

10-010.B CHILD CARE ELIGIBILITY

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Eligible Adult To be eligible for child care services, an adult must satisfy all three of the following conditions:

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- Live in California.
 - Have an eligible Child.
 - Have a need for child care services.
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**Parent/
Caretaker is
Receiving
Refugee
Cash
Assistance**

If a parent/caretaker is receiving Refugee Cash Assistance (RCA) and is participating in an approved Refugee Employment Services activity, then he/she is categorically eligible to child care. For child care services, an RCA parent is treated the same as a Welfare-to-Work (WTW) parent.

Parent/

If a parent/caretaker is receiving CalWORKs and participating in an

Caretaker Is Receiving CalWORKs

approved Welfare-to-Work (WTW) activity, then he/she is categorically eligible to child care with some restrictions.

The child is eligible for Stage 1 child care under the following circumstances:

The parent/caretaker is/has...	And is...
<ul style="list-style-type: none"> • Eligible to CalWORKs; or • An immunization penalty; or • A school attendance penalty; or an IPV 	<ul style="list-style-type: none"> • Working; or • Participating in an approved activity
<ul style="list-style-type: none"> • A Cal-Learn participant 	<ul style="list-style-type: none"> • Going to school • Going to school and working <p>Note: Effective July 1, 2011, Cal-Learn participant who transitioned into the CalLearn program with employment as part of an existing case plan shall retain supportive services.</p>

Parent/Caretaker is Not Receiving CalWORKs

- Parents/caretakers who are not currently receiving CalWORKs may receive Stage 1 Child Care if not more than 24 months have lapsed since the parent/caretaker left CalWORKs cash aid and if child care is not available in Stage 2 or Stage 3.
- Receipt of Diversion Services restarts the parent’s/caretaker’s 24 months of Post Aid.
- Parents/caretakers who are serving a WTW sanction are eligible for child care subsidy if they are:
 - Working, or
 - Participating in a county-approved activity
- The 24-month limit applies to each instance of leaving CalWORKs cash assistance.
- Exceeding the 24 months does not preclude eligibility to Stage 3.
- To prevent a break in child care services, Contractor must transfer parents/caretakers to Stage 3 before the end of the 24 months Post Aid. Transfers to Stage 3 shall count towards the monthly goal of transitioning cases to Stage 2.

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- Example: The Contractor's goal is to transfer 200 cases to Stage 2 in the report month, and the Contractor transfers 25 cases to Stage 3 to prevent a break in services.
- Therefore, the Contractor receives credit for transferring the 25 cases and shall meet the Stage 2 transition goal if the Contractor transitions an additional 175 cases to Stage 2. (25 transferred to Stage 3 + 175 transferred to Stage 2 = 200 total transferred to appropriate Alternative Payment Program Provider.)

Eligible Child A child may receive Stage 1 Child Care in the following instances:

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When...	And...
<ul style="list-style-type: none"> • When the child is a member of the CalWORKs assistance unit; or • When the child would be a member of the CalWORKs assistance unit if not receiving foster care or SSI/SSP benefits; or • When the child is the child of a WTW Pregnant or Parenting Teen (PPT) participant; or • When the child is a member of a family with a former CalWORKs parent/caretaker who has a need for child care; or • A child whom a CalWORKs parent/caretaker is responsible to support; 	<ul style="list-style-type: none"> • The parent/caretaker has a need for child care services; and • The family is income eligible; and • There is no parent or legal guardian, or member of the assistance unit living in the home who is able and available to provide care.
<p>Example 1: A single parent in an approved Welfare-to-Work activity, requests CalWORKs Stage One child care for both her children and her sister's unaided children who are residing with her while the sister is in jail. The children's fathers are absent.</p> <p>In this case all children meet the requirement for Stage One child care. The parent's children are eligible as she is in a Welfare-to-Work activity, and the sister's children are eligible as the parent is responsible to support them.</p>	

Example 2: A single parent in an approved Welfare-to-Work activity requests CalWORKs Stage One child care for both her children and the children of her unaided unmarried boyfriend, who is living in the home.

The unmarried boyfriend is employed. The parent's aided children are eligible as she is in a Welfare-to-Work activity; but the boyfriend's children do not meet the requirement as children whom the client is responsible to support.

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Child Age Requirements

The following child age requirements apply to Stage 1:

- 10 years of age or younger
- 11 – and 12- year- old children may receive services to the extent funds are available.

Exceptions to Age Requirements

Only children under age 13 are eligible to receive child care services with the following age exceptions:

- Children who are under court supervision
- Children 21 years of age or younger who are identified as having Exceptional Needs. This means children who:
 - have been determined to be eligible for special education and related services by an individualized education program team;
 - have an active Individualized Education Program (IEP); and
 - require the special attention of adults in a child care setting.

Preferred Placement for 11 and 12 Year Old Children

The preferred placement for 11 and 12 year old children is in a before or after school program.

- Children who are 11 or 12 years of age shall be eligible for subsidized child care services only for the portion of care needed that is not available in a before or after school program.
- Families may combine care provided in a before or after school program with subsidized child care in another setting, for those hours within a day when the before or after school program does not operate, in order to meet the child care needs of the family.
- Children who are 11 or 12 years of age, who are eligible for and who are receiving subsidized child care services, and for whom a before or after school program is not available, shall continue to receive subsidized child care services.

Notification and Certification for Children 10 Years 10 Months

A notification and certification form (CD9608) must be provided to families with children who are at least 10 years 10 months stating that the preferred placement is in a before and after school program.

If a before or after school program does not meet the family's needs, the parent is to complete, sign and return the notification and certification form by the child's 11th birthday. If parent does not return this form, the child must be discontinued, because before or after school program is considered available until such time as the CD9608 is returned. EAS 47-201.3.33

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Family Size

To determine "family size", count the number of adults and children related by blood, marriage, or adoption that make up the household in which the child is living.

Family Size Exception

When an adult living in the household is neither the parent of the child nor the spouse of the parent, the adult and the adult's children, if any, shall be excluded from the calculation of family size.

County Residence

The parent/caretaker and the children for whom they are requesting child care subsidies, must live in San Diego County. If a parent moves to another county but remains in California, please follow instructions regarding [10-010.G General Administration -Inter-County Transfers](#).

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Income Eligibility: Active CalWORKs

A family that is active CalWORKs is income-eligible for child care.

Income Eligibility Post-Aid

If a family is Post-Aid, the family must meet income requirements for the child care programs.

- A family is income eligible if the family's adjusted monthly income based upon the family size is at or below 70% of the state median income.
- Adjusted monthly income is the total countable income received by members of the family included in the family size determination minus verified child support payments paid by the parent whose child or guardian is receiving child care services.
 - Except for child support payments paid by the parent, monthly income shall not be adjusted because of voluntary or involuntary deductions.
 - When income fluctuations occur, the adjusted monthly

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income shall be computed by averaging the total adjusted monthly income received during the 12 months immediately preceding the month in which the family is applying.

**Income
Verification
Post
CalWORKs**

Income must be verified. Income used in the determination of child care subsidies includes, but is not limited to:

- Earnings from employment
 - Earnings from self-employment
 - CalWORKs grant
 - Social Security
 - Disability payments
 - Child Support
 - Unemployment
 - In-kind Income
-

**Income
Exclusions
Post
CalWORKs**

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Total countable income does not include the following:

- Earnings of a child under the age of 18 years;
 - Loans, grants, and scholarships obtained under conditions that preclude their use for current living costs; any portion of Grants and Loans intended for Tuition, Books, and Transportation is excluded from income.
 - Grants and loans to students for educational purposes made or insured by a state or federal agency (the portion of a grant that is identified for child care expenses does count);
 - Allowances received for uniforms or other work required clothing, food, or shelter;
 - Income that is used for business expenses for self-employed family members; or
 - The income of a recipient of federal Supplemental Security Income (SSI) and State Supplemental Program (SSP) benefits.
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Need Criteria

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For Active CalWORKs, the ECM authorizes child care via the 27-128 listing the activity and hours in which the parent is participating. This satisfies the requirement to verify that the parent is in an authorized Welfare-to-Work activity. The CCM will gather information from the parent/caretaker to complete the needs determination. Please refer to [Eligible Child](#).

- If parent/caretaker is employed, the nature of the work must preclude the supervision of the family's child(ren).
- Family child care providers are not eligible for subsidized services because their work does not preclude the supervision of their own child(ren).

Cal-Learn Program Transition to WTW Program

When a Cal-Learn participant is deregistered/closed due to graduation or aging out from the Cal-Learn Program, the Cal-Learn Child Care worker will follow the instructions in CalWIN [Child Care How To #842 Child Care Transition from Cal-Learn Program to the WTW Program](#).

This will allow a seamless transition for child care supportive service payments for individuals transitioning into WTW who are participating in approved activities.

Limited Term Service Leave (LTSL)

Limited Term Service Leave (LTSL) is a “holding” option which allows the child care case to be temporarily held for a period (up to 12-16 weeks depending on the reason) without closing the case and making client reapply when activity begins.

Contractors may use LTSL if the family will temporarily not have a need for subsidized child care:

- for up to 16 consecutive weeks for medical or family leave such as:
 - for the birth and care of the newborn of the parent;
 - care for parent’s child, spouse, or parent who has a health condition;
 - placement with the parent of a child for adoption or foster care; or
 - a period when the vocational training program is not in session; or
- for up to 12 consecutive weeks for reasons such as:
 - break in employment
 - school break
 - child’s visit with non-custodial parent not ordered by court, or
 - family vacation in excess of best interest days

CCM shall take the following actions to implement LTSL:

- Parent is eligible for LTSL only if:
 - parent is waiting for an extension
 - has an appointment with ECM
 - parent is expected to return to school
 - case is in compliance
- Discontinue child care plans at last day paid (LDP) following timely notice and program regulations
- Evaluate for overpayments
- Send Child Care Discontinuance Notice of Action NA835 adding the following specific statement, or use shelf stock NOA 24-824 (08/11) Stage 1 Disc & Approve LTSL, or other County

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approved notice of action:

“You have been approved for a Limited Term Service Leave (LTSL). This leave grants you up to (# of weeks being approved –12 or 16) consecutive weeks without using child care services. You must notify your Child Care Case Manager at least 10 days prior to the date you intend to start services again. If you do not resume services by (enter last day of LTSL—end of 12 or 16 weeks), you will be terminated from the program. (Last day of 27-128/last day paid (LDP)) is the last day we will pay for child care. Your provider has been notified.”

- Ensure Child Care case appears as Discontinued status in CalWIN following regular discontinuance actions
- Standard case comments are entered in CalWIN to explain LTSL period:

“LTSL 6/5/11-9/18/11 LDP effective 6/4/11 for John with (provider) due to 27-128 with VTR activity ended 6/4/11. Confirmed LDP with parent and provider. Spoke with (provider); NOA sent to parent, provider and ECM.”

- Track case for new 27-128 or close case

Religious Instruction

Child care centers and providers are often associated with churches, synagogues, or other places of worship. In such cases, these providers may incorporate religion into their child care programs.

- This is permitted in Stage 1, but not in Stage 2.
- The provider must sign a statement that the child care services being provided do or do not include religious instruction or worship, so we will know if the family can be transferred to Stage 2 with the same provider.

Time Limits

The following time limits apply to Stage 1:

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- When the parent/caretaker has been served 60 days or more in Stage 1, the case must be evaluated for the definition of “stable.” If the case is determined “stable,” it must be immediately transferred to Stage 2. Please refer to [Processing Guide 10-010.A4 Transitioning Cases to Stage 2](#)
- A parent/caretaker can receive Stage 1 benefits for a maximum of 24 months after the adult is no longer receiving CalWORKs cash aid. Please refer to [Parent/Caretaker is Not Receiving CalWORKs](#).
- The parent/caretaker must meet all other eligibility requirements for the program.