

## The Importance of Creating Your Child Care Contract

A child care contract is important to set and agree on child care expectations. When a family uses formal child care, such as a licensed family child care home or licensed child care center, the family must often sign a written contract. However, when a family receives child care in their home, the family is typically responsible for sharing their expectations. The following information can help you learn about why a written contract is important for in-home child care and what information to include in a contract.

### Why Do I Need a Written Contract?

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First, everyone has their own caregiving and communication styles. It can be difficult to make sure that the provider and family understand and agree on child care responsibilities. Written guidance can lay out key details. This can include when and where child care will take place, children in care, child care rate, payment details, safety guidance, and child care rules. Payment details should include the full child care rate, the responsibility of the family for any balance that fee assistance doesn't cover, and when the family will pay any balance.

Second, when both the family and provider sign a written contract, they have a level of protection or assurance. They can reference the contract if they have questions or concerns about child care responsibilities, payments, or other areas of care.

Additionally, a written contract can offer important guidance in case of an emergency. For example, the contract could include who to call first if a child is injured or what decisions the provider can make if a parent cannot be reached in an emergency.

Overall, a written contract between a family and a provider can help avoid misunderstandings and miscommunication.

### What Must Be Included?

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For the Child Care in Your Home (CCYH) fee assistance program, the contract must include the following information for each child who will receive care:

- Name and date of birth
- Start date of care
- Days and hours of care per week or month
- Provider rate per month or week

**NOTE:** For the health, safety, and well-being of the children in care, the child care ratio may not exceed six children to one adult. This may include no more than two infants under the age of two or children considered nonmobile or nonambulatory. When local or state requirements are more stringent for child care, then the family must follow their local or state regulations outlining the child to adult child care ratios.

### Provisional Approval

After your provider passes the fingerprint-based FBI background check and completes other initial requirements, they can be provisionally approved for the CCYH program. This approval is temporary. To receive full approval, your provider must pass the remaining background checks and complete the 90-day training and pass assessment 2.

If you are willing to employ your provider in provisional status and enable them to receive fee assistance payments, include the following text in your family-provider contract:

The family understands that provisional approval allows CCYH fee assistance to begin before results are received for all required background checks. Provisional approval is based on passing the fingerprint-based FBI background check and completion of initial requirements. This approval is temporary.

The provider passing the fingerprint-based FBI background check doesn't preclude the remaining background checks from disqualifying the provider. The family assumes all risks and liability in employing this provider in their home prior to receiving all background check results.

Provisional approval may be revoked at any time if the remaining background checks disqualify the provider. If revoked, fee assistance will stop immediately.

If you want to wait to employ your provider until they receive full approval, you don't need to include specific text in your contract. Wait to submit your contract to your CCYH specialist until your provider receives full approval.

### **Provider Caring for Their Own Children in the Family's Home**

The provider may care for their own children in the family's home—in addition to the family's children—if documented in the family-provider contract. Include the names and dates of birth of children who will be cared for.

## **What Could Be Included?**

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You may want to include other details in a written child care contract. The basics may include, but are not necessarily limited to, the following:

- Children to be cared for when there are multiple children in the family home
- Where care will take place in the home
- Payment method
- Provider responsibilities
- Required certifications or training (for example, background checks, CPR, first aid, accommodations for children with special needs)
- Grounds and notice for termination of employment

You may also want to include the following topics:

- Handling of employee and employer taxes, social security, unemployment, Medicare, etc.
- Benefits provided, such as medical insurance, medical insurance stipend, or cell phone plan
- Time off, including sick leave, vacation days, and holidays, and required notice when taking leave
- Transportation usage, needs, and safety; reimbursements for mileage, public transportation, or parking for daily activities or school pick-up and drop-off
- Emergency information and procedures, and a medical release form for consent to treat the child if a parent can't be reached
- Procedures for special circumstances, such as when the provider is ill prior to scheduled care or becomes ill during care
- House rules the provider should be aware of so that they can enforce, prompt, or assist as necessary, such as screen time rules or limitations, completing homework or chores, or daily hygiene

- Approved, age-specific activities, such as certain locations and activities that a child is permitted to visit or do, locations or activities that are off limits, and activities or destinations that require family permission ahead of time (for example, outdoor play)
- General safety, nutrition, and health guidance; when the provider or child should stay home or go home early due to illness
- Safe infant sleep practices for a child under 12 months old
- Accommodation and routines for children with special needs
- Discipline and guidance
- Confidentiality agreement
- Social media policy
- Reviews, communication of concerns, and raises
- Any other special details about the children that need to be considered during care, as well as specific expectations