



**TOM TORLAKSON**

STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

CALIFORNIA  
DEPARTMENT OF  
EDUCATION

October 6, 2016

Angie Garling, Early Childhood Education Program Administrator  
Alameda County General Services Agency  
1401 Lakeside Drive, Suite 116  
Oakland, CA 94612

Dear Ms. Garling:

Subject: Alameda County Pilot Program Plan

This letter is to inform you that the California Department of Education (CDE), Early Education and Support Division (EESD) has approved Chapters 3 and 4 of the Alameda County Individualized Child Care Subsidy Pilot Local Child Care Policy and Evaluation Plan (hereafter "Plan"), including Appendices A and B, as submitted on September 12, 2016, subject to the following<sup>1</sup>:

- The Pilot Reimbursement Rates to be approved, as referenced on page 21 to be set forth in an "accompanying excel document," are included in the Excel document attached to this letter of approval.
- For purposes of clarification, the income threshold for eligibility for new and ongoing families is 85 percent of the 2010–2011 State Medium Income as obtained from the United States Department of Health and Human Services.
- The definition of a "three-year-old" for purposes of age eligibility for California State Preschool Program (CSPP) programs is changed as follows: "Children who will have their third birthday on or before December 2 of the fiscal year in which they are enrolled in CSPP."
- Under the Plan, agencies may "request" contract transfers throughout the fiscal year, and transfers are subject to CDE approval.

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<sup>1</sup> The remainder of the content of the Plan, including Appendices C through N, consist of background information and, thus, do not need "approval" by the CDE.

- For children enrolled in part-day CSPP services are limited to 175–180 days a year and, thus, are not continuous. Therefore, any families enrolled in part-day CSPP for the first year must be certified as a new enrollment each year.
- With respect to approving a 24 month eligibility/12 month job search referenced in Appendix B, agencies shall recertify currently enrolled families at their next regular recertification date as provided in the *California Code of Regulations*, Title 5, Section 18103. For example, if a family enrolled on July 1, 2016, they would be recertified on June 30, 2018, and, at that point, they would remain eligible for an additional 24 months, or 12 months if job searching.
- Regarding eligibility for children who age-out, Federal Regulations 42 USC Section 9858n(4), limits eligibility for child care services to children under age thirteen, unless the child has exceptional needs. Thus, children age thirteen and over cannot be served until the end of a fiscal year as set forth on page 35 of the Alameda Pilot Plan.
- For purposes of clarification, Alameda County has identified “nearby counties” as referenced on Page 30 of the Plan to be used for comparison data to be the following counties: (1) Contra Costa, (2) Marin, (3) Napa, and (4) Sonoma.

As was discussed on September 8, 2016, at the CDE, Alternative Payment Program (APP), child care agencies are not among the types of child care and development agencies that may apply to the CDE to amend existing contracts in order to benefit from the pilot pursuant to the express terms of the *California Education Code (EC)*, Section 8340.2. Thus, the APP agencies listed on page 28 of the Plan cannot participate in the pilot.

In response to your request to prioritize homeless families as part of the pilot project, we notified you that changing enrollment priorities is not one of the areas allowed to be changed pursuant to the law establishing the Pilot. However, per *EC*, Section 8263 (3), the State Superintendent of Public Instruction (SSPi) may grant waivers to agencies wishing to give priority enrollment to specific populations. Contractors may work directly with their EESD Field Services Consultant to request a waiver.

The waiver must be in writing and submitted to the agency's Field Services Office (FSO) consultant. Please note that no waivers will be granted to waive/alter fees or eligibility criteria but only to accept members of special populations in other than strict income order. If a number of agencies wish to submit a single request to the FSO in order to waive requirements to serve specific populations for all of the listed agencies, they may

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do so as long as each applicable agency is named in the waiver request, and the reasons, time length, etc. apply equally to all. Each agency must sign the request.

Finally, I note that the Plan references "CDE" on numerous occasions intended to stand for "child days of enrollment." In order to distinguish that reference from CDE the department, please reference "cde" in lower case in the future to refer to child days of enrollment.

If you have any questions regarding this subject, please contact David Rude, Education Programs Consultant, Early Education and Support Division, Policy Office by phone at 916-319-0536 or by e-mail at [drude@cde.ca.gov](mailto:drude@cde.ca.gov).

Sincerely,

A handwritten signature in black ink, appearing to be 'Debra McMannis', with a long horizontal flourish extending to the right.

Debra McMannis, Director  
Early Education and Support Division

DM:dr

cc: Kira Gunther, Senior Analyst, Mission Analytics

Attachment

Angie Garling, Program Administrator  
October 6, 2016

bcc: Maria Balakshin, Interim Administrator, Policy Office, Early Education and Support Division  
David Rude, Education Programs Consultant, Policy Office, Early Education and Support Division  
Elizabeth Stein, Attorney, Legal and Audits Branch, Legal Affairs  
Phyllis Savage, Staff Services Manager II, Child Development and Nutrition Fiscal Services, Fiscal and Administrative Services Division  
Stephen Propheter, Staff Services Manager II, Child Development and Nutrition Fiscal Services, Fiscal and Administrative Services Division  
Lisa York, Associate Governmental Program Analyst, Child Development and Nutrition Fiscal Services, Fiscal and Administrative Services Division  
Guadalupe Romo-Zendejas, Education Administrator I, Field Services Office, Early Education and Support Division  
Margo Hunkins, Child Development Consultant, Field Services Office, Early Education and Support Division  
Tami Pierson, Supervising Management Auditor, Audits/Monitoring Office, Audits and Investigations Division  
Nikki Gracey, Staff Services Manager I, Child Development Contracts and Purchasing Office, Personnel Services Division