

Child Care and Development Fund (CCDF) Lead Agencies continue to refine processes with parents. To help ensure all families have access to high-quality child care services, States and Territories continue to promote access to child care assistance. To inform parents about quality status, States and Territories also continue to track and report complaints filed against child care programs and make the information available to parents. Some States have automated their tracking of complaint information and others use the Internet to allow parents to request, review and/or receive complaint information. In addition, each State and Territory has taken steps to ensure parents have unlimited access to their children in care.¹

Section 4.1 – Application Process/Parental Choice

Lead Agencies continue to help families apply for and receive child care services by promoting awareness of the child care subsidy system, providing parents with a variety of ways to apply for assistance and informing parents about exceptions. States and Territories also work to reduce barriers to the subsidy program by placing applications online, increasing the use of automation, extending office hours and other methods.

Section 4.1.1 – Applying for and Receiving Child Care Services

The following describes the process for a family to apply for and receive child care services (658D(b)(1)(A), 658E(c)(2)(D) & (3)(B), §§98.16(k), 98.30(a) through (e)). If the process varies for families based on eligibility category, for instance, Temporary Assistance for Needy Families (TANF) versus non-TANF, please describe. The description should include:

- *How parents are informed of the availability of child care services and about child care options*
- *Where/how applications are made*
- *Who makes the eligibility determination*
- *How parents who receive TANF benefits are informed about the exception to individual penalties as described in 4.4*
- *Length of eligibility period including variations that relate to the services provided, e.g., through collaborations with Head Start or pre-kindergarten programs*
- *Any steps the State has taken to reduce barriers to initial and continuing eligibility for child care subsidies²*

¹ Data provided for American Samoa, Massachusetts and the Virgin Islands are from Fiscal Year (FY) 2004-2005 CCDF Plans.

² Child Care and Development Fund (CCDF) Plan Preprint text appears in italics throughout this report. References to relevant laws and regulations appear in bold.

Promoting Awareness of Child Care Subsidies

Child care resource and referral agencies continue to be primary partners in State and Territory efforts to inform parents of the availability of child care assistance. In many States and Territories, child care providers also help inform parents about child care subsidies. States and Territories commonly develop and disseminate promotional materials about child care assistance and, in a number of States, these materials are available in multiple languages. These materials typically are available at State, Territory and local offices where families apply for public assistance and may be distributed by community agencies, Head Start grantees, child care programs, employment and training centers and child care resource and referral agencies. Most States indicate that information about child care services and subsidies, including information about applying for child care subsidies, is available on their web sites.

Forty-eight States (AK, AL, AR, AZ, CA, CO, CT, DC, DE, FL, GA, HI, IA, ID, IL, IN, KS, KY, LA, MA, MD, ME, MI, MN, MO, MS, MT, NC, ND, NE, NH, NM, NY, OH, OK, PA, RI, SC, SD, TN, TX, UT, VA, VT, WA, WI, WV, WY) and five Territories (AS, CNMI, GU, PR, VI) report using State and/or local government agencies to promote awareness of child care.

- Forty-six of these States (AK, AL, AR, AZ, CA, CO, CT, DC, DE, FL, GA, HI, IA, ID, IL, IN, KS, KY, LA, MA, MD, MI, MN, MO, MS, MT, NC, NE, NH, NM, NY, OH, OK, PA, RI, SC, SD, TN, TX, UT, VA, VT, WA, WI, WV, WY) indicate they use TANF offices to promote awareness of child care.

Forty-eight States (AK, AL, AR, AZ, CA, CO, CT, DC, FL, GA, HI, IA, ID, IL, IN, KS, KY, LA, MA, MD, ME, MI, MN, MO, MT, NC, ND, NH, NJ, NM, NV, NY, OH, OK, OR, PA, RI, SC, SD, TN, TX, UT, VA, VT, WA, WI, WV, WY) and one Territory (PR) report that they use child care resource and referral agencies to provide information to families about availability of child care subsidies and available types of child care programs.

Twenty States (AR, AZ, CO, CT, DC, FL, IA, ID, LA, MA, MT, NC, NE, OK, PA, RI, SC, SD, WA, WV) and four Territories (AS, GU, PR, VI) report that they use child care centers and family child care homes to conduct outreach to parents.

Eighteen States (AZ, CT, FL, IA, KS, MA, ME, MN, MO, NC, NE, PA, RI, SD, TX, UT, VT, WA) report that community-based organizations team with the Lead Agency to promote awareness of subsidies for child care.

Ten States (CT, FL, HI, ME, MI, ND, SC, UT, VT, WY) and two Territories (GU, VI) report that Head Start grantees team with the Lead Agency to promote awareness of subsidies for child care.

Six States (AR, FL, IN, NC, SC, TX) report the Lead Agency partners with public schools to promote awareness of subsidies for child care.

Fifty States (AK, AL, AR, AZ, CA, CO, CT, DC, DE, FL, GA, HI, IA, ID, IL, IN, KS, KY, LA, MA, MD, ME, MI, MN, MO, MS, NC, ND, NE, NH, NJ, NM, NV, NY, OH, OK, OR, PA, RI, SC, SD, TN, TX, UT, VA, VT, WA, WI, WV, WY) note that information about child care subsidies, and in some cases application forms, are available on their web sites.

Twenty-eight States (AK, AR, AZ, CA, CO, FL, GA, HI, ID, IL, KY, LA, MA, MD, MN, MO, MT, ND, OH, OK, PA, RI, TX, UT, WA, WI, WV, WY) and three Territories (CNMI, GU, PR) indicate they have developed brochures, flyers and other promotional materials to inform families about child care subsidies.

Eleven States (AR, DC, FL, KY, LA, MA, NE, NV, PA, TX, WV) and four Territories (AS, CNMI, GU, VI) indicate they use print media, radio and/or television to distribute information about child care subsidies.

As shown in Chart 4.1-A, States and Territories use a variety of strategies to promote awareness of child care assistance to parents.

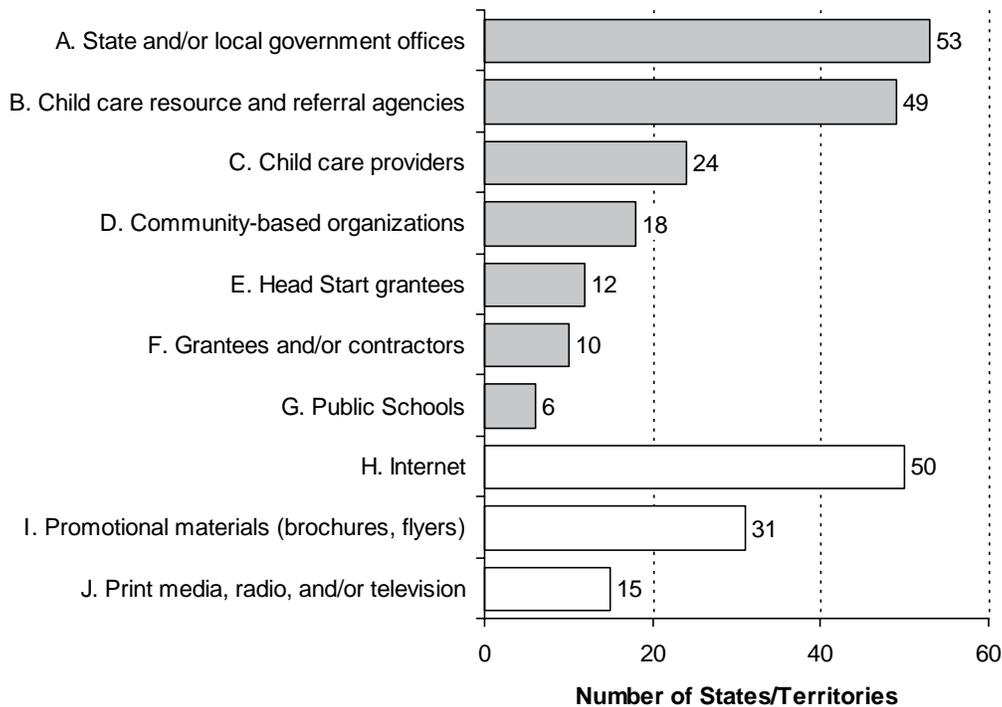
The following are examples of the range of methods States and Territories use to promote awareness of child care subsidies.

Alaska parents learn about available child care services and options on the Lead Agency web site and through brochures distributed by local grantees and contractors, State child care resource and referral agencies, public assistance offices and local child care assistance administrator offices. Public assistance case workers help TANF families find child care services. Families also receive information on accessing child care resource and referral services. The south central Alaska child care resource and referral agency, Child Care Connection, maintains an office in the Anchorage Job Center, and all child care resource and referral agencies and child care assistance grantees maintain a relationship with local job centers to provide parents access to child care information.

In **Florida**, parents learn of early learning services through the following:

- Early learning coalitions and their service providers;
- The Agency for Workforce Innovation Office of Early Learning web site, which includes a single point of entry system for parents to prequalify for early education and care services;
- Workforce development programs;
- Florida Department of Children and Families Economic Self-sufficiency units;
- The statewide child care resource and referral network;
- Promotional materials and public service announcements;
- Early learning providers;
- Local public schools; and
- The provider search tool on the Florida Department of Children and Families web site.

CHART 4.1-A
Promoting Awareness of Child Care Subsidies



A	AK, AL, AR, AS, AZ, CA, CNMI, CO, CT, DC, DE, FL, GA, GU, HI, IA, ID, IL, IN, KS, KY, LA, MA, MD, ME, MI, MN, MO, MS, MT, NC, ND, NE, NH, NM, NY, OH, OK, PA, PR, RI, SC, SD, TN, TX, UT, VA, VI, VT, WA, WI, WV, WY
B	AK, AL, AR, AZ, CA, CO, CT, DC, FL, GA, HI, IA, ID, IL, IN, KS, KY, LA, MA, MD, ME, MI, MN, MO, MT, NC, ND, NH, NJ, NM, NV, NY, OH, OK, OR, PA, PR, RI, SC, SD, TN, TX, UT, VA, VT, WA, WI, WV, WY
C	AR, AS, AZ, CO, CT, DC, FL, GU, IA, ID, LA, MA, MT, NC, NE, OK, PA, PR, RI, SC, SD, VI, WA, WV
D	AZ, CT, FL, IA, KS, MA, ME, MN, MO, NC, NE, PA, RI, SD, TX, UT, VT, WA
E	CT, FL, GU, HI, ME, MI, ND, SC, UT, VI, VT, WY
F	AK, AL, AZ, CT, DC, NH, NM, NV, TX, WA
G	AR, FL, IN, NC, SC, TX
H	AK, AL, AR, AZ, CA, CO, CT, DC, DE, FL, GA, HI, IA, ID, IL, IN, KS, KY, LA, MA, MD, ME, MI, MN, MO, MS, NC, ND, NE, NH, NJ, NM, NV, NY, OH, OK, OR, PA, RI, SC, SD, TN, TX, UT, VA, VT, WA, WI, WV, WY
I	AK, AR, AZ, CA, CNMI, CO, FL, GA, GU, HI, ID, IL, KY, LA, MA, MD, MN, MO, MT, ND, OH, OK, PA, PR, RI, TX, UT, WA, WI, WV, WY
J	AR, AS, CNMI, DC, FL, GU, KY, LA, MA, NE, NV, PA, TX, VI, WV

Data provided for AS, MA and VI are from the FY 2004-2005 CCDF Plans.

In **Indiana**, parents may self-refer for the CCDF program, or they may be referred by social services agencies such as the local Office of Family and Children/TANF, schools, workforce development agencies or local child care resource and referral agencies. Information is also available on the CareFinder Indiana web site.

Kentucky parents are informed of the child care subsidy program through public announcements, the Cabinet for Health and Family Services web site, pamphlets, a network of child care resource and referral agencies, Cabinet newsletters, Comprehensive Family Services and other government agencies. Child care resource and referral agencies and other agencies make referrals to the Cabinet or a Cabinet child care assistance payment service agent.

Where and How Families Apply

States and Territories provide parents with a variety of ways to apply for child care assistance. Typically, parents apply in person at the Lead Agency or the State, Territory or local agency responsible for administering the TANF program, either to fill out an application form, present verifying documentation or both. However, some States do not require families to schedule an in-person interview for initial eligibility determination or review. More States are using the Internet to make applications available, help families estimate whether they might be eligible for assistance or allow completion and submission of the application. Eligibility typically is determined by the Lead Agency, its field offices or a combination of governmental and non-governmental entities.

Forty-nine States (AK, AL, AR, AZ, CA, CO, CT, DC, DE, FL, GA, HI, IA, ID, IL, IN, KS, KY, MA, MD, ME, MI, MN, MO, MS, NC, ND, NE, NH, NJ, NM, NV, NY, OH, OK, OR, PA, RI, SC, SD, TN, TX, UT, VA, VT, WA, WI, WV, WY) indicate that information about applying for subsidies is available on the Web.

Thirteen States (AK, AR, AZ, DE, ID, IL, KS, MD, MI, ND, OH, OK, VT) report that child care subsidy applications are available on the Web.

Parents or custodians in **Arkansas** may request an Application for Child Care Assistance at any county Department of Health and Human Services office or by calling a toll-free number. Applications also are available on the Department web site. Completed applications may be mailed or delivered to any local Department of Human Services county office or the central office in Little Rock. The eligibility specialist or TANF caseworker provides individual assistance or accommodations as needed.

In **Illinois**, the Lead Agency publicizes the child care assistance program and other child care services through its web site, which features a child care assistance program eligibility calculator, a downloadable program application and a link to the Illinois Network of child care resource and referral agencies so parents can locate the agency in their area.

For the child care assistance program in **North Dakota**, clients are not required to have an interview to apply for assistance. They can access an application on the child care web page or have one sent to them by the county social service office. Some child care providers also keep applications on hand at their facilities; completed applications can be mailed or taken to the county social service office.

Twelve States (DC, GA, HI, IA, NC, NE, NH, NM, UT, VA, WI, WV) and two Territories (AS, VI) note that an in-person application is required.

Income eligible parents in **New Mexico** can bring all paperwork to determine eligibility, including proof of income, directly to the Children Youth and Families Department child care office.

Applications to the CCDF program in the **Virgin Islands** are made in person with the Child Care Specialists at the Virgin Islands Department of Human Services in Charlotte Amalie, St. Thomas, and Christiansted, St. Croix.

Twelve States (AK, AR, AZ, CT, ID, KS, MS, ND, OR, SC, SD, WY) indicate that they permit families to request an application for child care assistance via mail or telephone.

Seven States (DE, MS, MT, ND, OH, OK, TX) report that families can complete applications for assistance by mail or telephone without a face-to-face interview for initial eligibility determination.³

In **Maryland**, local Purchase of Care workers handle both TANF and non-TANF clients. A face-to-face interview is not required for a Purchase of Care application. The applicant can request an application and list of required verifications from the local department, and complete and mail the application to the local office.

Five States (DE, KS, OH, SD, VT) report permitting families to complete applications via e-mail or on the Web.

In **Kansas**, parents are determined eligible for child care services under CCDF by completing a hard copy or online application.

With conversion to the Bright Futures Information System public portal, the **Vermont** Child Development Division encourages everyone to access information and apply online. Applications can be filed electronically, by mailing the application or by taking it to the community child care agency. Staff is available in each community agency and at the central office to help families with the application process, including an information system help line for families who apply electronically. If a family receives TANF and wants to access a legally exempt child care provider, applications are obtained from their TANF Reach Up specialists or online.

Four States (IL, KS, MA, MI) report that they provide an online tool to help families estimate whether they are eligible for child care assistance.

Kansas has an online assessment along with the online application for parents to request TANF cash assistance, Food Stamps, medical benefits and child care assistance services. A set

³ Only States specifically reporting the completion of applications by mail or telephone without a face-to-face interview are counted.

of cross-program assessment tools allows applicants to evaluate their need for services. One tool was designed for applicants to use outside the normal in-office process, while another form was designed for workers interviewing applicants to ensure all family needs are reviewed and addressed.

Who Makes Eligibility Determinations

In most States and Territories, the Lead Agency determines, or works with another agency to determine, eligibility for child care assistance. In 19 States (AR, DE, GA, HI, IA, ID, KS, KY, LA, MD, MI, MO, NE, OK, RI, SD, UT, WA, WY) and four Territories (AS, CNMI, GU, VI), eligibility is determined by the Lead Agency and/or the Lead Agency's field offices.

Arkansas has 46 child care eligibility specialists who cover areas of four to six counties and determine eligibility for low-income families who work or attend school. Eligibility for TANF subsidies is established in a local Department of Human Services County Office by a TANF caseworker, then referred to the Lead Agency for child care assistance if needed.

In **Wyoming**, Department of Family Services staff determines child care eligibility and explains the child care program to applicants. Each application is acted upon within 30 days of receipt.

Eighteen States (AK, AZ, DC, FL, IN, MA, MS, MT, NC, NH, NJ, NM, NV, PA, SC, TN, TX, VA) and one Territory (PR) indicate that eligibility is determined by a combination of agencies that may include the Lead Agency and other public and/or private entities.

In **New Hampshire**, the Department of Health and Human Services district office or contract agency staff determines eligibility and sends a Notice of Decision to applicants and providers when the determination is made. Decisions are made within 30 days. The New Hampshire Employment Program and/or the Division of Family Assistance notify participants about eligibility decisions.

Eligibility determination of non-TANF participants in **Puerto Rico** is completed by child care providers under contract, child care directors, family day care network directors, social workers, family and social assistance technicians, family support service personnel and quality control personnel.

Seven States (AL, CA, CT, IL, ME, VT, WV) indicate that non-governmental organizations, such as voucher management agencies and child care resource and referral agencies, make the eligibility determination.

The direct service contractor or the Alternative Payment Program in **California** makes the eligibility determination based on written documentation, which verifies the family meets both income eligibility and need criteria for subsidized child care services.

In **Maine**, contracted child care agencies and voucher management agencies determine eligibility, which is completed only if all supporting documentation is received within 30 days of the application completion.

Seven States (CO, MN, ND, NY, OH, OR, WI) report that eligibility determinations are made by non-CCDF State agencies, local government agencies and/or contractors.

Eligibility determinations in **New York** are made by staff of the local Department of Social Services, which is required to determine eligibility within 30 days of receiving a completed application. A notice of eligibility or ineligibility must be sent to applicants within 15 calendar days after the determination has been made.

How Parents Are Informed About Exceptions to Individual Penalties

Typically, States and Territories indicate that parents who receive TANF benefits are informed verbally about the exception to individual penalties in their initial interviews with TANF caseworkers or contracted staff.⁴ In many instances, this information is also provided in written form. Parents also may receive notification about the exceptions to penalties during TANF orientation sessions.

The following examples illustrate the range of typical methods for informing parents about exceptions.

In **Arizona**, a parent who receives TANF benefits is informed by the TANF employment case manager, during the assessment process, about the exception to individual penalties. The criteria and process for determining whether a TANF participant qualifies for a child care exception is explained verbally to the client. A written document also is provided that explains what to do if a provider cannot be located.

According to **California's** Department of Social Services *Manual of Policies and Procedures*, prior to or at a California Work Opportunity and Responsibility to Kids (CalWORKs) appraisal, counties must provide clients with specific information, in writing, regarding CalWORKs Welfare-to-Work activities. The information must include the "good cause" criteria in the manual, which excuses a recipient from participation in Welfare-to-Work activities for lack of necessary supportive services, including the lack of appropriate and/or available child care.

In **Hawaii**, TANF parents are informed of their exception to individual penalties through a review of their Rights and Responsibilities sheet. The client signs this document after discussion.

⁴ A State may not reduce or terminate TANF assistance to a single custodial parent caring for a child younger than age 6 for refusing to engage in required work, if the parent demonstrates an inability (as determined by the State) to obtain needed child care. This exception applies to penalties the State imposes for refusal to engage in work in accordance with either section 407, "Mandatory Work Requirements," or section 402(a)(1)(A)(ii), "Eligible States," of the Social Security Act.

Parents receiving TANF benefits in **Michigan** are informed about the exception to individual penalties at the initial interview, in print in the Personal Responsibility Plan and Family Contract (Part 1), at an orientation and through the exemption policy contained in the *Program Eligibility Manual*.

In **Missouri**, the TANF application is an automated, interactive process. Parents who receive TANF benefits are informed about exceptions to individual penalties through a written interview summary given at the time of application for TANF.

Length of Eligibility Period

In most States and Territories, once initial eligibility has been determined, families continue to receive child care assistance as long as they continue to meet State or Territory eligibility criteria. However, subsidy payments typically are authorized for 6 or 12 months, after which time the Lead Agency or its designee reviews the family's circumstances to ensure they continue to meet eligibility criteria.

Two States (HI, ND) report that eligibility is determined monthly.

In **Hawaii**, Department of Human Services child care procedures delineate the time period for application, receipt of services and conditions for payment. Generally, clients are asked to apply for services once every 12 months, and the application form is mailed to them. Eligibility is determined monthly based on proper submission of pay stubs and verification of other activity hours and child care cost. The Lead Agency is working toward a simplified reporting process, tied to the Food Stamps 6-month reporting period, to ease monthly paperwork flow.

In **North Dakota**, statewide eligibility is for only one month. However, Grand Forks, Traill and Williams counties operate a project for extended eligibility in which clients can be certified up to a year.

Twenty-nine States (AK, AL, AR, CO, CT, DE, IA, ID, IL, IN, MA, ME, MN, MS, MT, NE, NH, NM, NV, OR, PA, RI, SD, TN, UT, WA, WI, WV, WY) and three Territories (AS, CNMI, GU) authorize payments for 6 months.

In **Alaska**, once initial eligibility is determined, non-TANF families continue to receive child care assistance as long as they continue to meet eligibility requirements and their contribution amount does not exceed the maximum allowable cost of care. Authorizations for child care assistance may be made for up to 6 months when there is stable work or training. Parents do not have to report increases in income unless they exceed \$200 per month. TANF families are responsible for notifying their case managers when their eligibility factors change. Case managers schedule eligibility reviews with TANF recipients to monitor parent participation and activities.

Nineteen States (AZ, CA, DC, FL, GA, KS, KY, LA, MD, MI, MO, NC, NJ, NY, OH, OK, SC, VA, VT) and one Territory (VI) authorize payments for 12 months.

The **Kentucky** Cabinet for Health and Family Services or a child care assistance payment service agent determines eligibility for services based on criteria in the CCDF Plan. Once issued, the certificate remains in effect until the family's eligibility changes. Eligibility is redetermined annually or when circumstances change that affect the certificate, such as change in provider, rates charged by provider, level and amount of care needed, family income or members in the household.

One Territory (PR) reports that the length of eligibility is 2 years.

One State (TX) reports that the length of eligibility varies by county or other local jurisdiction.

In **Texas**, Local Workforce Development Boards establish local eligibility periods, which range from 6 to 12 months.

Seven States (CO, DC, IL, MD, NV, OR, SD) and three Territories (CNMI, GU, PR) report extending the eligibility period for families whose children also are enrolled in a collaborative Head Start child care program.

In the **Commonwealth of the Northern Mariana Islands**, child care services are provided for a period of 6 months from the date of approval of service. The single exception is for Head Start wraparound, which is for the 160-day Head Start school year.

In the **District of Columbia**, children enrolled in Head Start who are also eligible for subsidized child care retain eligibility for one full Head Start year.

In **Guam**, child care services are provided for a period of 6 months from month of application for all families, including TANF/Job Opportunities and Basic Skills and protective services families. The only exception is for Head Start wraparound families; the eligibility period for these families is for 12 months.

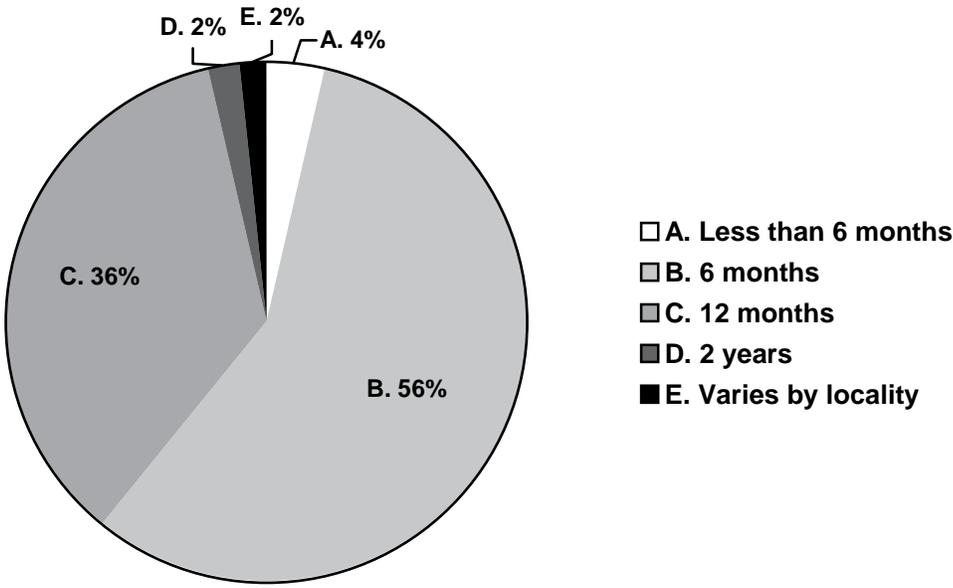
Chart 4.1-B illustrates the length of the eligibility period for families receiving child care services. Most States and Territories generally authorize payments to families for 6 months.

Reducing Barriers to Initial or Continuing Eligibility

States and Territories report on measures they have planned or implemented to reduce barriers to families applying for and continuing to remain eligible for child care assistance, including extending office hours, simplifying application and redetermination procedures, minimizing or eliminating in-person visits and using automation.

Seventeen States (AK, AZ, CO, GA, KY, MI, MN, MO, MS, OH, PA, RI, SC, TN, UT, VA, WV) and one Territory (GU) identify simplified application and/or redetermination procedures as a method of reducing barriers.

CHART 4.1-B
Length of Eligibility Period for State and Territory Child Care Services



A	HI, ND
B	AK, AL, AR, AS, CNMI, CO, CT, DE, GU, IA, ID, IL, IN, MA, ME, MN, MS, MT, NE, NH, NM, NV, OR, PA, RI, SD, TN, UT, WA, WI, WV, WY
C	AZ, CA, DC, FL, GA, KS, KY, LA, MD, MI, MO, NC, NJ, NY, OH, OK, SC, VA, VI, VT
D	PR
E	TX

N=56 (Data provided for AS, MA and VI are from the FY 2004-2005 CCDF Plans.)

In **Minnesota**, TANF and TANF non-assistance recipients who request child care assistance during the TANF interview may use the Child Care Assistance Application Addendum, a shortened application with the TANF Combined Application Form. Non-TANF applicants complete the Minnesota Child Care Assistance Application form.

Eleven States (AK, AZ, DE, GA, KY, MD, MS, ND, OH, RI, WI) and one Territory (GU) specify that they reduce the number of required in-person visits to determine eligibility, or do not require them.

Georgia allows families to mail documentation of income at the 6-month review, so they do not have to take time off from work to attend an eligibility interview.

Eight States (AK, AR, DC, IN, LA, TX, VA, WV) report extending office hours to facilitate access to child care subsidies.

Indiana reports that part of the selection process for local intake agents is to evaluate the degree of customer service proposed, such as evening and weekend hours, convenience of intake locations and accommodations for working parents.

Eight States (DE, KS, MD, ND, OH, RI, TN, VT) report using automation to reduce barriers to eligibility for parents.

Individualized recertification forms are generated by the Lead Agency's Integrated **Rhode Island** System and automatically mailed to working families 7 weeks prior to the end of their eligibility period. Families update the information, attach current wage verifications and verification of any new information or relevant changes and return the form at least 2 weeks before the eligibility end date. Three weeks prior to the end date, a reminder letter is mailed to all families who have not returned their recertification forms. Families who return the recertification form on time are granted up to 6 weeks of continuing approval while department staff process their continuing eligibility.

The Bright Futures Information System in **Vermont** allows for electronic sharing of information between the Economic Services Division or TANF agency and the child care subsidy specialists to expedite the eligibility process and reduce the amount of paper verification.

Five States (AK, DC, MA, NH, OH) report establishing multiple locations to reduce barriers to subsidy eligibility.

In the **District of Columbia**, initial eligibility and reviews may be completed at the main administrative office of the Office of Early Childhood Development, at 49 community-based child care sites throughout the eight wards of the District or, for TANF recipients, at TANF vendors located in the community.

Two States (DE, MT) report using presumptive eligibility.

In **Delaware**, although verification of appropriate information to establish need is important, the system authorizes presumptive child care service for approximately 1 month while verification is pending. If the system does not authorize presumptive child care, parents or caretakers have 10 days from the date of initial application to provide the necessary documentation.

One State (CO) reports efforts to coordinate eligibility policies across programs.

Colorado counties can continue assistance for 6 months for families who exceed the county's eligibility limits. The State also reduces barriers by not requiring a Low Income application in the transition from TANF Colorado Works, and accepting the Head Start application as a substitute for the Colorado child care assistance program application.

Section 4.1.2 – Ensuring Parents Are Informed About Child Care Options

The following is a detailed description of how the State ensures that parents are informed about their ability to choose from among family and group home care, center-based care and in-home care including faith-based providers in each of these categories.

States and Territories report a wide variety of strategies to inform parents about child care options. Parents typically are informed verbally upon application for child care subsidies and also receive written application materials, brochures, booklets, information sheets and/or flyers. Additionally, States and Territories may provide information about child care options through videos, public service announcements, toll-free telephone numbers or web sites.

The following examples illustrate the range of approaches employed by Lead Agencies.

In **Alabama**, parental choice is explained at application and each time the parent wishes to change child care providers. Parents receive a Parental Choice form, which explains their right to choose from among all legally operating child care providers. A statement explaining parents' ability to choose from among all categories of legally operating child care is included on the Parent Agreement, which they receive every time they apply.

In **Kentucky**, the child care worker helps the family plan for child care and understand what to look for when choosing an arrangement. At an interview, parents receive an explanation of regulated and unregulated child care arrangements; requirements for participation in the child care assistance program; the Division of Child Care's web site address for information about regulated providers; facts about group size, staff-child ratio, staff qualifications and program activities; information about available space in centers and homes and the 1–5 star rated provider license and what the license indicates.

Minnesota ensures parents learn about their ability to choose child care arrangements through the *Child Care Assistance Program* brochure, referral to child care resource and referral agencies, information from county child care staff and Temporary Assistance for Needy Families and employment service workers. The child care assistance program application describes options, which include center-based care, family child care, in-home care and licensed and legal non-licensed such as neighborhood, community, school or faith-based providers.

North Dakota distributes pamphlet DN 861, *Child Care Assistance Program*, which states parents have the right to choose the provider, whether nonprofit, for-profit, sectarian or a relative. Parents also are informed they can choose a center, group home, family home, self-certified provider or approved relative.

In **South Carolina**, eligible families receive materials informing them of their choice among family and group home care, center-based care and in-home care, including faith-based providers. Parents learn about the wide range of quality child care through the award-winning video, *Come, Play With Me*, and printed materials. The consumer publication, *A Parent's Guide to Choosing Quality Child Care in South Carolina*, is distributed throughout the State by a variety of agencies and organizations. The Lead Agency maintains a toll-free number, which is publicized statewide and, as part of a new management information system, the Lead Agency will develop a consumer education web site.

Section 4.2 – Records of Parental Complaints

The following is a detailed description of how the State maintains a record of substantiated parental complaints and how it makes the information regarding such parental complaints available to the public on request. (658E(c)(2)(C), §98.32)

Every Lead Agency has a procedure for maintaining records of substantiated parental complaints. In most States and Territories, records of substantiated complaints are maintained by the State's licensing agency, which in some States and Territories also is the Child Care and Development Fund (CCDF) Lead Agency. Some States report automated systems to track and maintain these records. Information regarding complaints generally is made available to the public upon request at the designated agency's main office, or county or local offices, usually in accordance with the State's open records law. In some States and Territories, complaint information can be requested through a toll-free number, and some States post on the Web select information concerning substantiated complaints or licensure status.

Fourteen States (AK, AZ, GA, HI, MN, MO, NC, NJ, NM, OK, RI, SD, VT, WI) and one Territory (CNMI) note that review of public records is carried out at government offices.

By law, the **Arizona** Department of Health Services is responsible for child care provider licensure and maintaining a record of substantiated complaints, which is available for public review, upon request, in Office of Child Care Licensure offices at locations around the State. The public also may contact an Office of Child Care Licensure and request that complaint information be provided verbally, by mail or fax.

In **Wisconsin**, substantiated parent complaints about licensed child care providers are documented in individual licensed provider files at the regional office of the Bureau of Regulation and Licensing, Department of Health and Family Services. Upon request, these files are open to the public and may be reviewed at the regional office or by phone. Substantiated parental complaints about certified child care providers are documented in individual certified provider files at the county or Tribal agency. Upon request, these files are open to the public and may be reviewed at the local agency or by phone. Provider records are considered public records, including information about both the complaint and the investigation; criminal history, except for juvenile records and other background information, with the exception of alcohol and other drug abuse, mental health issues and details of abuse and neglect investigations and findings.

Thirteen States (AZ, IL, MA, MT, NC, NE, NY, SD, VA, VT, WA, WI, WY) and one Territory (AS) report that parents or others can request substantiated complaint information through a toll-free telephone number.

In **Illinois**, information about substantiated complaints against child care providers can be obtained by calling the Department of Children and Family Services toll-free Day Care Information Hotline. Substantiated complaint information is available through this hotline for 1 year. After that time, a Freedom of Information Act request must be submitted to the Lead Agency.

Inquiries in **Virginia** can be made to the statewide toll-free number for licensing, which directs callers to the appropriate regional licensing office for specific information. Callers can receive complaint information from the regional licensing office by telephone or in writing, which includes the nature of the complaint, findings of the investigation and final determination, including any required corrective action or negative action taken. The toll-free number is listed on the State's web site and in child care booklets and brochures developed by the Lead Agency.

Nine States (MA, MD, MS, NE, NY, TN, TX, WA, WV) report an automated system to track complaint information.

The Lead Agency in **Nebraska** uses the automated Child Care Complaint Tracking system, which lets staff track individual case complaints and generate reports based on types of complaints, geographic areas of the State, referral to other entities or programs and disposition. Complaints alleging unlicensed care also are tracked and individual cases can be monitored by supervisors and administrators.

Local departments of health and human resources child care staff and State licensing staff in **West Virginia** enter information in a management information system for all substantiated parental complaints regarding family child care providers, family child care facility providers, legally exempt school-age child care programs and child care centers. When a parent requests a history of substantiated complaints, a History of Non-Compliance Report is generated, indicating the complaint, any corrective action and dates of completion. This information is accessible to local departments of health and human resources child care staff, child care resource and referral workers and State licensing staff. When a request for information is made, the worker provides a copy of applicable pages but cannot provide additional information or discuss complaints.

Nine States (FL, GA, IN, MI, NC, NY, OH, VA, VT) report allowing parents to request, review or receive complaint information via the Internet.

Parental complaints in **Indiana** are investigated by Bureau of Child Development staff. Substantiated complaints are listed on the CareFinder Indiana web site. Parents can search the databases of licensed and registered providers by city, county, State and name of child care provider. Complaints also are available in the Lead Agency's official files. Complaints about child care providers who are not required to be licensed and accept CCDF funds are investigated when there are allegations regarding CCDF standards. These files are stored at each child care resource and referral office.

Three States (DC, GA, MD) specify that requests for information about substantiated complaints can be made in writing.

Two States (AZ, OK) report that requests for complaint information are made by fax.

One State (KS) specifies that requests for information about substantiated complaints must be made in writing.

One State (AL) uses self-assessments for informal, unregulated providers.

In **Alabama**, for care that is exempt from licensure, the Child Care Management Agencies or licensing units of the Lead Agency act as intake points. Since there is no legal access to providers exempt from licensure, no investigation is conducted; therefore, neither party makes a determination of substantiation of complaint. Instead, if the complaint is made to the Lead Agency, it is referred to the appropriate legal entity (i.e., the District Attorney). If the Child Care Management Agency receives the complaint, the parent is given a form on which to note complaints. This form is forwarded to the provider, who is allowed and encouraged to make a rebuttal. The response is shared with the parent making the complaint, kept on file at the Child Care Management Agency for release upon request and forwarded to the appropriate Lead Agency licensing unit, where it is referred to the appropriate legal entity.

Section 4.3 – Unlimited Access to Children in Child Care Settings

The following is a detailed description of the procedures in effect in the State for affording parents unlimited access to their children whenever their children are in the care of a provider who receives CCDF funds. (658E(c)(2)(B), §98.31))

As required, each Lead Agency affords parents unlimited access to their children while they are in the care of a provider who receives funds through the Child Care and Development Fund (CCDF).⁵ In most States and Territories, giving parents unlimited access is a condition for obtaining a child care license. Many Lead Agencies stipulate that parents be afforded unlimited access through subsidy requirements, fiscal agreements and/or signed declarations of providers. States and Territories typically use this strategy to ensure unlimited access to parents using license-exempt care. States and Territories also inform parents of unlimited access at the time of application for subsidy and through consumer education materials.

Forty-three States (AK, AL, AR, AZ, CA, CT, DE, GA, HI, IA, ID, IL, KS, KY, LA, MA, MD, ME, MI, MN, MO, MS, MT, NC, ND, NE, NH, NJ, NV, NY, OH, OR, PA, RI, SC, SD, TN, UT, VA, VT, WA, WI, WY) and one Territory (CNMI) report that providing parents with unlimited access to children in care is a requirement for licensure or certification.

The **Washington** State Code WAC 388-295-6050(1)(a), WAC 388-296-0500(5) and WAC 388-151-170(2)(o) provide the following directive to child care centers, family home licensees, and school-age care programs: “The licensee shall give the parent the following written policy and procedure information: Permission for free access by the child’s parent to all center (home) areas used by the child.” Information regarding unlimited parental access also is found in booklets given to child care providers: *Minimum Licensing Requirements for Child Day Care Centers*, *Child Care Business Regulations (Minimum Licensing Requirements) for Family Child Day Care Homes* and *Minimum Licensing Requirements for Child Day Care Centers Caring Exclusively for School-Age Children*. However, many children in protective

⁵ CCDF Final Rule, 45 CFR Section Parts 98 and 99. *Federal Register* 63:142 (24 July 1998).

services have court orders outlining parental contact, which supersede the need for providers who receive CCDF funds to allow parents unlimited access to their children.

Forty-one States (AK, AL, AR, AZ, CA, CO, CT, DC, DE, FL, GA, HI, IA, ID, IL, IN, KY, LA, MD, MI, MN, MO, NC, ND, NE, NM, NV, NY, OK, OR, RI, SC, SD, TN, TX, UT, VA, VT, WI, WV, WY) and four Territories (AS, GU, PR, VI) report that parents' unlimited access to children while in care is stipulated in the subsidy requirements, fiscal agreements and/or signed declaration of the provider.

In **Michigan**, informal enrolled child care providers must sign the DHS-220, *Day Care Aide/Relative Care Provider Application*, which requires the provider to certify parents have unlimited access to their children while they are in care. Licensed child care providers make this same assurance through the Licensing Rules for Family and Group Day Care Homes and the Licensing Rules for Child Day Care Centers. For homes, the rule is as follows: R 400.1805 (3), "A home shall permit parents or legal guardians to visit at any time children are in care." For centers, the rule specifies: R 400.5106 (4), "A center shall permit parents to visit the program for the purpose of observing their children at all times."

Twenty-two States (AL, AR, CA, CO, DC, IL, IN, MA, MD, MN, MO, MT, NC, ND, NH, NJ, NM, PA, SC, TX, VA, VT) and two Territories (AS, GU) report various mechanisms are used to inform parents they have the right to unlimited access to their children while in care.

Colorado counties provide child care assistance families with written information on their right to unlimited access to their children.

In **Minnesota**, the child care assistance program brochure is given to all parents and states that providers must let parents see their children at all times; providers who do not give total access are not eligible to receive program funds.

Section 4.4 – Criteria or Definitions Applied by TANF Agency to Determine Inability to Obtain Child Care^{6,7}

The regulations at §98.33(b) require the Lead Agency to inform parents who receive TANF benefits about the exception to the individual penalties associated with the work requirement for any single custodial parent who has a demonstrated inability to obtain needed child care for a child under 6 years of age.

In fulfilling this requirement, the following criteria or definitions are applied by the TANF agency to determine whether the parent has a demonstrated inability to obtain needed child care:

⁶ American Samoa and the Commonwealth of the Northern Mariana Islands do not have Temporary Assistance for Needy Families programs and therefore are not included in this section.

⁷ Idaho and Massachusetts do not provide definitions for each term. Idaho reports exceptions will be made on a case-by-case basis by a reasonable person concept. Massachusetts provides regulations for the Department of Transitional Assistance in response to this question.

NOTE: The TANF agency, not the Child Care Lead Agency, is responsible for establishing the following criteria or definitions. These criteria or definitions are offered in this Plan as a matter of public record. The TANF agency that established these criteria or definitions is: _____.

“appropriate child care”

“reasonable distance”

“unsuitability of informal child care”

“affordable child care arrangements”

Temporary Assistance for Needy Families (TANF) terminology submitted as part of each Child Care and Development Fund Plan is summarized in this section. This terminology is established by TANF agencies and varies by State and Territory.⁸

Appropriate Child Care

In defining appropriate child care, State and Territory TANF agencies referred to regulated and legal child care, child care that meets children’s needs for growth and development, hours of operation and location of child care to meet the needs of TANF participants, services for children with special needs, child care that meets health and safety standards and parent choice in care.

Forty States (AK, AL, AR, AZ, CA, CT, DC, DE, GA, HI, IA, IL, IN, KS, KY, LA, ME, MN, MO, MS, MT, NC, ND, NE, NH, NJ, NM, OH, OK, PA, RI, SC, SD, TN, TX, VA, VT, WA, WI, WY) and two Territories (PR, VI) describe appropriate child care as child care that is regulated or legal. Regulated child care includes child care that is licensed, certified for public funding or determined to meet specific health and safety standards.

Fifteen States (AK, CO, DE, FL, IL, MD, MI, MN, MO, NM, NV, OR, SC, SD, VT) and two Territories (GU, VI) report that child care is appropriate if it is determined to help meet children’s needs for growth and development.

Ten States (CO, DE, LA, MD, NC, NM, OR, SC, TX, WY) and one Territory (GU) refer to healthy and safe environments in their definitions of appropriate child care.

Ten States (DC, MD, MO, NC, NH, NJ, NY, OR, VT, WV) and one Territory (PR) indicate that appropriate child care should have operating hours or locations that meet the needs of TANF participants.

Nine States (CA, MN, NC, NH, NJ, NY, OR, VT, WV) and one Territory (PR) report definitions that reference care appropriate to the development of children with special needs or to child care providers willing and able to provide services to children with special needs.

⁸ Complete definitions supplied by States and Territories are available from the National Child Care Information Center by calling 800-616-2242 or visiting the Web at <http://nccic.acf.hhs.gov/pubs/stateplan2006-07/index.html>.

Seven States (AL, CA, LA, MS, UT, VA, WA) refer to parental choice in their definitions.

Reasonable Distance

States and Territories define reasonable distance for TANF participant travel in terms of time or distance to and from child care and/or the work activity, or allowed local discretion on what was reasonable or customary commuting time in the community.

Thirty-one States (AK, AL, AZ, DC, DE, GA, HI, IA, IL, IN, KS, LA, MD, ME, MI, MN, MO, MS, MT, NC, ND, NE, NJ, NV, OR, PA, UT, VA, WI, WV, WY) and two Territories (GU, PR) define reasonable distance based on the time of travel, setting a time limit or guideline for daily travel to and from child care and/or work. Time limits and guidelines range from 30 minutes to 2 hours, one-way. The time limit or guideline sometimes differs based on the mode of transportation or variations in customary local commuting time.

Eighteen States (AR, CA, CT, CO, FL, ID, KY, NH, NM, NY, OH, OK, RI, SC, SD, TN, TX, WA) and one Territory (VI) allow discretion in determining what is reasonable, based either on local administrative agency judgment or customary distance or time traveled by working families in the community.

Two States (MS, VT) set a distance limit for travel in their definitions.

Unsuitability of Informal Child Care

In their definitions of unsuitability of informal child care, States and Territories indicate that child care is determined unsuitable if it does not meet health and safety concerns or regulations, is not in the best interest of the child, there are concerns due to criminal or abuse and neglect records or the child care program is operating illegally. In their definitions, States and Territories also describe parental choice in whether to use informal or regulated care, including how parents can raise informal care issues.

Twenty-five States (CT, DC, GA, HI, IA, KY, LA, MD, MI, MN, MS, NC, NJ, NM, NV, NY, OR, RI, SC, SD, TN, TX, VA, WA, WY) and two Territories (PR, VI) consider an informal child care setting unsuitable if there are health and safety concerns or violations of health and safety standards.

Sixteen States (AK, AL, AR, CO, CT, DC, DE, IL, IN, KS, MO, NE, OK, PA, SD, TN) and one Territory (GU) consider an informal child care setting unsuitable if it does not meet the best interests of children because it is potentially unsafe, harmful or inappropriate to the children's development.

Fourteen States (CA, FL, HI, IA, KS, ME, MS, NC, NH, NJ, NV, OH, UT, WY) and one Territory (PR) consider an informal care provider unsuitable based on criminal or abuse and neglect records.

Ten States (AZ, MO, MT, NC, ND, NV, SC, TX, UT, VT, WI) include parental choice in whether to use informal or unregulated care, or described a process parents can use to raise issues about the appropriateness or quality of informal care settings.

Six States (AL, IA, IL, IN, NV, UT) indicate that informal care is unsuitable if it is operating illegally under State law or regulations.

One State (WV) indicates unsuitability is determined on a case-by-case basis. The family support specialist has discretion to determine unsuitability.

Affordable Child Care Arrangements

In their definitions of affordable child care arrangements for TANF participants, TANF agencies in States and participating Territories most often refer to affordability in relationship to maximum payment rates, availability of child care subsidy assistance, copayment requirements or percentage of income.

Twenty States (AZ, CA, FL, HI, IN, KY, LA, ME, MI, MN, MS, ND, NJ, OK, PA, SC, TX, UT, VA, WY) and one Territory (PR) indicate that they consider child care to be affordable when costs are equal to or less than subsidy payment rates or maximum payment rates or a percentage of payment rates.

Fifteen States (AK, AL, AR, DC, IA, IL, IN, KS, NC, NM, OH, RI, TN, WI, WV) indicate that they consider child care to be affordable when child care subsidy assistance is available to families.

Ten States (AR, GA, IA, IN, MD, NE, NJ, RI, TX, WA) report that child care is affordable to TANF participants when copayment requirements are waived or costs are equal to or less than the copayment requirement in the State's child care subsidy program.

Eight States (CO, CT, MO, MT, NV, NY, OR, VT) and one Territory (VI) define affordability as child care costs that are within a percentage of family income, typically from 10 percent to 25 percent.

Three States (DE, NH, SD) define affordability as child care arrangements that ensure equal access and can be maintained without undue financial hardship to the family.