County of Los Angeles
DEPARTMENT OF CHILDREN AND FAMILY SERVICES

425 Shatto Place, Los Angeles, California 90020
(213) 351-5602

PATRICIA S. PLOEHN, LCSW
Director

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YVONNE B. BURKE
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Third District
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MICHAEL D. ANTONOVICH
Fifth District

May 1, 2007

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

REQUEST TO ACCEPT FISCAL YEAR 2006-07 CALIFORNIA ALTERNATIVE PAYMENT PROGRAM (CAPP) CHILD CARE GRANT FUNDING AMENDMENT NUMBER ONE FROM THE CALIFORNIA DEPARTMENT OF EDUCATION
(ALL SUPERVISORIAL DISTRICTS) - (4 VOTES)

IT IS RECOMMENDED THAT YOUR BOARD:

1. Approve, adopt and instruct the Chair to execute the attached Resolution (Attachment A). The Resolution certifies approval of the Board, and authorizes the Director of the Department of Children and Family Services (DCFS), to sign and execute California Alternative Payment Program (CAPP) Agreement Number CAPP-6031 with the California Department of Education (CDE) for FY 2006-07 funding for subsidized child care for children under the supervision of DCFS. The Resolution also certifies approval of the Board, and authorizes the Director of DCFS, to execute amendments to the Agreement to accept additional funding when available. The CAPP Agreement provides State/Federal funding and requires the County to meet a $170,019 Maintenance of Effort (MOE). The Director will obtain County Counsel and Chief Administrative Office approval prior to executing amendments to the Agreement.

2. Approve the attached Request for Appropriation Adjustment to increase DCFS' Other Charges appropriation by $1,631,095 (Attachment B). The FY 2006-07 Adopted Budget was developed assuming CAPP funding of $15,083,775; however, the CAPP funding now available is $16,714,870. There is no net County cost (NCC) impact; the MOE remains the same and is included in the FY 2006-07 Adopted Budget.

3. Authorize the Director of the DCFS (Director), or the Director's designee, to complete, sign and forward to CDE the CAPP continued funding application for next fiscal year (FY 2007-08).

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTIONS

On January 31, 2006 your Board authorized the Director of DCFS to sign for all matters pertaining to this ageement as its designee. With this approval the Director of DCFS signed the COLA for FY 2006-07 (Attachment C).

The recommended actions will allow DCFS to accept FY 2006-07 CAPP funding, make the appropriate budget adjustment, and apply for FY 2007-08 funding. This will enable DCFS to continue the subsidized Child Care Program, for children who are at risk of abuse or neglect.

Failure to accept the COLA would result in the loss of $1,600,000 in State and Federal funding.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The recommended actions are consistent with the principles of the Countywide Strategic Plan Goals. The recommended actions will increase access to subsidized child care for children at risk of abuse or neglect (Goal #1-Service Excellence) and allow for full utilization of available funding (Goal #4-Fiscal Responsibility).

FISCAL IMPACT/FINANCING

The State/Federal CAPP funding available at this time is $16,714,870. The County MOE for CAPP funding is $170,019. Therefore, DCFS' Child Care Program funding for FY 2006-07 is $16,884,889. The FY 2006-07 Adopted Budget includes $15,083,775 in State/Federal funding and $170,019 NCC for CAPP. The requested budget adjustment will increase Other Charges and State revenue by $1,631,095 to reflect the funding currently available.

The CAPP Agreement also provides for 100% reimbursement of administrative costs provided total CAPP expenditures do not exceed $15,083,775 and the administrative costs do not exceed 15% of the program expenditures.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The CAPP Agreement provides the funding for DCFS' Child Care Program. Child care is made available to DCFS children who are assessed to be at a potential risk of abuse or neglect where they live. These children are with their birth parents, or for the first time they are in the home of relative caregivers who are receiving the B-schedule foster care rate. The Program assists in avoiding out-of-home placements when appropriate. It is also a safety net for the children who are placed with relatives for the first time and there might be a potential risk of abuse or neglect. Ensuring the child's safety is the goal.

The DCFS Child Care Program served 4,895 children in FY 2005-06 and 376 children were on eligibility lists waiting to be processed. The term of the Agreement with CDE is July 1, 2006 through June 30, 2007. The agreements do not include the usual County required terms since the State is providing funding to the County and the contract is generated by the State. The

Chief Administrative Office (CAO) and County Counsel have reviewed this Board letter and the CAPP Agreement. The CAPP Agreement has been approved as to form by County Counsel.

CONTRACTING PROCESS

No solicitation process was required.

IMPACT ON CURRENT SERVICES

During the past year, approximately 325 children were enrolled each month in the DCFS Child Care Program. These CDE Agreements will allow DCFS to continue current child care services and to serve more children in FY 2006-07. The Department's goal is to serve 5,100 children in FY 2006-07.

CONCLUSION

Upon approval by the Board of Supervisors, it is requested that the Executive Officer/Clerk of the Board send:

1. The signed originals of the Resolution and the Budget Adjustment to the Department of Children and Family Services, Budget Services Division, Attn: Tito Barin, Budget Officer, 425 Shatto Place, Room 203, Los Angeles, California 90020

2. One (1) copy of the adopted Board Letter to the Department of Children and Family Services, Attn: Robert Wiltse, Children's Services Administrator III, DCFS Child Care Program, 12440 East Imperial Highway, Room 529, Norwalk, California 90650.

3. One (1) copy of the adopted Board Letter to the Auditor-Controller, Accounting Division, Kenneth Hahn Hall of Administration, Room 603, 500 West Temple Street, Los Angeles, California 90012.

4. One (1) copy of the adopted Board Letter to County Counsel's Office, Attn: Rose Belda, 201 Centre Plaza Drive, Suite 1, Monterey Park, California 91754.

Respectfully submitted,

PATRICIA S. PLOEHN, LCSW
Director

PP:AC:RW:rw

Attachments (3)

c: Chief Administrative Officer
County Counsel

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 (CDE) for the purpose of providing child care and development services; and to authorize the designated personnel indicated below to accept this annual cost of living adjustment ($1,631,095 for FY 2006-07) from the California Alternative Payment Program (CAPP) funding and to sign contract documents for CAPP funding for Fiscal Year 2005/06 and each subsequent fiscal year thereafter Provided sufficient net County cost is available to meet the Maintenance of Effort Requirement.

RESOLUTION

Be it resolved THAT THE Governing Board of the County of Los Angeles

Authorized the application for CAPP funding and entering in CAPP funding

Agreements with the CDE and that the person who is listed below, is authorized to

Sign the transaction for the Governing Board.

NAME	TITLE	SIGNATURE
Trish Ploehn	Director, Department of Children and Family Services	Trish Ploehn

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The foregoing resolution was on the _____ day of May, 2007, adopted by The Board of Supervisors of the County of Los Angeles and ex officio the Governing body of all other special assessment and taxing districts, agencies and Authorities for which said Broad so acts.

SACHI A. HAMAI, Executive officer-
Clerk of the Board of Supervisors of the County of Los Angeles

By _____
Deputy

APPROVED AS TO FORM
BY COUNTY COUNSEL

RAYMOND G. FORTNER, JR.

By _____
Deputy

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BOARD OF
SUPERVISORS
OFFICIAL COPY

COUNTY OF LOS ANGELES

REQUEST FOR APPROPRIATION ADJUSTMENT

DEPT'S. NO. 350

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

19

AUDITOR-CONTROLLER.

THE FOLLOWING APPROPRIATION ADJUSTMENT IS DEEMED NECESSARY BY THIS DEPARTMENT. WILL YOU PLEASE REPORT AS TO ACCOUNTING AND AVAILABLE BALANCES AND FORWARD TO THE CHIEF ADMINISTRATIVE OFFICER FOR HIS RECOMMENDATION OR ACTION.

ADJUSTMENT REQUESTED AND REASONS THEREFOR

4 - VOTES

SOURCES

DEPARTMENT OF CHILDREN AND FAMILY SERVICES
Increase State Revenue
A01-CH-26200-8727
$1,631,000

USES

DEPARTMENT OF CHILDREN AND FAMILY SERVICES
Other Charges
A01-CH-26200-5500
$1,631,000

Justification:

This appropriation adjustment will increase Other Charges and State Revenue by $1,631,000 to reflect the additional State California Alternative Payment Program (CAPP) funding now available. There is no net County cost impact.

Patricia S. Ploehn

PATRICIA S. PLOEHN, LCSW, Director

CHIEF ADMINISTRATIVE OFFICER'S REPORT

REFERRED TO THE CHIEF ADMINISTRATIVE OFFICER FOR — ACTION

RECOMMENDATION

AUDITOR-CONTROLLER BY

APPROVED AS REQUESTED AS REVISED

19

CHIEF ADMINISTRATIVE OFFICER

APPROVED (AS REVISED): 19

BOARD OF SUPERVISORS

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

F.Y. 06 - 07

Amendment 01

DATE: July 01, 2006

CONTRACT NUMBER: CAPP-6031
PROGRAM TYPE: ALTERNATIVE PAYMENT
PROJECT NUMBER: 19-Y196-00-6

LOCAL AGREEMENT FOR CHILD DEVELOPMENT SERVICES
INFLATION/GROWTH/FT&C CHG.

CONTRACTOR'S NAME: COUNTY OF LOS ANGELES-DEPARTMENT OF CHILDREN'S SERVICES

This agreement with the State of California dated July 01, 2006 designated as number CAPP-6031 and shall be amended in the following particulars but no others:

The 2006/07 Funding Terms and Conditions (FT&C) shall be amended in accordance with the attached 2006/07 amended FT&C Language 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 $15,083,775.00 and inserting $16,714,870.00 in place thereof.

SERVICE REQUIREMENTS

Minimum Days of Operation (MDO) Requirement shall be 250. (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) Susan Bloch
PRINTED NAME OF PERSON SIGNING: Sharon Taylor	PRINTED NAME AND TITLE OF PERSON SIGNING: Patricia S. Ploehn, Director
TITLE: Manager-Contracts CD+NS Fiscal Svcs	ADDRESS: 425 Shatto Pl., Los Angeles, Ca. 90020

AMOUNT ENCUMBERED BY THIS DOCUMENT $ 1,631,095	PROGRAM/CATEGORY (CODE AND TITLE): Child Development Programs		FUND TITLE		Department of General Services use only
PRIOR AMOUNT ENCUMBERED FOR THIS CONTRACT $ 15,083,775	(OPTIONAL USE): See Attached				
	ITEM: See Attached	CHAPTER	STATUTE	FISCAL YEAR	
TOTAL AMOUNT ENCUMBERED TO DATE $ 16,714,870	OBJECT OF EXPENDITURE (CODE AND TITLE): 706				
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: COUNTY OF LOS ANGELES-DEPARTMENT OF CHILDREN'S SERVICES

CONTRACT NUMBER: CAPP-6031

Amendment 01

AMOUNT ENCUMBERED BY THIS DOCUMENT $ 0	PROGRAM/CATEGORY (CODE AND TITLE) Child Development Programs		FUND TITLE Federal	
PRIOR AMOUNT ENCUMBERED $ 7,780,321	(OPTIONAL USE) 0656 13694-Y196	FC# 93.596	PC# 000321	
TOTAL AMOUNT ENCUMBERED TO DATE $ 7,780,321	ITEM 30.10.020.007 6100-196-0890	CHAPTER 47	STATUTE 2006	FISCAL YEAR 2006-2007
	OBJECT OF EXPENDITURE (CODE AND TITLE) 706	SACS: Res-5050 Rev-8290		

AMOUNT ENCUMBERED BY THIS DOCUMENT $ 0	PROGRAM/CATEGORY (CODE AND TITLE) Child Development Programs		FUND TITLE Federal	
PRIOR AMOUNT ENCUMBERED $ 2,659,896	(OPTIONAL USE) 0656 14153-Y196	FC# 93.575	PC# 000324	
TOTAL AMOUNT ENCUMBERED TO DATE $ 2,659,896	ITEM 30.10.020.007 6100-196-0890	CHAPTER 47	STATUTE 2006	FISCAL YEAR 2006-2007
	OBJECT OF EXPENDITURE (CODE AND TITLE) 706	SACS: Res-5050 Rev-8290		

AMOUNT ENCUMBERED BY THIS DOCUMENT $ 1,631,095	PROGRAM/CATEGORY (CODE AND TITLE) Child Development Programs		FUND TITLE General	
PRIOR AMOUNT ENCUMBERED $ 4,643,558	(OPTIONAL USE) 0656 23186-Y196			
TOTAL AMOUNT ENCUMBERED TO DATE $ 6,274,653	ITEM 30.10.020.007 6100-196-0001	CHAPTER 47	STATUTE 2006	FISCAL YEAR 2006-2007
	OBJECT OF EXPENDITURE (CODE AND TITLE) 706	SACS: Res-6040 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	

CHILD CARE AND DEVELOPMENT
2006/2007 LANGUAGE CHANGES TO
THE FUNDING TERMS AND CONDITIONS (FT&C)

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

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

Amend the TABLE OF CONTENTS, Program Quality Requirements, as follows (p. iii):

IV. PROGRAM ~~ANNUAL~~ SELF-EVALUATION ~~STUDY~~ PROCESS.....56

Amend Section I, DEFINITIONS, as follows:

"CPM/CMR" means Categorical Program Monitoring/Contract Monitoring Review and is the monitoring and review instrument for child development programs to determine compliance. ~~The Training and Monitoring Resource guide determines compliance for Dimension II, Governance and Administration for Alternative Payment/CalWORKs programs.~~

"Day of Operation" means a day in which the ~~operating facility is open to the public to provide services.~~ contractor provides service to one or more certified children enrolled.

~~"Derived rate" means the rate calculated pursuant to California *Code of Regulations*, Title 5, Chapter 19, Subchapter 2.5, Article 1 and Section 18074.3(i).~~

"Desired Results Developmental Profile" is a document issued by the department to record the information in the developmental profile defined below ~~above~~.

"Earned" (For Alternative Payment programs) means net reimbursable program costs consisting of direct payments to providers, which includes family fees for certified children and interest earned on advanced contract funds if the interest is spent on reimbursable costs for additional services, plus actual and allowable reimbursable administrative and support services costs of which ~~of which at least eighty-one percent (81%) must be payments to direct services, no more than nineteen percent (19%) may be for support services and administrative costs together and~~ no more than fifteen percent (15%) may be for administrative costs alone. (For Family Child Care Homes Education Networks) "Earned" means net reimbursable program costs of which at least seventy percent (70%) must be payments for direct services, no more than thirty percent (30%) may be for quality assurance and administrative costs together and no more than fifteen percent (15%) may be for administrative costs alone.

~~"Established rate" means the documented rates providers charge unsubsidized families pursuant to California *Code of Regulations, Title 5,* Chapter 19, Subchapter 2.5, Article 1, Section 18074.3.~~

Contractors operating an Alternative Payment program may use an alternative to daily sign-in/sign-out sheets as documentation of attendance or reimbursement purposes with the prior written approval of the CDD.

Amend Section VI.G, ACCOUNTING AND REPORTING REQUIREMENTS, Child Development Data Collection, as follows (p. 29):

G. Child Development Data Collection

The contractor shall submit the ~~following:~~

~~1. Child Care Annual Aggregate Report (CDD-800) to the CDE by December 1 of each year.~~
~~2.~~ Monthly Child Care Population Information (CDD-801A) electronically in accordance with instructions from the CDE.

Amend Section I.B, ELIGIBILITY AND NEED CRITERIA AND DOCUMENTATION, as follows (p. 38):

4. The family has a child who is at risk of abuse, neglect, or exploitation, or receiving child protective services through the county welfare department. ~~If child care is reimbursed with federal funds, the family must also be income eligible unless the individual issuing the at risk or child protective services referral recommends waiving the income eligibility ceiling.~~

Amend Section I.D, ELIGIBILITY AND NEED CRITERIA AND DOCUMENTATION, as follows (p. 39):

2. Issue a Notice of Action, Application for Services as described in XV. A. ~~X.A~~ below and a Notice of Action, Recipient of Services as described in XV. B ~~X.B~~ below.

Amend Section I.M, ELIGIBILITY AND NEED CRITERIA AND DOCUMENTATION, as follows (p. 42):

M. Documentation of the Child's Exceptional Needs

For children with exceptional needs, the basic data file shall contain the active individualized education program (IEP) or individualized family service plan (IFSP) developed by the IEP or IFSP team. The basic data file shall also include information as specified in *Education Code* Section 56026 and the California *Code of Regulations, Title 5*, sections 3030 and 3031.

~~If eligibility and need as specified in Section I.B and I.C above are based on child protective services, the basic data file shall contain a written referral, dated within the six (6) months immediately preceding the date of application for services, from a county welfare department, child welfare services worker certifying that:~~

~~1. The child is receiving protective services and that child care and development services are a necessary component of the child protective services plan; and~~
~~2. The probable duration of the child protective services plan; and~~

D1elete Section VIII.D, PROCEDURES FOR PROVIDER PARTICIPATION, as follows (p. 50):

~~D. Participation of facilities with at least 75 percent subsidized children under the following circumstances:~~

~~1. There is a lack of licensed child care facilities in the area.~~
~~2. The facility is able to meet the special needs of a particular child.~~
~~3. Any other reason provided for by the CDE's regulations.~~

E. Grievance procedures for parents and providers in the program.

Amend Section VII., INFORMATION TO BE GIVEN TO PARENTS as follows (p. 49):

J. Effective January 1, 2007, provide the child's parent or guardian with a copy of the Center (LIC 995) or Family Child Care Home (LIC 995A) Notification of Parents' Rights form, as appropriate, provided by the State Department of Social Services, which shall include information stating that the specified registered sex offender database is available to the public via an Internet Web site maintained by the Department of Justice as www.Meganslaw.ca.gov

Delete Section IX.B, WRITTEN MATERIALS TO BE GIVEN TO PROVIDERS, as follows (p. 50):

A. A copy of the contractor's policy statements as specified in Sections VI.E, VI.F, VI.H, VIII above and Section XI below

~~B. A statement prohibiting the provider from engaging in religious instruction or worship while providing child care and development services, when services are reimbursed using state (general) funds~~

B~~C~~. A statement prohibiting the provider from engaging in any form of discrimination

C~~D~~. A schedule for the payment of services which shall be signed by the provider

D~~E~~. Instructions on enrollment and attendance recordkeeping requirements

Amend Section XIII., RECORDS ON FILE CONCERNING LICENSED SERVICE PROVIDERS, as follows (p. 51):

B. A statement signed by the provider confirming that the rates charged for any subsidized child are equal to or less than the rates charged for a non-subsidized child ~~When services are reimbursed with state (general) funds, a statement signed by the provider that the child care and development services being provided do not include religious instruction or worship~~

C. The providers rate sheet listing the rates charged and the providers' discount or scholarship policies, if any

If the services are denied, the notice shall contain: (1) the basis of denial and (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 XV.D. and XV.E. below.

Add Section XVI, PARENTAL COMPLAINTS IN LICENSE-EXEMPT CHILD CARE SETTINGS as follows (p. 55):

XVI. PARENTAL COMPLAINTS IN LICENSE-EXEMPT CHILD CARE SETTINGS

Parents with children in license-exempt care may make a complaint against the license-exempt provider using the following process:

A. The complaint must be written and shall include the nature of the complaint, the date and approximate time of occurrence and the name and address of the provider about whom the complaint is made and shall be signed by the parent. Only complaints received about health and safety noncompliance will be accepted. These complaints shall be deemed substantiated solely by the parent's written declaration.

B. Upon receipt of a complaint, the contractor shall inform the license-exempt provider of the parent's complaint and inform the provider of the provider's right to submit a written rebuttal. The contractor must also notify the parent and the provider that payments will cease in fourteen (14) days unless a written declaration signed by both parties has been received by the contractor stating that the health and safety deficiency has been corrected. The contractor will also advise parents that serious health and safety concerns should be referred to the appropriate child protection services unit of the county welfare department.

C. The contractor must maintain a record of parental complaints concerning a license-exempt provider's failure to meet the health and safety standards as specified in the Health and Safety Self-Certification. Upon receiving an inquiry about a specific license-exempt provider, the contractor shall inform the requestor of the general nature of the complaint and whether or not the provider submitted a rebuttal.

D. The parental complaint process for license-exempt providers shall be included in both the parent and provider handbooks.

Change the title for Section IV., ANNUAL SELF STUDY PROCESS, as follows (p.57):
IV, PROGRAM ~~ANNUAL~~ SELF-EVALUATION ~~STUDY~~ PROCESS

Amend Section IV, PROGRAM ~~ANNUAL~~ SELF-EVALUATION ~~STUDY~~ PROCESS as follows (p. 57):

Each contractor shall develop and implement an annual self-study plan that determines if the program goals and objectives are being met. The self-study shall include a self-assessment by the contractor using the CPM/CMR ~~coordinated Compliance/Contract Monitoring Review~~ instrument in accordance with instructions specified by the CDD. The self-study plan shall include assessment of the program by parents. The contractor shall