursed over time for enrollment/registration and supply fees, the provider cannot charge a CCS-referred parent a separate enrollment/registration or supply fee. If the provider offers extra activities such as swimming lessons, dance lessons, class pictures, etc that are voluntary, the provider may charge CCS-referred parents that chose to participate.

Providers may not charge an additional fee to a part day child unless the child is in attendance for more than six hours or full day child unless the child is in attendance more than 12 hours, unless either is still in attendance past the closing time for the facility and it is the Providers policy to charge a late fee for this.

Providers may charge the difference between their published rate and their payment rate if the parent is assessed a parent fee. The choice to charge the rate difference is optional. If a parent has not been assessed a parent fee, the provider cannot charge the parent the rate difference.

The provider may charge the parent late pick-up fees or insufficient funds fees.

CCS does not help with the collection of fees.

## **Policy Conflicts**

CCS-referred parents must comply with all provider policies unless the provider's policy and CCS policy conflict. In the case of conflicting policies, CCS policy overrides provider policy if the provider wishes to continue to contract with CCS.

When a provider is not able to comply with a rule or procedure, the provider may ask CCS for a waiver of the rule or policy. A waiver could allow the provider to meet the requirement in a different way, or have the rule or procedure set aside because of extraordinary circumstances. Providers should send written requests for waivers to CCS for consideration.

## **Provider Responsibilities, Reporting, and Record Keeping Requirements**

### Provider responsibilities are to:

- Comply with the terms of the Provider Agreement and policy and procedures within this Manual.
- Collect the parent share of cost as assessed and other child care funds received by the parent before child care services are delivered.

### Provider Reporting Requirements:

- any misuse of CCAA cards and PINS
- instances in which the parent fails to pay the parent share of cost. The report must be within two weeks or by the end of the billing period in which the parent did not pay the assessed fee, whichever is later.
- within one work day when placed under any TDFPS adverse or corrective action. Similar actions must be taken by providers regulated by the Texas Department of Health (TDH) or the United States Military Services. Pending Provider Agreements cannot be signed if TDFPS action is in place until the TDFPS action has been cleared.
- when an enrolled child is absent 3 days without notice, and again on the 5<sup>th</sup> day if the absence continues.
- immediately if the provider terminates a child's enrollment.

### Provider Record Keeping Requirements

When a CCS-referred child enrollment ends, the provider must keep receipts for parent share of cost and other subsidies, and any other records having to do with financial claims for at least 3-years and 90-days. Providers may collect parent share of cost once a week, once a month, or on a schedule that meets the parent's needs, as long as collection is documented and the share of cost is collected before child care services are provided. Records must be kept of the amount collected from each parent and the parent must be given a receipt. Parent receipts must include names of the parent and child(ren), time period and amount paid, and the date collected.

## Provider Monitoring

CCS is required to monitor providers who had or who currently have CCS-referred children enrolled at least annually. The focus of the monitoring will include the following:

- Compliance with the terms of the Provider Agreement and the *Child Care Provider Manual*
- Compliance with Texas Rising Star Provider Criteria, if applicable
- Compliance with inclusion plans and use of inclusion assistance, if applicable
- A review of the provider's records to determine that the rates reported to CCS are consistent with rates paid by non-CCS-referred parents

Monitoring visits may be unannounced. Providers must allow reasonable access during regular business hours for program and fiscal monitoring relating to CCS-referred children. Records must be made accessible and the provider must supply copies on request to people who are authorized to see records and documents. People authorized to see provider records are:

- CCS and Workforce Solutions Deep East Texas Board staff
- TWC staff
- Representative of the State Attorney General's Office, and
- Representatives of federal government offices with responsibility for managing and auditing federal and state child care programs.

CCS is required to report any noncompliance with licensing or registration criteria to TDFPS licensing staff. Providers may be prosecuted under applicable laws for false statements, or false documents.

### Service Improvement Agreements

CCS may negotiate a Service Improvement Agreement when providers do not meet the terms of the Provider Agreement or do not follow the procedures in the *Child Care Provider Manual*, unless the non-compliance is severe enough to warrant termination of the Provider Agreement.

Service Improvement Agreements will:

- State the issue,
- Explain what improvements must be made,
- Offer options for improvements,
- Identify the assistance CCS can offer,
- Set time limits for improvements,
- List the consequences for not making the improvements including the following:
  - Temporarily or permanently withholding payment,
  - Discontinuing referral of children to the provider,
  - Terminating CCS-referred children's enrollment with the provider, or
  - Recouping funds paid to the provider; or
- Be signed by the provider and CCS.

## CHILDREN WITH DISABILITIES

The Americans with Disabilities Act (ADA) requires public accommodations to ensure access for all individuals regardless of disabilities. All child care providers, including child care centers, licensed child care homes, and registered child care homes, must comply with this law by accepting children with disabilities in their facility and by making it possible for parents with disabilities to access child care facilities, unless reasonable accommodation is not readily achievable.

Parents of children with disabilities have the same right to parent choice as other parents. Parents may choose to place children according to location or convenience, even if the provider chosen do not have experience caring for children with disabilities.

Children with disabilities may need additional care and assistance from the child care center they attend. In certain circumstances, providers may be eligible for an additional inclusion assistance rate when caring for a child with an identified disability. This rate must be requested by the child's parent, not the provider. To receive additional assistance, a child care professional must complete an assessment and recommend the additional assistance. The additional reimbursement rate is up to 190% of the provider's reimbursement rate, based on the type and amount of additional care that may be necessary, as determined in the assessment. The inclusion assistance rate may be used to help pay for extra staff, or for additional wages to a current staff member who has special skills necessary to help the child with a disability. Inclusion assistance may not be used to pay for counseling, therapy, or medical services. These services may be provided through cooperating agencies and are not considered additional adult assistance needed to include the child in the facility's program. If the additional reimbursement is approved, an Inclusion Plan will be developed with the parents, provider, CCS, and any other professionals familiar with the child.

All information about children with disabilities is confidential. Information about children with disabilities cannot be given to anyone, either in writing or verbally, without permission from the parent. Provider caregivers working directly with children with disabilities must learn all they can about the children, including confidential information, but must not share that information with other caregiver staff who do not work with the child(ren) with disabilities, other providers, other parents, or visitors.

If a provider refuses to provide care to children with disabilities, they must be prepared to justify their decisions if challenged. Providers must document in writing any efforts to provide for a reasonable accommodation of the child's needs and show why it was not successful or readily achievable. Refusal to accept children with disabilities without justification will result in termination of the Provider Agreement.

CCS can provide support to providers who serve children with disabilities to create supportive environments for the children and their families by providing technical assistance upon the request of the provider. Most communities have resources available to parents of children with disabilities, and most of the resources will be available to providers. If needed, CCS will assist providers in locating local resources, which may include local, state, and national associations for persons with disabilities, parent support groups and organizations; and educational services.

## TEXAS RISING STAR PROVIDER CERTIFICATION PROGRAM

The Texas Rising Star Provider Certification Program (TRS) offers providers the opportunity to participate in a voluntary program to improve the quality of child care by meeting program criteria that exceeds the DFPS Minimum Standards for Child Care Licensing. TRS providers that are two, three, or four-star licensed child care centers and fully or provisionally certified child care homes may be eligible to receive up to 5% more than the CCS rate.

TRS criteria covers:

- TDFPS licensing compliance,
- Caregiver staff qualifications,
- Director qualifications,
- Staff orientation,
- Ongoing staff development,
- Group size,
- Activities,
- Caregiver-child interaction,
- Physical environment,
- Health and safety,
- Nutrition and meal time, and
- Parental involvement.

Providers who are interested in being certified as a TRS provider may ask CCS for the necessary information. CCS will work with providers during the application, self-assessment, and formal assessment processes. CCS also provides ongoing monitoring and technical assistance to providers who are in the TRS process. Providers new to the TRS program must participate in a TRS orientation provided by CCS on the procedures that are in the TRS Provider Certification Guidelines. CCS will visit the provider to assess standards attained, and monitor the provider annually to ensure TRS standards are maintained.

Licensed child care centers can work toward three levels of certification:

- Four-Star certification is the highest level of certification awarded for meeting all of the highest quality standards in the TRS system;
- Three-Star certification represents a high quality program that meets most of the program quality standards; and
- Two-Star certification is issued temporarily to a provider who does not yet meet enough of the quality standards for the Three-Star certification. The Two-Star has potential for reaching Three-Star certification within six months.

Child care homes can work toward two levels of certification:

- Full Certification is the highest level of certification awarded for high quality standards in a registered or licensed home setting; and
- Provisional Certification represents a high quality program that meets most of the program quality standards.

Providers that do not yet meet enough of the quality standards to be certified at any level are on a deferred status in the TRS track. Providers on deferred status have one year to be certified.

## DISSATISFACTION WITH SERVICES

Providers may receive complaints from parents about provider care or policies. Most complaints can be handled directly by providers and the parents. If providers and parents cannot work out the problems and the complaints cannot be resolved, providers can refer parents to CCS. When CCS is notified that there is a problem, CCS may be able to help resolve the issue.

If parents complain to providers about CCS services, the providers should refer parents to CCS.

When providers have complaints against CCS, they should first try to resolve the issue by talking directly with CCS staff. If the issue cannot be resolved at this level, providers will be referred to the Workforce Solutions Deep East Texas Board staff.

## COMPLAINTS

A complaint is a written statement alleging a violation of any law, regulation, or rule relating to any federal- or state-funded workforce service. If you have received an adverse action or want to file a formal complaint about child care services you are first encouraged to discuss the adverse action or complaint with CCS.

Complaints must be in writing, filed within 180 days of the alleged violation and filed at the service level where the complaint originated for optimal and immediate satisfaction.

You will be given the opportunity for an informal resolution to resolve any disputes resulting from either a complaint or an appeal to a determination.

If you are not satisfied with the outcome of the informal resolution, you have the right to file a complaint and to have the opportunity for a Board hearing with the Deep East Texas Workforce Development Board at: 539 S. Chestnut, Suite 300, Lufkin, Texas, 75901. You have the right to have a hearing representative, including legal counsel, participate in the Board hearing.

Once a complaint is filed with the Board, you will be notified in writing of a Board hearing at least (10) ten calendar days prior to the hearing date. The ten-day notice may be shortened with prior written consent of the parties involved. A Board decision will be issued within 60 calendar days from the date the complaint is originally filed.

If you do not agree with the decision issued by the Board or if no decision is mailed within 60 calendar days from the date the complaint was originally filed, you may file a written appeal to the Commission. The appeal must be sent within 14 calendar days after the mailing date of the Board's decision or 90 calendar days after the original filing date of the complaint.

Appeals to the Commission are mailed to:

Appeals, Texas Workforce Commission  
101 East 15th St., Room 410  
Austin, Texas 78778-0001

## APPEALS

When a written determination has been sent that adversely affects you, you have the right to appeal that decision. Should you choose to do so, you must:

1. Send a written request for a review of the decision no later than the fourteenth (14) calendar day after the mailing date of the determination from WorkForce Solutions;
2. Send the written request to:  
Ms. Lynne Bauereiss  
WorkForce Solutions Deep East Texas  
539 South Chestnut, Suite 300  
Lufkin, Texas 75901

Or you may fax the request to:  
Ms. Bauereiss at (936) 633-7491

3. You will be notified within 5 business days of receipt of your appeal request. At that time, an informal resolution will be scheduled and you will be asked to call at a specified time to discuss your appeal. If you do not call in, it is assumed that you consider the matter to be resolved, and no further action will be taken. If you are not satisfied with the informal resolution, then you may request a formal hearing to resolve your appeal. You have the right to have a hearing representative, including legal counsel at the Board hearing. You will be notified within 60 days of the filing date of the appeal decision by the hearing officer. Should you disagree with the decision by the Board hearing officer, you may file an appeal with the Texas Workforce Commission following the steps as outlined in the Complaint section.

## APPENDIX 1 Parent Eligibility and Enrollment Process

General eligibility for low-income child care assistance includes:

- ◆ Parents must be in school, working, or in training for a minimum of 25 hours per week. If married or living with the child's other parent, both parents must be in an allowable activity a minimum of 25 hours per week. If parents are unable to meet the work/school requirements due to a verified medical disability, they may inform CCS about the need to work fewer hours and submit medical documentation from an appropriate medical professional. The same applies if parents must work fewer hours to care for a disabled family member;
- ◆ The household income must be below the set income limits, according to family size; and
- ◆ Agree to report all changes that affect their eligibility for child care within 10 days of the change, submit required documents timely, meet the requirements of the Personal Responsibility Agreement, pay parent fees on time to the child care provider; and use the CCAA swipe card accurately to report their child's attendance and absences.

When a parent applies for child care assistance:

1. CCS staff determines eligibility for child care services by verifying income, attendance in school/training programs, and receipt of public assistance. All income received in the household is considered in determining eligibility. This includes income from bonuses, overtime, child support payments, disability checks and so forth.
2. CCS provides information regarding program requirements.
3. CSS provides information on choosing a child care provider. It is the parent's responsibility to choose child care that meets their needs.
4. Most parents will be required to pay a parent share of cost and they are informed of this amount prior to enrollment.

If eligible for child care assistance, parents will be placed on the waiting list unless enrollment is open. When parents are at the top of the wait list, additional verification may be required depending on the waiting time as information must be current at the time of enrollment. If parents are placed on the waiting list, they must keep CCS informed of any changes in their contact information, and contact CCS at least every 60 days to maintain their place on the waiting list or their name will be removed and they will have to reapply.

Eligibility for child care assistance will normally be certified for a period no longer than 6 months. Parents may continue to be eligible for child care services if funds are available and they continue to meet the eligibility requirements. During the month prior to the last certified month, eligibility for continued child care services will be reevaluated.