




Memorandum #404

DATE: January 25, 2010

MEMORANDUM TO: CCS Contractor

FROM: Susan Ashmore, Director of Child Care Services 

SUBJECT: Notice to Child Care Providers regarding the New Child Care Automated Attendance System Responsibilities and Reporting Requirements

The Texas Workforce Commission (TWC) has released Workforce Development (WD) Letter 60-09 *Notice to Child Care Providers regarding the New Child Care Automated Attendance System Responsibilities and Reporting Requirements*.

This WD letter provides guidance to Boards on the upcoming Child Care Automated Attendance (CCAA) system responsibilities and reporting requirements pertaining to effective dates, provider responsibilities and reporting requirements, attendance and security requirements, and penalties for misuse of the CCAA system.


All comments and inquiries pertaining to this policy should be directed to: Susan Ashmore, Director of Child Care Services at (210) 581-1098.

Attached: WD Letter 60-09

TEXAS WORKFORCE COMMISSION LETTER

ID/No:	WD 60-09
Date:	December 29, 2009
Keyword:	Child Care
Effective:	Immediately

To: Local Workforce Development Board Executive Directors
Commission Executive Offices
Integrated Service Area Managers



From: Laurence M. Jones, Director, Workforce Development Division

Subject: **Notice to Child Care Providers regarding New Child Care Automated Attendance System Responsibilities and Reporting Requirements**

PURPOSE:

To provide Local Workforce Development Boards (Boards) with information and guidance on written notice to child care providers containing the Texas Workforce Commission's (Commission) new Child Care Automated Attendance (CCAA) system responsibilities and reporting requirements, specifically:

- effective dates;
- provider responsibilities and reporting requirements;
- attendance requirements;
- security requirements; and
- penalties for misuse of the CCAA system.

BACKGROUND:

The Commission has implemented new child care attendance and reporting procedures using the CCAA system. The rollout of the CCAA system should be complete by summer 2010.

The CCAA system is designed to accomplish three goals:

- Give parents the responsibility for reporting child care attendance
- Ease the burden of child care claims on child care providers and child care contractor staff
- Provide tracking and independent verification that a child attended the child care facility

PROCEDURES:

As required by Commission Child Care Services rule §809.92(a), Boards must ensure that child care providers receive written notice and agree to the responsibilities and requirements of the CCAA system, as provided in this WD

NLF

Letter. Specifically, the written notice must state that providers are required to use the CCAA system for parents to report attendance.

Effective Dates

Boards must be aware that the written notice requirements of this WD letter are effective no later than:

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- February 15, 2010, for Boards in the pilot wave of CCAA system implementation (Coastal Bend and Heart of Texas); or
- thirty days following the implementation date of the CCAA system in each local workforce development area for all other Boards.

Provider Responsibilities and Reporting Requirements

Under §809.92(b)(4), Boards must ensure that providers follow attendance reporting and tracking procedures required by the Commission, Board, and child care contractor.

NLF

Pursuant to §809.92(b)(4)(C), Boards must ensure that providers agree to:

NLF

- inform the Board’s child care contractor when an enrolled child has not attended the first three days of scheduled care; and
- contact the Board’s child care contractor regarding the child’s absence no later than the third day of scheduled attendance.

Attendance Requirements

Boards must ensure that providers agree to review CCAA system attendance and absence reports, at a minimum, every five calendar days.

NLF

Boards may require providers to review CCAA system attendance and absence reports more frequently.

LF

Boards must ensure that providers agree to not being reimbursed by the Board for child care services if a parent fails to report attendances or absences in the CCAA system, unless the provider contacts the child care contractor within five calendar days of the incident.

NLF

Boards may require providers to contact the child care contractor more frequently regarding a parent’s failure to report attendances or absences.

LF

Boards may allow providers who are not reimbursed by the Board to collect reimbursement from parents who fail to accurately report attendances or absences using the CCAA system.

LF

Security Requirements

Boards must ensure that providers agree that no employee of the child care facility will:

NLF

- possess a parent’s or secondary cardholder’s CCAA card;
- accept or use a parent’s or secondary cardholder’s CCAA card or personal identification numbers (PINs); and
- perform the attendance/absence reporting function on behalf of a parent.

Boards must ensure that providers agree that the owner or director of the child care facility will not be designated as the secondary cardholder by a parent with a child enrolled at the facility.

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Boards must require that providers report misuse of CCAA cards and PINs to the Board or the child care contractor.

NLF

Penalties for Misuse of the CCAA System

Board must ensure that providers agree to comply with the security requirements of CCAA and are aware that failing to do so may warrant corrective or adverse actions, such as investigation and prosecution of fraud, and the actions described in §809.115(b), which include—but are not limited to—the following:

NLF

- Closing intake
- Moving children to another provider selected by the parent
- Withholding provider payments or reimbursement of costs incurred
- Termination of child care services
- Recoupment of funds

INQUIRIES:

Direct inquiries regarding this WD Letter to wfpolicy.clarifications@twc.state.tx.us.

RESCISSIONS:

None

REFERENCE:

Texas Workforce Commission Child Care Services Rules: 40 TAC §809.92 and §809.115

FLEXIBILITY RATINGS:

No Local Flexibility (NLF): This rating indicates that Boards must comply with the federal and state laws, rules, policies, and required procedures set forth in this WD Letter and have no local flexibility in determining whether and/or how to comply. All information with an NLF rating is indicated by “must” or “shall.”

Local Flexibility (LF): This rating indicates that Boards have local flexibility in determining whether and/or how to implement guidance or recommended practices set forth in this WD Letter. All information with an LF rating is indicated by “may” or “recommend.”