

West's Ann.Cal.Educ.Code T. 1, D. 1, Pt. 6, Ch. 2, Art. 2.5, Refs & Annos

West's Ann.Cal.Educ.Code § 8217

§§ 8217 to 8219. Repealed by Stats.1988, c. 972, § 1, operative Jan. 1, 1993

West's Ann.Cal.Educ.Code § 8218

§§ 8217 to 8219. Repealed by Stats.1988, c. 972, § 1, operative Jan. 1, 1993

West's Ann.Cal.Educ.Code § 8219

§§ 8217 to 8219. Repealed by Stats.1988, c. 972, § 1, operative Jan. 1, 1993

West's Ann.Cal.Educ.Code T. 1, D. 1, Pt. 6, Ch. 2, Art. 3, Refs & Annos

West's Ann.Cal.Educ.Code § 8220

§ 8220. Use of funds; alternative payment programs

Upon the approval of the State Department of Education, funds appropriated for the purposes of this chapter may be used for alternative payment programs to allow for maximum parental choice. Various methods of reimbursement for parental costs for child care may be utilized. All payment arrangements shall conform to the eligibility criteria and the parent fee schedule established pursuant to Sections 8263 and 8265.

To provide for maximum parental choice, alternative payment programs may include the following:

- (a) A subsidy that follows the family from one provider to another within a given alternative payment program.
- (b) Choices, whenever possible, among hours of service including before and after school, evenings, weekends, and split shifts.
- (c) Child care and development services according to parental choice, including use of family day care homes, general center based programs, and other state-funded programs to the extent that those programs exist in the general service area and are in conformity with the purposes and applicable laws for which those programs were established, but excluding state preschool programs.

West's Ann.Cal.Educ.Code § 8220.1

§ 8220.1. Contracts; new programs; allocation of funding; requirements

(a) The State Department of Education shall contract with local contracting agencies for alternative payment programs so that services will be provided throughout the state. The department shall expand existing alternative payment programs and fund new alternative payment programs to the extent that funds are provided by the Current with urgency legislation through Ch. 25, also including Chs. 39 and 41 of 2014 Reg.Sess., Res. Ch. 1 of 2013-2014 2nd Ex.Sess., and all propositions on the 6/3/2014 ballot

California Codes _Education Code _Title 1. General Education Code Provisions _Division 1. General Education Code Provisions _Part 6. Education Programs--State Master Plans _Chapter 2. Child Care and Development Services Act _Article 2.5. Parent-Child Information Pilot Program [Repealed]
Legislature.

(b) Funding for the new programs pursuant to this section shall be allocated to programs which meet all of the following requirements:

(1) Applicants shall conform to the requirements of this article.

(2) Applicants shall demonstrate that an alternative payment child development program is an appropriate method of delivering child care services within the county or service area at the level requested in the application by doing either of the following:

(A) Demonstrating the availability of sufficient licensed or exempt child care providers.

(B) Providing a plan for the development of sufficient licensed child care providers working in cooperation with the local resource and referral agency.

(3) Applicants shall demonstrate the administrative viability of the alternative payment agency and its capacity to meet performance requirements.

(4) Existing alternative payment child development programs receiving funds for expansion into a new service area shall be funded at a documented rate appropriate to that community and may contract separately as appropriate.

West's Ann.Cal.Educ.Code § 8220.2

§ 8220.2. Geographic service area; priorities for funding

Alternative payment programs shall serve an identifiable geographic area approved by the State Department of Education. The service area may be delineated by jurisdictional city or county boundaries, by natural geographic barriers, streets, roads, or zip codes.

In the appropriation of expansion funds allocated in this section and in Assembly Bill 55 of the 1985-86 Regular Session of the Legislature, first priority shall be given to develop the alternative payment programs in unserved areas of the state.

Second priority shall be given to expand current alternative payment programs. The state department shall reserve funds to ensure that at least 50 percent of the moneys allotted for the alternative payment program in both Assembly Bill 55 of the 1985-86 Regular Session of the Legislature and this section shall be used to fund this second priority.

West's Ann.Cal.Educ.Code § 8220.5

§ 8220.5. Access to resource and referral services; funding; support services

Current with urgency legislation through Ch. 25, also including Chs. 39 and 41 of 2014 Reg.Sess., Res. Ch. 1 of 2013-2014 2nd Ex.Sess., and all propositions on the 6/3/2014 ballot

California Codes _Education Code _Title 1. General Education Code Provisions _Division 1. General Education Code Provisions _Part 6. Education Programs--State Master Plans _Chapter 2. Child Care and Development Services Act _Article 2.5. Parent-Child Information Pilot Program [Repealed]

To offer maximum support for parents and providers, alternative payment programs shall have access to resource and referral services. Funding shall be adequate to purchase care at the fee charged the private client for the same service as well as to provide locally designed support services for parents and providers. In communities where there are no resource and referral agencies, alternative payment programs shall provide the following support services:

- (a) Information for parents to assist them in making informed choices.

- (b) Professional and technical assistance and information for providers.

- (c) Parenting information.

West's Ann.Cal.Educ.Code § 8221

§ 8221. Authorized services

Alternative payments may be made for services provided in licensed centers and family day care homes, for care provided in the child's home, and for other types of care which conform to applicable law.

West's Ann.Cal.Educ.Code § 8222

§ 8222. Amount of payment; limitations; reimbursements; rate sheet and other program requirements

Effective: September 30, 2008

- (a) Payments made by alternative payment programs shall not exceed the applicable market rate ceiling. Alternative payment programs may expend more than the standard reimbursement rate for a particular child. However, the aggregate payments for services purchased by the agency during the contract year shall not exceed the assigned reimbursable amount as established by the contract for the year. No agency may make payments in excess of the rate charged to full-cost families. This section does not preclude alternative payment programs from using the average daily enrollment adjustment factor for children with exceptional needs as provided in Section 8265.5.

- (b) Alternative payment programs shall reimburse licensed child care providers in accordance with a biennial market rate survey pursuant to Section 8447, at a rate not to exceed the ceilings established pursuant to Section 8357.

- (c) An alternative payment program shall reimburse a licensed provider for child care of a subsidized child based on the rate charged by the provider to nonsubsidized families, if any, for the same services, or the rates established by the provider for prospective nonsubsidized families. A licensed child care provider shall submit to the alternative payment program a copy of the provider's rate sheet listing the rates charged, and the provider's discount or scholarship policies, if any, along with a statement signed by the provider confirming that the rates charged for a subsidized child are equal to or less than the rates charged for a nonsubsidized child.

- (d) An alternative payment program shall maintain a copy of the rate sheet and the confirmation statement.

California Codes _Education Code _Title 1. General Education Code Provisions _Division 1. General Education Code Provisions _Part 6. Education Programs--State Master Plans _Chapter 2. Child Care and Development Services Act _Article 2.5. Parent-Child Information Pilot Program [Repealed]

(e) A licensed child care provider shall submit to the local resource and referral agency a copy of the provider's rate sheet listing rates charged, and the provider's discount or scholarship policies, if any, and shall self-certify that the information is correct.

(f) Each licensed child care provider may alter rate levels for subsidized children once per year and shall provide the alternative payment program and resource and referral agency with the updated information pursuant to subdivisions (c) and (e), to reflect any changes.

(g) A licensed child care provider shall post in a prominent location adjacent to the provider's license at the child care facility the provider's rates and discounts or scholarship policies, if any.

(h) An alternative payment program shall verify provider rates no less frequently than once a year by randomly selecting 10 percent of licensed child care providers serving subsidized families. The purpose of this verification process is to confirm that rates reported to the alternative payment programs reasonably correspond to those reported to the resource and referral agency and the rates actually charged to nonsubsidized families for equivalent levels of services. It is the intent of the Legislature that the privacy of nonsubsidized families shall be protected in implementing this subdivision.

(i) The department shall develop regulations for addressing discrepancies in the provider rate levels identified through the rate verification process in subdivision (h).

West's Ann.Cal.Educ.Code § 8222.1

§ 8222.1. Alternative payment programs; reallocation of funds for reimbursement; applications

Effective: January 1, 2008

Out of funds appropriated in accordance with paragraph (2) of subdivision (b) of Section 8278 for alternative payment programs, the department shall reallocate funds as necessary to reimburse alternative payment programs, excluding programs operating pursuant to Article 15.5 (commencing with Section 8350), for actual and allowable costs incurred for additional services. An alternative payment program may apply for reimbursement of up to 3 percent of the contract amount, or for a greater amount subject to the discretion of the department based on the availability of funds. The department shall approve or deny applications submitted pursuant to this section, but shall not consider applications received after September 30 of the current calendar year. The department shall distribute reimbursement funds for each approved application within 90 days of receipt of the application if it was filed between May 1 and July 20, inclusive, of the current calendar year. Applications received after July 20 are not subject to the 90-day requirement for the distribution of funds. If requests for reimbursement pursuant to this section exceed available funds, the department shall assign priority for reimbursement according to the order in which it receives applications. Funds received by an alternative payment program pursuant to this section that are not substantiated by the program's annual audit shall be returned to the department.

West's Ann.Cal.Educ.Code § 8222.5

§ 8222.5. Repealed by Stats.2006, c. 75 (A.B.1808), § 2, eff. July 12, 2006

Effective: July 12, 2006

West's Ann.Cal.Educ.Code § 8223

Current with urgency legislation through Ch. 25, also including Chs. 39 and 41 of 2014 Reg.Sess., Res. Ch. 1 of 2013-2014 2nd Ex.Sess., and all propositions on the 6/3/2014 ballot

California Codes _Education Code _Title 1. General Education Code Provisions _Division 1. General Education Code Provisions _Part 6. Education Programs--State Master Plans _Chapter 2. Child Care and Development Services Act _Article 2.5. Parent-Child Information Pilot Program [Repealed]
§ 8223. Reimbursement; limits on administrative and support services costs

Effective: October 19, 2010

The reimbursement for alternative payment programs shall include the cost of child care paid to child care providers plus the administrative and support services costs of the alternative payment program. The total cost for administration and support services shall not exceed an amount equal to 17.5 percent of the total contract amount. The administrative costs shall not exceed the costs allowable for administration under federal requirements.

West's Ann.Cal.Educ.Code § 8224

§ 8224. Audits

The audits for such agencies shall include, but not be limited to, a sampling of the evidence of fees charged to, and paid by, families of non-subsidized children, the daily enrollment of subsidized children, the number of days of service provided to subsidized children, the assessment and collection of parent fees, and the availability of support services to subsidized children and their families as needed pursuant to the terms of the contract.

West's Ann.Cal.Educ.Code § 8225

§ 8225. Number of referrals; license exempt provider

When making referrals, every agency operating both a direct service program and an alternative payment program shall provide at least four referrals, at least one of which shall be a provider over which the agency has no fiscal or operational control, as well as information to a family on the family's ability to choose a license exempt provider.

West's Ann.Cal.Educ.Code § 8226

§ 8226. Referral request; right to view licensing information of facility; advisement form; removal from referral list; effect of revocation or temporary suspension

Effective: October 7, 2005

(a) When making referrals, every program operating pursuant to this article shall provide information to any person who requests a child care referral of his or her right to view the licensing information of a licensed child day care facility required to be maintained at the facility pursuant to Section 1596.859 of the Health and Safety Code and to access any public files pertaining to the facility that are maintained by the State Department of Social Services Community Care Licensing Division.

(b) A written or oral advisement in substantially the following form will comply with the requirements of subdivision (a):

“State law requires licensed child day care facilities to make accessible to the public a copy of any licensing report pertaining to the facility that documents a facility visit or a substantiated complaint investigation. In addition, a more

Current with urgency legislation through Ch. 25, also including Chs. 39 and 41 of 2014 Reg.Sess., Res. Ch. 1 of 2013-2014 2nd Ex.Sess., and all propositions on the 6/3/2014 ballot

California Codes _Education Code _Title 1. General Education Code Provisions _Division 1. General Education Code Provisions _Part 6. Education Programs--State Master Plans _Chapter 2. Child Care and Development Services Act _Article 2.5. Parent-Child Information Pilot Program [Repealed]
complete file regarding a child care licensee may be available at an office of the State Department of Social Services Community Care Licensing Division. You have the right to access any public information in these files.”

(c) Every program operating pursuant to this article shall, within two days of receiving notice, remove from the program’s referral list the name of any licensed child day care facility with a revocation or a temporary suspension order or that is on probation.

(d) A program operating pursuant to this article shall, within two business days of being notified of a revocation or a temporary suspension order for a licensed child day care facility, do both of the following:

(1) Terminate payment to the facility.

(2) Notify each parent and the facility in writing that payment has been terminated and the reason for the termination.

(e) A program operating pursuant to this article shall, upon being notified that a licensed child day care facility has been placed on probation, provide written notice to each parent utilizing the facility that the facility has been placed on probation and that the parent has the option of selecting a different child day care provider or remaining with the facility without risk of subsidy payments to the provider being terminated. The Legislature urges each agency operating pursuant to this section to provide the written notice required by this subdivision in the primary language of the parent, to the extent feasible.

West’s Ann.Cal.Educ.Code § 8227

§ 8227. Countywide centralized eligibility list; administration; contents; reporting; contractor participation

Effective: July 19, 2005

(a) To the extent that funding is made available for this purpose through the annual Budget Act, the alternative payment agency in each county shall design, maintain, and administer a system to consolidate local child care waiting lists so as to establish a countywide centralized eligibility list. In those counties with more than one alternative payment agency, the agency that also administers the resource and referral program shall have the responsibility of developing, maintaining, and administering the countywide centralized eligibility list. In those counties with more than one alternative payment agency and more than one resource and referral program, the State Department of Education shall establish a process to select the agency to develop, maintain, and administer the countywide centralized eligibility list.

(b) Notwithstanding subdivision (a), in those counties in which a countywide centralized eligibility list exists, as of the date that the act adding this section is enacted, the entity administering that list may receive funding, instead of the entity specified under subdivision (a).

Current with urgency legislation through Ch. 25, also including Chs. 39 and 41 of 2014 Reg.Sess., Res. Ch. 1 of 2013-2014 2nd Ex.Sess., and all propositions on the 6/3/2014 ballot

California Codes _Education Code _Title 1. General Education Code Provisions _Division 1. General Education Code Provisions _Part 6. Education Programs--State Master Plans _Chapter 2. Child Care and Development Services Act _Article 2.5. Parent-Child Information Pilot Program [Repealed]

(c) Each centralized eligibility list shall include all of the following:

(1) Family characteristics, including ZIP Code of residence, ZIP Code of employment, monthly income, and size.

(2) Child characteristics, including birth date and whether the child has special needs.

(3) Service characteristics, including reason for need, whether full-time or part-time service is requested, and whether after hours or weekend care is requested.

(d) Information collected for the centralized eligibility list shall be reported to the Superintendent of Public Instruction on an annual basis on the date and in the manner determined by the State Department of Education.

(e)(1) To be eligible to enter into an agreement with the department to provide subsidized child care, a contractor shall participate in and use the centralized eligibility list.

(2) A contractor with a campus child care and development program operating pursuant to Section 66060, migrant child care and development program operating on a seasonal basis pursuant to Section 8230, or program serving severely handicapped children pursuant to subdivision (d) of Section 8250 and who has a local site waiting list shall submit eligibility list information to the centralized eligibility list administrator for any parent seeking subsidized child care for whom these programs are not able to provide child care and development services. A child care and development contractor or program described in this paragraph may utilize any waiting lists developed at its local site to fill vacancies for its specific population. Families enrolled from a local site waiting list shall be enrolled pursuant to Section 8263.

West's Ann.Cal.Educ.Code § 8227.3

§ 8227.3. Maintenance of records in electronic format

Effective: January 1, 2014

(a) Alternative payment programs and providers operating or providing services pursuant to this article may maintain records in electronic format only if the original documents were created in electronic format. Records that may be created in electronic format and maintained electronically include, but are not limited to, the following:

(1) Child immunization records.

(2) Parental job verification records.

Current with urgency legislation through Ch. 25, also including Chs. 39 and 41 of 2014 Reg.Sess., Res. Ch. 1 of 2013-2014 2nd Ex.Sess., and all propositions on the 6/3/2014 ballot

California Codes _Education Code _Title 1. General Education Code Provisions _Division 1. General Education Code Provisions _Part 6. Education Programs--State Master Plans _Chapter 2. Child Care and Development Services Act _Article 2.5. Parent-Child Information Pilot Program [Repealed]

(3) Parent income verification.

(4) Parent school or training verifications and attendance records.

(b) Pursuant to Section 33421, the original records shall be retained by each contractor for at least five years, or, where an audit has been requested by a state agency, until the date the audit is resolved, whichever is longer.

(c) Nothing in this section requires an alternative payment program or provider to create records electronically.

West's Ann.Cal.Educ.Code T. 1, D. 1, Pt. 6, Ch. 2, Art. 4, Refs & Annos

West's Ann.Cal.Educ.Code § 8228

§ 8228. Repealed by Stats.2004, c. 555 (A.B.2205), § 1, operative Jan. 1, 2010

Effective: January 1, 2010

West's Ann.Cal.Educ.Code T. 1, D. 1, Pt. 6, Ch. 2, Art. 5, Refs & Annos

West's Ann.Cal.Educ.Code T. 1, D. 1, Pt. 6, Ch. 2, Art. 6, Refs & Annos

West's Ann.Cal.Educ.Code § 8230

§ 8230. Administration

The Superintendent of Public Instruction shall administer all migrant child care and development programs. In addition, the Superintendent of Public Instruction shall support and encourage the state-level coordination of all agencies that offer services to migrant children and their families and state-level coordination of existing health funds for migrants.

West's Ann.Cal.Educ.Code § 8231

§ 8231. "Migrant agricultural worker family" defined; enrollment priorities

(a) For the purpose of this article, a "migrant agricultural worker family" means a family that has earned at least 50 percent of its total gross income from employment in fishing, agriculture, or agriculturally related work during the 12-month period immediately preceding the date of application for child care and development services.

(b) Children of migrant agricultural worker families shall be enrolled in child development programs on the basis of the following priorities:

(1) The family moves from place to place.

Current with urgency legislation through Ch. 25, also including Chs. 39 and 41 of 2014 Reg.Sess., Res. Ch. 1 of 2013-2014 2nd Ex.Sess., and all propositions on the 6/3/2014 ballot

California Codes _Education Code _Title 1. General Education Code Provisions _Division 1. General Education Code Provisions _Part 6. Education Programs--State Master Plans _Chapter 2. Child Care and Development Services Act _Article 2.5. Parent-Child Information Pilot Program [Repealed]

(2) The family has qualified under paragraph (1) within the past five years and is currently dependent for its income on agricultural employment, but is currently settled near agricultural areas.

(3) The family resides in a rural agricultural area and is dependent upon seasonal agricultural work.

(4) Eligibility and priority for services for the federally funded Migrant Child Development Program shall be in accordance with the applicable federal regulations.

West's Ann.Cal.Educ.Code § 8232

§ 8232. Services included; funding

The superintendent shall develop appropriate migrant child care and development programs, quality indicators, including those prescribed in subdivisions (a) to (h), inclusive, and (k) to (m), inclusive, of Section 8203, and the following :

(a) Social services.

(1) Bilingual liaison between migrant parents and the center or family child care home, or both.

(2) Liaison between the agency and the relevant community agencies and organizations, including health and social services.

(3) Identification and documentation of family needs and followup referrals as appropriate.

(b) Staffing.

(1) Bilingual health personnel shall be available to each program site of a migrant child care and development agency.

(2) Professional and nonprofessional staff shall reflect the linguistic and cultural background of the children being served.

(3) Whenever possible, migrants will be recruited, trained, and hired in child care and development programs. Current with urgency legislation through Ch. 25, also including Chs. 39 and 41 of 2014 Reg.Sess., Res. Ch. 1 of 2013-2014 2nd Ex.Sess., and all propositions on the 6/3/2014 ballot

California Codes _Education Code _Title 1. General Education Code Provisions _Division 1. General Education Code Provisions _Part 6. Education Programs--State Master Plans _Chapter 2. Child Care and Development Services Act _Article 2.5. Parent-Child Information Pilot Program [Repealed]

Documentation of training and career ladder opportunities and of recruitment and hiring efforts shall be provided to the Department of Education. Staff training shall include principles and practices of child care and development for the age groups of children being served.

(c) Health services in migrant child care and development programs shall include health and dental screening and followup treatment. Health records for all migrant children shall follow the child.

West's Ann.Cal.Educ.Code § 8233

§ 8233. Cost for migrant programs; reimbursement; federal funds; limitations

(a) Cost for migrant programs may exceed the standard reimbursement rate established by the Superintendent of Public Instruction. In no case shall the reimbursement exceed the cost of the program. State-funded programs may be eligible for Chapter I federal funds to supplement state funding. These funds shall not be contingent upon the provision of additional child days or enrollment.

(b) The Superintendent of Public Instruction shall annually reimburse seasonal migrant child care and development agencies for approvable startup and closedown costs. Reimbursement for both startup and closedown costs shall not exceed 15 percent of each such agency's total contract amount.

Seasonal migrant child care and development agencies shall submit reimbursement claims for startup costs with their first monthly reports, and reimbursement claims for closedown costs with their final reports.

West's Ann.Cal.Educ.Code § 8234

§ 8234. Repealed by Stats.2000, c. 1058 (A.B.2907), § 9

Effective: January 1, 2001