




WORKFORCE SOLUTIONS ALAMO POLICY LETTER

ID NO: CCMS 16, C5

DATE ISSUED: October 27, 2009

TO: Workforce Solutions Alamo CCS Contractors

FROM: Chakib Chehadi, Executive Director 

SUBJECT: CHILD CARE ATTENDANCE

PURPOSE:

To provide guidance on Workforce Solutions Alamo's (WSA) policy establishing attendance limits for children receiving child care services.

REFERENCE(S):

Texas Workforce Commission (TWC) Rules, Sections 809.13, 809.54, 809.71, 809.75, and 809.93(f).

Bold typeface indicates new or clarified language.
A ~~strikethrough~~ indicates language has been deleted.

POLICY:

TWC rules require that local boards shall set the attendance standards for eligible children in the local workforce development area, including provisions regarding custody and visitation arrangements.

The child care contractor shall terminate a child's enrollment for excessive absences. Termination of enrollment based on excessive absences may result from the following:

- An absence of five (5) consecutive days without parental notice to the child care provider or contractor. This is considered a voluntary withdrawal from child care services and constitutes grounds for immediate termination of the child's

enrollment. The parent may appeal the determination of absence without notice, but the effective date of the termination is not delayed by the appeal. Child care services will not continue during the appeal process. The termination is effective at the end of the fifth consecutive day of absence.

- An absence of thirty (30) days in a 12-month period. The child care contractor must notify the parent in writing that the child's enrollment will be terminated. The parent may appeal the determination of excessive absences, but the effective date of the determination is not delayed by the appeal. Child care services will not continue during the appeal process. The above absence policies apply to all WSA funded child care including ~~National Emergency Grant~~ **American Reinvestment and Recovery Act (ARRA)** and Texas Department of Family and Protective Services (TDFPS) referrals. Parents or custodians of TDFPS children are not entitled to appeal child care actions.
- A child who is required by a court-ordered custody or visitation arrangement to leave a provider's care will be permitted to continue receiving child care by the same provider or another provider if agreed to by the parent in advance of the leave, upon return from the court-ordered custody or visitation arrangement.
- After children's attendance exceed absence limits of 30 or more days, contractor may authorize up to an additional 20 days of extended absences, if adequate documentation is provided, based on:
 - Illness, including:
 - Medically fragile or chronically ill children, as certified by a physician; and
 - Childhood illness; and/or
 - Extenuating circumstances. Extenuating circumstances are events beyond the client's control that impact their ability to participate in usual activities. Extenuating circumstances include but are not limited to:
 - Injury, illness, or death of family member; and
 - Disasters, such as fire or weather related occurrences.
- An exception to the absence policy will be made for Choices clients in the following manner: When a customer begins Choices participation, any previous CCS absences accumulated prior to entering Choices will be zeroed out. The count of absences for these clients will begin at zero from the day they begin participating in Choices. However, any absences accumulated after participation in Choices begins will count and the client may be subject to termination when the 30 absences are reached.
- **Contractors must authorize care based on need and according to the parent's work or school schedule. If a parent does not have a fixed work schedule, for example, the parent works any 5 of 7 days per week, the provider may bill**

for up to 7 days if they are available to care for the child all 7 days. In this instance, the provider will document the “NS” code on the billing records for the 2 days the child did not attend. The “NS” code will allow the provider to bill for these days without the child accumulating absences on these days. Children will be counted absent if they do not attend the child care center on the designated amount of days specified on the Form 2450.

- Absences due primarily to illness or extenuating circumstances are absences in which 2/3 of the total absences were due to these reasons. Documentation of absences, such as a statement from a health care professional is required. For CPS clients or workforce center clients, contractor must coordinate action with staff of these agencies to determine the reason for the excessive absences.

ACTION REQUIRED:

Contractor shall implement this policy immediately.

EFFECTIVE DATE:

Immediately.

INQUIRES:

Please direct all comments and inquires pertaining to this policy to:

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