

July 28, 2010

CalWORKs Program Guide (CPG) Letter No. 211 Addendum A

Subject CHILD CARE INCOME AND ELIGIBILITY

Reference California Department of Social Services – DSS – Manual – Eligibility and Assistance Standards 47-201.2 – 47-201.3.

Effective July 28, 2010

Purpose The purpose of this letter is to amend CPG Section 10-010.Q Child Care Eligibility

Summary of Updates The following updates have been added to this CPG section and are noted by the blue highlighted areas and have been loaded to the CPG online at <http://hhsa-pg.sdcounty.ca.gov/>:

CPG Section	CPG Updates
<u>10-010.Q Child Care Eligibility</u>	o Clarifies requirements for children 11 - 12 year olds

Automation Impact No impact to Automation Section

Program Impacts No Food Stamp or Medi-Cal impacts.

Forms Impact None.

ACCESS Impact None.

Imaging Impact None

Manager Approval



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10-010-Q CHILD CARE ELIGIBILITY

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The Eligibility section includes the following information:

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Parent/Care-taker Is Receiving CalWORKs

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

Parent/Caretaker is Not Receiving CalWORKs

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- 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.
- Receipt of Diversion Services restarts the parent/caretaker's 24 months of Post Aid.
- Post Aid parents/caretakers shall receive Stage 1 Child Care if child care is not available in Stage 2 or Stage 3.
- 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. 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 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.

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 Cal Learn 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.

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. 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.

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 the client is responsible to support.

Child Age Requirements

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The following child age requirements apply to Stage 1:

- 10 years of age or younger
- 11 years of age or older and requires child care or supervision because:
 - the child is physically or mentally incapable of caring for himself/herself based on written documentation by a legally qualified professional such as: a physician or licensed, certified psychologist; or
 - receives SSI/SSP; or under court supervision.
- 11 – and 12- year- old children may receive services to the extent funds are available.

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

A notification and certification form (CD9608) must be provided to families with children who are at least 10 years 10 months stating that

**Certification
for Children
10 Years 10
Months**

the preferred placement is in a before or 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.

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Family Size

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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**

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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**

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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 Inter-County Transfers.

**Income
Eligibility:
Active
CalWORKs**

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

**Income
Eligibility
Post-Aid**

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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 75% 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 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
CaWORKs**[Back to
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Income must be verified. Income used in the determination for child care subsidies includes, but is not limited to:

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

Income Exclusions**Post
CaWORKs**[Back to
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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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For Active CaWORKs, the ECM then authorizes child care via the 27-128 listing the activity and hours that 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 need determination. Please refer to Eligible Child.

- If 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).

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Child care centers and providers are often associated with churches or synagogues. 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

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The following time limits apply to Stage 1:

- 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 CPG [10-010-O 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.
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