CALIFORNIA DEPARTMENT OF EDUCATION
1430 N Street
Sacramento, CA 95814-5901

F.Y. 12 - 13

Amendment 01

DATE: July 01, 2012

CONTRACT NUMBER: CSPP-2372

PROGRAM TYPE: CALIFORNIA STATE PRESCHOOL PROGRAM

PROJECT NUMBER: 33-7351-00-2

LOCAL AGREEMENT FOR CHILD DEVELOPMENT SERVICES
INCREASE (AB 1464)/FT&C Chg.

CONTRACTOR'S NAME: PALO VERDE COMMUNITY COLLEGE DISTRICT

This agreement with the State of California dated July 01, 2012 designated as number CSPP-2372, shall be amended in the following particulars but no others:

The 2012-13 Funding Terms and Conditions (FT&C) shall be amended in accordance with the attached 2012-13 amended FT&C Language (Attachment A) which by this reference is incorporated herein.

The Maximum Reimbursable Amount (MRA) payable pursuant to the provisions of this agreement shall be amended by deleting reference to $259,512.00 and inserting $292,869.00 in place thereof.

The Maximim Rate per child day of enrollment payable pursuant to the provisions of the agreement shall be $34.38. (No change)

SERVICE REQUIREMENTS

The minimum Child Days of Enrollment (CDE) Requirement shall be amended by deleting reference to 7,548.0 and inserting 8,518.6 in place thereof.

Minimum Days of Operation (MDO) shall be 247. (No change)

EXCEPT AS AMENDED HEREIN all terms and conditions of the original agreement shall remain unchanged and in full force and effect.

STATE OF CALIFORNIA	CONTRACTOR
BY (AUTHORIZED SIGNATURE)	BY (AUTHORIZED SIGNATURE)
PRINTED NAME OF PERSON SIGNING Margie Burke, Manager	PRINTED NAME AND TITLE OF PERSON SIGNING
TITLE Contracts, Purchasing & Conference Services	ADDRESS

AMOUNT ENCUMBERED BY THIS DOCUMENT $ 33,357	PROGRAM/CATEGORY (CODE AND TITLE) Child Development Programs		FUND TITLE		Department of General Services use only
PRIOR AMOUNT ENCUMBERED FOR THIS CONTRACT $ 259,512	(OPTIONAL USE) See Attached				
	ITEM See Attached	CHAPTER	STATUTE	FISCAL YEAR	
TOTAL AMOUNT ENCUMBERED TO DATE $ 292,869	OBJECT OF EXPENDITURE (CODE AND TITLE) 702				
I hereby certify upon my own personal knowledge that budgeted funds are available for the period and purpose of the expenditure stated above			T B A NO	B R NO.	
SIGNATURE OF ACCOUNTING OFFICER See Attached			DATE		

CONTRACTOR'S NAME: PALO VERDE COMMUNITY COLLEGE DISTRICT

CONTRACT NUMBER: CSPP-2372

Amendment 01

AMOUNT ENCUMBERED BY THIS DOCUMENT	PROGRAM/CATEGORY (CODE AND TITLE)		FUND TITLE
$ -21,452	Child Development Programs		Federal
PRIOR AMOUNT ENCUMBERED	(OPTIONAL USE)0656 FC# 93.596 PC# 000321		
$ 73,781	13609-7351		
TOTAL AMOUNT ENCUMBERED TO DATE	ITEM 30.10.020.001	CHAPTER	STATUTE / FISCAL YEAR
$ 52,329	6110-194-0890	21	2012 / 2012-2013
	OBJECT OF EXPENDITURE (CODE AND TITLE)		
	702 SACS: Res-5025 Rev-8290		

AMOUNT ENCUMBERED BY THIS DOCUMENT	PROGRAM/CATEGORY (CODE AND TITLE)		FUND TITLE
$ -11,802	Child Development Programs		Federal
PRIOR AMOUNT ENCUMBERED	(OPTIONAL USE)0656 FC# 93.575 PC# 000324		
$ 40,592	15136-7351		
TOTAL AMOUNT ENCUMBERED TO DATE	ITEM 30.10.020.001	CHAPTER	STATUTE / FISCAL YEAR
$ 28,790	6110-194-0890	21	2012 / 2012-2013
	OBJECT OF EXPENDITURE (CODE AND TITLE)		
	702 SACS: Res-5025 Rev-8290		

AMOUNT ENCUMBERED BY THIS DOCUMENT	PROGRAM/CATEGORY (CODE AND TITLE)		FUND TITLE
$ 132,605	Child Development Programs		General
PRIOR AMOUNT ENCUMBERED	(OPTIONAL USE)0656		
$ 0	23038-7351		
TOTAL AMOUNT ENCUMBERED TO DATE	ITEM 30.10.010.	CHAPTER	STATUTE / FISCAL YEAR
$ 132,605	6110-196-0001	21	2012 / 2012-2013
	OBJECT OF EXPENDITURE (CODE AND TITLE)		
	702 SACS: Res-6105 Rev-8590		

AMOUNT ENCUMBERED BY THIS DOCUMENT	PROGRAM/CATEGORY (CODE AND TITLE)		FUND TITLE
$ -65,994	Child Development Programs		General
PRIOR AMOUNT ENCUMBERED	(OPTIONAL USE)0656		
$ 145,139	23254-7351		
TOTAL AMOUNT ENCUMBERED TO DATE	ITEM 30.10.020.001	CHAPTER	STATUTE / FISCAL YEAR
$ 79,145	6110-194-0001	21	2012 / 2012-2013
	OBJECT OF EXPENDITURE (CODE AND TITLE)		
	702 SACS: Res-6105 Rev-8590		

I hereby certify upon my own personal knowledge that budgeted funds are available for the period and purpose of the expenditure stated above.	T.B.A. NO	B.R. NO.
SIGNATURE OF ACCOUNTING OFFICER	DATE	

RESOLUTION

This resolution must be adopted in order to certify the approval of the Governing Board to enter into this transaction with the California Department of Education for the purpose of providing child care and development services **and to authorize the designated personnel to sign contract documents for Fiscal Year 2012-13.**

RESOLUTION

BE IT RESOLVED that the Governing Board of Palo Verde Community College District

authorizes entering into local agreement number/s CSPP-2372 2012-2013 Contract Amendment 01 and that the person/s who is/are listed below, is/are authorized to sign the transaction for the Governing Board.

NAME	TITLE	SIGNATURE
Denise Whittaker	Interim Superintendent/President	

PASSED AND ADOPTED THIS 23rd day of October 20012-13, by the

Governing Board of Palo Verde Community College District

of Riverside County, California.

I, Jerry Lewis, Clerk of the Governing Board of Palo Verde Community College District, of Riverside/San Bernardino, County,

California, certify that the foregoing is a full, true and correct copy of a resolution adopted by the said Board at a Regular meeting thereof held at a regular public place of meeting and the resolution is on file in the office of said Board.

(Clerk's signature) October 23, 2012 (Date)

CA DEPARTMENT OF EDUCATION
CHILD CARE AND DEVELOPMENT
July 2012

Attachment A

2012–13 LANGUAGE CHANGES TO THE FUNDING TERMS AND CONDITIONS (FT&C)

These changes apply to the FT&C for the following contract type: **CSPP**

Note: The page numbers cited may be a few pages off.

- Amend the Program tile by deleting "Part-Day and Full-Day" from the Program description as follows:

CALIFORNIA STATE PRESCHOOL
~~Part-Day and Full-Day~~

New program title: California State Preschool (CSPP)

- Revise the "Table of Contents" by removing the Prekindergarten and Family Literacy Program Component Contract Requirements section:

~~PREKINDERGARTEN AND FAMILY LITERACY PROGRAM COMPONENT CONTRACT REQUIREMENTS~~

I. ~~TRADTIONAL PREKINDERGARTEN AND FAMILY LITERACY REQUIREMENTS..... 13~~

~~A. Eligibility and Need Criteria..... 74~~
~~B. Program Location..... 74~~
~~C. Literacy program..... 75~~
~~D. Staff Development..... 75~~
~~E. Parent Education..... 75~~
~~F. Program Coordinator..... 75~~

II. ~~CALIFORNIA STATE PRESCHOOL PROGRAM REQUIREMENTS~~

~~A. Program location..... 75~~
B. ~~Family Literacy Services..... 75~~

- Amend Section I., DEFINITIONS as follows (p.5 & 6)

"**CSPP eligible four-year-old children**" means children who will have their fourth birthday on or before ~~December~~ November 1 of the fiscal year in which they are enrolled in a California state preschool program.

"**CSPP eligible three-year-old children**" means children who will have their third birthday on or before ~~December~~ November 1 of the fiscal year in which they are enrolled in a California state preschool program.

"**Family child care home education network**" means an entity organized under law that contracts with the Department pursuant to *EC* Section 8245 to make payments to licensed family child care home providers and to provide education and support services to those providers and to children and families eligible for state-subsidized child care and development services. A family child care home education network may also be referred to as a family child care home system.

- Delete Section II.A.3, GENERAL PROVISIONS, Notification of Address Change as follows (page 14):

~~For proposed site changes for Prekindergarten and Family Literacy Part- and Full-Day programs, a request must be submitted to the CDD and shall include:~~

~~a. The name and address of the current program location;~~

~~b. The name and address of the proposed program location;~~

~~c. Verification that the proposed program location is within the attendance area of an elementary school with a decile ranking of 1 to 3, inclusive, based on the 2005 base Academic Performance Index; and~~

~~d. The site license for the proposed program location.~~

~~Approval shall be granted upon receipt of documentation confirming that the proposed program location meets the statutory requirements as specified in *EC* Section 8238.4(a)(2).~~

~~The CDD shall approve or deny the request within thirty (30) calendar days of receipt of the request.~~

- Amend Section I.A, STATE PRESCHOOL PROGRAM, Operational Requirements as follows (page 42)

I. OPERATIONAL REQUIREMENTS (*EC* 8235(d) and (f))

The California state preschool program (CSPP) ~~consists of part-day, part-year services; or full-day, full-year services. At their discretion, CSPP contractors have the option of operating a combination of both~~ shall operate as follows: or

A. Part-day, ~~part-year California state preschool~~ services that shall be available at least three hours and less than 3 hours and 59 minutes each day, for at least 175 days per year, unless the contract indicates a lower number of days. Services shall include age-

appropriate, planned, educational activities throughout each program day that address all developmental domains contained in CDE's Desired Results Development Profiles and shall not include a scheduled nap period. The families of children enrolled for part-day services shall establish eligibility pursuant to Section II.A and B below.

B. Full-day~~, full-year California state preschool~~ services that shall be available for families that establish a need beyond the part-day services. Full-day services shall be available for at least 246 days per year, unless the contract indicates a lower number of days, and the number of hours necessary to meet the child care and development needs of the families being served. Services must include age-appropriate, planned, educational activities throughout each program day that address all developmental domains contained in CDE's Desired Results Developmental Profiles. The families of children enrolled for full-day services shall establish eligibility and need pursuant to Section II.A, II.B, and II.C below.

The contractor may commingle children enrolled to receive full-day services with children enrolled to receive part-day services, provided that the operational requirements of both program components, as described in I.A and I.B above, are met. Days and hours of operation for commingled services shall be configured, to the extent feasible, to meet the needs of families. Contractors operating a combination of both the part-day and full-day services must permit children to move between full-day and part-day services based on the certified need of their families. ~~In those cases where a family's certified need changes and the contractor operates only a full-day program, the contractor is required to ensure that the provisions of EC Section EC 8263(c) regarding continuity of care are applied.~~ Contractors providing California state preschool program part-day services may only enroll children for one part-day period per day of enrollment.

- Amend Section II.A, ELIGIBILITY AND NEED CRITERIA AND DOCUMENTATION, General Requirements as follows (page 42):

A. General Requirements (*EC* 8201(a), *EC* 8263(a)(1) and *5CCR* 18107)

To receive California state preschool program services, children shall be three or four years old as defined in the Definitions section above.

To receive California state preschool programs services, families shall meet the eligibility criteria as specified in Section II.B below. Families receiving full-day~~, full-year~~ services pursuant to I.B above, shall meet both the eligibility and need criteria as specified in sections II.B and II.C below.

In addition to meeting eligibility and/or need requirements, to be eligible for services the child must live in the State of California while services are being received. Evidence of a street address or post office address in California will be sufficient to establish residency. A person identified as homeless pursuant to Section I, Definition of "Homeless" is exempted from

this requirement and shall submit a declaration of intent to reside in California.

The governing board of a school district, community college district, or a county superintendent of schools may accommodate children residing outside the district boundaries in accordance with *EC* 8322(a). The determination of eligibility shall be without regard to the immigration status of the child or the child's parent(s) unless the child or the child's parent(s) is under a final order of deportation from the United States Department of Homeland Security.

- Amend Section II.B, ELIGIBILITY AND NEED CRITERIA AND DOCUMENTATION, Eligibility Criteria as follows (page 43):

B. Eligibility Criteria (*EC* 8235(c) and 8263(a)(1))

Eligibility shall be established by 1, 2, 3, or 4 below:

1. Family is a cash aid recipient
2. Family is income eligible
3. Family is homeless
4. Family has a child who is at risk of abuse, neglect, or exploitation, or receiving child protective services through the county welfare department

Contractors providing part-day~~, part-year~~ services pursuant to I.A above:

1. Shall establish a family's eligibility once at the beginning of the program year or when initially enrolled.
2. May enroll children whose family's income is no more than 15 percent above the income eligibility threshold, as described in EC 8263 and 8263.1:
   a. After all eligible children are enrolled pursuant to admission priorities described in section IV below, and
   b. No more than 10 percent of children enrolled, calculated throughout the participating program's entire contract, are filled with children in families that are above the income eligibility threshold.

- Amend Section II.C, ELIGIBILITY AND NEED CRITERIA AND DOCUMENTATION, Need Criteria as follows (page 44):

C. Need Criteria (*EC* 8261, 8263(a)(2), 8265 and *5CCR* 18085.5(b))

For full-day~~, full-year~~ services, need shall be established by 1or 2 below:

1. Child protective services or at risk of abuse, neglect, or exploitation as defined in the Definitions Section
2. The parent(s) and any other adult counted in the family size are any of the following:

a. Employed

b. Seeking employment

c. Participating in vocational training leading directly to a recognized trade, paraprofession, or profession

d. Homeless and seeking permanent housing for family stability

e. Incapacitated

3. Full-day~~, full-year~~ services shall only be available to the extent to which:

a. The parent meets a need criterion as specified in Section II.C.2 above that precludes the provision of care and supervision of the family's child for some of the day;

b. There is no parent in the family capable of providing care for the family's child during the time services are requested; and

c. Supervision of the family's child is not otherwise being provided by school or another person or entity.

D. Certification of Eligibility and/or Need (*EC* 8237, 8261, 8261.5, 8263, 8269, *5CCR* 18081, 18094, 18095, and 18102)

The contractor shall designate the staff person authorized to certify eligibility and need. Prior to initial enrollment and at the time of update or recertification, an authorized representative of the contractor shall:

1. Certify each family's/child's eligibility and/or need for child care and development services after reviewing the completed application (as described in Section II.F below) and documentation contained in the family data file.

2. Issue a Notice of Action, Application for Services as described in Section XI.A below or a Notice of Action, Recipient of Services as described in Section XI.B below.

Families eligible for full-day~~, full-year~~ services shall:

1. At the time of certification and recertification, be informed of their responsibility to notify the contractor, within five (5) calendar days, of any changes in family income, family size, or need for California state preschool program services at the time of certification and recertification,

2. Be informed that subsequent to enrollment, a child remains eligible for the portion of the day that is less than four hours and provides age-appropriate, planned, educational activities that address all developmental domains contained in CDE's Desired Results Development Profiles, and does not include a scheduled nap period, for the remainder of the program year.

When a child's residence alternates between the homes of separated or divorced parents, eligibility, need and fees should be determined separately for each household in which the child is residing during the time

child development services are needed (i.e., separate certifications and service agreements). For example, a child may be certified during part of the week and full cost the rest of the week.

- Amend Section II.G., ELIGIBILITY AND NEED CRITERIA AND DOCUMENTATION, Documentation and Determination of Family Size (page 46)

G. Documentation and Determination of Family Size (*EC* 8250, 8261, 8263 and *5CCR* 18100)

1. The information provided in II.F.1 and II.F.2 above shall be used to determine family size. The parent shall provide supporting documentation regarding the number of children and parents in the family.

   a. The number of children shall be documented by providing one of the following documents, as applicable:

      1. Birth certificates;
      2. Court orders regarding child custody;
      3. Adoption documents;
      4. Records of Foster Care placements;
      5. School or medical records;
      6. County welfare department records; or
      7. Other reliable documentation indicating the relationship of the child to the parent.

   b. When only one parent has signed the application and the information provided pursuant to Section II.G.1.a above indicates the child(ren) in the family has another parent whose name does not appear on the application, then the presence or absence of that parent shall be documented by providing any one of the following documents, as applicable:

      1. Records of marriage, divorce, domestic partnership or legal separation;
      2. Court-ordered child custody arrangements;
      3. Evidence that the parent signing the application is receiving child support payments from that person, has filed for child support with the appropriate local agency, or has executed documents with that agency declining to file for child support;
      4. Rental receipts or agreements, contracts, utility bills or other documents for the residence of the family indicating that the parent is the responsible party; or
      5. Any other documentation, excluding a self-declaration except as provided in Section II.G.1.c below, to

confirm the presence or absence of a parent of a child in the family.

c. If, due to the recent departure of a parent from the family, the remaining applicant parent cannot provide any documentation pursuant to Section II.G.1.b above, the applicant parent may submit a self-declaration signed under penalty of perjury explaining the absence of that parent from the family. Within six months of applying or reporting this change in family size, the parent must provide documentation pursuant to Section II.G.1.b above.

2. If the information provided by the parent is insufficient, the contractor shall request any additional documentation necessary from Section II.G.1.a above to verify the family composition and family size.

3. For income eligibility and family fee purposes, when a child and his or her siblings are living in a family that does not include their biological or adoptive parent, only the child and related siblings shall be counted to determine family size. In these cases, the adult(s) must meet a need criterion as specified in Section II.C above to receive full-day~~, full-year~~ services pursuant to I.B above.

- Amend Section II.U, ELIGIBILITY AND NEED CRITERIA AND DOCUMENTATION, Updating the Application (page 58)

U. Updating the Application (*EC* 8261, 8263 and *5CCR* 18103(b))

Contractors providing full-day~~, full-year~~ services, shall update the family's application to document continued need and eligibility and to determine any change to fee assessment, if applicable, as follows:

1. For migrant and other seasonally employed families, the application shall be updated within thirty (30) days whenever there is a change in family size or need if need is based on training or incapacity of the parent.

2. For all other families, the application shall be updated within thirty (30) calendar days whenever there is a change in family income, family size, or need for services.

A child receiving California state preschool full-day~~, full-year~~ services remains eligible for part-day~~, part-year~~ services, regardless of continued need and/or eligibility.

The requirement for updating the files does not apply to families receiving services because the child is receiving child protective services or at risk of abuse, neglect or exploitation.

- Amend Section II.V, ELIGIBILITY AND NEED CRITERIA AND DOCUMENTATION, Recertification (page 59):

V. Recertification (*EC* 8261, 8263(b)(1)(B) and (C)

After initial certification and enrollment, the contractor shall verify need and eligibility and recertify each family/child receiving services as follows:

1. Families receiving full-day~~, full-year~~ services because the eligible child is at risk of abuse, neglect or exploitation are limited to receiving child care and development services for up to three (3) months. The family can continue to receive child care and development services based on any of the following reasons:

   a. The child is receiving protective services and child care and development services are part of the case plan

   b. The family meets other need and eligibility criteria pursuant to Section II.B and II.C above

2. Families receiving full-day~~, full-year~~ services because the eligible child is receiving child protective services shall be recertified at least every twelve (12) months. Recertification must be completed prior to the date identified on the child protective services referral as the duration of care. Families may continue to receive full-day~~, full-year~~ services for child protective services children as needed, if the county welfare department, child welfare services worker certifies that the family continues to receive child protective services and that child care and development services are part of the case plan or if the family meets other need and eligibility criteria pursuant to Section II.B and II.C above.

3. Families receiving full-day~~, full-year~~ services shall be recertified at least once each contract period and at intervals not to exceed twelve (12) months. Eligible children in families that do not meet eligibility and/or need for full-day~~, full-year~~ service~~s~~ in a California state preschool program may continue to receive part-day~~, part-year depending on the availability of such~~ services.

- Amend Section IV.E. ADMISSION PRIORITIES (page 60):

E. **For part-day~~, part-year~~ service only**, CSPP eligible four-year-old children from over income families shall be admitted before CSPP eligible three-year-old children from over income families, up to the percentage allowed pursuant to EC 8235(c) or 8238.4(a)(1), whichever is applicable

Housing and Community Development Child Care and Development Programs: If the face sheet of this agreement specifies an amount for Housing and Community Development, expanded services shall be provided in accordance with the following priorities.

First priority for child care and development program services shall be given to residents with CSPP age eligible children occupying assisted units (as defined in California *Code of Regulations*, Title 25, Housing and Community Development, Section 8111 and identified in the Family

Housing Demonstration Program Regulatory Agreement) within the housing development who meet eligibility and need requirements specified in sections II.A, II.B and II.C above. Within this priority, the families with the lowest income ranking shall be admitted first. If more than one family meets this criterion, the family that has a child with exceptional needs shall be admitted first. If none of the families has a child with exceptional needs, the family that has been on the waiting list for the longest time shall be admitted first.

Second priority for child care and development program services will be given to other residents of the housing development not residing in assisted units who need child care and met the nee and eligibility requirements specified in sections II.A, II.B, and II.C above. Within the second priority, families with the lowest per capita income shall be admitted first.

Third priority for child care and development program services will be given to families residing outside of the housing development. Within this priority, the families with the lowest per capita income shall be admitted first.

Families whose children are receiving child protective services or families whose children are at risk of being neglected, abused, or exploited do not have priority in Housing and Community Development child care and development programs.

In accordance with *EC* Section 8263(b)(3), the CDE may grant a waiver to the priorities specified above in order for the contractor to serve specific populations. Requests may not include waiver of the fee schedule or admission of ineligible families. Waiver requests shall be submitted to the CDD and approved prior to implementation.

- Amend Section V.B, POLICIES AND PROCEDURES as follows (page 61):

V. POLICIES AND PROCEDURES

B. ~~Centralized Eligibility~~ Waiting List ~~(CEL)~~ and Displacement (*EC* 8227(e), 8261, 8263 and *5CCR* 18106)

Contractors shall ~~participate in and use the county centralized eligibility list~~ shall maintain a current waiting list in accordance with admission priorities. Contractors may satisfy this requirement by participating in a county child care centralized eligibility list. When filling vacancies, contractors shall contact applicants in order of priority from the waiting list ~~CEL~~; walk-in families may be considered ~~and merged with the CEL~~ in priority order. Families shall be enrolled in accordance with admission priorities above.

~~A contractor operating a campus child care and development program pursuant to EC Section 66060, may utilize a waiting list developed at its local site to fill vacancies of its specific population in accordance with admission priorities. Child care and development program contractors described in thesis paragraph~~

~~shall refer parents seeking subsidized child care for whom the program is not able to provide child care and development services to the centralized eligibility list administrator~~.

If it is necessary to displace families, families shall be displaced in reverse order of admission priorities.

C. Head Start Collaborative Full-Day Programs (*5CCR* 18131.1)

When ~~collaborative full-day services are provided with CSPP funding and when~~ the CSPP contractor is also a Head Start grantee or delegate agency or has a signed collaboration agreement with a Head Start grantee or delegate agency, the contractor shall:

1. Search ~~the county centralized eligibility list (CEL)~~ their waiting list for eligible children whose family income is at or below the ~~had~~ Head Start income guidelines, who need full-day services, and, if the information is included in the waiting list ~~the CEL~~, the Head Start enrollment priorities:
2. Give first priority for services to eligible children based on IV.B above;
3. Give second priority for services to children drawn from the waiting list ~~CEL~~ search and other eligible children from families with incomes not to exceed the exceptions specified in *5CCR* Section 18133, who meet Head Start enrollment priorities, as these children shall be deemed as meeting the priorities specified in IV.B above.

- Amend Section II.A, FEE SCHEDULE, Fee Assessment (page 62):

II. FEE SCHEDULE (*EC* 8263, *5CCR* 18108 and 18109)

A. Fee Assessment

Contractors shall use a fee schedule prepared and issued by the CDD. The contractor shall utilize the following factors in determining the fee to be assessed and collected for each family:

1. The adjusted monthly family income
2. Family size
3. Based on the total number of hours for each day of the child's certified schedule as follows:

~~a. No fee for any day the child is certified for less than 4 hours~~.

~~b.~~ a. Part-time fee for each day the child is certified for ~~four hours to~~ less than 6.5 hours.

~~c.~~ b Full-time fee for each day the child is certified for 6.5 hours or more.

If the family has more than one child in any child care and development program, the fee shall be assessed and collected

based on the child who is enrolled for the longest period (most hours). The fee assessed and collected shall be either the fee indicated on the fee schedule, the actual costs of services or the contract maximum daily rate, whichever is least. No adjustment shall be made for excused or unexcused absences. The fee shall be the full portion of the family's cost for services. If the parent(s) works on a fluctuating schedule, the fee may be estimated and adjusted the following month.

The contractor shall maintain a record of each family's fee assessment, the effective date(s) of each fee increase or decrease, the dates and amounts of fees collected and any amounts which are delinquent. The contractor shall provide the family a copy of and explain to the parent(s) the contractor's policies regarding fee assessment and collection and the possible consequences for delinquent payment of fees.

For child protective services and at risk children, that do not have a fee exemption as specified in section VI.B below, in families whose total countable income is over seventy percent (70%) of the state median income, based on the family fee schedule, the family will pay the amount of fees assessed to a family whose total countable income is seventy percent (70%) of the state median income.

B. Exclusions from Fee Assessment (*EC* 8250, 8263(g)(1), 8447(g) and *5CCR* 18110)

No fees shall be collected from families:

1. With an income level that, in relation to family size, is less than the first entry in the fee schedule~~.~~ ,or
2. In which any individual counted in the family size is receiving CalWORKs cash aid~~, or~~
3. ~~Whose child is receiving part-day/part-year services pursuant to *EC* 8235(d) in a California state preschool program~~.

Families receiving services because the child is at risk of abuse, neglect, or exploitation, may be exempt from paying fees for up to three (3) months if the referral prepared by a legally qualified professional from a legal, medical, or social services agency, or emergency shelter specifies that it is necessary to exempt the family from paying a fee.

Families receiving services because the child is receiving protective services may be exempt from paying fees for up to twelve (12) months if the referral prepared by the county welfare department, child welfare services worker specifies that it is necessary to exempt the family from paying a fee.

The cumulative period of time of fee exemption for families receiving services because the child is at risk of abuse, neglect, or

exploitation or for families receiving child care services because the child is receiving protective services shall not exceed twelve (12) months.

- Amend Section X., MINIMUM HOURS AND DAYS OF OPERATION as follows (page 66):

X. MINIMUM HOURS AND DAYS OF OPERATION (*EC* 8235(d) and (f))

Contractors providing part-day~~, part-year California state preschool~~ services shall operate a minimum of 3 hours per day for a minimum of 175 days per year, unless the child development contract specifies a lower minimum days of operation.

Contractor providing a full-day~~, full-year California state preschool~~ services shall operate the number of hours needed to meet the child care needs of the families for a minimum of 246 days per year, unless the child development contract specifies a lower minimum days of operation.

- Amend Section XI.A, DUE PROCESS REQUIREMENTS as follows (page 66):

XI. DUE PROCESS REQUIREMENTS

A Notice of Action, Application for Services; Notice of Approval or Denial (*EC* 8237, 8261, 8263, *5CCR* 18094 and 18118)

The contractor's decision to approve or deny services shall be communicated to the applicant by mailing or delivering a written statement referred to as a Notice of Action, Application for Services within thirty (30) calendar days from the date the application is signed by the parent(s).

The Notice of Action, Application for Services shall include:

1. The applicant's name and address
2. The contractor's name and address
3. The name and telephone number of the contractor's authorized representative who made the decision
4. The date of the notice. For families being certified to receive part-day~~, part-year~~ services pursuant to I.A above, the NOA may be issued up to one hundred twenty (120) calendar days prior to the first day of the beginning of the new program year.
5. The method of distribution of the notice

If services are approved, the notice shall also contain:

1. Basis of eligibility
2. Daily/hourly fee, if applicable
3. Duration of the eligibility
4. Names of children approved to receive services
5. Hours of service approved for each day

If the services are denied, the notice shall contain:

1. The basis of denial
2. Instructions for the parent(s) on how to request a hearing if they do not agree with the contractor's decision in accordance with procedures specified in sections XI.D and XI.E below

- Delete the entire Section, PREKINDERGARTEN AND FAMILY LITERACY PROGRAM COMPONENT CONTRACT REQUIREMENTS, Fiscal Year 2012-13 as follows:

~~PREKINDERGARTEN AND FAMILY LITERACY PROGRAM COMPONENT CONTRACT REQUIREMENTS~~

~~Fiscal Year 2012–13~~

~~Contractors receiving funding to operate a Pre-Kindergarten and Family Literacy Program shall operate its program in adherence to one of the following requirements:~~

I. ~~TRADITIONAL PRE-KINDERGARTEN AND FAMILIY LITERACY REQUIREMENTS~~

~~Notwithstanding any provisions in funding terms and conditions to the contrary, contractors shall adhere to the following requirements:~~

A. ~~Eligibility and Need Criteria (*EC* 8238.4)~~

~~1. Children must be four (4) years old on or before December 2 of the fiscal year they are enrolled in the program and may only participate for one year.~~

~~2. A family shall establish eligibility only once at when initially enrolled. The child shall continue to receive services for the entire program year regardless of changes in the family's eligibility status.~~

~~3. For full-day, full-year services, a family must establish a need for care beyond the three hours and less than 3 hours and 59 minutes part-day portion of the day. Need shall be established only once at the time of initial enrollment.~~

~~4. If the number of contracted slots exceeds the number of eligible children, the contractor may enroll children in families above the income eligibility threshold. However, no more than twenty percent (20%) of contracted slots calculated throughout the participating program's entire contract, may be filled with children in families that are above the income eligibility threshold.~~

B. ~~Program Location~~

~~1. Programs shall be located in the attendance area of elementary schools in deciles 1 to 3, based on 2005 Academic Performance Index (API) pursuant to *EC* 52056.~~

~~2. For proposed site changes contractors shall submit a request to the~~

~~CDD that includes:~~

~~a. The name and address of the current program location;~~

~~b. The name and address of the proposed program location;~~

~~c. Verification that the proposed program location is within the attendance area of an elementary school with a decile ranking of 1 to 3, inclusive, based on the 2005 base Academic Performance Index; and~~

~~d. The site license for the proposed program location.~~

~~Approval shall be granted upon receipt of documentation confirming that the proposed program location meets the statutory requirements as specified in *EC* 8238.4(a)(2). The CDD shall approve or deny the request within thirty (30) calendar days of receipt of the request.~~

C. ~~Literacy Program (*EC* 8238)~~

~~Each program shall include, but not be limited to, the following:~~

~~1. Age and developmentally appropriate activities for children in participating classrooms that are designed to facilitate their transition to kindergarten~~

~~2. Opportunities for parents and legal guardians to participate in interactive literacy activities that facilitate the acquisition of prereading skills by their children~~

D. ~~Staff Development (*EC* 8238.3)~~

~~Each contractor shall provide staff development for teachers in participating classrooms that includes, but is not limited to, all of the following:~~

~~1. Development of a pedagogical knowledge including, but not limited to, improved instructional strategies~~

~~2. Knowledge and application of developmentally appropriate assessments of the pre-reading skills of children in participating classrooms~~

~~3. Information on working with families, including the use of on site coaching, for guided practice in interactive literacy activities~~

E. ~~Parent Education (*EC* 8238.1)~~

~~Each contractor shall coordinate the provision of all of the following:~~

~~1. Parenting education to support the development by their children of literacy skills. Parenting education shall include, but not be limited to, instruction in all of the following:~~

~~a. Providing support for the education growth and success of their children.~~

~~b. Improving the parent-school communications and parental~~

~~understanding of school structures and expectations~~

~~c. Becoming active partners with teachers in the education of their children~~

~~2. Referrals, as necessary, to providers of instruction in adult education and English as a second language in order to improve the academic skills of parents and legal guardians of children in participating classrooms.~~

F. ~~Program Coordinator (*EC* 8238.2)~~

~~A Local Educational Agency or a participating program on behalf of one or more prekindergarten and family literacy programs, may select a family literacy and education coordinator to facilitate delivery of family literacy, staff development, and instructional material selection. A program coordinator's duties may include the following:~~

~~1. Develop a system to coordinate the provision of literacy services to families at the local education agency and community level~~

~~2. Create an organizational partnership between each program provider and an adult education program operated by a local educational agency or other community provider, as needed~~

~~3. Promote parental involvement in participating classrooms~~

II. ~~CALIFORNIA STATE PRESCHOOL PROGRAM REQUIREMENTS~~

~~Notwithstanding any provisions in funding terms and conditions to the contrary, contractors operating as a California state preschool program shall adhere to the following requirements:~~

A. ~~Program Location (*EC* 8238.4)~~

~~1. Programs shall be located in the attendance area of elementary schools in deciles 1 to 3, based on 2005 Academic Performance Index (API) pursuant to *EC* 52056.~~

~~2. For proposed site changes contractors shall submit a request to the CDD that includes:~~

~~a. The name and address of the current program location;~~

~~b. The name and address of the proposed program location;~~

~~c. Verification that the proposed program location is within the attendance area of an elementary school with a decile ranking of 1 to 3, inclusive, based on the 2005 base Academic Performance Index; and~~

~~d. The site license for the proposed program location.~~

~~3. Approval shall be granted upon receipt of documentation confirming that the proposed program location meets the statutory requirements as specified in *EC* 8238.4(a)(2). The CDD shall approve or deny the request within thirty (30) calendar days of~~

~~receipt of the request.~~

B. ~~Family Literacy Services (*EC* 8238)~~

~~1. Literacy Program~~

~~Each program shall include, but not be limited to, the following:~~

~~a. Age and developmentally appropriate activities for children in participating classrooms that are designed to facilitate their transition to kindergarten~~

~~b. Opportunities for parents and legal guardians to participate in interactive literacy activities that facilitate the acquisition of pre-reading skills by their children~~

~~2. Staff Development (*EC* 8238.3)~~

~~Each contractor shall provide staff development for teachers in participating classrooms that includes, but is not limited to, all of the following:~~

~~a. Development of a pedagogical knowledge including, but not limited to, improved instructional strategies~~

~~b. Knowledge and application of developmentally appropriate assessments of the pre-reading skills of children in participating classrooms~~

~~c. Information on working with families, including the use of on site coaching, for guided practice in interactive literacy activities~~

~~3. Parent Education (*EC* 8238.1)~~

~~Each contractor shall coordinate the provision of all of the following:~~

~~a. Parenting education to support the development by their children of literacy skills. Parenting education shall include, but not be limited to, instruction in all of the following:~~

~~1. Providing support for the education growth and success of their children.~~

~~2. Improving the parent-school communications and parental understanding of school structures and expectations~~

~~3. Becoming active partners with teachers in the education of their children~~

~~b. Referrals, as necessary, to providers of instruction in adult education and English as a second language in order to improve the academic skills of parents and legal guardians of children in participating classrooms.~~

~~4. Program Coordinator (*EC* 8238.2)~~

~~A Local Educational Agency or a participating program on behalf of one or more prekindergarten and family literacy programs, may select a family literacy and education coordinator to facilitate delivery of family literacy, staff development, and instructional material selection. A program coordinator's duties may include the following:~~

~~a. Develop a system to coordinate the provision of literacy services to families at the local education agency and community level~~

~~b. Create an organizational partnership between each program provider and an adult education program operated by a local educational agency or other community provider, as needed~~

~~c. Promote parental involvement in participating classrooms~~