
APPLICATION, ELIGIBILITY DETERMINATION AND DOCUMENTATION
10/01/02

Counties have the option to provide services to families who reside in other counties under the following circumstances:

1. When a family who is currently receiving subsidy services moves to another county within the state and subsidized child care funds are not available in the new county, causing an interruption of services if child care services were terminated; and
2. When a child is in foster care outside the county which has custody, the county department of social services that has custody of the child has responsibility for payment; however, it is allowable for the county department of social services where the child resides to pay for care if funding is available.

NOTE: The county department of social services with custody may take the application and determine eligibility of the foster child, or the county where the child resides may determine eligibility because the foster parent or relative caring for the child is requesting services.

B. Citizenship Requirements

1. One of the following citizenship criteria must be met:
 - a. Applicant is a U.S. Citizen;
 - b. Child is a U.S. Citizen; or
 - c. Applicant or child is a legal U.S. Non-Citizen (residing in U.S. legally).

Subsidized child care services may be provided to *non- citizens who are legal residents* if the other eligibility criteria are met. *Non-citizen families who are not legal residents* (including the child and the parents) may receive services in the following instances if all other eligibility criteria are met.

- (1) If the child needs child care to support child protective services or the child is receiving foster care services; or
- (2) If the child needs child care to support his/her developmental needs.

NOTE: Children who are U.S. citizens (including children born in the U.S. whose parents are not citizens or legal residents) may receive child care services to support any need criteria if all other eligibility criteria are met.

2. Verification

The applicant's statement regarding citizenship or residency is accepted unless there is a reason to question the individual's legal status. If citizenship is questionable, a birth certificate or hospital/physician record is acceptable verification of the child's citizenship status. The burden of proof regarding documentation of legal status or residency rests with the applicant. For additional information regarding the type of documentation that may be used to document legal status, refer to Section 111 in the [Work First Manual](#). If residency is questionable, verification may be obtained or requested to determine residency status. The Division does not require workers determining child care eligibility to report any citizenship or residency information to Immigration and Naturalization Service.

NOTE: If the applicant is a recipient of Work First Family Assistance benefits, citizenship and residency were established at the time of application for Work First Family Assistance benefits.

C. Age of the Child

A child meets the age requirement if she is:

1. Birth through 12; or
2. 13 through 17, when one of the following situations is documented in the case record.
 - a. Child has a special need or circumstance which could include a documented medical situation.
 - b. Child is under court-ordered supervision.
 - c. Child is receiving child protective services or foster care services.
 - d. Child would be left in an unsafe situation if care were not provided. For example, a single parent works second or third shift and the child would be home alone at night.

NOTE: A child may be eligible for [Adult and Family Services](#) once she reaches her eighteenth birthday.

When a child becomes eligible for kindergarten services in public school (turns age five (5) on or before August 31 of that school year), child care services may only be provided during those days and hours that the regular school program is not in operation.

However, there may be case-specific situations when it is in the best interest of the child to delay entry into the public school system. An example may be when the child just meets the cutoff date to be eligible for public school but is small or immature for her age or has some other developmental delays and the child would benefit from continuing to receive preschool care for an additional year. The reason for the child not enrolling in public school must be documented in the record based on written information submitted by a professional who has evaluated the child's readiness for school. In any case, child care may not be provided for more than one (1) year past the date the child is eligible to begin kindergarten.

NOTE: A school-age child is defined as a child who will reach the age of five (5) on or before August 31 of that school year and is enrolled in a public or private school or if less than five (5)-years-old, a child who is enrolled in a public or private school during the school year in accordance with the rules of the educational institution where the child is enrolled.

D. Reason Child Care is Needed

In order to qualify for child care services; the family must need care for one of the following reasons:

1. To maintain or seek employment;
2. To support child protective services;
3. To attend school or job-training activities that lead to employment;
4. To meet the developmental needs of children;
5. To support child welfare services; or
6. Other reasons as approved by the local Smart Start partnership, if Smart Start funds are used.

Specific information regarding these criteria is provided in [Chapter 5: Establishing Need and a Plan of Care](#).

E. Income Eligibility Requirements

The family applying for subsidized child care services must meet income eligibility requirements in order to be approved for services unless the service

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is available without regard to income. Refer to [Chapter 7: Family Definition and Determining Income Eligibility](#) for more information about income eligibility.

F. Parental Fees

If the family is eligible for subsidized child care services, the parent may be required to pay a parental fee, i.e., a portion of the cost of care. The parental fee is assessed based upon the family's income and family size. Specific information about assessing parental fees can be found in [Chapter 8: Parental Fees](#).

III. APPLICATION PROCESS**A. Any of the following individuals may apply for child care services:**

1. A parent or responsible adult needing child care services. The parent or responsible adult refers to the person or persons with whom the child lives and who has primary responsibility for the care and well-being of the child. Refer to [Chapter 7: Family Definition and Determining Income Eligibility](#) for more information.
2. A representative for the parent or responsible adult if the parent or responsible adult is incompetent or incapacitated and needs child care services.
3. Staff designated by the DSS director if the child is in custody of the county department of social services. Designated staff may sign the application if child care services are needed to support child protective services or child welfare services.

NOTE: Authorized representatives who apply for child care services for the parent or other responsible adult have the same responsibility as parents to provide accurate and complete information to the LPA.

Social security numbers are not required to determine eligibility for subsidized child care services; however, this information may be requested for child only cases. Parents or other responsible adults may voluntarily provide the social security number of the children for whom services are requested.

B. Application Form Requirements

A formal request for subsidized child care services must be initiated by completing a written application. The Application for Child Care Services ([DCD-0456](#)) must be completed by the designated staff person and the