



WORKFORCE SOLUTIONS

SOUTH TEXAS

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Child Care Services Provider Handbook

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Chapter 1

Overview of the TWC/Child Care Services

A Board must, as part of its Texas Workforce Development Board Plan (Board Plan), develop, amend and modify Board plan to incorporate and coordinate the design and management of delivery of the child care services with delivery of other workforce employment, job training and educational services identified in Texas Government code 2308.251 et. Seq., as well as other workforce training and services included in the Texas Workforce system.

The goal of the Board plan is to:

- Coordinate workforce training and services
- Leverage private and public funds at the local level
- Fully integrate child care services for low-income families with the network of workforce training and services under Board administration

Boards must design and manage the Board plan to maximize the delivery and availability of the safe and stable child care services that assist families seeking to become independent from, or at risk of becoming dependent on, public assistance while parents are either working or attending job training or educational program.

Rule Reference: §809.12

- Child Care Contractor (CCS) - The entity or entities under contract with the Board to manage child care services. This includes contractors involved in determining eligibility for child care services, contractors involved in the billing and reimbursement process related to child care subsidies, and contractors involved in the funding of quality improvement activities.
- Child Care Regulation (CCR) - —Division responsible for protecting the health, safety, and well-being of children who attend or reside in regulated child care facilities and homes. Previously a division of the Texas Department of Family and Protective Services (DFPS), CCR is now part of the Texas Health and Human Services Commission (HHSC).
- Child care subsidies—TWC-funded child care reimbursements to an eligible child care provider for the direct care of an eligible child

Child Care Services (CCS) Staff

Providers will have direct contact with the following Child Care staff:

- Child Development Specialist (CDS), who:
 - Offers program support,
 - Helps providers comply with Providers Manual requirements,
 - Offers access to Resource Room.
- Program Clerk (PC), who
 - Ensures all customer documents are complete prior to submitting to Eligibility Specialist ES for further processing.
- Eligibility Specialist (ES), who:
 - Help parents during intake and enrollment, and
 - Provide authorization of services to the provider, once the parent selects their Learning Center.

- Quality Control (QC), who:
 - Performs quality reviews on all cases and ensures eligibility determination is completed accurately.
 - Interpret child care policy and procedures and provides guidance to the child care staff.
- Financial Management Specialist (FMS), who:
 - Process imported attendance and supplemental forms submitted by relative providers,
 - Process Absence and Non-Payment of Parent Share of Cost reports
 - Research and answer payment questions.
- TRS Assessors and Mentors, who:
 - Provides mentoring services to increase provider's educational quality of care, mentor does not act as the assessor of the same provider when determining the TRS certification.
- Child Care Program Manager, who:
 - Oversees the daily operations of all Child Care Services staff. Program Manager is the main point of contact for providers' questions or concerns.
- The Project Director, who:
 - Oversee the operations of the entire Workforce system; plans, directs and oversees budget management.
- Director of Quality Initiatives, who:
 - Responsible for the planning, strategic management and operational support of Serco's contracted Workforce Centers and Child Care Services.
- The Contract Manager employed by the Workforce Solutions for South Texas Board works with staff of all departments mentioned above and may visit provider facilities.
- Child Care Provider, who
 - Provides quality child care services to an eligible child in a location other than the eligible child's own residence.

Laws, Regulations and Rules Governing the Child Care Contractor System

- All rules, policies and procedures contained in the Child Care Services (CCS) Provider Handbook are based on TWC Child Care Services Guide, [Child Care Services Guide \(texas.gov\)](https://www.texas.gov) federal and/or state laws and regulations. Workforce Solutions for South Texas Board develops policies and procedures to ensure that the Child Care Services Contractor implements the federal and/or state laws and regulations accordingly as they manage the program. Providers who fail to comply with any policies and procedures stipulated in the CCS Provider Handbook and in the CCS Provider Agreement may be subject to the implementation of a Service Improvement Agreement (SIA), corrective action, and/or termination of contract.

Funding for Child Care

Federal and state government, provide funding to subsidize childcare services to eligible children. Funding sources administered by TWC that help families with their childcare needs include:

- Funds that pay child care expenses for parents who are participating in the Choices program.

- Funds that help pay for transitional child care to support the employment of parents for the first year after Temporary Assistance for Needy Families (TANF) benefits may be discontinued because of inactivity;
- Funds that pay child care expenses for parents who participate in the Supplemental Nutritional Assistance Program (SNAP) Employment and Training Program;
- Funds that are used to help pay for several groups of eligible low-income parents and for child care services to children referred by Child Protective Services (DFPS) cases, and
- Funds that provide child care for foster children;
- Funds that help pay for child care to support employment and education or training of low-income parents;
- Other special projects approved by TWC.

Note: Should the funding be limited and/or exhausted, the Workforce Solution for South Texas will serve the priority groups in accordance with TWC Policies (CCG B-401).

Provider Meetings

As a contracted provider with Child Care Services, it is recommended that providers attend Child Care Provider Meetings which are held monthly. Important information and reminders of policies and procedures is shared with the Child Care Providers.

Due to any unforeseen occurrences, meetings may be conducted as needed, and Child Care Services staff will advise by contacting provider via Constant Contact.

Meetings may be conducted as listed:

- In person at Workforce Solutions primary office or
- Virtual Meetings

Chapter 2

Becoming a Contracted Provider

Requirement 1: Licensing and Registration

According to the Child Care Services Guide: F-100: Minimum Requirements for Providers, in order to be a CCS provider; a child care provider must be:

- Licensed by the Texas Health and Human Services (HHSC) Child Care Regulation (CCR) <http://www.dfps.state.tx.us>; and
- Registered with Child Care Regulation (CCR) as a:
 - Licensed Center,
 - Licensed Child Care Home,
- House Bill (HB) 2607 requires that all regulated providers of TWC-funded CCS participate in the Texas Rising Star program. HB 2607 also required the creation of a new Entry Level designation and a maximum length of time that a child care program may participate at the Entry Level designation level.

Childcare Providers **must not** be:

- The subject of corrective or adverse action with, Child Care Regulation, or the United States military services, or any other state or federal agency.
- On corrective or adverse action or corrective denial with Child Care Regulation, and have established an unsatisfactory compliance history with them.

Contractor staff, CDS Department, will consult online or if necessary on the phone with Child Care Regulation to determine whether a satisfactory compliance history has been established. Potential CCS providers should not be on “Applicant Status” with Child Care Regulation.

If a Board or its Child Care Contractor gains knowledge of violations to Child Care Regulation minimum standards, the Board or its Child Care Contractor must report it to the respective Child Care Regulation’s agency.

Requirement 2: Abiding by the Terms of the Provider Agreement

To be a CCS provider, a childcare provider must:

- Sign a Provider Agreement, which is also signed by a representative of Child Care Services
- Agree to abide by the terms of the Child Care Services Provider Agreement
- Agree to follow procedures outlined in this Child Care Services Provider Handbook, and Guidelines established in the Child Care Services Guide as well as other federal and/or state laws and regulations

Policy Disclaimer

Based on a federal/state emergency, any WD-Letters released by the Texas Workforce Commission will be taken into effect and if needed, a Board Policy and/or Contractor Standard Operating Procedure will be implemented to adhere to a WD-Letter. Board and Contractor will make sure to communicate WD-Letters to its providers, in order to make sure that Workforce Solutions for South Texas is abiding with newly released WD-Letters, which at times require complying until further notice from the Texas Workforce Commission.

Requirement 3: Liability Insurance

In order to become a CCS provider, a **Licensed Center** must comply with Provider General Liability Insurance Requirements as follows:

- Carry a \$300,000.00 or more per occurrence of commercial general liability insurance, have and maintain commercial general liability insurance that covers children while they are in the facility, on the playground and at field trips
- Have their agent send the Child Care Contractor documentation of the insurance policy.

Home-Based Providers are not required to have liability insurance. Therefore, if a home-based provider's liability insurance is cancelled or lapses, Contractor shall not withhold reimbursement from the provider.

When Insurance is Required, The provider will:

- Renew liability insurance before the expiration date; and
- Buy new insurance coverage, if the entire \$300,000.00 limit is used before the end of period of coverage, and

Advantages of being a CCS provider include:

- Technical assistance from CCS staff
- Access to Child Care Services resource room
- Receive direct payment for childcare services rendered to children referred by CCS.
- During the calendar year, CCS providers will have nine (9) paid holidays and Texas Rising Star certified providers will have twelve (12) paid holidays.
- Ability for parents enrolled in the Child Care Services program to select your program
- Participate in Texas Rising Star certification program, a Quality Rating and Improvement System
- Access to extensive training and resources
- Monthly Informational Meetings

The Provider Agreement

When a childcare provider decides to participate in the Child Care Contractor system, the Child Care Contractor will arrange for a Provider Agreement to be completed and signed by the provider and the Child Care Contractor Representative. The Provider Agreement will be the basis for payment to providers for child care services rendered; therefore, it must be signed before children are referred as CCS clients.

The Provider agreement will:

- Have information needed by the Child Care Contractor;
- Explain to providers what they must do; and
- Include this Child Care Contractor Provider Handbook as part of the agreement.

Provider Agreements are legal contracts and are valid through September 30, 2024 for Entry Level and 3 years for TRS certified providers, as long as;

- Providers Child Care Regulation, license, registration or certification remains current.
- Providers liability insurance remains in effect (refer to Liability Insurance Requirements) and
- Providers comply with terms of the Child Care Contractor Provider Agreement and Child Care Services Handbook.
- Provider is not the subject of corrective or adverse action with Child Care Regulation.
- Provider maintains a professional attitude with referred clients, children and contractor staff

Note:

Having a Provider Agreement does not guarantee that a provider will have children referred by the Child Care Contractor. All referrals made by the Child Care Contractor are based on parent's choice. Even if the provider does not have Child Care Contractor referred children in care, they must comply with the terms of the provider agreement in order to keep the agreement current.

Note:

The Child Care Contractor must not enter into a Provider Agreement with any child care provider if the provider or a staff person of the provider has been found to be in serious noncompliance with, serious deficient by, or debarred from any other State or Federal program (such as the Child Care Food Program). In addition, the Child Care Contractor shall terminate within thirty days the provider agreement of any Child Care Contractor Provider whose facility or staff are found to be in serious noncompliance with, seriously deficient by or debarred from other State or Federal programs.

Renewal of the Provider Agreement

Child Care Contractor staff will notify providers 30 days in advance that the renewal date is near. Provider Agreements will be renewed if the provider:

- Maintains a satisfactory compliance with Child Care Regulation's minimum standards with licensing,
- Meets the terms of the Provider Agreement,
- Agrees to renew the Agreement, and
- Maintains a professional attitude with referred clients, children, other contracted providers and contractor staff.

When a provider wishes to terminate the provider agreement, the provider shall:

- State in writing the reason(s) for termination thirty (30) days in advance.
- All equipment and materials provided through CCS must be returned by the end of the 30th day as well as the Resource Rooms items borrowed.

Holidays/Insurance Annual Amendments

Providers are required to submit on an annual basis updated holidays, and if applicable current copy of Learning Centers insurance.

- Holidays must be submitted no later than December 1st to CDS Department.
- Insurance must be submitted when centers insurance is renewed.

New or Amended Provider Agreements

All changes must be reported to the Child Care Contractor in writing. (See chart below for reporting timeframes) If a Childcare Provider is issued a new license number, a new Provider Agreement must be signed prior to transferring children to the new license number. *** Only changes that do not contradict TWC, or CCS policies will be approved.** Any changes implemented without a new signed provider agreement or amendment, are grounds for negotiating SIA or other corrective action, and up to termination of Agreement. If at any time, there is a question regarding a specific policy or procedure, it is the provider's responsibility to request technical assistance from the CDS Department.

Type of change	Timeframe for reporting
ANY change in facility license, permit, or registration by CCR, including loss of license/permit	Within 48 hours of notification from CCR (<i>prior</i> to the effective date)
ANY change affecting the status of facilities regulated by the U.S. Military	Within 48 hours of notification from CCR (<i>prior</i> to the effective date)
Change in EIN or Tax ID Number	15 calendar days <i>prior</i> to the effective date
New finding of a provider or their employee found to be in serious violation of, seriously deficient by or debarred from another State or Federal program (such as the Food Program)	Within 24 hours after notification received
Any changes that may cause termination of the CCS Provider Agreement	Within 48 hours of the change
Facility name, ownership, governing body or corporate status	15 calendar days <i>prior</i> to the effective date
New contact person or director	15 calendar days <i>prior</i> to the effective date
New address or temporary location	30 calendar days prior to the effective date or as soon as possible
New hours of operation	15 calendar days <i>prior</i> to the effective date
Holiday closings/changes	30 calendar days <i>prior</i> to the closing Any changes submitted after the sixth of the month will not take effect and payment will not be rendered.
Change in the ages of children served	30 calendar days <i>prior</i> to the effective date, payments will not be rendered.
Updated/new facility rates	30 calendar days <i>prior</i> to the effective date, if rates are submitted in the middle of the month rates won't be effective until the 1 st of the following month.
Texas Rising Star (TRS) Rates / Holidays	Any provider that attains TRS status changes to the enhanced rate for TRS certification or change in Star Level will not go into effect until the following month.

Chapter 3

How to Obtain Child Care Services

Parent Contact with Child Care Services

Parents may obtain services by contacting Child Care Services office as a self-referred parent. In addition, Parents are also referred from Workforce Solutions for South Texas, Texas Department of Family and Protective Services (DFPS), School Districts, Post-Secondary Educational Institutions and Head Start Programs.

Waiting Lists

During closed enrollment, the waiting list is for parents who need and have applied for child care services. Waiting lists allow priority groups to be serviced correctly and to ensure that low-income parents are served in the order of application date.

The Enrollment Process

When a parent is determined eligible for child care services, and if funds are available for the child's care, the Child Care Contractor:

- Gives the parents a list of contracted providers,
- Encourage the parents to visit potential providers and review the provider policies,
- Tells the parents to inquire on space availability for their child(ren), and
- Parent then notifies the child care contractor of their choice of provider.

Note: Federal law requires that parents be given a choice of where they want their children to go for care. Child Care Services cannot tell parents where they must take their children for care, except when:

- Children who are referred to Child Care Services by DFPS must be placed with Texas Rising Star Provider unless no Texas Rising Star Provider is available;
- Parents who need only part-time care will choose from a list of providers who offer part-time care.

When the parent notifies the Child Care Services (CCS) staff that a decision has been made, the Child Care Services (CCS) staff must:

- Verbally authorize care to start, by giving an authorization code to provider authorized representative
- Sends the provider a Form 2450, Child Care Contractor Authorization for Child Care Enrollment. (Please allow 5 working days to receive form 2450 **AFTER** verbal authorization is given.)
- If child/children do not attend selected facility by the 3rd day from initial referral, provider must report to Child Care Contractor

Child Care staff as well as providers must respect client's rights, in regards to updates on when and how parent's documentation is being handled, the only information given to the provider will be after the eligibility process has been completed.

Form 2450 tells the provider:

- The start and end date child care is authorized,
- The amount of the parent fee assessed,
- The days and hours of care authorized,

- Authorization code given and provider representative the case manager spoke to
- Please note: providers will not be reimbursed for any services provided before and/or after the start and/or end date indicated on the 2450, or
- For any services provided before or after the timeframe for the authorization code.

Child care referrals are site specific; if you have multiple sites, children must not be moved from one site to another. Reimbursement will not be made for child care provided at a site that is different from the site where care was authorized, or for a referral where you do not designate a rate for that age group or type of care (i.e. you indicated you did not accept infants, or offer part time care, but accepted such a referral anyway).

The provider **must not** accept a child unless the Child Care Services (CCS) staff has called the provider to authorize enrollment. Even if a DFPS case manager refers the child, it is the Child Care-Service (CCS) staff who authorizes the child's care. Providers will not be paid for care provided in the absence of authorization from the Child Care Services (CCS) staff.

Accepting Children Referred by Child Care Services (CCS) Contractor

Providers should accept all children referred to them by the Child Care Contractor as long as:

- The children are within the age range the providers are licensed to serve,
- The children are the ages covered by their Provider Agreement,
- Accepting the children does not put providers over the number of Child Care Contractor-referred children specified to be served in the Provider Agreement,
- Accepting the children does not put provider over its CHILD CARE REGULATION capacity
- The parent or his or her spouse, including the child's parent or stepparent, is not the director or assistant director, or has an ownership interest, or
- Licensed, registered, or listed child care homes where the parent does not work during the hours his or her child is in care.

The Americans with Disabilities Act (ADA) of 1990, as amended, requires that all individuals, regardless of their disabilities, be allowed access to childcare facilities, including registered child care homes. See Chapter 5 for additional information on working with children with disabilities.

Termination of Enrollment

Childcare Providers are given a Form 2450 with a start and end date. There are occasions when a child's enrollment is terminated immediately and the Child Care Services staff is unable to let the provider know ahead of time.

**When a parent informs the provider that the child (ren) will no longer be attending, the provider must contact the child care services (provide parent and child/ren information) within 24 hours of notification so that appropriate action can be taken. Failure to report may result in recouping of funds and possible initiation of an SIA.*

**Providers will not be reimbursed for days that children are not authorized for care, or after they have been notified by the parent or by the child care contractor that care is terminated.*

Note: Provider may not

- Terminate, suspend, and/or refuse care to CCS referred clients for violation of provider policy without first communicating with Child Care Services.
- It is the childcare provider's responsibility to communicate any concerns regarding a CCS referred client to the CDS.

Chapter 4

Enrolling Children with Disabilities

The ADA and Child Care Contractor Providers

The Americans with Disabilities Act (ADA), as amended, that went into effect in 1992 requires public accommodations, including Licensed Center, Licensed Child Care Home, and Registered Child Care Home, to ensure access for all individuals regardless of disabilities into their facility, and by making it possible for parents with disabilities to access child care facilities.

If a provider refuses to provide care to children with disabilities, they must be prepared to justify their enrollment decisions if challenged. Providers must document in writing any efforts to provide for a child's needs and show why they were not successful or readily available. Any concerns with a child that may require special needs must be communicated to the CDS.

Initiating the Inclusion Assistance Rate Process

The inclusion assistance rate process can be initiated only by a child's parent and cannot be initiated by child care provider.

Placing Children with Disabilities

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

Child Care Contractor staff work closely with providers who care for children with an inclusion plan.

Confidentiality

All information providers have about children with disabilities is confidential. Information about children with disabilities cannot be given to anyone, either in writing or verbally, without written consent from the parent. Provider caregivers working directly with children with disabilities must learn all they can about the children, including the confidential information. Caregivers must not share confidential information with:

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

Caring for Children with Disabilities

An Inclusion Plan that is developed with parents, provider, CDS, and any professionals involved with the care of the children.

Inclusion Assistance Rates

Additional reimbursement is available when extra adult assistance is needed for the child with a disability. To receive additional assistance, the provider must have a Workforce Solutions for South Texas approved professional complete TWC Form 2419, Assessment Information for Child Care Service that recommends additional adult assistance.

The CDS will help the provider with this process. The additional reimbursement rate is set at 190% of the provider's reimbursement rate, based on the type and amount of additional care that may be necessary according to approved professional.

As per CCS Guide: B-706.c: Authorizing the Inclusion Assistance Rate, the inclusion assistance rate may be used:

- Additional staff and necessary training
- Necessary equipment
- Necessary minor renovations
- Expected duration of the inclusion assistance rate
- The percentage of the increase rate, which is not to exceed 190 percent of the provider's reimbursement rate

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.

The child care contractor will verify provider compliance with approved activities within 30 calendar days of receiving approval for the inclusion assistance rate.

Resources

Based on the assessment of need by a specialist, the Child Care Contractor will help provide adaptive equipment that may be required for the provider to adequately care for a child with disabilities. The equipment will not be the property of the provider. Adaptive equipment is used by the child with disabilities and will follow the child if there is a change in providers. The equipment will be returned to the Child Care Services (CCS) when the child's care is terminated.

Most communities have resources available for children with disabilities, and most of the resources will be available to providers. The Child Care Contractor will assist providers in locating local resources, which may include:

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

Chapter 5

Determining Payment Rates to Providers for Services – Referred Children

Board Maximum Reimbursement Rates

Workforce Solutions for South Texas sets the maximum rates that providers can be reimbursed for services to Child Care contractor – referred children according to:

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

Maximum Reimbursement rates are based on the following:

- The type of child care offered, such as licensed center, registered child care home, or licensed child care home;
- The ages of the children served;
- Whether the facility is **Texas Rising Star** or not;
- Whether full-time or part-time care is provided; and
- Whether additional adult help is needed for with disabilities
- Whether the facility is Texas School Ready Certified or not.

In order to determine the maximum reimbursement rates, TWC and Workforce Solutions for South Texas conduct a survey of a random sample of childcare providers in the workforce development area. Providers are asked to report their published rate for care in each category listed above. The Board shall ensure that the rates provide equal access to child care services in the local market and in a manner consistent with state and federal statutes and regulations governing child care.

Provider Payment Rates

Actual payment rates for individual providers are set when the Rate Addendum Form is signed. The provider receives these amounts for each day of care provided to Child Care Contractor-referred children. Payment rates are based on the lower of provider's published rate or the Board's maximum rate.

A copy of the providers published rates must be provided to contractor CDS staff.

Provider reimbursement rates are based on their published rates pro-rated to a daily rate.

Registration and supply fees will also be pro-rated to a daily rate and added to daily rates.

The provider determines a single rate for full-time care and a single rate for part-time care for each category, for a total of eight rates if care is being provided for each of the age groups. Child Care Contractor staff is available to assist providers who have multiple rates within an age category in determining their rate for that category.

Providers will not be paid more than the established maximum reimbursement rate even if their published rates are higher than the maximum reimbursement rates.

Calculating Daily Rates

Once all fees to be included in calculating your daily rate have been identified, rates are calculated as follows:

	To obtain the daily rate:
Providers with monthly rates	Divide the rate by 4.33, then divide the result by 5
Providers with biweekly rates	Divide the rate by 2.165, then divide the result by 5
Providers with weekly rates	Divide the weekly amount by 5
Providers with hourly rates	Multiply the hourly rate by 12 to calculate the full-day rate and by 6 to calculate the part-day rate

Providers with multiple rates within an age category will average all applicable rates to obtain the published rate for the age category, and then determine the daily rate using the appropriate method. The calculated daily fee amount is the total reported fees prorated by the number of days in the provider's program year.

Program Type	Program Days
Full Year	260
School Year	194
Summer Only	66

A. Determining the "Blended Rate" for School Age Children

TWC requires that a single "blended" rate be paid for children who attend public school (Early Head Start, Head Start, Pre-K, and Elementary School) and need before and/or after school care when school is in session and full-time care for holidays and summer during the school year. Note: the full-time rate and part-time rate used in this calculation is the lower rate of the provider published rate or the maximum reimbursement rate. That rate combines the full time and part time rates using the following calculation:

$(\text{Part-time rate} \times 175 \text{ days}) + (\text{Full-time rate} \times 30 \text{ days}) = \text{School Year Rate}$

$\text{School Year Rate} / 205 \text{ school days} = \text{Blended Rate}$

Example: School Age Blended Rate

<i>Daily part-time rate (before and/or after school)</i>	<i>\$16.41 per day</i>
<i>x number of school days</i>	<i>175 days</i>
<hr/>	
<i>Total part-time rate</i>	<i>\$2,871.75</i>
<i>Daily full-time rate</i>	<i>\$21.16 per day</i>
<i>x number of school holidays during school year</i>	<i>30 days</i>
<hr/>	
<i>Total full-time rate</i>	<i>\$634.80</i>
<i>Total part-time rate</i>	<i>\$2,871.75</i>
<i>Total full-time rate</i>	<i>\$634.80</i>
<hr/>	
<i>Total School Year Rate</i>	<i>\$3,506.55</i>
<i>Total School Year Rate</i>	<i>\$3,506.55</i>
<i>Divided by the total # of School Days</i>	<i>205 days</i>
<hr/>	
<i>School Age Blended Rate</i>	<i>\$17.11 day</i>

Note: Blended rates apply for 205 days during the school year. Full-time rates apply for up to 12 weeks in the summer and are not dependent on school being in or out of session.

Once your published rate has been determined, that rate is compared to the Board’s maximum reimbursement rate. CCS will reimburse you the full amount of your published rate or the Board’s maximum reimbursement rate, whichever is lower. For example:

If your full-day rate for preschool care is...	And the Board’s maximum reimbursement rate for full-day preschool care is...	Then your reimbursement rate would be...
\$15.81	\$18.00	\$15.81 – your full rate!
\$18.00	\$15.81	\$15.81 – the maximum rate the Board has authorized CCS to pay

The Board’s maximum reimbursement rate is based on the results of a rate survey conducted by TWC and other local factors.

Once the rate comparison has been made for each age group and type of care, if you are willing to provide care for the rates that CCS agrees to reimburse, the CCS staff will complete a Provider Agreement and a Rate Agreement for you to sign. The Rate Agreement details how the published rate was determined and the amount you agree to be reimbursed. The Provider Agreement outlines the terms and conditions of the relationship between you and CCS and your rights and responsibilities as a provider of child care services for CCS families.

Your reimbursement for each child is based on the type of care authorized (full-day or part-day) and the child’s monthly enrollment authorization (excluding periods of suspension). The monthly enrollment authorization reimbursement for child care is based on the unit of service authorized, as follows:

- A full day unit of service is 6 to 12 hours of care provided within a 24-hour period;
- A part day unit of service is fewer than 6 hours of care provided within a 24-hour period.

The determination as to whether CCS will authorize full-day care or part-day care is based upon the parent’s work or school schedule, and travel time to/from the provider location to work or school.

CCS cannot reimburse you:

- Less, when a child enrolled for full-day care occasionally attends for a part-day.
- More, when a child enrolled for part-day care occasionally attends for a full-day.

B. Enhanced Maximum Reimbursement Rates

Providers who meet certain requirements are eligible to receive higher maximum reimbursement rates. TWC rule requires that the minimum reimbursement rate for a Texas Rising Star (TRS) provider must be greater than the maximum rate established by the Board for a provider that is not TRS certified for same category of care as follows:

- 5% higher for a provider with a 2-star rating;
- 7% higher for a provider with a 3-star rating;
- 9% higher for a provider with a 4-star rating.

Providers who participate in the Texas School Ready! (TSR!) program are also eligible to receive higher reimbursement rates for preschool age children only. All other age groups would receive reimbursement rates based on the regular maximum rates. The enhanced reimbursement rate cannot exceed the provider’s actual published rate.

C. Charging the Difference Between the Board Maximum Rate and your Published Rate

Providers are not allowed to charge CCS parents the difference in the reimbursement amount you receive from CCS and your published rates. By signing the Provider Agreement, providers agree to accept the rates paid by CCS as full payment for care provided, except for Optional Fees and Penalty Fees.

D. Changes in Reimbursement Rates

Any changes in reimbursement rates require a new Rate Agreement that must be signed by both you and CCS staff.

1. Changes to the Board's Maximum Reimbursement Rates

Anytime the Board makes changes to its Maximum Reimbursement Rates, providers will be notified in advance of the change becoming effective, as this change requires a new Rate Agreement be signed before the new rates can be effective (unless TWC grants extended time for CCS staff to enact these new Agreements).

2. Changes in Provider Rates

Providers must submit written documentation of changes to their published rates to the CCS office no less than 30 days prior to the effective date. A new Rate Addendum will then be prepared. The Agreement must be signed by you before the new rates will become effective. The new rates will go into effect the first full month after the Rate Addendum has been signed and returned to CDS.

*** Providers cannot require contractor-referred parents to pay the difference between the providers published rates and the maximum rates.**

Child Care Contractor staff may review all of the provider's records (i.e. supporting documents) to determine if the rates established by the provider reflect rates consistent with rates paid by non-Child Care Contractor referred parents.

Transportation

When providing transportation for children, provider will not be reimbursed for transportation fees by Child Care Contractor. Transportation fees are the responsibility of the parent.

Chapter 6

Provider Reporting Requirements

Collecting Parent Share of Cost

Most families receiving care will be assigned a **monthly Parent Share of Cost (“PSoC,” often times referred to as a “parent fee” or “co-pay”)**. Providers are responsible for collecting the **monthly PSoC** on the 1st day of the month or **BEFORE** care is initially provided.

Reporting Nonpayment of Parent Share of Cost

The Provider agrees to collect any assessed parent fees in advance of providing services and report any non-payments to the Child Care Contractor within 5 business days from the 1st of the month or for children enrolled after the first of the month, nonpayment of PSoC must be reported within 5 business days from the enrollment start date.

Child Care Outstanding PSoC Form can be emailed to the Child Care Services (CCS) at ccs@southtexasworkforce.org. The Child Care Outstanding Form is required to be submitted every 5th of the month to ensure payments are collected before rendering child care. Parents will be given 15 days to clear balance; if balance is not cleared care will be terminated.

As a provider, you have the right to refuse service to families who do not pay their PSoC, just the same as you would for private pay parents who do not pay.

If care is terminated due to nonpayment of PSoC, the customer would then be ineligible for child care services for 60 calendar days before they can reapply for CCS services or be placed on the waiting list.

The amount assessed as the Parent Share of Cost will be deducted from your reimbursement.

*\$15.00 (rate of pay for one day of care) x 20 days of care = \$300 reimbursement due
\$300.00 reimbursement = \$100 paid by parent; remaining \$200 paid by CCS*

Reporting Absences

In the letter dated April 1, 2021, Workforce Solutions for South Texas mailed out a notification advising that the POS devices will no longer be in use and that providers were required to manually track attendance.

Children are allowed a total of 40 absences per eligibility period.

Each provider must report five consecutive absences as it counts as one provider notice for the child.

The process and timeline for child care providers to report child absence information is as follows:

- Every time a child is absent five (5) consecutive days, providers must submit an absence report
- Providers must complete the online Absence Report found at <https://form.jotform.com/210834226177050> within 24 hours of the 5th consecutive absence of the child.
- FMS will determine if a child’s absences are unexplained before counting the provider notice toward the 15-, 30-day unexplained absence notifications.
- CCS staff will outreach families that have children who have accrued 15 and 30 absences, as set forth in Rule §809.78 (d)(1), as follows:
 - 15-day outreach based upon the receipt of three provider notices of five consecutive absences
 - 30-day outreach based upon the receipt of six provider notices of five consecutive absences

Failure to comply with reporting requirements

Failure to comply with reporting requirements will result in the negotiation of an SIA.

Consequences for failure to make needed improvements as defined by the SIA might include the following:

- Temporarily withhold payment,
- Denying payment,
- Suspension, non-renewal, or termination of agreement,
- Discontinuing referral of children to the provider.



During Initial Referral: Children Receiving Child Care Services Are Absent and Parents Don't Call:

Parents are required to notify the providers by telephone or in person if their children are absent from care. If parent does not notify provider within **three (3)** consecutive absent days of child's initial referral, providers must call CCS to report the absences by telephone and via e-mail at ccs@southtexasworkforce.org

If the Child Care Contractor has to end a new child's enrollment before the child begins care at the facility, the provider will be paid for any days from the time the child was scheduled to begin care to the date enrollment was terminated, as stated on the TWC Form 2450, Child Care Services Authorization for Child Care Enrollment.

Absences for Enrolled Child Care Services Children

Suspension of Enrollment

Sometimes a child must be absent from care for more than two consecutive weeks. This may happen when:

- The child must spend time with a parent on a court- ordered visit
- A teen parent does not have transportation to bring a child to care during school breaks lasting more than two consecutive weeks, or
- A parent lives too far from the facility to bring a child to care during breaks in education or employment that last more than two weeks. For example, school district closures and college semester breaks.

A parent must notify the Child Care Contractor when a child will be absent for this length of time. It is recommended that the provider notify the Child Care Contractor immediately when they have been made aware of such circumstances.

The Child Care Contractor will:

- Authorize the Child's suspension,
- Terminate the Child's enrollment, and
- Place the child on suspended enrollment.

The provider is not paid for the periods of time the child is on suspended enrollment and may choose to enroll another child in that space. When the enrollment suspension period is over, the child is guaranteed re-enrollment and may be placed with the original provider if space is available, or with another provider.

Chapter 7

Billing and Payment

Billing Schedules

Billing is processed on a biweekly system, please refer to payment schedule posted on website www.southtexasworkforce.org

Financial Management Specialist sends the declarations (attendance roster) (report 235) to providers every month. Providers are required to review and report any discrepancies to ccs@southtexasworkforce.org.

The provider must obtain proper documentation (Form 2450) or make contact with the caseworker to ensure that the information is correct. If technical assistance is required, it is the provider's responsibility to call the contractor to ask for clarification or assistance.

Reporting

Payment to Child Care Contractor Providers

There are many steps that take place between the times the provider will be billed by the Child Care Contractor for child care services and the time the provider receives payment for the services.

All parent fees and other subsidies that the provider collects are deducted from the Child Care Contractor reimbursement to the provider.

Provider Payment Process

There are several steps in the payment process

- Financial Management Specialist confirms units reflected on twist web,
- Financial Management Specialist will generate payment proofs and finalized payments
- Workforce Solutions for South Texas will receive payment from TWC
- Workforce Solutions for South Texas issues funds to the providers electronically.

Providers are not paid for any holidays or vacations that are not listed in the Child Care Contractor Provider Agreement.

Providers will be required to refund any payments that they are not entitled to, including:

- Overpayment,
- Duplicate payment,
- Payments made in error, or
- Invalid payments.

Record keeping Requirements

Providers must keep records while a contractor-referred child is in their care and after care has ended. After a contractor-referred child is no longer attending the facility, providers must keep:

- Financial documents and supporting documents such as attendance records and receipts for parent fees, and
- Any other records having to do with financial claims.

Each contractor-referred child's records and documents must be kept for at least 3 years and 90 days the contractor-referred child's enrollment ends. The Child Care Contractor advises providers when there is a need to keep records for a longer period of time.

Access to Records

Providers must allow reasonable access and must provide copies on request to people who are authorized to see records and documents. The access only has to be during regular business hours. Providers must submit any information requested by authorized individuals during the visit. A staff member qualified to provide information must always be present or readily available.

Visit may or may not be announced. People authorized to see provider records are:

- Child Care Contractor Staff,
- Board Staff,
- TWC Staff,
- Representative of the State Attorney General's office, and
- Representative of federal government offices with responsibility for managing and auditing federal and state childcare programs.

Chapter 8

Taking Corrective or Adverse Actions with Providers

Providers must comply with all the terms of the Provider Agreement and follow procedures in this Child Care Services Provider Handbook. The Child Care Contractor will take corrective or adverse action with providers who do not comply as required.

Service Improvement Agreement

Child Care Contractor staff will initiate a Service Improvement Agreement (SIA) for providers if:

- Provider does not meet the terms of Provider Agreements by failing to follow policies and procedures outlined by TWC, Workforce Solutions for South Texas or CCS
- Do not follow the procedures according to the Child Care Provider Handbook
- In order to identify any areas that need improvement, or could possibly lead provider to be in non-compliance

As per Child Care Services Guide Section G-503: Service Improvement Agreements:

When a provider violates a provision of Part F, a written Service Improvement Agreement (SIA) may be negotiated between the provider and the Board or the Board's child care contractor. At the least, the SIA must include the following:

- Basis for the SIA
- Steps required to reach compliance including, if applicable, technical assistance
- Time limits for implementing the improvements
- Consequences of noncompliance with the SIA

Rule Reference: §809.115(c)

Child Care Contractor staff will discuss SIAs with providers and will offer any help that is needed for providers to correct the problems or make the improvements. SIA's will be signed by the provider and Contractor staff.

Board Corrective Action

Child Care Contractor staff will initiate a Board Corrective Action if the terms of the Service Improvement Agreement are not met.

As per CCS Guide Section G-502: Types of Board Corrective Actions

Corrective actions for providers may include, but are not limited to, the following:

- Closing intake
- Moving children to another provider selected by the parent
- Withholding provider payments or reimbursement of costs incurred
- Recoupment of funds – recoupment must be paid in full within thirty (30) days of receipt of overpayment statement. Failure to comply will result in deduction of full payment from upcoming provider payment
- Ending an agreement

Suspected Fraud and Action

A CCS provider may be suspected of fraud when the provider submits:

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

If suspected fraud is substantiated by Workforce Solutions for South Texas Board and/or its Child Care Contractor, the following actions will be taken:

- Provider Agreement will be terminated
- Nonpayment of child care services delivered
- Recoupment of funds from the provider – recoupment must be paid in full within thirty (30) days of receipt of overpayment statement. Failure to comply will result in deduction of full payment from upcoming provider payment
- Prohibit future eligibility to provide TWC-funded child care services for twelve (12) months
- Any other action consistent with the intent of the governing statutes or regulations to investigate, prevent or stop suspected fraud

Violation of Licensing Minimum Standards by Providers

Violation of the Provider Agreement and the resulting action taken by CCS are separate from violations of licensing minimum standards. However, since the Provider Agreement requires the providers to be in good standing with Child Care Regulation, CCS will take action, with a provider, if licensing minimum standards are violated; including immediate termination of Provider Agreement.

The following table summarizes the actions to be taken when a child care provider has been placed on corrective or adverse action with CCR.

Status	Required Notification of Parents	Required to Stop New Enrollments	Required to Remove Currently Enrolled Children	Provider Eligible to Receive Enhanced Rates
Probation Corrective Action	Yes	Yes	No	No
Adverse Action	Yes	Yes	Yes	No

The Contractor will terminate, suspend, or not renew Provider Agreement if:

- Child Care Regulation Division takes corrective or adverse action against a provider, or
- The provider is in serious or continued noncompliance with licensing standards.

Actions that can be taken by CCS include:

- Terminating CCS referrals of children to the provider,
- Notifying CCS referred parents of a serious complaint, non-compliance, incident or investigation being conducted or initiated by Child Care Regulation,
- Removing children for the provider's care,
- Withholding payment of child care services, or
- Suspending or terminating Contracted Child Care Provider Agreement or denying renewal of the Agreement.

Note: In the event that the provider is a TRS facility, they may lose TRS certification for 12 months based on violations

Providers who have Child Care Regulation adverse or corrective action taken against them must notify the Contractor **within 24 hours, failure to do so may result in the termination of the Provider Agreement.**

Providers must also notify **CCS within 24 hours** when a complaint is filed by Child Care Regulation against them and Child Care Regulation has initiated a complaint investigation for any standard violation, failure to do so within 24 hours can result of negotiation of an SIA or termination of contract depending on the issue. Providers need to inform CCS of all Child Care Regulation visits within one working day.

Note: Similar actions will be taken when providers regulated by the Texas Department of Health (TDH) or the United States Military Services Violate the regulatory Standards set by these entities.

How Child Care Regulation Violations Affect Provider Agreements

If Child Care Regulation has either corrective or adverse action against a child care provider at the time initial application to become a provider is made, a Provider Agreement will not be signed until the Child Care Regulation action has been cleared.

If Child Care Regulation has any type of action pending against a provider, including complaint investigation, at the time of renewal of the Provider Agreement, the decision whether or not to renew the Provider Agreement will depend on:

- The reason for the Child Care Regulation action,
- Whether contractor-referred children are in care, and
- The provider's compliance history with Child Care Regulation and Child Care Service policy and procedure.

CCS will consult with Board staff in making the decision about whether to renew an agreement under these circumstances.

Attendance over Licensed Capacity

Providers must always operate within the limits of their licensed or registered capacity. A provider who is found by Child Care Regulation in non-compliance with this requirement must report it to CCS 24 hours If a CDS, CCS staff or Board staff observes the non-compliance; either will document this non-compliance and report it to Child Care Regulation. **Providers will not be paid for Child Care Services referred children on a day that more children are in attendance than the facility is licensed or registered to care for.** CCS will evaluate documentation of non-compliance before deciding to withhold payment.

Suspected Child Abuse or Neglect

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

If a provider suspects abuse or neglect of a child is happening away from the facility, the individual who suspect the abuse or neglect must immediately report the suspicion to Child Care Regulation, DFPS by calling the toll-free number list below.

Toll-Free Number: 1-800-252-5400

Chapter 9

Helping and Monitoring Providers

How Child Care Services Helps Providers

CCS serves as a resource for providers and will provide help that fits the provider's situation and needs. Child Care Services staff will help providers understand and comply with requirements of the Provider Agreement and this Child Care Services Provider Handbook. Texas Rising Star providers will receive help from Child Care Services team and Texas Rising Star Mentors and Assessors. If providers do not choose to become Texas Rising Star Certified, after September 30, 2024; the provider will be unable to continue to serve as a CCS provider

Providers may ask for technical assistance with Child Care Services requirements. CDS staff may offer technical assistance to providers when problems are reported to CDS staff. CDS staff may also develop SIA to encourage and assist providers to correct problems.

Monitoring Providers

The Child Care Services is required to monitor child care services provided by contracted providers. Providers who currently have Child Care Services referred children enrolled or who have had Child Care Services referred children enrolled will be monitored.

Providers will be monitored on:

- Compliance with the terms of the Provider Agreement,
- Compliance with procedures outlined in this Child Care Services Provider Handbook,
- Compliance with inclusion plans and use of inclusion assistance, where applicable, and
- Compliance with Texas Rising Star Criteria

Providers must allow the Board, TWC, the Child Care Services staff and/or other state or federal authorities to conduct program and fiscal audits. This will be done during regular business hours and may or may not be announced.

Visits to Providers

Child Care Services staff will contact providers within a month after the first child is referred. If a visit by Child Care Services staff is necessary one will be scheduled. Otherwise, visits will be made:

- At least one time during the year,
- To ensure compliance with Texas Rising Star guidelines are being followed,
- As needed to give technical assistance,
- To follow-up on Service Improvement Agreements,
- To randomly monitor any contracted provider, and may be announced or unannounced, during business hours or parent group meetings.

If provider has a child with disabilities enrolled, a CDS will also visit:

- Every six months to monitor implementation of the child's Inclusion Plan and use of adaptive equipment, and

The Child Care Regulation Division monitors provider compliance with licensing or registration standards. Child Care Contractor staff or Board staff, Texas Rising Star staff who observes licensing or registration non-compliances, is required to report the non-compliance to Child Care Regulation licensing staff.

Chapter 10

Asking Questions and Solving Problems

Questions about Policies

When providers have questions about the Provider Agreement or about any of the rules or policies outlined in this Child Care Services Provider Handbook, the provider may contact the Child Care Services.

Complaints by Providers against Child Care Services

When providers have complaints against Child Care Services, they should first try to resolve the problem by talking directly with Child Care Services Program Manager. If the problem cannot be resolved, providers will be referred to the Child Care Services Project Director.

Chapter 11

Texas Rising Star Quality Improvement Initiative

Providers may have access to CCS Resource Room, designed to improve the quality of their childcare programs. The Learning Resource Room operates based on an Early Learning Program's needs and on a first come, first served basis. Please contact our Texas Rising Star team to schedule an appointment for access and availability to the CCS Resource Room.

Texas Rising Star Certification

The Texas Rising Star Provider program offers providers the opportunity to participate in a plan to improve the quality of child care by meeting program criteria that exceeds the Minimum Standards for Child Care Licensing. All Texas Rising Star Certified Programs must participate in the Continuous Quality Improvement Plan developed in partnership with the Texas Rising Star Mentor assigned to your program.

A System for Progressive Quality Improvement

In Texas, child care and early learning programs must adhere to minimum standards defined by CCR. These standards help ensure the health and safety of children in care outside of the home. As the child care regulatory and licensing agency for Texas, CCR monitors programs for compliance with minimum standards and may issue corrective or adverse actions when programs fail to comply. CCR also makes this essential licensing and inspection data available to the public. DFPS staff requires that DFPS children be placed only with Texas Rising Star Providers. If no TRS Providers are available, or if available TRS Providers do not have spaces, a waiver must be requested by the Child Care Contractor for Board staff to place a DFPS child with a non-Texas Rising Star Provider.

As a quality rating and improvement system, Texas Rising Star includes the following key components:

- Standards criteria that are understandable, measurable, and verifiable
- Accountability and transparent monitoring to assess achievement of and ongoing compliance with quality standards and to validate the assignment of scores
- Support to encourage participation and improve quality, including training, technical assistance, mentoring, and peer-learning opportunities
- Consumer education to inform families and the community about the importance of quality in child care and early learning programs
- Financial incentives to help programs improve learning environments, attain higher scores, and sustain long-term quality

Eligibility for Texas Rising Star

Texas Rising Star is a quality-based child care rating system for child care and early learning programs participating in TWC's Child Care Services program.

All programs applying for Texas Rising Star certification must:

- have an active agreement with a Board to accept referrals from the TWC Child Care Services program and a current Pre-Star designation;
- have a permanent (non-expiring) license or registration from CCR*;
- have at least 12 months of licensing history with CCR*;

- demonstrate a high level of compliance with CCR minimum standards* over the preceding 12 months’ in accordance with the Texas Rising Star Initial Screening Form; and
- ensure that a center director account is created in the Workforce Registry and that the director encourage their staff members to create individual accounts within the Workforce Registry.

Texas Rising Star Application Process

(for programs that are not nationally accredited)

All child care and early learning programs that are interested in applying for Texas Rising Star certification must comply with certain requirements, which includes the eligibility requirements described in TWC Child Care Services rule §809.131. Those additional requirements include the following:

- Completion of Texas Rising Star orientation (see step 1 below)
- Creation of and participation in a continuous quality improvement plan (CQIP)
- Participation in the Texas Workforce Registry (WFR)
- Documentation submittal (see steps 3-5), including:
 - Application form
 - Completed screening form (applicable to facility type)
 - Facility Assessment Record Form (FARF) self-assessment (includes completed staff worksheet)
 - Classroom roster document (to include classroom name, staff names, and specified age group for each operating classroom)

Texas Rising Star provides a systemic and intentional process for improving quality in child care and early learning programs and increasing positive outcomes for children. Texas Rising Star-certified programs and applicants work closely with a Texas Rising Star mentor to engage in a cyclical process that includes self-reflection, continuous learning, practice, and evaluation. CQI helps programs attain certification, achieve increasingly higher levels of quality, sustain high quality over time, and ensure high quality across classrooms and age groups.

Financial Incentives: *Tiered Enhanced Reimbursement Rates*

Texas Rising Star-certified programs receive higher reimbursement rates for children enrolled in the Child Care Services program than noncertified programs. Texas Government Code §2308.315 requires the minimum reimbursement rate for a Texas Rising Star-certified program to be greater than the maximum rate established for a program that is not Texas Rising Star certified for the same category of care. Specifically, Two-Star rates must be at least 5% higher, Three-Star rates must be at least 7 percent higher and Four-Star rates must be at least 9 percent higher.

In accordance with TWC’s child care rules at 40 TAC §809.20(a), the Commission may require Boards to establish their maximum reimbursement rates at or above a level established by the Commission. TWC has published each of the Board’s maximum reimbursement rates as of October 1, 2021. The Commission requires Boards to set their Texas Rising Star maximum reimbursement rates at or above the following levels:

- For Four-Star providers, the 75th percentile of the most recent Market Rate Survey
- For Three-Star providers, at 90 percent of the Four-Star rate
- For Two-Star providers, at 90 percent of the Three-Star rate

Additional Training Requirements

Providers must participate in annual orientations provided by Child Care Services on the procedures that are in this Child Care Services Provider Handbook. This orientation does not count towards minimum licensing standards requirements.

Providers applying to become a CCS contracted provider must attend an initial orientation of this Child Care Services Provider Handbook prior to submitting an enrollment request. This applies to existing contracted providers who open subsequent facilities.

In addition, any provider who is found to be in serious non-compliance with or in continued non-compliance with the Child Care Regulation minimum standards will be required to receive additional training hours as a requirement for continued participation as a contracted child care provider.

Additional hours will be in:

- **Supervision of children,**
- **Developmentally Appropriate Practices, or**
- **other as needed**

Any provider who is certified as Texas Rising Star must attain additional Annual Professional Development hours. For Directors, they must attain a total of 36 Annual Training hours, including a minimum of 6 hours in Program Administration, Management and/or Supervision. Teaching staff is required to attain a total of 30 Annual Training hours in accordance with Texas Rising Star guidelines.