MISSISSIPPI DEPARTMENT OF HUMAN SERVICES
OFFICE FOR CHILDREN AND YOUTH

Cover Memorandum accompanying the August 30, 2010 filing of a Notice of Proposed Rule Adoption by the Office for Children and Youth proposing to issue its Child Care Policy Manual for 2010-2011.

Listed below are the **11** new and/or amended rules proposed for 2010-2011 that accounts for the substantive differences between last year's Child Care Policy Manual and the proposed Child Care Policy Manual. For comparison, the current rule is shown followed by the proposed amendment to the rule.

1. Current Rule:

   WAITING LIST, Section 101.04

   None

   Proposed Rule:

   WAITING LIST, Section 101.04

   (5) Designated Agents are to maintain waiting lists in order of both the priority and date of the application. When funds become available, applications will be processed: first according to priority; and second by date received.

   (6) When funds become available during rollover, certificates should be issued by priority. All existing Priority 3A parents should be served first; second, those who were enrolled in an educational/training program the semester prior to the beginning of the waiting list; third, those on waiting list by order of application date; fourth, existing Priority 3B parents served; fifth, those who were enrolled in an educational/training program in the semester prior to the beginning of the waiting list; sixth, add waiting list parents by date of application and so on.

2. Current Rule:

   SECTION 102 - CRITERIA FOR CHILD CARE SERVICES, (1) CHILD CARE CENTERS AND GROUP HOMES

   Child Care Centers and Group Homes - In order to receive reimbursement for services rendered, a child care center or group home must be licensed by the Mississippi State Department of Health. A copy of the license must be filed with the OCY Designated Agent. The child care center or the group home must have a current license or a license that is pending.

   Proposed Rule:

   SECTION 102 -CRITERIA FOR CHILD CARE SERVICES, (1) CHILD CARE CENTERS AND GROUP HOMES

Child Care Centers and Group Homes - In order to receive reimbursement for services rendered, a child care center or group home must be licensed by the Mississippi State Department of Health. A copy of the license must be filed with the OCY Designated Agent. The child care center or the group home must have a current license or a license that is pending. **Additionally, these licensed centers must remain in compliance at all times with the Mississippi State Department of Health's Regulations Governing Licensure of Child Care Facilities.**

3. Current Rule:

SECTION 102 - CRITERIA FOR CHILD CARE SERVICES, (2) FAMILY DAY CARE HOMES AND RELATIVE/NON-RELATIVE PROVIDERS

Family Day Care Homes and Relative/Non-Relative Providers - In order to receive reimbursement, all unregulated providers must keep a record of immunizations for all children in their care and a copy of the Basic Health, Safety and Nutrition Assurances. A signed copy of the *Basic Health, Safety and Nutrition Assurances* certifying that they will follow the guidelines should also be filed with the OCY Designated Agent. Individual, unregulated providers must be at least eighteen (18) years of age and are prohibited by law from keeping more than five (5) children who are not related to the provider within the third degree computed according to civil law. A child care provider may not be reimbursed if they reside in the same household as the child(ren). Proof of separate residence may be required.

Proposed Rule:

SECTION 102 - CRITERIA FOR CHILD CARE SERVICES, (2) FAMILY DAY CARE HOMES AND RELATIVE/NON-RELATIVE PROVIDERS

Family Day Care Homes and Relative/Non-Relative Providers - In order to receive reimbursement, all unregulated providers must keep a record of immunizations for all children in their care and a copy of the Basic Health, Safety and Nutrition Assurances. A signed copy of the *Basic Health, Safety and Nutrition Assurances* certifying that they will follow the guidelines should also be filed with the OCY Designated Agent. Individual, unregulated providers must be at least eighteen (18) years of age and are prohibited by law from keeping more than five (5) children who are not related to the provider within the third degree computed according to civil law. A child care provider may not be reimbursed if they reside in the same household as the child(ren). **Proof of separate residence may be required. Proof of residence will be established with a current driver's license or state issued I.D. <u>and</u> another form of identification that reflects the same address. A current bank statement, cell phone bill, utility bill or cable bill are acceptable.**

Addresses <u>must</u> match the address given as the location of care submitted on the application.

All individuals over the age of 18 years of age (relative and non-relative) residing and/or working full or part time in a home where childcare is given must clear the Child Abuse and Neglect Central Registry Check in order for a provider to be deemed eligible. Upon initial application to become an eligible provider, all in-home child care providers must complete and return the Child Abuse and Neglect Central Registry Check Form 107 to the OCY Designated Agent with their application. Additionally, providers are required to submit

Form 107 on an annual basis. Providers will be deemed ineligible to participate in the certificate program in the event that they have prior convictions of child abuse and/or neglect. If an individual residing and/or working with the provider is found to have a prior conviction of child abuse and/or neglect, eligibility will be suspended until such time as the provider can provide proof that the offending individual no longer resides in the home. Failure on the part of the provider to accurately complete Form 107 may result in suspension/debarment from participation in the certificate program. Funds may be recouped.

4. Current Rule:

APPLICATION PROCESS, SECTION 102.02 (7)

None

Proposed Rule:

APPLICATION PROCESS, SECTION 102.02 (7)

(7) When a child lives in the home of a care giver that is of the age of 65 or older and is not the biological parent of the child, no employment requirement exists in determining eligibility.

5. Current Rule:

ELIGIBILITY DETERMINATION FOR SERVICES, SECTION 102.03, e and h

e. Post-Secondary Students - If a parent falls in Priorities 5 or 6, certificates should only be written for one semester at a time.

h. None

ELIGIBILITY DETERMINATION FOR SERVICES, SECTION 102.03, e and h

e. Post-Secondary Students - If a parent falls in Priorities 5 or 6, certificates should only be written for one semester at a time. **The beginning date of the certificate should be the first day of the month of class, for which proof of enrollment was provided, and the ending date is the last day of the month ending the semester. Students should be allowed 30 days from the ending date of the previous semester to complete the application process. Graduating seniors will have up to 60 days to find employment before their certificate is terminated, unless determined eligible otherwise.**

h. Parents may apply for a certificate who have been laid off or have lost their job for other reasons. These certificates will be issued for 60 days from the parent(s) last date of employment.

6. Current Rule:

ELIGIBILITY DETERMINATION FOR SERVICES, SECTION 102.03, (3) Documents Required for Eligibility Determination, v & vi

v. Copy of Estimated Quarterly Tax Report if self-employed, or some form of income documentation approved by the OCY Designated Agent.

vi. None

ELIGIBILITY DETERMINATION FOR SERVICES, SECTION 102.03, (3) Documents Required for Eligibility Determination, v & vi

Proposed Rule:

v. Copy of Estimated Quarterly Tax Report if self-employed, or some form of income documentation approved by the OCY Designated Agent. **Other acceptable forms of income include 1040 and Profit or Loss Statement (Schedule C). Designated Agents should use the "Total Sales and Receipts" amount located on the Profit/Loss Statement to determine if the work requirement has been met. Designated Agents should use the amount located on line 22 of the Federal 1040 Tax Form to determine income eligibility.**

vi. THE WORK NUMBER, an automated service is an option for income and employment verification. This service is an acceptable source for documenting employment and income. THE WORK NUMBER can be used instead of the employer's notarized statement or information on the employer's letterhead. Therefore, copies of check stubs are NO LONGER required to be submitted. THE WORK NUMBER'S website is www.theworknumber.com., e-mail address is govinfo@theworknumber.com or 1-800-660-3399.

7. Current Rule:

ELIGIBILITY DETERMINATION FOR SERVICES, SECTION 102.03,(3) DOCUMENTS REQUIRED FOR ELIGIBILITY DETERMINATION, c, Additional Documents, iii and iv

None

Proposed Rule:

ELIGIBILITY DETERMINATION FOR SERVICES, SECTION 102.03,(3) DOCUMENTS REQUIRED FOR ELIGIBILITY DETERMINATION, c, Additional Documents, iii and iv

iii. **The OCY Designated Agents must provide a statement that makes it clear to CCDF applicants that the provision of a Social Security Number is voluntary and that benefits will not be denied or withheld for the failure to furnish a Social Security Number. Instructions may be given to parents explaining how the Social Security Number will be used if provided, in order to encourage applicants who choose to provide them (e.g. to identify individuals with the same name).**

iv. **If it is necessary for parents to supply additional documentation of proof of residence, the parent must supply a current driver's license or state issued I.D. <u>and</u> a current bank statement, cell phone bill, utility bill or cable bill. The addresses on the driver's license, I.D. and bank statement/bill must match and corroborate the address of residence supplied to the Designated Agent's office.**

8. Current Rule:

ELIGIBILITY DETERMINATION FOR SERVICES, SECTION 102.03,(4) REQUIREMENTS FOR A DISABLED PARENT, (5)

(5) Parents enlisted in the United States Military and Deployed

When parents are enlisted in the United States Military and deployed, the eligibility should remain the same until the parent can provide the Military Income. The parent should provide the Military Income as soon as he or she has documentation. The grandparents or the responsible guardians' income should not be counted but the grandparents or the responsible guardian must meet the 25 hours per week work requirement.

Proposed Rule:

ELIGIBILITY DETERMINATION FOR SERVICES, SECTION 102.03,(4) REQUIREMENTS FOR A DISABLED PARENT, (5)

(5) Parents enlisted in the United States Military and Deployed

When parents are enlisted in the United States Military and deployed, the eligibility should remain the same until the parent can provide the Military Income. The parent should provide the Military Income as soon as he or she has documentation. The grandparents or the responsible guardians' income should not be counted but the grandparents or the responsible guardian must meet the 25 hours per week work requirement, **unless they are 65 years of age or can provide proof that they have retired from full-time employment.**

9. Current Rule:

SECTION 104 -PAYMENTS TO PROVIDERS FOR CHILD CARE SERVICES, SECTION 104.03, RATES AND CENTER POLICIES, (10)

None

Proposed Rule:

SECTION 104 -PAYMENTS TO PROVIDERS FOR CHILD CARE SERVICES, SECTION 104.03, RATES AND CENTER POLICIES, (10)

Full-time certificate payments may be issued for 3 and 4 year olds enrolled in public or private pre-kindergarten programs where tuition is assessed. Additionally, 5 year old children whose parent(s) elect not to enroll their child(ren) in a public kindergarten program may receive full-time certificate funds until they reach the age of 6 (six), which is the compulsory age for school in the State of Mississippi.

10. Current Rule:

Section 104.04 OVER-PAYMENTS AND UNDER-PAYMENTS, SECTION, ABSENTEES AND NOTICE, (1)

If a child is absent for more than two weeks for medical reasons, the parent is required to submit a doctor's statement. Extenuating circumstances will be handled on a case-by-case basis.

Proposed Rule:

Section 104.04 OVER-PAYMENTS AND UNDER-PAYMENTS, SECTION, ABSENTEES AND NOTICE, (1)

If a child is absent for more than two weeks for medical reasons, the parent is required to submit a doctor's statement. Extenuating circumstances will be handled on a case-by-case basis. **In the case of court-ordered visitation, a copy of the visitation order of the court must be kept on file by the provider. Any days a child is absent due to court-ordered visitation will not count towards a child's vacation days. The provider should indicate this reason on ledgers. Parents are responsible for paying their determined co-payment amount in full.**

11. Current Rule:

GLOSSARY OF TERMS

ATTENDING (EDUCATIONAL/JOB TRAINING)	None
EDUCATIONAL PROGRAM/JOB TRAINING	None
RESIDING/LIVING WITH	None
WORKING	None

Proposed Rule:

GLOSSARY OF TERMS

ATTENDING(EDUCATIONAL/JOB TRAINING) - Refers to full time enrollment as evidenced by program administration.

EDUCATIONAL PROGRAM/JOB TRAINING - A program offering educational/job training content information. Programs must be accredited by the state or a national organization.

RESIDING/LIVING WITH - Refers to persons who regularly spend more than 12 hours per day together in the same dwelling for non work-related purposes.

WORKING - Performing duties to earn a wage or complete educational/job training such as practicums or internships.

MISSISSIPPI DEPARTMENT OF HUMAN SERVICES
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CHILD CARE POLICY MANUAL

FFY - 2011

Effective: October 1, 2010

Child Care Policy Manual

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MISSISSIPPI DEPARTMENT OF HUMAN SERVICES
OFFICE FOR CHILDREN AND YOUTH
CHILD CARE POLICY MANUAL

CHAPTER 1

INTRODUCTION

Section 100 - This Policy Manual establishes policies and procedures for the Office for Children and Youth and the OCY Designated Agents in the administration of the Child Care Certificate Program.

Section 101 - The Office for Children and Youth (OCY) establishes policy in compliance with the Child Care and Development Block Grant Act, as amended, the Child Care and Development Fund (CCDF) regulations, and the CCDF State Plan. The OCY Designated Agents are authorized by subgrants to administer the CCDF Child Care Certificate Program. The OCY Designated Agents must adhere to the OCY Child Care Policy Manual and the Mississippi Department of Human Services (MDHS) Subgrantee/Contract Manual (Revised March 2005), and any policy bulletins, memoranda, and other instructions from OCY or the Mississippi Department of Human Services.

Section 102 - Parental choice in the selection of a child care provider is the cornerstone of the Child Care and Development Fund. Services to eligible parents are to be provided as quickly and efficiently as possible, subject to the availability of funds. The OCY Designated Agents should make available to all child care providers and parents all policies herein specifying duties, requirements, and responsibilities required of them. The OCY Designated Agents must also make available documented training on the policy herein, for all licensed child care providers serving certificate children, no less than annually. The person designated to attend may be the Director, Owner, or an authorized representative. A modified training package will be sent certified mail to the providers who do not attend the training session. The packet will include a statement acknowledging the receipt of the training material and also that it has been read and understood. The provider must sign and return the statement within thirty (30) days upon receipt.

SECTION 100 - CHILD CARE SERVICES

100.01 PURPOSE OF FUNDING SOURCE

This manual sets forth policies and procedures for the Child Care Certificate Program, funded by the Child Care and Development Fund (CCDF) and administered by the Mississippi Department of Human Services (MDHS), Office for Children and Youth (OCY).

The purpose of the Child Care and Development Fund, according to federal regulations, is to "increase the availability, affordability, and quality of child care services." The goal of OCY through the certificate program is to offer a seamless system of high quality child care which supports both children and their families, and operates within federal guidelines.

CCDF funds will be used to provide child care services for Temporary Assistance for Needy Families (TANF), Transitional Child Care (TCC) Families, and eligible families at risk of going on TANF with very low-income and low-income. Very low-income families are those whose income is at or below 50 percent of the State Median Income (SMI). Low-income families whose income falls above 50 percent and at or below 85 percent of the SMI.

100.02 LEGAL AUTHORITY

Title VI -Child Care and Development Fund (CCDF)
Legislation: Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193).
Regulations: 45CFR Parts 98 and 99 and Final Regulations published in the Federal Register, July 24, 1998 at 63 FR 39981.

100.03 CHILD CARE RESPONSIBILITIES AND THE RIGHT TO PARENTAL CHOICE

(1) Parents are legally and morally responsible for their children and have the right to select the child care provider of their choice.

(2) Child care providers are responsible for providing a safe and secure nurturing environment for children in their care.

(3) The OCY Designated Agents must assist parent(s) in assessing their child care needs and, upon request, provide a list of licensed facilities for parent(s)

who do not have a ready choice. The OCY Designated Agents must not influence parent(s) to choose a particular provider and/or facility.

100.04 NON-DISCRIMINATION POLICY

Individuals shall not be discriminated against on the basis of race, color, sex, national origin, religion, age, or handicapping conditions in the provision of child care services.

100.05 SAFEGUARDING INFORMATION

Employees of the OCY Designated Agents and child care providers are prohibited from using or disclosing any information concerning a parent's use of services for any purpose not in conformity with federal and state requirements, except with the written consent of the parent or authorized representative. The public will not be able to request a copy of clients' information and/or records. An authorized representative is an individual who has the legal right to speak or act on the parent's behalf. Documentation of this designation must be contained in the parent's file. (See Appendix 100).

SECTION 101 - CHILD CARE CERTIFICATE PROGRAM

101.01 POLICIES AND PROCEDURES FOR THE CHILD CARE CERTIFICATE PROGRAM

The child care certificate is a document issued directly to eligible parent(s) or authorized representatives, provided that funds are available. The certificate allows the parent to select the child care provider of his/her choice. (See Appendix 100.01).

101.02 PRIORITY POPULATIONS

If funds are available, children must be served on a first-come, first-served basis in order of priority. Applications must be date-stamped as they are received. CCDF child care services will be available to children of parents using the following priorities:

1st Child Care for Temporary Assistance for Needy Families (TANF)

2nd Child Care for Transitional Child Care (TCC)

3rd Children of very low-income working parent(s) whose income is at or below 50 percent of the State Median Income (SMI) who are at risk of going on TANF, in the following order:

- A. Children in Protective Services or Foster Care;
- B. Children with Special Needs (up to 85% of the SMI);
- C. Children of parent(s) deployed in the Mississippi National Guard, or Reserve (up to 85% of the SMI);
- D. Children of Teen Parent(s) currently enrolled in high school full-time;
- E. Children of all other eligible parent(s) at this income level.

4th Based upon the availability of funding, children of parent(s) working the required 25 hours per week whose income falls above 50 percent of the SMI and at or below 85 percent of the SMI.

5th Based upon the availability of funding, children of parent(s) in an approved full-time educational or training program or **enrolled in full time online classes** and working less than 25 hours per week regardless of where the family income falls up to 85 percent of the SMI.

6th Based upon the availability of funding, children of parent(s) in an approved full-time educational or training program or **enrolled in full time online classes** and not working.

101.03 ROLL-OVER

(1) The roll-over process should be completed in a timely manner in order to ensure that there are no interruptions in child care services. Based upon eligibility of funds, the OCY Designated Agents will mail a notice to all current parent(s) and providers that child care certificates will end September 30. An application packet for child care services beginning October 1 will be included with a notification to the parent(s). Parent(s) should be rolled-over based upon the established priorities. At roll-over, for active TCC certificates, the parent's eligibility will continue until the end of the TCC 24 month period, or until a termination notice is received from the case manager, whichever comes first. At roll-over, a new TCC certificate for the new program year will be issued and mailed to the parent and provider for signatures for child care to continue into the new program year, with the end date corresponding to the end date of the parent's 24 month TCC period. Paycheck stubs reflecting a 30-day period prior to the application date are acceptable to document employment. The OCY Designated Agents should establish a reasonable deadline (not less than 15 working days) for the return of all applications. If a parent(s) will be using the same provider as the previous fiscal year, the new year certificate can be issued using the signatures on file. This applies to the certificate, the Standard Assurances, the Conditions of Agreement, the Fraud Statement and the Parent Agreement form, the W-9 and the Basic Health and Safety form, providing these forms do not reflect an ending date or reflect any approved policy revisions.

(2) The OCY Designated Agents should notify parents that families at or below 50 percent of the State Median Income will be rolled over prior to families at or below 85 percent of the State Median Income. After the families **at or below** the 50 percent have been rolled over, families at 50 percent of the State Median Income on the waiting list **in order of date on application** should be served prior to completing the rollover process for the families in 85 percent of the State Median Income.

(3) Incomplete Applications - For parent(s) who do not return packet or return an incomplete packet, (incomplete documentation, unsigned, not enough hours on the check stubs, etc.) by the established deadline, the OCY Designated Agent should mail the parent(s) a certified letter, return receipt requested along with a checklist with the incomplete item(s). Do not return the entire application packet. Ten (10) working days should be allowed for the client to submit the information. If the parent(s) fails to submit the information within the ten (10) working days, the application may be closed. If the parent(s) fails to submit a long-form birth certificate but a copy is already in the child's file, that copy satisfies the requirement to submit this item.

101.04 WAITING LIST

(1) Based upon CCDF federal requirements, the OCY Designated Agents should maintain a current waiting list of all families requesting child care services regardless of the availability of funds. The OCY Designated Agents should not limit the waiting list. Families in Priority 1 or 2 should receive services automatically and not be placed on the waiting list. A parent(s) in the 4th, 5th, or 6th Priority Population previously receiving child care services who cannot be rolled-over due to lack of funding should be placed on the waiting list by priority. Parent(s) should not be placed on a waiting list when funds are available.

(2) In order to make certain that parents are served on a first-come, first-served basis, parents must be notified, in writing, to update their child care request for the waiting list prior to removing their names from the waiting list after a one-year period.

(3) It is possible that some applicants who return information prior to the deadline will have to go on the waiting list if funding is not available. As funds become available during the year, certificates may be issued according to priority population and date application was received.

(4) Applications are processed according to the priority of the applicant. For instance, if an application is received in December for a child in Protective Services or Foster Care, a child with special needs, a child of a militarily deployed parent, or a child of a teen parent, will be given priority over a child of a parent in Priority 3-E whose application was received earlier. If an application is received in December for a Priority 3 parent, that application will be given priority over a Priority 4 parent whose application was received earlier.

(5) Designated Agents are to maintain waiting lists in order of both the priority and date of the application. When funds become available, applications will be processed first according to priority; second by date received.

(6) When funds become available during rollover, certificates should be issued by priority. All existing Priority 3A parents should be served first; second, those who were enrolled in an educational/training program the semester prior to the beginning of the waiting list; third, those on waiting list by order of application date; fourth, existing Priority 3B parents; fifth, those who were enrolled in an educational/training program in the semester prior to the beginning of the waiting list; sixth, add waiting list parents by date of application and so on.

SECTION 102 - CRITERIA FOR CHILD CARE SERVICES

102.01 ELIGIBLE PROVIDERS

Parents have the right to choose the type of child care they would like for their child. The Office for Children and Youth has categorized the choices available to parents as follows: a child care center, group home, family day care home, relative provider (in-home or out-of-home) and a non-relative provider (in-home or out-of-home). **See Glossary of Terms for definitions of each.**

(1) Child Care Centers and Group Homes - In order to receive reimbursement for services rendered, a child care center or group home must be licensed by the Mississippi State Department of Health. A copy of the license must be filed with the OCY Designated Agent. The child care center or the group home must have a current license or a license that is pending. **Additionally, these licensed centers must remain in compliance at all times with the Mississippi State Department of Health's Regulations Governing Licensure of Child Care Facilities.**

If a center's license expires and services are being provided for children on the certificate program, the OCY Designated Agent may continue to pay the provider under the following conditions:

a. The Health Department has not officially closed the center;
b. The center's director submits a written request, on center letterhead, for child care payments to continue; and
c. The center provides copies of the licensing renewal fee payment, documentation of a current inspection, and a copy of correspondence from the licensing division stating why the license has not been renewed; and
d. A center with an expired license will be reimbursed for children with a current certificate up to the time frame allowed by the Mississippi State Department of Health; however, no new certificates will be issued until the license is renewed.

(2) Family Day Care Homes and Relative/Non-Relative Providers - In order to receive reimbursement, all unregulated providers must keep a record of immunizations for all children in their care and a copy of the Basic Health, Safety and Nutrition Assurances. A signed copy of the *Basic Health, Safety and Nutrition Assurances* certifying that they will follow the guidelines should also be filed with the OCY Designated Agent. Individual, unregulated providers must be at least eighteen (18) years of age and are prohibited by law from keeping more than five (5) children who are not related to the provider within the third degree computed according to civil law. A child care provider may not be reimbursed if they reside in the same household as the child(ren). Proof of separate residence may be required. **Proof of residence will be established with a current driver's license or state issued I.D. <u>and</u> another form of identification that reflects the same address. A current bank statement, cell phone bill, utility bill or cable bill are acceptable.**

Addresses must match the address given as the location of care submitted on the application.

All individuals over the age of 18 years of age (relative and non-relative) residing and/or working full or part time in a home where childcare is given must clear the Child Abuse and Neglect Central Registry Check in order for a provider to be deemed eligible. Upon initial application to become an eligible provider, all in-home child care providers must complete and return the Child Abuse and Neglect Central Registry Check Form 107 to the OCY Designated Agent with their application. Additionally, providers are required to submit Form 107 on an annual basis. Providers will be deemed ineligible to participate in the certificate program in the event that they have prior convictions of child abuse and/or neglect. If an individual residing and/or working with the provider is found to have a prior conviction of child abuse and/or neglect, eligibility will be suspended until such time as the provider can provide proof that the offending individual no longer resides in the home. Failure on the part of the provider to accurately complete Form 107 may result in suspension/debarment from participation in the certificate program. Funds may be recouped.

102.02 APPLICATION PROCEDURES

(1) TANF parents are not required to complete an application for child care services. The Case Managers will indicate on the referral form whether full or part-time child care is required. See Appendix 102 for referral to the Boys and Girls Clubs.

(2) TCC Parents whose MDHS TANF child care is ending should be given an official referral form (See Appendix 102) by the Division of Economic Assistance. The referral form should note whether the Child Care Certificate should be written for part-time or full-time child care and forwarded to the appropriate OCY Designated Agent. TCC parents should be served regardless of the number of hours worked. Parents receiving TCC child care and whose income is at or below 85 percent of the SMI must be served until the end of the TCC eligibility period even if no other families are being served in the 85 percent category. The Division of Economic Assistance has extended the eligibility period for TCC services from 12 months to 24 months.

(3) Parents at Risk of Going on TANF - Very Low-income Parents and Low-income Parents - Applications for assistance may be obtained by calling the OCY Designated Agents. Applications will be mailed promptly in response to requests. Toll-free numbers are available to parents to use in requesting applications. Parent(s) can obtain these toll-free numbers from child care facilities and from MDHS Resource and Referral. A Documentation Checklist will be issued by the OCY Designated Agent with each child care application.

The parent's Statement of Agreement will be issued with the certificate.

After the parent completes the application, they can either mail or bring it to the office of the OCY Designated Agent. The OCY Designated Agent will review the information to determine eligibility and send a written notice of eligibility or ineligibility, or non-availability of funds. If the parent falls within a priority group for which funds are available, a certificate will be issued and given or mailed to the parent, who has up to ten days to return the signed certificate to the OCY Designated Agent.

(4) Foster Care, Protective Services and Prevention Services – Children that are receiving services by the MDHS-Division of Family and Children's Services. A referral will be made by the Division of Family and Children's Services to the OCY Designated Agent, using form MDHS-DFCS-43-11 (See Appendix 103.01).

Foster Care – Children that are court ordered in custody of DHS and placed in a licensed foster family home or placed with an approved relative/kinship caretaker. In determining eligibility, a Foster Child is considered a family of one; however, the foster parent(s) are required to meet the work/educational or training requirements unless exempted by the Division of Family and Children's Services due to extenuating circumstances. When a foster child is placed in a county other than the county of residence, the OCY Designated Agent responsible for the county of the child's residence should process the child care certificate.

Protective Services – Children that are court ordered to receive Protective Services from DHS-DFCS. These children are living in the home of a parent or relative/kinship caretaker. To be eligible for child care assistance, the caretaker must be working the minimum of 25 hours or enrolled in an educational training program and working the minimum required hours, unless exempted by the Division of Family and Children's Services due to extenuating circumstances. The child should be served without regard to income.

Prevention Services – Children residing with a family that is receiving Prevention Services from the DHS-DFCS. These children are living in the home of a parent or relative/kinship caretaker. **In cases where children remain in the home with parents, neither income of parents or employment may be considered. If a child is placed outside the home, in order** to be eligible for child care assistance, the caretaker must be working the minimum of 25 hours or enrolled in an educational/ training program, **or either traditional or on line format, on a full time basis,** unless exempted by the Division of Family and Children's Services due to extenuating

circumstances. The child should be served without regard to income.

When a child's case is closed by the Division of Family and Children's Services, that agency will send a Notification of Termination of Child Care Services (See Appendix 103.03) for children that had been receiving services through Foster Care, Protective Services or Prevention Services to the OCY Designated Agent.

(5) Household Members - An applicant who has a child younger than 21 years old in the home attending school and/or disabled and is considered a dependent, should be counted as a household member.

(6) Separated Status - When it is strongly believed that a parent is married even though he or she claims to be separated, additional documentation may be requested.

(7) When a child lives in the home of a care giver that is of the age of 65 or older and is not the biological parent of the child, no employment requirement exists in determining eligibility.

102.03 ELIGIBILITY DETERMINATION FOR SERVICES

(1) Eligibility Guidelines by Priority Group

a. TANF Parent(s) (Prorated 1) - Eligibility for child care service for TANF parent(s) is determined by the MHS, Division of Economic Assistance Case Manager. The TANF parent is required to participate in an allowable TANF program activity. Each participant must comply with all the requirements of the TANF program. See Appendix 102 for the automated referral process.

b. TCC Parent(s) (Priority 2) - Eligibility for TCC child care services should be determined from information contained in the MHS Case Manager's TCC referral. TCC parent(s) should be served regardless of the number of hours worked. If the monthly income amount is not stated on the referral, paycheck stubs may be requested from the Case Manager or from the parent(s). TCC parent(s) must complete an application and submit documentation prior to a certificate being issued. The effective date should coincide with the date listed on the referral form received from the Division of Economic Assistance. Extenuating circumstances will be handled on a case-by-case basis. Parent(s) leaving Priority 2 should be placed in the appropriate priority based upon income, family size or other determining factors.

c. Very Low-income, At Risk of Going on TANF (Priority 3) - In order to qualify for full-time child care, the parent must be working at least 25 hours per week, or be enrolled full-time in high school , enrolled in a full-time GED program, **or other approved educational or training program.** Unpaid work hours required to complete course work for the school curriculum and/or work study may be counted toward the work requirement for the parent. Documentation must be provided on a case by case basis. In a two-parent family, each parent must be working at least 25 hours per week or one parent must be working at least 25 hours per week and the other parent must be enrolled in an approved full-time educational or training program. The family's gross income must be at 50 percent or below the State Median Income. Children in Protective Services are eligible for child care services without regard to the income. Foster parent(s), Protective Services, and Preventive Services parents, custodians or guardians must meet the same work or school requirement as non-foster parent(s) but without regard to the amount of the foster parents' income. Children with special needs and children of deployed parents may be served in this Priority up to 85% of the SMI. Irregular hours of employment and income should be averaged.

d. Low-income, At Risk of Going on TANF (Priority 4) - In order to qualify for full-time child care, the parent must be working at least 25 hours per week, or be enrolled full-time in high school or enrolled in a full-time GED program, **or other approved educational or training program**. Unpaid work hours required to complete course work for the school curriculum and/or work study may be counted toward the work requirement for the parent. Documentation must be provided. In a two-parent family, each parent must be working at least 25 hours per week or one parent must be working at least 25 hours per week and the other parent must be enrolled in an approved full-time educational or training program. To be Priority 4, the family's gross income must be at or above 50 percent of the State Median Income and at or below 85 percent of the State Median Income. Irregular hours of employment and income should be averaged.

e. Post-Secondary Students - If a parent falls in Priorities 5 or 6, certificates should only be written for one semester at a time. **The beginning date of the certificate should be the first day of the month of class, for which proof of enrollment was provided, and the ending date is the last day of the month ending the semester. Students should be allowed 30 days from the ending date of the previous semester to complete the application process. Graduating seniors will have up to 60 days to find employment before their certificate is terminated, unless determined eligible otherwise.**

f. Resident - In/Out of State Students - If a parent attends school in/out of state, the application should be made in the parent's name using the address where the child(ren) resides.

g. The 25 hours per week work requirement is reduced for foreign students who hold a VISA because they are permitted to work only on campus for 20 hours per week. In order to remain eligible a copy of the VISA must be submitted annually to make sure it is current.

h. Parents may apply for a certificate who have been laid off or have lost their job for other reasons. These certificates will be issued for 60 days from the parent(s) last date of employment.

(2) Income to Be Considered in Calculating Total Family Income

a. Gross income of applicant and spouse should be considered if the spouse is living in the home. Do not consider a spouse's income if they are separated **and residing in a separate residence.** All income above or less than 40 hours per week is considered irregular income. Irregular income and commissions should be averaged. For commissions and tips, the amount on the paycheck stub or statement from an employer should be averaged and added to regular work income. Do not consider bonus monies as income. **If a parent is self-employed, individual/family total income is considered.**

b. Social Security benefits for parents and child(ren) must be counted as income.

c. If a parent receives Supplemental Security Income (SSI), it should be counted as income. If a child(ren) receives SSI, the SSI for the child(ren) should not be counted as income.

d. Income earned by an adult living in the home, not married to the applicant, but who is the biological parent of the child for whom services are being requested, income should be counted. If there is another adult residing in the home with the applicant to whom the applicant is not married, do not count that person's income or impose a work requirement for them or include them in the number in the household unless they are the biological parents of the child(ren) for whom application for service is being made.

e. Parents must comply with Child Support Enforcement requirements in order to receive a child care certificate(s). A Verification for Child Support Services Form should be mailed to parents as part of the Child Care Certificate Application packet. (See Appendix 100.06). Parents must complete the

Verification Form and return it to the OCY Designated Agent as part of the completed application.

All single or separated parents who do not currently have an open child support case must contact the MHS County Child Support Office for an appointment to open a case(s). Married parents are not required to go through the MHS, Division of Child Support Enforcement.

MHS, Division of Child Support Enforcement may provide exemptions based upon Claims of Good Cause such as, but not limited to:

I The noncustodial parent has caused physical and/or emotional harm to the child.

ii. Physical and/or emotional harm caused by the noncustodial parent to the relative caring for the child limiting the custodial parent's ability to care for the child.

iii. A child conceived as a result of incest or rape.

iv. Pending legal adoption proceedings.

v. A public or private social services agency assisting you, the custodial parent, to decide whether to keep the child or to release the child for adoption.

Parents should only contact MHS, Child Support Enforcement, to open a new Child Support case or to request a statement that the child or children are exempt and the parent is excused from cooperating.

When the completed Verification for Child Support Form is received by the OCY Designated Agent (DA), the DA will:

a. If the parent has checked "yes" in the first column, indicating that they have a Child Support case through DHS, pull up the Child Support website,

b. Search by parent's Social Security Number,

c. Click "select" and pull up and print the parent's information, including payments,

d. Attach the printout to the application and use the amount when calculating income and co-payment for the parent,

e. At 6-month re-certification, repeat step "c" above.

f. Any parent enrolled full-time in high school or in a GED program may make an application in his/her own name, as a family unit separate from his/her parent. If the parent is under age and living with his/her parent(s), the parent of the teen must meet the work requirements; however, the teen's parents' income should not be considered.

g. If a teen parent lives in the home with her parent(s) or guardian, then the parent(s) or guardian of a teen parent under the age of 18 must sign the certificate and forms along with the teen parent.

h. No adult living in the home with the child may be paid for child care. Extenuating circumstances will be handled on a case-by-case basis. The biological parent of a child shall not be reimbursed for providing child care for his/her own child(ren).

(3) Documents Required for Eligibility Determination

a. Income Documents:

I. Two paycheck stubs from within the past 30 days. If paid once a month, only one check stub is required.

ii. If a new job, the employer's letter on employer's company letterhead or employer's notarized statement verifying employment, income, rate of pay and number of hours worked. Actual check stubs must be submitted within 30 days.

iii. Parents paid in cash should obtain a certified letter from the employer on company letterhead or employer's notarized statement verifying employment, income, rate of pay and number of hours worked.

iv. Parents employed by temporary agencies may be certified with an original letter from an employer on company letterhead verifying employment, rate of pay, and number of hours worked. The letter of employment must be followed up with check stubs within 30 days.

v. Copy of Estimated Quarterly Tax Report if self-employed, or some form of income documentation approved by the OCY Designated Agent. **Other acceptable forms of income include 1040 and Profit or Loss Statement (Schedule C). Designated Agents should use the "Total Sales and Receipts" amount located on the Profit/Loss Statement to determine if the work requirement has been met. Designated Agents should use the amount located on line 22 of the Federal 1040 Tax Form to determine income eligibility.**

vi. THE WORK NUMBER, an automated service is an option for income and employment verification. This service is an acceptable source for documenting employment and income. THE WORK

NUMBER can be used instead of the employer's notarized statement or information on the employer's letterhead. Therefore, copies of check stubs are NO LONGER required to be submitted. THE WORK NUMBER'S website is www.theworknumber.com., e-mail address is govinfo@theworknumber.com or 1-800-660-3399.

b. Educational Documents:

Provide enrollment documentation **in the form of a letter from the institution's registrar confirming current full time enrollment.** GED classes should be handled the same as any other approved educational training.

c. Additional Documents:

I Long Form Birth Certificate - A 90-day grace period may be allowed to receive the birth certificate for a newborn. A 30-day grace period will be allowed for all other children. Any certified copy of the birth certificate should be accepted if both parents are listed, unless the father is unknown.

ii. Verification of social security numbers can be obtained from a copy of the social security card, immunization record, or other official document showing child's and/or a parent's name and social security number.

iii. The OCY Designated Agents must provide a statement that makes it clear to CCDF applicants that the provision of a Social Security Number is voluntary and that benefits will not be denied or withheld for the failure to furnish a Social Security Number. Instructions may be given to parents explaining how the Social Security Number will be used if provided, in order to encourage applicants who choose to provide them (e.g. to identify individuals with the same name).

iv. If it is necessary for parents to supply additional documentation of proof of residence, the parent must supply a current driver's license or state issued I.D. <u>and</u> a current bank statement, cell phone bill, utility bill or cable bill. The addresses on the driver's license, I.D. and bank statement/bill must match and corroborate the address of residence supplied to the Designated Agent's office.

(4) Requirements for a Disabled Parent

If a two-parent family applies for assistance and one parent is working and the other **has a disability** and unable to care for the child(ren), child care can be provided if a written statement is submitted by a physician stating the nature of the disability and that the parent is unable to care for the child(ren).

If a single parent **has a disability** and has a physician's statement stating the nature of the disability and that the parent is unable to care for the child(ren), the application should be made in the responsible guardian's name. The responsible guardian is the person responsible for the parent's affairs; the guardian must meet the work requirement. The disabled parent's Supplemental Security Income should be used to calculate the co-payment fee.

If a single parent is disabled and there is no guardian, the application should be in the single parent's name. Child Care can be provided if a written statement is submitted by a physician stating the nature of the disability and that the parent is unable to care for the child(ren).

If the guardian with whom the child(ren) reside(s) **has a disability**, child care can be provided if a written statement is submitted by a physician stating the nature of the disability and that the guardian is unable to care for the child(ren). Verification of cooperation with Child Support Enforcement is required if the parents are not deceased.

(5) Parents enlisted in the United States Military and Deployed

When parents are enlisted in the United States Military and deployed, the eligibility should remain the same until the parent can provide the Military Income. The parent should provide the Military Income as soon as he or she has documentation. The grandparents or the responsible guardians' income should not be counted but the grandparents or the responsible guardian must meet the 25 hours per week work requirement, **unless they are 65 years of age or can provide proof that they have retired from full-time employment.**

(6) Pell Grants

Pell Grants should not be considered as income when determining eligibility. Pell Grant funds and child care subsidy payments can be used simultaneously for child care services.

102.04 RE-DETERMINATION

(1) Determination of the parent's eligibility is to be re-established after the parent has been receiving child care services for six months. The OCY Designated Agent will send a letter to parent(s) requesting check stubs or other verification of employment or enrollment in school and asking the parent(s) if there has been a change in marital status or household size. (See Appendix 104). If the child care application packet is not returned by the due date, a second notice should be mailed certified return receipt requested. If the mail has been returned undeliverable, the child care provider, if known, should be notified.

(2) When income is recalculated and there is a change in a co-payment fee, a notice is sent to the parent and the provider. If income increases beyond 85 percent of the State Median Income, child care will be terminated, giving a two-week notice. If the parent is no longer working, child care will be terminated, giving a two-week notice to the child care provider. If the parent has been temporarily laid off or has lost a job for other reasons, child care will not be terminated until 60 days after the last work day, giving the parent time to be reinstated in their job or to search for a job. The child care provider must be notified that child care may be terminated within 60 days. If during redetermination (or at any other times) it is discovered that a parent has exceeded the maximum of 60 days of unemployment, the OCY Designated Agent is allowed to issue an immediate termination of services.

(3) Re-determination of eligibility may be completed within six months of either the issue date or the effective date of the certificate.

SECTION 103 - CO-PAYMENT FEES

103.01 DETERMINING CO-PAYMENT FEES

TANF parents are not assessed a co-payment fee. For all other parents, co-payment fees are determined based upon the parent's family size and income according to the CCDF Child Care Monthly Co-payment Fee Scale for Parents. (See Appendix 105).

Co-payment fees are redetermined when there is a change in the parent's income or household size, or during semiannual redetermination of eligibility.

Household Members - An applicant who has a child not yet 21 years old in the same home attending school and/or disabled and is considered a dependent, should be counted as a household member.

103.02 ASSESSING CO-PAYMENT FEES PER CHILD

If a parent has one child receiving full-time child care services, the total co-payment fee should be placed on that child's certificate. If a parent has one child receiving part-time child care services, only half of the total co-payment fee should be placed on the child's certificate.

If one child is in full-day care and part-day care during the same month, the fee should be assessed on the majority of the type of care provided. For example, if a child is served 16 part-time days and five full-time days, the part-time co-payment fee would be assessed for the month.

If a parent has more than one child receiving full-time service, the total co-payment fee is divided equally among the number of children receiving care. If two or more children are receiving part-time services, one half of the divided fee should be placed on each certificate. If a parent has children receiving before/after child care and holiday/summer child care, a full co-payment fee and a half co-payment fee are placed on each certificate and the appropriate fee is deducted during the payment cycle.

Exceptions:

If a parent has two children, one who is receiving full-year, full-time child care and one being added for holiday/summer child care only, the co-payment fee for the full-year, full-time care will remain the same. The parent is assessed an additional $10.00 fee for the child receiving holiday/summer child care.

If a parent has two or more children receiving full-year, full-time child care and one child receiving holiday/summer care only, the total co-payment fee is divided equally among the children attending full-time. The parent is not assessed a co-payment fee for the child receiving holiday/summer child care.

Parents assessed a minimum co-payment fee are:

- Foster Children
- Children in Protective/Preventive Service
- Special Needs Children - Special Needs status must be documented. If there are other children in the family who are receiving child care services, the fee will be $10 or the child's prorated share of the family's co-payment fee, whichever is less.

103.03 NON-PAYMENT OF FEES

Co-payment fees are to be paid during the current month directly to the provider according to payment arrangements established by the provider and parent. If a parent fails to pay the co-payment fee prior to the end of the month, the provider is required to notify the OCY Designated Agent. Non-payment of co-payment fees may result in termination from the certificate program. If the parent requests a change in a provider prior to fees being paid in full to the original provider, the parent must pay all co-payment fees before a new certificate is issued. It is the responsibility of the provider to report non-payment of co-payment fees to the OCY Designated Agent. The provider may not charge parents any cost over the assigned co-payment fee unless the cost for child care to the general public is higher than the amount paid by the certificate program.

103.04 CO-PAYMENT RECOUPMENT/REPAYMENT

If a parent's fee was assessed at a rate higher than the correct fee, the parent is to be reimbursed by the OCY Designated Agent for the difference for each month paid. The correct fee is to be noted on the certificate and a notice of the change forwarded to the provider and the parent.

If a parent's fee was assessed at a rate lower than the correct fee, the parent and the provider are to be notified that the fee will be adjusted for subsequent months to make up the difference for each month paid. If the amount in question is less than $50.00, an adjustment to the fee is made but recoupment is not necessary.

103.05 PRORATING CO-PAYMENT FEES

The assessed co-payment fee reflects a monthly rate regardless of attendance. If a child is enrolled between the 1st and 15th of the month, the full monthly co-payment fee is assessed for the first month of service. If the child is enrolled between the 16th and last day of the month, one-half of the monthly co-payment fee is assessed for the first month of service. If a parent desires to change a provider during the month, it is the parent's responsibility to pay the co-payment fee to any subsequent providers.

SECTION 104 - PAYMENTS TO PROVIDERS FOR CHILD CARE SERVICES

104.01 SIGN-IN/OUT SHEETS

Providers are required to record accurate attendance and absences on sign-in/out sheets and on daily class rolls for each child in order to complete the payment ledger. The sign-in/out sheets must show the child's name, the full name of the parent/guardian or parent's authorized representative, the time the child is signed in with the signature of the person signing the child in, and the time the child is signed out with the signature of the person signing the child out each day.

104.02 PAYMENT LEDGERS

(1) Payment ledgers are mailed to providers monthly. Providers are required to sign the ledger on the provider signature line and on the Tier 1 signature line, if applicable. If the center's OCY Credentialed Director is not the owner of the center, the staff person who is the OCY Credentialed Director must sign on the Tier 1 signature line, and the owner must sign the ledger as well.

(2) If a certificate has been completed for retroactive care, ledgers for each applicable month will be forwarded to the provider for completion.

(3) Licensed providers are to provide a written explanation at the bottom of the ledger for each child who is absent for three consecutive days. Unlicensed providers are paid for actual attendance only.

104.03 RATES AND CENTER POLICIES

(1) Licensed providers must file a copy of the center's published rates with the OCY Designated Agent. If attendance recorded on the ledger does not correspond with the provider's excused absence policy on file, payment will not be issued. Providers are not allowed to charge a higher rate to families in the certificate program than the rate charged to the general public. (See Appendix 106).

(2) If the child care center's policy states that a program stipend will be provided to non-certificate children, the provider must document the amount and the source of funds for each child on a monthly basis. Parents co-payment fees cannot be used as children's stipends. This documentation must be in hard copy such as check stubs receipts, etc., that will show Mississippi Department of Human Services auditors a clear paper trail of cash infusion from non-tuition sources and non-child-care-certificate monies sufficient to cover the full amount of tuition without any stipends.

(3) The OCY Designated Agents should not monitor any fiscal or children's files without the director or an approved supervisor staff person in attendance. Providers should be allowed to provide documented receipts, etc., without exposing all the centers fiscal records. Only necessary documentation should be requested from the parent.

(4) Parents employed at a licensed center or group home may be eligible for a child care certificate providing their work in the center is other than providing child care to their own child(ren). Nor can the child(ren) be included in a group assigned to the biological parent to maintain the adult/child ratio required by the Mississippi State Department of Health.

(5) Rates of reimbursement are assigned on a certificate based on the provider type (licensed or unlicensed), age of child, and Tier level, (See Appendix 106). A full-time rate may be charged for non-traditional child care. Non-traditional child care is appropriate when a parent requires full-time child care in lieu of before-and-after school care.

(6) School-aged children will be reimbursed at the part-time rate for absentees, during vacation and holidays except when it is documented that the child(ren) attended the licensed child care center, full-day, during the school year. The provider must provide a written explanation on the ledger for the child(ren)'s full-time attendance in order to receive full-time reimbursement.

(7) Summer child care for school-aged children will be reimbursed at the full-time rate for absentees, vacation, and holidays.

(8) When a provider's Tier status changes after the October 1 roll-over process, current certificates will remain at the pre-October Tier rate until the certificate expires. Any new certificates will be issued at the higher/lower Tier rate.

(9) Full-time certificate payments for school-age children may not be issued to students enrolled in grades one through twelve unless full-time care is needed during non-traditional hours and schools are closed.

(10) Full-time certificate payments may be issued for 3 and 4 year olds enrolled in public or private pre-kindergarten programs where tuition is assessed. Additionally, 5 year old children whose parent(s) elect not to enroll their child(ren) in a public kindergarten program may receive full-time certificate funds until they reach the age of 6(six), which is the compulsory age for school in the state of Mississippi.

104.04 OVER-PAYMENTS AND UNDER-PAYMENTS

(1) If a provider discovers an error in the payment issued, the provider is required to notify the OCY Designated Agent to request an adjustment within 30 days of the issuance of the payment. Questioned payments or incorrect payments will be adjusted during the next monthly payment cycle.

(2) If an overpayment has occurred, the provider is allowed the option of re-paying the excess to the OCY Designated Agent or having the overpayment recouped from subsequent payments.

104.05 ABSENTEES AND NOTICE

(1) If a child is absent for more than two weeks for medical reasons, the parent is required to submit a doctor's statement. Extenuating circumstances will be handled on a case-by-case basis. **In the case of court-ordered visitation, a copy of the visitation order of the court must be kept on file by the provider. Any days a child is absent due to court-ordered visitation will not count towards a child's vacation days. The provider should indicate this reason on ledgers. Parents are responsible for paying their determined co-payment amount in full.**

(2) If a school-aged child attends full-time for a day(s) other than scheduled holidays during the school year, the provider must provide a written explanation on the ledger for the child's full-time attendance in order to receive full-time reimbursement.

(3) The Child Care Certificate Program will not be responsible for payments for services beyond the child's last date of attendance, except when the provider's written policy on file with the OCY Designated Agent requires a parent to give notice in advance of withdrawal. The time required for withdrawal notification will be reimbursed by the OCY Designated Agent except under emergency conditions such as abuse or neglect - or other extenuating circumstances - not to exceed two weeks. Licensed providers are to provide a written explanation at the bottom of the ledger for each child who is absent for three consecutive days. Unlicensed providers are paid for actual attendance only.

(4) A child care center must remain open on days when children are taken on field trips or for vacation for any children who cannot attend the field trips or are not on vacation and still need child care.

SECTION 105 - INTERRUPTION OF CHILD CARE SERVICES

105.01 ALLOWABLE LEAVE TIME FOR PARENTS

(1) Parents who lose or change jobs are allowed a 60 day grace period from the last date of employment before child care services are terminated in order to give the parent time to be reinstated in their job. During this 60 day period, the parent is required to submit new eligibility documentation and be redetermined eligible for services. Failure to submit acceptable eligibility documentation will result in the termination of services.

(2) Temporary Job Closings - Workers temporarily unemployed due to the nature of their work may include but are not limited to workers employed in construction, factories, or poultry and catfish processing plants. Extensions beyond the approved 60 days must gain approval from OCY on a case-by-case basis.

(3) Natural Disaster - Child care services should be continued when parents are off work due to circumstances beyond the parent's control such as hurricanes, floods, and tornado. Licensed child care providers should be reimbursed when the center is closed temporarily due to a natural disaster. **Unlicensed centers are reimbursed for actual attendance only.**

(4) A pregnant mother is allowed six weeks of child care assistance during maternity leave. Documentation from a physician of the maternity leave must be included in the parent's file. The parent must provide new eligibility documentation once she returns to work. Failure to submit acceptable eligibility documentation will result in the termination of services.

(5) Parent(s) are allowed up to thirty days of sick leave from their job if documented by their employer and physician. Extenuating circumstances will be handled on a case-by-case basis.

(6) There may be parents who do not require a certificate for twelve months, such as school workers, students, and others with seasonal employment who are not working during the summer. During the time the parent is not working, reimbursement for the certificate will not be made and the parent is not required to pay the monthly co-payment fee.

(7) A child is allowed 10 vacation days per federal fiscal year (beginning October 1 - September 30). **Absences related to court-ordered visitations are not counted as vacation days.**

(8) Providers may elect to observe up to 11 holidays for the period beginning October 1 through September 30. If the Governor allows more than one day in observance of a holiday, the providers must be allowed these extra days.

Legal Holidays are as follows:

January 1	New Year's Day
The Third Monday of January	Robert E. Lee's Birthday and Dr. Martin Luther King, Jr.'s Birthday
The Third Monday of February	Washington's Birthday
The Last Monday of April	Confederate Memorial Day
The Last Monday of May	National Memorial Day and Jefferson Davis' Birthday
July 4	Independence Day
The First Monday of September	Labor Day
The Second Monday of October	Columbus Day
November 11	Armistice or Veteran's Day
A day fixed by proclamation by the Governor of Mississippi as a day of Thanksgiving, which shall be fixed to correspond to the date proclaimed by the President of the United States	Thanksgiving Day
December 25	Christmas Day

(9) A provider may elect not to observe Confederate Memorial Day, Columbus Day, or Armistice or Veteran's Day on the scheduled date and to use these days to extend the Thanksgiving and/or Christmas Holidays up to two days. Providers should notify, in writing, the OCY Designated Agent prior to any changes in the Holiday schedule.

105.02 REASONS FOR TERMINATION

(1) TANF or TCC child care is terminated by the MHS County Case Manager.

(2) Parents who fail to submit the required information for redetermination are allowed an additional five (5) days' notice before services will be terminated. A second notice should be mailed certified return receipt requested.

(3) Non-payment of co-payment fees may result in termination from the Child Care Certificate Program for a one-year period.

(4) A child care certificate may be terminated upon the request of the parent, or by the OCY Designated Agent according to policy.

(5) Child care services will be terminated when a child grows older than the age requirements.

(6) If at any time a parent provides fraudulent information, child care services are immediately terminated and the client is ineligible to reapply for a one-year period.

105.03 CHANGE IN PROVIDER

Parents are allowed to change providers no more than two times per federal fiscal year, unless warranted by certain situations such as relocation, child abuse/neglect, or the provider no longer provides child care services. Parents must request a change in provider from the OCY Designated Agent prior to withdrawing the child, unless under emergency circumstances. The parent(s) should give at least two weeks prior notice to the current provider before withdrawing the child from the center unless there are extenuating circumstances. Parent(s) moving from one OCY Designated Agent's service area to another may be covered through the end of the subgrant period by the OCY Designated Agent making the initial eligibility determination.

105.04 PARENTAL AND PROVIDER DISPUTES

Any unresolved dispute concerning a question of fact under the Application/Agreement between the OCY Designated Agent and Parent/Provider shall be decided by the Director of the Office for Children and Youth. In the review by the OCY Director the Parent/Provider shall be afforded an opportunity to be heard and offer evidence in support of the questioned decision under review. This decision shall be reduced to writing and a copy thereof mailed or furnished to the Parent/Provider and shall be final

and conclusive, unless, within thirty (30) days from the date of the decision, the Parent/Provider mails or delivers to the Executive Director of the Mississippi Department of Human Services a written request for review. Pending final decision of the Executive Director or his/her designee, the OCY Designated Agent will proceed in accordance with the decision of the Director of the Office for Children and Youth. In addition, listed below are the procedures to be used in an Administrative Hearing for a Child Care Dispute:

1. If requested, an Administrative Hearing will be held with the Director of the Office for Children and Youth serving as the Hearing Officer.

2. The Hearing Officer will be a neutral observer who will conduct the Hearing. The Hearing Officer will listen to both sides and then make a decision based upon the evidence that is provided.

3. This is an informal proceeding that gives both parties their due process rights and a forum to provide evidence. This is not an adverse process. Questions are to be asked only for clarification. If a party has legal representation, the attorney is there only to give legal advice to his/her client and not for direct or cross examination.

SECTION 106 - FRAUD AND ABUSE

This section outlines the policies and procedures for handling alleged and/or substantiated fraud and exploitation in the Child Care Certificate Program by a parent and/or provider.

106.01 POLICY STATEMENT

Any person applying for or receiving public assistance by using false statements, and any person assisting that person to receive such public assistance with knowledge of those false statements, is subject to criminal prosecution. The offense may be a misdemeanor when the amount received or requested is below $500, or a felony if the amount received or requested is above $500. If a child care center knowingly provides false information, a financial penalty will be imposed. Whether or not a criminal conviction results, at the first offense, recoupment will be made and the center may be disqualified from participating in the CCDF program, contingent upon whether the deception is intentional or inadvertent.

106.02 SUSPECTED FRAUD OR ABUSE OF FUNDS

The OCY Designated Agent will not attempt to resolve any suspicion of parent and/or provider fraud or misuse of funds. The OCY Designated Agent will collect any documentation to support an investigation of suspected fraud or misuse of funds. This documentation shall be referred directly to MDHS, Division of Program Integrity (DPI) for investigation and OCY notified. The OCY Designated Agent will not alert the parent and /or provider of any suspicion of fraud or misuse of funds.

Prior to terminating certificates at licensed child care facilities due to documented fraud, the OCY Designated Agents must assist the Child Care and Development Fund (CCDF) parent(s) with locating an alternative child care facility or home without an interruption in child care services unless the parent(s) chooses to keep their child(ren) at the center and forfeit the CCDF Certificate. In this situation, a notarized statement of fact from the parent(s) must be retained by the OCY Designated Agent. The OCY Designated Agent must report back to OCY no later than 30 days from notification as to how this disposition has been handled.

106.03 RECOUPMENT OF FUNDS

The MDHS, DPI shall employ the required steps to recoup or attempt to recoup funds paid for ineligible services because of suspected parent or provider fraud or misuse of funds when unable to resolve otherwise. The steps include, but are not limited to:

(1) A letter outlining the OCY policy violated , the total amount of funds to be repaid, the legal action to be pursued if the parent or facility owner fails to cooperate, and a response time frame of 15 calendar days; the letter and the report shall be sent to the alleged offender by certified mail; a copy shall be retained by DPI;

(2) After the MDHS, DPI completes the investigation of alleged fraud and/or misuse of funds, if applicable, criminal charges shall be filed with the appropriate local law enforcement agency, when fraud is substantiated.

(3) When fraud is substantiated and criminal charges are filed with the local law enforcement agency, funds shall be recovered through restitution ordered by the court. Checks issued by the court for restitution shall be made payable to Treasurer, State of Mississippi and mailed directly to the MDHS, DPI.

(4) The MDHS, DPI staff shall track receipt of checks issued for payment of restitution on a case-by-case basis until all funds have been recovered.

106.04 FINAL DISPOSITION FOR ACTION

A copy of any final judgment issued by the Court shall be forwarded directly to the MDHS, DPI and a copy of the final judgment will be provided to OCY by the MDHS, DPI.

SECTION 107 – REPORTS

Monthly reports are compiled by the OCY Designated Agent and submitted to OCY by the 10th calendar day of each month. Reports include the following:

(1) ACF-800 (CCIS format)
(2) CD copy or e-mail containing database files BE and LGR to MIS for ACF-801 reporting or e-mail attachment(s)
(3) Expenditure Report by Priority Populations (CCIS format)
(4) Obligation Report by Priority Population (CCIS format)
(5) Certificate Report by county and overall district (issued and terminated certificates; not a service report) (CCIS format)
(6) Reporting Worksheets (OCY format)
(7) Requests for Cash (OCY format)

The OCY Designated Agent is required to provide any supplemental reports requested by OCY.

SECTION 108 – MONITORING

108.01 The OCY Designated Agents will monitor a selection of licensed **and unlicensed** providers participating in the certificate program at least once annually. The OCY Designated Agent should select centers whose records indicate a need for technical assistance, for example, ledgers marked with perfect attendance for each child each month. According to MHS Subgrantee Manual, OCY Designated Agents may conduct monitoring visits un-announced.

108.02 Monitoring visits will include a review of the following records:

(1) Each center must maintain a daily attendance roster on each child.

(2) The attendance recorded on the center's attendance roster will be compared to the attendance reported on the center's ledger.

(3) The center's published rates charged to the general public will be compared to the rates requested and received on each certificate.

(4) Verify the payment of co-payment fees.

(5) A copy of the center's license, **if applicable**, will be requested if a current copy is not on file with the OCY Designated Agent.

(6) Records will be reviewed to verify that the center has retained a copy of the Center's Statement of Agreement on file.

(7) The center will be monitored to make sure that the hours of operation meet the needs of the full-time working parents plus travel time. This applies to non-traditional child care hours. The center must be open at least five (5) days per week.

(8) The attendance will be checked to ensure that the center is not receiving more (CCDF and TANF) certificates than its licensed **or allowed** capacity at any given time (for example, non-traditional shifts, and before and after school). If it is determined during the monitoring visit that the center attendance exceeds the center's licensed capacity **or allowed,** then the situation may be reported to the Mississippi State Department of Health, Child Care Licensure **and/or OCY**.

(9) Unlicensed centers must provide copies of immunization records of all children enrolled in care.

108.03 Other Monitoring Issues:

(1) If a center is not accurately recording attendance or is charging different rates, the center will receive a letter concerning the finding(s). Any overpayments that occurred because of these two situations shall be recouped by the OCY Designated Agent. The OCY Designated Agent may demand direct repayment by the center to the Child Care Certificate program or may debit subsequent ledgers submitted by the center and make deductions from reimbursement checks issued to the center. The OCY Designated Agent may set up an installment repayment plan for the center.

(2) A center with findings may be monitored again, by either announced or unannounced visits. If the center is still in non-compliance under the original finding(s), a copy of all correspondence regarding the matter should be forwarded to MHS.

GLOSSARY OF TERMS

This chapter contains the definition of key words or phrases and clarifies the terms as they relate to this manual.

ADULT - A person who has reached the age of majority (at least 18 years of age).

ATTENDING(EDUCATIONAL/JOB TRAINING) -Refers to full time enrollment as evidenced by program administration.

AUTHORIZED REPRESENTATIVE - An individual who has the legal right to speak or act on the parent's behalf. Written authorization must come to the child care center or the OCY Designated Agent directly from the parent and be maintained in the appropriate file.

BEFORE-AND AFTER-SCHOOL CARE - Child care services for school-aged children (ages 5-12) during the hours before and after the regular school day. Under CCDF child care may be provided for children under the age of 13 and for those children under the age of 18 who meet the SSI definition of disability by having medically proven physical or mental condition(s) that caused marked and severe functional limitations expected to last at least 12 months in duration.

CARE GIVER - An individual at least eighteen (18) years of age with a high school diploma or equivalent (GED) who provides direct child care, supervision, and guidance to an eligible child.

MONTHLY CHILD CARE CO-PAYMENT FEES FOR PARENTS - A system of cost-sharing based upon income and size of the family for families who participate in the Child Care and Development Fund Program.

CHILD CARE AND DEVELOPMENT FUND (CCDF) - A federally-funded program designed to provide quality child care services to eligible very low-income families who are actively participating in an allowable TANF activity, transitioning off TANF, at-risk of going on TANF and are in need of child care in order to work OR are low-income families, employed or enrolled in an approved educational or training program.

CHILD CARE CERTIFICATE - A document issued by the OCY Designated Agent directly to a parent(s) who has been determined eligible for CCDF, who may use it as payment for child care services. A child care certificate is assistance to the parent, not assistance to the provider.

CHILD CARE FACILITIES

CENTER-BASED - A non-residential facility in which shelter and personal care is regularly provided for six or more children who are not related within the third degree computed according to the civil law to the operator and who are under the age of 13 and receive care for any part of a 24-hour day.

For all Child Care Centers, as defined above, related children of all staff must be included in the licensed number. These centers are considered commercial establishments and must meet all requirements of the Regulation Governing Food Service Sanitation. **Additionally, these licensed centers must remain in compliance at all times with the Mississippi State Department of Health's Regulations Governing Licensure of Child Care Facilities.**

FAMILY CHILD CARE HOME - An occupied residence in which shelter and personal care is regularly provided for five or fewer children who are not related within the third degree computed according to the civil law to the provider and who are less than 13 years of age and are provided care for any part of the 24-hour day. These homes may voluntarily register with the Mississippi State Department of Health and must be registered with the Office for Children and Youth, Mississippi Department of Human Services. The provider must be at least 18 years old and cannot be a biological parent of the child receiving assistance.

GROUP HOME CHILD CARE - An occupied residence in which shelter and personal care are regularly provided for six to 15 children who are not related within the third degree computed according to civil law to the operator and who are under the age of 13 and receive care for any part of the 24-hour day. Children related within the third degree are included in determining space and staff, but are not included in the licensed number.

CHILD CARE PROVIDERS

CENTER-BASED CHILD CARE PROVIDER - A provider licensed or otherwise authorized to provide child care services for fewer than 24 hours per day per child, in a non-residential setting, unless care in excess of 24 hours is due to the nature of the parents' work, education, or training.

FAMILY CHILD CARE PROVIDER - One individual who provides child care services for fewer than 24-hours per day per child, as the sole CARE GIVER, in a private residence, unless care in excess of 24 hours is due to the nature of the parents' work, education, or training.

GROUP HOME CHILD CARE PROVIDER - Two or more individuals who provide child care services for six to 15 children for fewer than 24 hours per day per child, in a private residence other than the child's residence, unless care in excess of 24 hours is due to the nature of the parents' work, education, or training.

IN-HOME CHILD CARE PROVIDER - An individual who provides child care services in the child's own home.

CHILD CARE SERVICES - Care provided for a fee by a child care provider to an eligible child or children in the parent's absence.

CHILD CARE WEEK - The period of time that child care is provided per week. The child care week may cover more than the normal five days. This is allowable as long as the OCY Weekly Child Care Reimbursement Tier rate is not exceeded.

CREDENTIALED DIRECTOR - A professional credential awarded to child care center directors operating licensed child care programs in Mississippi and those who aspire to be directors for the successful completion of a curriculum in Child Care Management Best Practice.

DEGREES OF KINDRED ACCORDING TO THE LAW:

FIRST	Parents and Children
SECOND	Siblings (brothers and sisters), Grandparents, and Grandchildren
THIRD	Uncles, Aunts, Nieces, Nephews, Great-Grandparents, and Great-Grandchildren

DISABLED PARENT - A person unable to care for herself/himself due to a condition documented by a physician stating the nature of the disability.

EARLY CHILDHOOD DEVELOPMENT PROGRAM - A preschool program (ages birth to kindergarten) that provides child care services to low-income working parents and eligible parents enrolled in an educational or training program.

EDUCATIONAL PROGRAM/JOB TRAINING -A program offering educational/job training content information. Programs must be accredited by the state or a national organization.

ELIGIBLE CHILD - A child whose parent(s) meets the eligibility requirements as set forth by the grant.

EXTENDED DAY CHILD CARE - Before-and after-school care for Head Start children (ages 3-4 or up to age 5) and school-age children (ages 5-12) who need such care due to the work schedule of their parent(s).

FAMILY - A unit where a child(ren) resides with a parent(s) who is related by blood, marriage, adoption, or legal guardianship.

FAMILY OF ONE - A child receiving child care services based upon his/her income received from SSI, foster board payment, etc.

FULL-DAY CHILD CARE - Child care provided for six or more hours of a 24-hour day. Full-day child care should meet the needs and reflect the work, education, or TANF training schedule of the parent with a maximum of 30 minutes of travel time each way.

GROSS INCOME - The parent's income before any deductions.

HALF-DAY - Child care provided for fewer than six hours per day.

INCOME ELIGIBLE (IE) - Income that is not supplemented by any public assistance other than food stamps or medical assistance, and does not exceed 85 percent of the State Median Income (SMI).

INCOME MAINTENANCE (IM) - Income from TANF or Supplemental Security Income and other public assistance.

INFANTS - Children from birth through 12 months.

IN-HOME CHILD CARE - Child care services for five or fewer eligible children for less than 24 hours a day in the child's own home. For TANF parents, these services may not be provided in the child's own home if the child care provider is included in the TANF assistance unit, such as a grandparent, aunt, or older sibling.

IN LOCO PARENTIS - Person standing in place of a parent, for example, a foster parent, a relative, or friend with whom the child resides if the child's parent is unable to act as the parent or has delegated his or her authority to someone else. The term describes someone who provides care and supervision like a parent but without going through the formalities of legal adoption or guardianship.

LICENSING OR REGULATORY REQUIREMENTS - Requirements necessary for a provider to legally provide child care services in a state or locality, including regulations and requirements established under State Local or Tribal law. The "Mississippi Child Care Licensing Law," Section 43-20-1, et seq., of the Mississippi Code of 1972 Annotated, which provides the legal authority under which the Mississippi State Department of Health prescribes minimum regulations for child care facilities defined under the law.

LOCAL SERVICE PROVIDER - See OCY Designated Agents.

LOW-INCOME - Income above the 50 percent of the State Median Income (SMI) or at or below the 85 percent of the SMI.

MINIMUM FEE - An assessment of $10 per month for full-day child care services and $5.00 per month for half-day before-and after-school/extended day, etc. child care services.

MHS TANF CASE MANAGER - An employee of the Mississippi Department of Human Services, Division of Economic Assistance, that provides case management services, supportive

services, and referrals for child care services for active TANF participants at the local/county level supportive services, and referrals for child care services for active TANF participants at the local/county level.

NON-TRADITIONAL CARE - Includes night care and supervision of school-age children for less than 24 hours per day that occurs within the twelve hours between 6:00 p.m. and 5:59 a.m., or weekend care and supervision of children that takes place between 6:00 p.m. Friday and 5:59 a.m. Monday.

OCY DESIGNATED AGENT - An OCY Subgrantee who administers the CCDF Certificate Program for a specified number of counties.

PARENT - A mother or father by blood, marriage, or adoption, a legal guardian, or other person standing in loco parentis.

PRESCHOOL - Children from three years of age through kindergarten.

PROVIDER - The entity providing child care services.

REIMBURSEMENT TIERS - The established rates for child care services based upon the age of the child, type of child care provider, hours of child care, and OCY approved tier criteria.

RESIDING/LIVING WITH - Refers to persons who regularly spend more than 12 hours per day together in the same dwelling for non work-related purposes.

SEASONAL WORKERS - Individuals who are temporarily unemployed due to the nature of their work.

SPECIAL NEEDS/DISABLED PARENT - A parent who meet s the SSI definition of disability by having medically proven physical or mental condition(s) that cause marked and severe functional limitations expected to last at least 12 months in duration and render the parents incapable of self-care. The condition(s) must be documented by a physician. In the absence of SSI benefits, medical documentation should attest to the degree of functional limitation(s) and prescribe the special care needed. If the parent is unable to manage their personal affairs, the application should be made in the parent/guardian or responsible adult's name. If the disabled parent receives SSI, the income maintenance fee of $10.00 should be applied to the child(ren). Short Term disability medically documented will be handled on a case-by-case basis with approval by OCY.

SPECIAL NEEDS CHILD RATE - Special Needs rates may be applied for children through the age of 18 who meet the SSI definition of disability by having medically proven physical or mental condition(s) that cause marked and severe functional limitations expected to last at least 12 months in duration and render the child(ren) incapable of self-care. The condition(s) must be documented by a physician. In the absence of SSI benefits, medical documentation should attest to the degree of functional limitation(s) and prescribe the special care needed.

STATE MEDIAN INCOME (SMI) - The average income of all Mississippi workers.

SUMMER CARE - Child care for children during the summer months, when school is not in session.

SUPPLEMENTAL SECURITY INCOME (SSI) - A monthly payment to a person for having a medically proven physical/mental or physical condition that causes marked and severe functional limitations that are expected to last at least 12 months in duration.

TANF (Temporary Assistance for Needy Families) - The block grant that replaced the Aid to Families with Dependent Children (AFDC) and Job Opportunities and Basic Skills Program (JOBS). Benefits are time-limited, mandating that families move quickly into work activities leading to self-sufficiency.

TERMINATED CHILD CARE CERTIFICATE - A certificate that has been used as payment for child care services for a period of time and is no longer valid. Reasons that certificates would be terminated include, but are not limited to, the following: giving false information, change in a provider, change in rates, change in funding sources (example: from CCDF to TANF), or there has not been a request for reimbursement on a Child Care Certificate 60 days after the certificate has been issued.

TODDLERS - Children the age of 13 months and less than 36 months.

TRANSITIONAL CHILD CARE (TCC) - Up to 24 months of subsidized child care for eligible parents.

VERY LOW INCOME - Income at or below the 50 percent of the State Median Income (SMI).

WITHOUT REGARD TO INCOME (WRI) - Income that is irrelevant; therefore, it is not to be considered. The only children who are to be considered WITHOUT REGARD TO INCOME are in court-ordered Protective Services Cases 340 and Preventive Services. The only documentation necessary to determine eligibility is the referral form from the Division of Family and Children's services and proof of the parent's work or exemption.

WORKING - Performing duties to earn a wage or complete educational/job training such as practicums or internships.

MISSISSIPPI DEPARTMENT OF HUMAN SERVICES
OFFICE FOR CHILDREN AND YOUTH
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JACKSON, MISSISSIPPI 39202

CHILD CARE POLICY MANUAL

FFY - 2011

Effective: October 1, 2010

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Child Care Policy Manual

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MISSISSIPPI DEPARTMENT OF HUMAN SERVICES
OFFICE FOR CHILDREN AND YOUTH
CHILD CARE POLICY MANUAL

CHAPTER 1

INTRODUCTION

Section 100 - This Policy Manual establishes policies and procedures for the Office for Children and Youth and the OCY Designated Agents in the administration of the Child Care Certificate Program.

Section 101 - The Office for Children and Youth (OCY) establishes policy in compliance with the Child Care and Development Block Grant Act, as amended, the Child Care and Development Fund (CCDF) regulations, and the CCDF State Plan. The OCY Designated Agents are authorized by subgrants to administer the CCDF Child Care Certificate Program. The OCY Designated Agents must adhere to the OCY Child Care Policy Manual and the Mississippi Department of Human Services (MDHS) Subgrantee/Contract Manual (Revised March 2005), and any policy bulletins, memoranda, and other instructions from OCY or the Mississippi Department of Human Services.

Section 102 - Parental choice in the selection of a child care provider is the cornerstone of the Child Care and Development Fund. Services to eligible parents are to be provided as quickly and efficiently as possible, subject to the availability of funds. The OCY Designated Agents should make available to all child care providers and parents all policies herein specifying duties, requirements, and responsibilities required of them. The OCY Designated Agents must also make available documented training on the policy herein, for all licensed child care providers serving certificate children, no less than annually. The person designated to attend may be the Director, Owner, or an authorized representative. A modified training package will be sent certified mail to the providers who do not attend the training session. The packet will include a statement acknowledging the receipt of the training material and also that it has been read and understood. The provider must sign and return the statement within thirty (30) days upon receipt.

SECTION 100 - CHILD CARE SERVICES

100.01 PURPOSE OF FUNDING SOURCE

This manual sets forth policies and procedures for the Child Care Certificate Program, funded by the Child Care and Development Fund (CCDF) and administered by the Mississippi Department of Human Services (MDHS), Office for Children and Youth (OCY).

The purpose of the Child Care and Development Fund, according to federal regulations, is to "increase the availability, affordability, and quality of child care services." The goal of OCY through the certificate program is to offer a seamless system of high quality child care which supports both children and their families, and operates within federal guidelines.

CCDF funds will be used to provide child care services for Temporary Assistance for Needy Families (TANF), Transitional Child Care (TCC) Families, and eligible families at risk of going on TANF with very low-income and low-income. Very low-income families are those whose income is at or below 50 percent of the State Median Income (SMI). Low-income families whose income falls above 50 percent and at or below 85 percent of the SMI.

100.02 LEGAL AUTHORITY

Title VI -Child Care and Development Fund (CCDF)
Legislation: Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193).
Regulations: 45CFR Parts 98 and 99 and Final Regulations published in the Federal Register, July 24, 1998 at 63 FR 39981.

100.03 CHILD CARE RESPONSIBILITIES AND THE RIGHT TO PARENTAL CHOICE

(1) Parents are legally and morally responsible for their children and have the right to select the child care provider of their choice.

(2) Child care providers are responsible for providing a safe and secure nurturing environment for children in their care.

(3) The OCY Designated Agents must assist parent(s) in assessing their child care needs and, upon request, provide a list of licensed facilities for parent(s)

who do not have a ready choice. The OCY Designated Agents must not influence parent(s) to choose a particular provider and/or facility.

100.04 NON-DISCRIMINATION POLICY

Individuals shall not be discriminated against on the basis of race, color, sex, national origin, religion, age, or handicapping conditions in the provision of child care services.

100.05 SAFEGUARDING INFORMATION

Employees of the OCY Designated Agents and child care providers are prohibited from using or disclosing any information concerning a parent's use of services for any purpose not in conformity with federal and state requirements, except with the written consent of the parent or authorized representative. The public will not be able to request a copy of clients' information and/or records. An authorized representative is an individual who has the legal right to speak or act on the parent's behalf. Documentation of this designation must be contained in the parent's file. (See Appendix 100).

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SECTION 101 - CHILD CARE CERTIFICATE PROGRAM

101.01 POLICIES AND PROCEDURES FOR THE CHILD CARE CERTIFICATE PROGRAM

The child care certificate is a document issued directly to eligible parent(s) or authorized representatives, provided that funds are available. The certificate allows the parent to select the child care provider of his/her choice. (See Appendix 100.01).

101.02 PRIORITY POPULATIONS

If funds are available, children must be served on a first-come, first-served basis in order of priority. Applications must be date-stamped as they are received. CCDF child care services will be available to children of parents using the following priorities:

1st Child Care for Temporary Assistance for Needy Families (TANF)

2nd Child Care for Transitional Child Care (TCC)

3rd Children of very low-income working parent(s) whose income is at or below 50 percent of the State Median Income (SMI) who are at risk of going on TANF, in the following order:

- A. Children in Protective Services or Foster Care;
- B. Children with Special Needs (up to 85% of the SMI);
- C. Children of parent(s) deployed in the Mississippi National Guard, or Reserve (up to 85% of the SMI);
- D. Children of Teen Parent(s) currently enrolled in high school full-time;
- E. Children of all other eligible parent(s) at this income level.

4th Based upon the availability of funding, children of parent(s) working the required 25 hours per week whose income falls above 50 percent of the SMI and at or below 85 percent of the SMI.

5th Based upon the availability of funding, children of parent(s) in an approved full-time educational or training program or **enrolled in full time online classes** and working less than 25 hours per week regardless of where the family income falls up to 85 percent of the SMI.

6th Based upon the availability of funding, children of parent(s) in an approved full-time educational or training program or **enrolled in full time online classes** and not working.

101.03 ROLL-OVER

(1) The roll-over process should be completed in a timely manner in order to ensure that there are no interruptions in child care services. Based upon eligibility of funds, the OCY Designated Agents will mail a notice to all current parent(s) and providers that child care certificates will end September 30. An application packet for child care services beginning October 1 will be included with a notification to the parent(s). Parent(s) should be rolled-over based upon the established priorities. At roll-over, for active TCC certificates, the parent's eligibility will continue until the end of the TCC 24 month period, or until a termination notice is received from the case manager, whichever comes first. At roll-over, a new TCC certificate for the new program year will be issued and mailed to the parent and provider for signatures for child care to continue into the new program year, with the end date corresponding to the end date of the parent's 24 month TCC period. Paycheck stubs reflecting a 30-day period prior to the application date are acceptable to document employment. The OCY Designated Agents should establish a reasonable deadline (not less than 15 working days) for the return of all applications. If a parent(s) will be using the same provider as the previous fiscal year, the new year certificate can be issued using the signatures on file. This applies to the certificate, the Standard Assurances, the Conditions of Agreement, the Fraud Statement and the Parent Agreement form, the W-9 and the Basic Health and Safety form, providing these forms do not reflect an ending date or reflect any approved policy revisions.

(2) The OCY Designated Agents should notify parents that families at or below 50 percent of the State Median Income will be rolled over prior to families at or below 85 percent of the State Median Income. After the families **at or below** the 50 percent have been rolled over, families at 50 percent of the State Median Income on the waiting list **in order of date on application** should be served prior to completing the rollover process for the families in 85 percent of the State Median Income.

(3) Incomplete Applications - For parent(s) who do not return packet or return an incomplete packet, (incomplete documentation, unsigned, not enough hours on the check stubs, etc.) by the established deadline, the OCY Designated Agent should mail the parent(s) a certified letter, return receipt requested along with a checklist with the incomplete item(s). Do not return the entire application packet. Ten (10) working days should be allowed for the client to submit the information. If the parent(s) fails to submit the information within the ten (10) working days, the application may be closed. If the parent(s) fails to submit a long-form birth certificate but a copy is already in the child's file, that copy satisfies the requirement to submit this item.

101.04 WAITING LIST

(1) Based upon CCDF federal requirements, the OCY Designated Agents should maintain a current waiting list of all families requesting child care services regardless of the availability of funds. The OCY Designated Agents should not limit the waiting list. Families in Priority 1 or 2 should receive services automatically and not be placed on the waiting list. A parent(s) in the 4th, 5th, or 6th Priority Population previously receiving child care services who cannot be rolled-over due to lack of funding should be placed on the waiting list by priority. Parent(s) should not be placed on a waiting list when funds are available.

(2) In order to make certain that parents are served on a first-come, first-served basis, parents must be notified, in writing, to update their child care request for the waiting list prior to removing their names from the waiting list after a one-year period.

(3) It is possible that some applicants who return information prior to the deadline will have to go on the waiting list if funding is not available. As funds become available during the year, certificates may be issued according to priority population and date application was received.

(4) Applications are processed according to the priority of the applicant. For instance, if an application is received in December for a child in Protective Services or Foster Care, a child with special needs, a child of a militarily deployed parent, or a child of a teen parent, will be given priority over a child of a parent in Priority 3-E whose application was received earlier. If an application is received in December for a Priority 3 parent, that application will be given priority over a Priority 4 parent whose application was received earlier.

(5) Designated Agents are to maintain waiting lists in order of both the priority and date of the application. When funds become available, applications will be processed first according to priority; second by date received.

(6) When funds become available during rollover, certificates should be issued by priority. All existing Priority 3A parents should be served first; second, those who were enrolled in an educational/training program the semester prior to the beginning of the waiting list; third, those on waiting list by order of application date; fourth, existing Priority 3B parents; fifth, those who were enrolled in an educational/training program in the semester prior to the beginning of the waiting list; sixth, add waiting list parents by date of application and so on.

SECTION 102 - CRITERIA FOR CHILD CARE SERVICES

102.01 ELIGIBLE PROVIDERS

Parents have the right to choose the type of child care they would like for their child. The Office for Children and Youth has categorized the choices available to parents as follows: a child care center, group home, family day care home, relative provider (in-home or out-of-home) and a non-relative provider (in-home or out-of-home). **See Glossary of Terms for definitions of each.**

(1) Child Care Centers and Group Homes - In order to receive reimbursement for services rendered, a child care center or group home must be licensed by the Mississippi State Department of Health. A copy of the license must be filed with the OCY Designated Agent. The child care center or the group home must have a current license or a license that is pending. **Additionally, these licensed centers must remain in compliance at all times with the Mississippi State Department of Health's Regulations Governing Licensure of Child Care Facilities.**

If a center's license expires and services are being provided for children on the certificate program, the OCY Designated Agent may continue to pay the provider under the following conditions:

a. The Health Department has not officially closed the center;
b. The center's director submits a written request, on center letterhead, for child care payments to continue; and
c. The center provides copies of the licensing renewal fee payment, documentation of a current inspection, and a copy of correspondence from the licensing division stating why the license has not been renewed; and
d. A center with an expired license will be reimbursed for children with a current certificate up to the time frame allowed by the Mississippi State Department of Health; however, no new certificates will be issued until the license is renewed.

(2) Family Day Care Homes and Relative/Non-Relative Providers - In order to receive reimbursement, all unregulated providers must keep a record of immunizations for all children in their care and a copy of the Basic Health, Safety and Nutrition Assurances. A signed copy of the *Basic Health, Safety and Nutrition Assurances* certifying that they will follow the guidelines should also be filed with the OCY Designated Agent. Individual, unregulated providers must be at least eighteen (18) years of age and are prohibited by law from keeping more than five (5) children who are not related to the provider within the third degree computed according to civil law. A child care provider may not be reimbursed if they reside in the same household as the child(ren). Proof of separate residence may be required. **Proof of residence will be established with a current driver's license or state issued I.D. and another form of identification that reflects the same address. A current bank statement, cell phone bill, utility bill or cable bill are acceptable.**

Addresses must match the address given as the location of care submitted on the application.

All individuals over the age of 18 years of age (relative and non-relative) residing and/or working full or part time in a home where childcare is given must clear the Child Abuse and Neglect Central Registry Check in order for a provider to be deemed eligible. Upon initial application to become an eligible provider, all in-home child care providers must complete and return the Child Abuse and Neglect Central Registry Check Form 107 to the OCY Designated Agent with their application. Additionally, providers are required to submit Form 107 on an annual basis. Providers will be deemed ineligible to participate in the certificate program in the event that they have prior convictions of child abuse and/or neglect. If an individual residing and/or working with the provider is found to have a prior conviction of child abuse and/or neglect, eligibility will be suspended until such time as the provider can provide proof that the offending individual no longer resides in the home. Failure on the part of the provider to accurately complete Form 107 may result in suspension/debarment from participation in the certificate program. Funds may be recouped.

102.02 APPLICATION PROCEDURES

(1) TANF parents are not required to complete an application for child care services. The Case Managers will indicate on the referral form whether full or part-time child care is required. See Appendix 102 for referral to the Boys and Girls Clubs.

(2) TCC Parents whose MDHS TANF child care is ending should be given an official referral form (See Appendix 102) by the Division of Economic Assistance. The referral form should note whether the Child Care Certificate should be written for part-time or full-time child care and forwarded to the appropriate OCY Designated Agent. TCC parents should be served regardless of the number of hours worked. Parents receiving TCC child care and whose income is at or below 85 percent of the SMI must be served until the end of the TCC eligibility period even if no other families are being served in the 85 percent category. The Division of Economic Assistance has extended the eligibility period for TCC services from 12 months to 24 months.

(3) Parents at Risk of Going on TANF - Very Low-income Parents and Low-income Parents - Applications for assistance may be obtained by calling the OCY Designated Agents. Applications will be mailed promptly in response to requests. Toll-free numbers are available to parents to use in requesting applications. Parent(s) can obtain these toll-free numbers from child care facilities and from MDHS Resource and Referral. A Documentation Checklist will be issued by the OCY Designated Agent with each child care application.

The parent's Statement of Agreement will be issued with the certificate.

After the parent completes the application, they can either mail or bring it to the office of the OCY Designated Agent. The OCY Designated Agent will review the information to determine eligibility and send a written notice of eligibility or ineligibility, or non-availability of funds. If the parent falls within a priority group for which funds are available, a certificate will be issued and given or mailed to the parent, who has up to ten days to return the signed certificate to the OCY Designated Agent.

(4) Foster Care, Protective Services and Prevention Services – Children that are receiving services by the MDHS-Division of Family and Children's Services. A referral will be made by the Division of Family and Children's Services to the OCY Designated Agent, using form MDHS-DFCS-43-11 (See Appendix 103.01).

Foster Care – Children that are court ordered in custody of DHS and placed in a licensed foster family home or placed with an approved relative/kinship caretaker. In determining eligibility, a Foster Child is considered a family of one; however, the foster parent(s) are required to meet the work/educational or training requirements unless exempted by the Division of Family and Children's Services due to extenuating circumstances. When a foster child is placed in a county other than the county of residence, the OCY Designated Agent responsible for the county of the child's residence should process the child care certificate.

Protective Services – Children that are court ordered to receive Protective Services from DHS-DFCS. These children are living in the home of a parent or relative/kinship caretaker. To be eligible for child care assistance, the caretaker must be working the minimum of 25 hours or enrolled in an educational training program and working the minimum required hours, unless exempted by the Division of Family and Children's Services due to extenuating circumstances. The child should be served without regard to income.

Prevention Services – Children residing with a family that is receiving Prevention Services from the DHS-DFCS. These children are living in the home of a parent or relative/kinship caretaker. **In cases where children remain in the home with parents, neither income of parents or employment may be considered. If a child is placed outside the home, in order** to be eligible for child care assistance, the caretaker must be working the minimum of 25 hours or enrolled in an educational/ training program, **or either traditional or on line format, on a full time basis,** unless exempted by the Division of Family and Children's Services due to extenuating

circumstances. The child should be served without regard to income.

When a child's case is closed by the Division of Family and Children's Services, that agency will send a Notification of Termination of Child Care Services (See Appendix 103.03) for children that had been receiving services through Foster Care, Protective Services or Prevention Services to the OCY Designated Agent.

(5) Household Members - An applicant who has a child younger than 21 years old in the home attending school and/or disabled and is considered a dependent, should be counted as a household member.

(6) Separated Status - When it is strongly believed that a parent is married even though he or she claims to be separated, additional documentation may be requested.

(7) When a child lives in the home of a care giver that is of the age of 65 or older and is not the biological parent of the child, no employment requirement exists in determining eligibility.

102.03 ELIGIBILITY DETERMINATION FOR SERVICES

(1) Eligibility Guidelines by Priority Group

a. TANF Parent(s) (Prorated 1) - Eligibility for child care service for TANF parent(s) is determined by the MHS, Division of Economic Assistance Case Manager. The TANF parent is required to participate in an allowable TANF program activity. Each participant must comply with all the requirements of the TANF program. See Appendix 102 for the automated referral process.

b. TCC Parent(s) (Priority 2) - Eligibility for TCC child care services should be determined from information contained in the MHS Case Manager's TCC referral. TCC parent(s) should be served regardless of the number of hours worked. If the monthly income amount is not stated on the referral, paycheck stubs may be requested from the Case Manager or from the parent(s). TCC parent(s) must complete an application and submit documentation prior to a certificate being issued. The effective date should coincide with the date listed on the referral form received from the Division of Economic Assistance. Extenuating circumstances will be handled on a case-by-case basis. Parent(s) leaving Priority 2 should be placed in the appropriate priority based upon income, family size or other determining factors.

c. Very Low-income, At Risk of Going on TANF (Priority 3) - In order to qualify for full-time child care, the parent must be working at least 25 hours per week, or be enrolled full-time in high school , enrolled in a full-time GED program, **or other approved educational or training program.** Unpaid work hours required to complete course work for the school curriculum and/or work study may be counted toward the work requirement for the parent. Documentation must be provided on a case by case basis. In a two-parent family, each parent must be working at least 25 hours per week or one parent must be working at least 25 hours per week and the other parent must be enrolled in an approved full-time educational or training program. The family's gross income must be at 50 percent or below the State Median Income. Children in Protective Services are eligible for child care services without regard to the income. Foster parent(s), Protective Services, and Preventive Services parents, custodians or guardians must meet the same work or school requirement as non-foster parent(s) but without regard to the amount of the foster parents' income. Children with special needs and children of deployed parents may be served in this Priority up to 85% of the SMI. Irregular hours of employment and income should be averaged.

d. Low-income, At Risk of Going on TANF (Priority 4) - In order to qualify for full-time child care, the parent must be working at least 25 hours per week, or be enrolled full-time in high school or enrolled in a full-time GED program, **or other approved educational or training program**. Unpaid work hours required to complete course work for the school curriculum and/or work study may be counted toward the work requirement for the parent. Documentation must be provided. In a two-parent family, each parent must be working at least 25 hours per week or one parent must be working at least 25 hours per week and the other parent must be enrolled in an approved full-time educational or training program. To be Priority 4, the family's gross income must be at or above 50 percent of the State Median Income and at or below 85 percent of the State Median Income. Irregular hours of employment and income should be averaged.

e. Post-Secondary Students - If a parent falls in Priorities 5 or 6, certificates should only be written for one semester at a time. **The beginning date of the certificate should be the first day of the month of class, for which proof of enrollment was provided, and the ending date is the last day of the month ending the semester. Students should be allowed 30 days from the ending date of the previous semester to complete the application process. Graduating seniors will have up to 60 days to find employment before their certificate is terminated, unless determined eligible otherwise.**

f. Resident - In/Out of State Students - If a parent attends school in/out of state, the application should be made in the parent's name using the address where the child(ren) resides.

g. The 25 hours per week work requirement is reduced for foreign students who hold a VISA because they are permitted to work only on campus for 20 hours per week. In order to remain eligible a copy of the VISA must be submitted annually to make sure it is current.

h. Parents may apply for a certificate who have been laid off or have lost their job for other reasons. These certificates will be issued for 60 days from the parent(s) last date of employment.

(2) Income to Be Considered in Calculating Total Family Income

a. Gross income of applicant and spouse should be considered if the spouse is living in the home. Do not consider a spouse's income if they are separated **and residing in a separate residence.** All income above or less than 40 hours per week is considered irregular income. Irregular income and commissions should be averaged. For commissions and tips, the amount on the paycheck stub or statement from an employer should be averaged and added to regular work income. Do not consider bonus monies as income. **If a parent is self-employed, individual/family total income is considered.**

b. Social Security benefits for parents and child(ren) must be counted as income.

c. If a parent receives Supplemental Security Income (SSI), it should be counted as income. If a child(ren) receives SSI, the SSI for the child(ren) should not be counted as income.

d. Income earned by an adult living in the home, not married to the applicant, but who is the biological parent of the child for whom services are being requested, income should be counted. If there is another adult residing in the home with the applicant to whom the applicant is not married, do not count that person's income or impose a work requirement for them or include them in the number in the household unless they are the biological parents of the child(ren) for whom application for service is being made.

e. Parents must comply with Child Support Enforcement requirements in order to receive a child care certificate(s). A Verification for Child Support Services Form should be mailed to parents as part of the Child Care Certificate Application packet. (See Appendix 100.06). Parents must complete the

Verification Form and return it to the OCY Designated Agent as part of the completed application.

All single or separated parents who do not currently have an open child support case must contact the MHS County Child Support Office for an appointment to open a case(s). Married parents are not required to go through the MHS, Division of Child Support Enforcement.

MHS, Division of Child Support Enforcement may provide exemptions based upon Claims of Good Cause such as, but not limited to:

I The noncustodial parent has caused physical and/or emotional harm to the child.

ii. Physical and/or emotional harm caused by the noncustodial parent to the relative caring for the child limiting the custodial parent's ability to care for the child.

iii. A child conceived as a result of incest or rape.

iv. Pending legal adoption proceedings.

v. A public or private social services agency assisting you, the custodial parent, to decide whether to keep the child or to release the child for adoption.

Parents should only contact MHS, Child Support Enforcement, to open a new Child Support case or to request a statement that the child or children are exempt and the parent is excused from cooperating.

When the completed Verification for Child Support Form is received by the OCY Designated Agent (DA), the DA will:

a. If the parent has checked "yes" in the first column, indicating that they have a Child Support case through DHS, pull up the Child Support website,

b. Search by parent's Social Security Number,

c. Click "select" and pull up and print the parent's information, including payments,

d. Attach the printout to the application and use the amount when calculating income and co-payment for the parent,

e. At 6-month re-certification, repeat step "c" above.

f. Any parent enrolled full-time in high school or in a GED program may make an application in his/her own name, as a family unit separate from his/her parent. If the parent is under age and living with his/her parent(s), the parent of the teen must meet the work requirements; however, the teen's parents' income should not be considered.

g. If a teen parent lives in the home with her parent(s) or guardian, then the parent(s) or guardian of a teen parent under the age of 18 must sign the certificate and forms along with the teen parent.

h. No adult living in the home with the child may be paid for child care. Extenuating circumstances will be handled on a case-by-case basis. The biological parent of a child shall not be reimbursed for providing child care for his/her own child(ren).

(3) Documents Required for Eligibility Determination

a. Income Documents:

I. Two paycheck stubs from within the past 30 days. If paid once a month, only one check stub is required.

ii. If a new job, the employer's letter on employer's company letterhead or employer's notarized statement verifying employment, income, rate of pay and number of hours worked. Actual check stubs must be submitted within 30 days.

iii. Parents paid in cash should obtain a certified letter from the employer on company letterhead or employer's notarized statement verifying employment, income, rate of pay and number of hours worked.

iv. Parents employed by temporary agencies may be certified with an original letter from an employer on company letterhead verifying employment, rate of pay, and number of hours worked. The letter of employment must be followed up with check stubs within 30 days.

v. Copy of Estimated Quarterly Tax Report if self-employed, or some form of income documentation approved by the OCY Designated Agent. **Other acceptable forms of income include 1040 and Profit or Loss Statement (Schedule C). Designated Agents should use the "Total Sales and Receipts" amount located on the Profit/Loss Statement to determine if the work requirement has been met. Designated Agents should use the amount located on line 22 of the Federal 1040 Tax Form to determine income eligibility.**

vi. THE WORK NUMBER, an automated service is an option for income and employment verification. This service is an acceptable source for documenting employment and income. THE WORK

NUMBER can be used instead of the employer's notarized statement or information on the employer's letterhead. Therefore, copies of check stubs are NO LONGER required to be submitted. THE WORK NUMBER'S website is www.theworknumber.com., e-mail address is govinfo@theworknumber.com or 1-800-660-3399.

b. Educational Documents:

Provide enrollment documentation **in the form of a letter from the institution's registrar confirming current full time enrollment.** GED classes should be handled the same as any other approved educational training.

c. Additional Documents:

I Long Form Birth Certificate - A 90-day grace period may be allowed to receive the birth certificate for a newborn. A 30-day grace period will be allowed for all other children. Any certified copy of the birth certificate should be accepted if both parents are listed, unless the father is unknown.

ii. Verification of social security numbers can be obtained from a copy of the social security card, immunization record, or other official document showing child's and/or a parent's name and social security number.

iii. **The OCY Designated Agents must provide a statement that makes it clear to CCDF applicants that the provision of a Social Security Number is voluntary and that benefits will not be denied or withheld for the failure to furnish a Social Security Number. Instructions may be given to parents explaining how the Social Security Number will be used if provided, in order to encourage applicants who choose to provide them (e.g. to identify individuals with the same name).**

iv. **If it is necessary for parents to supply additional documentation of proof of residence, the parent must supply a current driver's license or state issued I.D. and a current bank statement, cell phone bill, utility bill or cable bill. The addresses on the driver's license, I.D. and bank statement/bill must match and corroborate the address of residence supplied to the Designated Agent's office.**

(4) Requirements for a Disabled Parent

If a two-parent family applies for assistance and one parent is working and the other **has a disability** and unable to care for the child(ren), child care can be provided if a written statement is submitted by a physician stating the nature of the disability and that the parent is unable to care for the child(ren).

If a single parent **has a disability** and has a physician's statement stating the nature of the disability and that the parent is unable to care for the child(ren), the application should be made in the responsible guardian's name. The responsible guardian is the person responsible for the parent's affairs; the guardian must meet the work requirement. The disabled parent's Supplemental Security Income should be used to calculate the co-payment fee.

If a single parent is disabled and there is no guardian, the application should be in the single parent's name. Child Care can be provided if a written statement is submitted by a physician stating the nature of the disability and that the parent is unable to care for the child(ren).

If the guardian with whom the child(ren) reside(s) **has a disability**, child care can be provided if a written statement is submitted by a physician stating the nature of the disability and that the guardian is unable to care for the child(ren). Verification of cooperation with Child Support Enforcement is required if the parents are not deceased.

(5) Parents enlisted in the United States Military and Deployed

When parents are enlisted in the United States Military and deployed, the eligibility should remain the same until the parent can provide the Military Income. The parent should provide the Military Income as soon as he or she has documentation. The grandparents or the responsible guardians' income should not be counted but the grandparents or the responsible guardian must meet the 25 hours per week work requirement, **unless they are 65 years of age or can provide proof that they have retired from full-time employment.**

(6) Pell Grants

Pell Grants should not be considered as income when determining eligibility. Pell Grant funds and child care subsidy payments can be used simultaneously for child care services.

102.04 RE-DETERMINATION

(1) Determination of the parent's eligibility is to be re-established after the parent has been receiving child care services for six months. The OCY Designated Agent will send a letter to parent(s) requesting check stubs or other verification of employment or enrollment in school and asking the parent(s) if there has been a change in marital status or household size. (See Appendix 104). If the child care application packet is not returned by the due date, a second notice should be mailed certified return receipt requested. If the mail has been returned undeliverable, the child care provider, if known, should be notified.

(2) When income is recalculated and there is a change in a co-payment fee, a notice is sent to the parent and the provider. If income increases beyond 85 percent of the State Median Income, child care will be terminated, giving a two-week notice. If the parent is no longer working, child care will be terminated, giving a two-week notice to the child care provider. If the parent has been temporarily laid off or has lost a job for other reasons, child care will not be terminated until 60 days after the last work day, giving the parent time to be reinstated in their job or to search for a job. The child care provider must be notified that child care may be terminated within 60 days. If during redetermination (or at any other times) it is discovered that a parent has exceeded the maximum of 60 days of unemployment, the OCY Designated Agent is allowed to issue an immediate termination of services.

(3) Re-determination of eligibility may be completed within six months of either the issue date or the effective date of the certificate.

SECTION 103 - CO-PAYMENT FEES

103.01 DETERMINING CO-PAYMENT FEES

TANF parents are not assessed a co-payment fee. For all other parents, co-payment fees are determined based upon the parent's family size and income according to the CCDF Child Care Monthly Co-payment Fee Scale for Parents. (See Appendix 105).

Co-payment fees are redetermined when there is a change in the parent's income or household size, or during semiannual redetermination of eligibility.

Household Members - An applicant who has a child not yet 21 years old in the same home attending school and/or disabled and is considered a dependent, should be counted as a household member.

103.02 ASSESSING CO-PAYMENT FEES PER CHILD

If a parent has one child receiving full-time child care services, the total co-payment fee should be placed on that child's certificate. If a parent has one child receiving part-time child care services, only half of the total co-payment fee should be placed on the child's certificate.

If one child is in full-day care and part-day care during the same month, the fee should be assessed on the majority of the type of care provided. For example, if a child is served 16 part-time days and five full-time days, the part-time co-payment fee would be assessed for the month.

If a parent has more than one child receiving full-time service, the total co-payment fee is divided equally among the number of children receiving care. If two or more children are receiving part-time services, one half of the divided fee should be placed on each certificate. If a parent has children receiving before/after child care and holiday/summer child care, a full co-payment fee and a half co-payment fee are placed on each certificate and the appropriate fee is deducted during the payment cycle.

Exceptions:

If a parent has two children, one who is receiving full-year, full-time child care and one being added for holiday/summer child care only, the co-payment fee for the full-year, full-time care will remain the same. The parent is assessed an additional $10.00 fee for the child receiving holiday/summer child care.

If a parent has two or more children receiving full-year, full-time child care and one child receiving holiday/summer care only, the total co-payment fee is divided equally among the children attending full-time. The parent is not assessed a co-payment fee for the child receiving holiday/summer child care.

Parents assessed a minimum co-payment fee are:

- Foster Children
- Children in Protective/Preventive Service
- Special Needs Children - Special Needs status must be documented. If there are other children in the family who are receiving child care services, the fee will be $10 or the child's prorated share of the family's co-payment fee, whichever is less.

103.03 NON-PAYMENT OF FEES

Co-payment fees are to be paid during the current month directly to the provider according to payment arrangements established by the provider and parent. If a parent fails to pay the co-payment fee prior to the end of the month, the provider is required to notify the OCY Designated Agent. Non-payment of co-payment fees may result in termination from the certificate program. If the parent requests a change in a provider prior to fees being paid in full to the original provider, the parent must pay all co-payment fees before a new certificate is issued. It is the responsibility of the provider to report non-payment of co-payment fees to the OCY Designated Agent. The provider may not charge parents any cost over the assigned co-payment fee unless the cost for child care to the general public is higher than the amount paid by the certificate program.

103.04 CO-PAYMENT RECOUPMENT/REPAYMENT

If a parent's fee was assessed at a rate higher than the correct fee, the parent is to be reimbursed by the OCY Designated Agent for the difference for each month paid. The correct fee is to be noted on the certificate and a notice of the change forwarded to the provider and the parent.

If a parent's fee was assessed at a rate lower than the correct fee, the parent and the provider are to be notified that the fee will be adjusted for subsequent months to make up the difference for each month paid. If the amount in question is less than $50.00, an adjustment to the fee is made but recoupment is not necessary.

103.05 PRORATING CO-PAYMENT FEES

The assessed co-payment fee reflects a monthly rate regardless of attendance. If a child is enrolled between the 1st and 15th of the month, the full monthly co-payment fee is assessed for the first month of service. If the child is enrolled between the 16th and last day of the month, one-half of the monthly co-payment fee is assessed for the first month of service. If a parent desires to change a provider during the month, it is the parent's responsibility to pay the co-payment fee to any subsequent providers.

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SECTION 104 - PAYMENTS TO PROVIDERS FOR CHILD CARE SERVICES

104.01 SIGN-IN/OUT SHEETS

Providers are required to record accurate attendance and absences on sign-in/out sheets and on daily class rolls for each child in order to complete the payment ledger. The sign-in/out sheets must show the child's name, the full name of the parent/guardian or parent's authorized representative, the time the child is signed in with the signature of the person signing the child in, and the time the child is signed out with the signature of the person signing the child out each day.

104.02 PAYMENT LEDGERS

(1) Payment ledgers are mailed to providers monthly. Providers are required to sign the ledger on the provider signature line and on the Tier 1 signature line, if applicable. If the center's OCY Credentialed Director is not the owner of the center, the staff person who is the OCY Credentialed Director must sign on the Tier 1 signature line, and the owner must sign the ledger as well.

(2) If a certificate has been completed for retroactive care, ledgers for each applicable month will be forwarded to the provider for completion.

(3) Licensed providers are to provide a written explanation at the bottom of the ledger for each child who is absent for three consecutive days. Unlicensed providers are paid for actual attendance only.

104.03 RATES AND CENTER POLICIES

(1) Licensed providers must file a copy of the center's published rates with the OCY Designated Agent. If attendance recorded on the ledger does not correspond with the provider's excused absence policy on file, payment will not be issued. Providers are not allowed to charge a higher rate to families in the certificate program than the rate charged to the general public. (See Appendix 106).

(2) If the child care center's policy states that a program stipend will be provided to non-certificate children, the provider must document the amount and the source of funds for each child on a monthly basis. Parents co-payment fees cannot be used as children's stipends. This documentation must be in hard copy such as check stubs receipts, etc., that will show Mississippi Department of Human Services auditors a clear paper trail of cash infusion from non-tuition sources and non-child-care-certificate monies sufficient to cover the full amount of tuition without any stipends.

(3) The OCY Designated Agents should not monitor any fiscal or children's files without the director or an approved supervisor staff person in attendance. Providers should be allowed to provide documented receipts, etc., without exposing all the centers fiscal records. Only necessary documentation should be requested from the parent.

(4) Parents employed at a licensed center or group home may be eligible for a child care certificate providing their work in the center is other than providing child care to their own child(ren). Nor can the child(ren) be included in a group assigned to the biological parent to maintain the adult/child ratio required by the Mississippi State Department of Health.

(5) Rates of reimbursement are assigned on a certificate based on the provider type (licensed or unlicensed), age of child, and Tier level, (See Appendix 106). A full-time rate may be charged for non-traditional child care. Non-traditional child care is appropriate when a parent requires full-time child care in lieu of before-and-after school care.

(6) School-aged children will be reimbursed at the part-time rate for absentees, during vacation and holidays except when it is documented that the child(ren) attended the licensed child care center, full-day, during the school year. The provider must provide a written explanation on the ledger for the child(ren)'s full-time attendance in order to receive full-time reimbursement.

(7) Summer child care for school-aged children will be reimbursed at the full-time rate for absentees, vacation, and holidays.

(8) When a provider's Tier status changes after the October 1 roll-over process, current certificates will remain at the pre-October Tier rate until the certificate expires. Any new certificates will be issued at the higher/lower Tier rate.

(9) Full-time certificate payments for school-age children may not be issued to students enrolled in grades one through twelve unless full-time care is needed during non-traditional hours and schools are closed.

(10) Full-time certificate payments may be issued for 3 and 4 year olds enrolled in public or private pre-kindergarten programs where tuition is assessed. Additionally, 5 year old children whose parent(s) elect not to enroll their child(ren) in a public kindergarten program may receive full-time certificate funds until they reach the age of 6(six), which is the compulsory age for school in the state of Mississippi.

104.04 OVER-PAYMENTS AND UNDER-PAYMENTS

(1) If a provider discovers an error in the payment issued, the provider is required to notify the OCY Designated Agent to request an adjustment within 30 days of the issuance of the payment. Questioned payments or incorrect payments will be adjusted during the next monthly payment cycle.

(2) If an overpayment has occurred, the provider is allowed the option of re-paying the excess to the OCY Designated Agent or having the overpayment recouped from subsequent payments.

104.05 ABSENTEES AND NOTICE

(1) If a child is absent for more than two weeks for medical reasons, the parent is required to submit a doctor's statement. Extenuating circumstances will be handled on a case-by-case basis. **In the case of court-ordered visitation, a copy of the visitation order of the court must be kept on file by the provider. Any days a child is absent due to court-ordered visitation will not count towards a child's vacation days. The provider should indicate this reason on ledgers. Parents are responsible for paying their determined co-payment amount in full.**

(2) If a school-aged child attends full-time for a day(s) other than scheduled holidays during the school year, the provider must provide a written explanation on the ledger for the child's full-time attendance in order to receive full-time reimbursement.

(3) The Child Care Certificate Program will not be responsible for payments for services beyond the child's last date of attendance, except when the provider's written policy on file with the OCY Designated Agent requires a parent to give notice in advance of withdrawal. The time required for withdrawal notification will be reimbursed by the OCY Designated Agent except under emergency conditions such as abuse or neglect - or other extenuating circumstances - not to exceed two weeks. Licensed providers are to provide a written explanation at the bottom of the ledger for each child who is absent for three consecutive days. Unlicensed providers are paid for actual attendance only.

(4) A child care center must remain open on days when children are taken on field trips or for vacation for any children who cannot attend the field trips or are not on vacation and still need child care.

SECTION 105 - INTERRUPTION OF CHILD CARE SERVICES

105.01 ALLOWABLE LEAVE TIME FOR PARENTS

(1) Parents who lose or change jobs are allowed a 60 day grace period from the last date of employment before child care services are terminated in order to give the parent time to be reinstated in their job. During this 60 day period, the parent is required to submit new eligibility documentation and be redetermined eligible for services. Failure to submit acceptable eligibility documentation will result in the termination of services.

(2) Temporary Job Closings - Workers temporarily unemployed due to the nature of their work may include but are not limited to workers employed in construction, factories, or poultry and catfish processing plants. Extensions beyond the approved 60 days must gain approval from OCY on a case-by-case basis.

(3) Natural Disaster - Child care services should be continued when parents are off work due to circumstances beyond the parent's control such as hurricanes, floods, and tornado. Licensed child care providers should be reimbursed when the center is closed temporarily due to a natural disaster. **Unlicensed centers are reimbursed for actual attendance only.**

(4) A pregnant mother is allowed six weeks of child care assistance during maternity leave. Documentation from a physician of the maternity leave must be included in the parent's file. The parent must provide new eligibility documentation once she returns to work. Failure to submit acceptable eligibility documentation will result in the termination of services.

(5) Parent(s) are allowed up to thirty days of sick leave from their job if documented by their employer and physician. Extenuating circumstances will be handled on a case-by-case basis.

(6) There may be parents who do not require a certificate for twelve months, such as school workers, students, and others with seasonal employment who are not working during the summer. During the time the parent is not working, reimbursement for the certificate will not be made and the parent is not required to pay the monthly co-payment fee.

(7) A child is allowed 10 vacation days per federal fiscal year (beginning October 1 - September 30). **Absences related to court-ordered visitations are not counted as vacation days.**

(8) Providers may elect to observe up to 11 holidays for the period beginning October 1 through September 30. If the Governor allows more than one day in observance of a holiday, the providers must be allowed these extra days.

Legal Holidays are as follows:

January 1	New Year's Day
The Third Monday of January	Robert E. Lee's Birthday and Dr. Martin Luther King, Jr.'s Birthday
The Third Monday of February	Washington's Birthday
The Last Monday of April	Confederate Memorial Day
The Last Monday of May	National Memorial Day and Jefferson Davis' Birthday
July 4	Independence Day
The First Monday of September	Labor Day
The Second Monday of October	Columbus Day
November 11	Armistice or Veteran's Day
A day fixed by proclamation by the Governor of Mississippi as a day of Thanksgiving, which shall be fixed to correspond to the date proclaimed by the President of the United States	Thanksgiving Day
December 25	Christmas Day

(9) A provider may elect not to observe Confederate Memorial Day, Columbus Day, or Armistice or Veteran's Day on the scheduled date and to use these days to extend the Thanksgiving and/or Christmas Holidays up to two days. Providers should notify, in writing, the OCY Designated Agent prior to any changes in the Holiday schedule.

105.02 REASONS FOR TERMINATION

(1) TANF or TCC child care is terminated by the MHS County Case Manager.

(2) Parents who fail to submit the required information for redetermination are allowed an additional five (5) days' notice before services will be terminated. A second notice should be mailed certified return receipt requested.

(3) Non-payment of co-payment fees may result in termination from the Child Care Certificate Program for a one-year period.

(4) A child care certificate may be terminated upon the request of the parent, or by the OCY Designated Agent according to policy.

(5) Child care services will be terminated when a child grows older than the age requirements.

(6) If at any time a parent provides fraudulent information, child care services are immediately terminated and the client is ineligible to reapply for a one-year period.

105.03 CHANGE IN PROVIDER

Parents are allowed to change providers no more than two times per federal fiscal year, unless warranted by certain situations such as relocation, child abuse/neglect, or the provider no longer provides child care services. Parents must request a change in provider from the OCY Designated Agent prior to withdrawing the child, unless under emergency circumstances. The parent(s) should give at least two weeks prior notice to the current provider before withdrawing the child from the center unless there are extenuating circumstances. Parent(s) moving from one OCY Designated Agent's service area to another may be covered through the end of the subgrant period by the OCY Designated Agent making the initial eligibility determination.

105.04 PARENTAL AND PROVIDER DISPUTES

Any unresolved dispute concerning a question of fact under the Application/Agreement between the OCY Designated Agent and Parent/Provider shall be decided by the Director of the Office for Children and Youth. In the review by the OCY Director the Parent/Provider shall be afforded an opportunity to be heard and offer evidence in support of the questioned decision under review. This decision shall be reduced to writing and a copy thereof mailed or furnished to the Parent/Provider and shall be final

and conclusive, unless, within thirty (30) days from the date of the decision, the Parent/Provider mails or delivers to the Executive Director of the Mississippi Department of Human Services a written request for review. Pending final decision of the Executive Director or his/her designee, the OCY Designated Agent will proceed in accordance with the decision of the Director of the Office for Children and Youth. In addition, listed below are the procedures to be used in an Administrative Hearing for a Child Care Dispute:

1. If requested, an Administrative Hearing will be held with the Director of the Office for Children and Youth serving as the Hearing Officer.

2. The Hearing Officer will be a neutral observer who will conduct the Hearing. The Hearing Officer will listen to both sides and then make a decision based upon the evidence that is provided.

3. This is an informal proceeding that gives both parties their due process rights and a forum to provide evidence. This is not an adverse process. Questions are to be asked only for clarification. If a party has legal representation, the attorney is there only to give legal advice to his/her client and not for direct or cross examination.

SECTION 106 - FRAUD AND ABUSE

This section outlines the policies and procedures for handling alleged and/or substantiated fraud and exploitation in the Child Care Certificate Program by a parent and/or provider.

106.01 POLICY STATEMENT

Any person applying for or receiving public assistance by using false statements, and any person assisting that person to receive such public assistance with knowledge of those false statements, is subject to criminal prosecution. The offense may be a misdemeanor when the amount received or requested is below $500, or a felony if the amount received or requested is above $500. If a child care center knowingly provides false information, a financial penalty will be imposed. Whether or not a criminal conviction results, at the first offense, recoupment will be made and the center may be disqualified from participating in the CCDF program, contingent upon whether the deception is intentional or inadvertent.

106.02 SUSPECTED FRAUD OR ABUSE OF FUNDS

The OCY Designated Agent will not attempt to resolve any suspicion of parent and/or provider fraud or misuse of funds. The OCY Designated Agent will collect any documentation to support an investigation of suspected fraud or misuse of funds. This documentation shall be referred directly to MDHS, Division of Program Integrity (DPI) for investigation and OCY notified. The OCY Designated Agent will not alert the parent and /or provider of any suspicion of fraud or misuse of funds.

Prior to terminating certificates at licensed child care facilities due to documented fraud, the OCY Designated Agents must assist the Child Care and Development Fund (CCDF) parent(s) with locating an alternative child care facility or home without an interruption in child care services unless the parent(s) chooses to keep their child(ren) at the center and forfeit the CCDF Certificate. In this situation, a notarized statement of fact from the parent(s) must be retained by the OCY Designated Agent. The OCY Designated Agent must report back to OCY no later than 30 days from notification as to how this disposition has been handled.

106.03 RECOUPMENT OF FUNDS

The MDHS, DPI shall employ the required steps to recoup or attempt to recoup funds paid for ineligible services because of suspected parent or provider fraud or misuse of funds when unable to resolve otherwise. The steps include, but are not limited to:

(1) A letter outlining the OCY policy violated , the total amount of funds to be repaid, the legal action to be pursued if the parent or facility owner fails to cooperate, and a response time frame of 15 calendar days; the letter and the report shall be sent to the alleged offender by certified mail; a copy shall be retained by DPI;

(2) After the MDHS, DPI completes the investigation of alleged fraud and/or misuse of funds, if applicable, criminal charges shall be filed with the appropriate local law enforcement agency, when fraud is substantiated.

(3) When fraud is substantiated and criminal charges are filed with the local law enforcement agency, funds shall be recovered through restitution ordered by the court. Checks issued by the court for restitution shall be made payable to Treasurer, State of Mississippi and mailed directly to the MDHS, DPI.

(4) The MDHS, DPI staff shall track receipt of checks issued for payment of restitution on a case-by-case basis until all funds have been recovered.

106.04 FINAL DISPOSITION FOR ACTION

A copy of any final judgment issued by the Court shall be forwarded directly to the MDHS, DPI and a copy of the final judgment will be provided to OCY by the MDHS, DPI.

SECTION 107 – REPORTS

Monthly reports are compiled by the OCY Designated Agent and submitted to OCY by the 10th calendar day of each month. Reports include the following:

(1) ACF-800 (CCIS format)
(2) CD copy or e-mail containing database files BE and LGR to MIS for ACF-801 reporting or e-mail attachment(s)
(3) Expenditure Report by Priority Populations (CCIS format)
(4) Obligation Report by Priority Population (CCIS format)
(5) Certificate Report by county and overall district (issued and terminated certificates; not a service report) (CCIS format)
(6) Reporting Worksheets (OCY format)
(7) Requests for Cash (OCY format)

The OCY Designated Agent is required to provide any supplemental reports requested by OCY.

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SECTION 108 – MONITORING

108.01 The OCY Designated Agents will monitor a selection of licensed **and unlicensed** providers participating in the certificate program at least once annually. The OCY Designated Agent should select centers whose records indicate a need for technical assistance, for example, ledgers marked with perfect attendance for each child each month. According to MHS Subgrantee Manual, OCY Designated Agents may conduct monitoring visits un-announced.

108.02 Monitoring visits will include a review of the following records:

(1) Each center must maintain a daily attendance roster on each child.

(2) The attendance recorded on the center's attendance roster will be compared to the attendance reported on the center's ledger.

(3) The center's published rates charged to the general public will be compared to the rates requested and received on each certificate.

(4) Verify the payment of co-payment fees.

(5) A copy of the center's license, **if applicable**, will be requested if a current copy is not on file with the OCY Designated Agent.

(6) Records will be reviewed to verify that the center has retained a copy of the Center's Statement of Agreement on file.

(7) The center will be monitored to make sure that the hours of operation meet the needs of the full-time working parents plus travel time. This applies to non-traditional child care hours. The center must be open at least five (5) days per week.

(8) The attendance will be checked to ensure that the center is not receiving more (CCDF and TANF) certificates than its licensed **or allowed** capacity at any given time (for example, non-traditional shifts, and before and after school). If it is determined during the monitoring visit that the center attendance exceeds the center's licensed capacity **or allowed,** then the situation may be reported to the Mississippi State Department of Health, Child Care Licensure **and/or OCY**.

(9) Unlicensed centers must provide copies of immunization records of all children enrolled in care.

108.03 Other Monitoring Issues:

(1) If a center is not accurately recording attendance or is charging different rates, the center will receive a letter concerning the finding(s). Any overpayments that occurred because of these two situations shall be recouped by the OCY Designated Agent. The OCY Designated Agent may demand direct repayment by the center to the Child Care Certificate program or may debit subsequent ledgers submitted by the center and make deductions from reimbursement checks issued to the center. The OCY Designated Agent may set up an installment repayment plan for the center.

(2) A center with findings may be monitored again, by either announced or unannounced visits. If the center is still in non-compliance under the original finding(s), a copy of all correspondence regarding the matter should be forwarded to MHS.

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GLOSSARY OF TERMS

This chapter contains the definition of key words or phrases and clarifies the terms as they relate to this manual.

ADULT - A person who has reached the age of majority (at least 18 years of age).

ATTENDING(EDUCATIONAL/JOB TRAINING) -Refers to full time enrollment as evidenced by program administration.

AUTHORIZED REPRESENTATIVE - An individual who has the legal right to speak or act on the parent's behalf. Written authorization must come to the child care center or the OCY Designated Agent directly from the parent and be maintained in the appropriate file.

BEFORE-AND AFTER-SCHOOL CARE - Child care services for school-aged children (ages 5-12) during the hours before and after the regular school day. Under CCDF child care may be provided for children under the age of 13 and for those children under the age of 18 who meet the SSI definition of disability by having medically proven physical or mental condition(s) that caused marked and severe functional limitations expected to last at least 12 months in duration.

CARE GIVER - An individual at least eighteen (18) years of age with a high school diploma or equivalent (GED) who provides direct child care, supervision, and guidance to an eligible child.

MONTHLY CHILD CARE CO-PAYMENT FEES FOR PARENTS - A system of cost-sharing based upon income and size of the family for families who participate in the Child Care and Development Fund Program.

CHILD CARE AND DEVELOPMENT FUND (CCDF) - A federally-funded program designed to provide quality child care services to eligible very low-income families who are actively participating in an allowable TANF activity, transitioning off TANF, at-risk of going on TANF and are in need of child care in order to work OR are low-income families, employed or enrolled in an approved educational or training program.

CHILD CARE CERTIFICATE - A document issued by the OCY Designated Agent directly to a parent(s) who has been determined eligible for CCDF, who may use it as payment for child care services. A child care certificate is assistance to the parent, not assistance to the provider.

CHILD CARE FACILITIES

CENTER-BASED - A non-residential facility in which shelter and personal care is regularly provided for six or more children who are not related within the third degree computed according to the civil law to the operator and who are under the age of 13 and receive care for any part of a 24-hour day.

For all Child Care Centers, as defined above, related children of all staff must be included in the licensed number. These centers are considered commercial establishments and must meet all requirements of the Regulation Governing Food Service Sanitation. **Additionally, these licensed centers must remain in compliance at all times with the Mississippi State Department of Health's Regulations Governing Licensure of Child Care Facilities.**

FAMILY CHILD CARE HOME - An occupied residence in which shelter and personal care is regularly provided for five or fewer children who are not related within the third degree computed according to the civil law to the provider and who are less than 13 years of age and are provided care for any part of the 24-hour day. These homes may voluntarily register with the Mississippi State Department of Health and must be registered with the Office for Children and Youth, Mississippi Department of Human Services. The provider must be at least 18 years old and cannot be a biological parent of the child receiving assistance.

GROUP HOME CHILD CARE - An occupied residence in which shelter and personal care are regularly provided for six to 15 children who are not related within the third degree computed according to civil law to the operator and who are under the age of 13 and receive care for any part of the 24-hour day. Children related within the third degree are included in determining space and staff, but are not included in the licensed number.

CHILD CARE PROVIDERS

CENTER-BASED CHILD CARE PROVIDER - A provider licensed or otherwise authorized to provide child care services for fewer than 24 hours per day per child, in a non-residential setting, unless care in excess of 24 hours is due to the nature of the parents' work, education, or training.

FAMILY CHILD CARE PROVIDER - One individual who provides child care services for fewer than 24-hours per day per child, as the sole CARE GIVER, in a private residence, unless care in excess of 24 hours is due to the nature of the parents' work, education, or training.

GROUP HOME CHILD CARE PROVIDER - Two or more individuals who provide child care services for six to 15 children for fewer than 24 hours per day per child, in a private residence other than the child's residence, unless care in excess of 24 hours is due to the nature of the parents' work, education, or training.

IN-HOME CHILD CARE PROVIDER - An individual who provides child care services in the child's own home.

CHILD CARE SERVICES - Care provided for a fee by a child care provider to an eligible child or children in the parent's absence.

CHILD CARE WEEK - The period of time that child care is provided per week. The child care week may cover more than the normal five days. This is allowable as long as the OCY Weekly Child Care Reimbursement Tier rate is not exceeded.

CREDENTIALED DIRECTOR - A professional credential awarded to child care center directors operating licensed child care programs in Mississippi and those who aspire to be directors for the successful completion of a curriculum in Child Care Management Best Practice.

DEGREES OF KINDRED ACCORDING TO THE LAW:

FIRST	Parents and Children
SECOND	Siblings (brothers and sisters), Grandparents, and Grandchildren
THIRD	Uncles, Aunts, Nieces, Nephews, Great-Grandparents, and Great-Grandchildren

DISABLED PARENT - A person unable to care for herself/himself due to a condition documented by a physician stating the nature of the disability.

EARLY CHILDHOOD DEVELOPMENT PROGRAM - A preschool program (ages birth to kindergarten) that provides child care services to low-income working parents and eligible parents enrolled in an educational or training program.

EDUCATIONAL PROGRAM/JOB TRAINING -A program offering educational/job training content information. Programs must be accredited by the state or a national organization.

ELIGIBLE CHILD - A child whose parent(s) meets the eligibility requirements as set forth by the grant.

EXTENDED DAY CHILD CARE - Before-and after-school care for Head Start children (ages 3-4 or up to age 5) and school-age children (ages 5-12) who need such care due to the work schedule of their parent(s).

FAMILY - A unit where a child(ren) resides with a parent(s) who is related by blood, marriage, adoption, or legal guardianship.

FAMILY OF ONE - A child receiving child care services based upon his/her income received from SSI, foster board payment, etc.

FULL-DAY CHILD CARE - Child care provided for six or more hours of a 24-hour day. Full-day child care should meet the needs and reflect the work, education, or TANF training schedule of the parent with a maximum of 30 minutes of travel time each way.

GROSS INCOME - The parent's income before any deductions.

HALF-DAY - Child care provided for fewer than six hours per day.

INCOME ELIGIBLE (IE) - Income that is not supplemented by any public assistance other than food stamps or medical assistance, and does not exceed 85 percent of the State Median Income (SMI).

INCOME MAINTENANCE (IM) - Income from TANF or Supplemental Security Income and other public assistance.

INFANTS - Children from birth through 12 months.

IN-HOME CHILD CARE - Child care services for five or fewer eligible children for less than 24 hours a day in the child's own home. For TANF parents, these services may not be provided in the child's own home if the child care provider is included in the TANF assistance unit, such as a grandparent, aunt, or older sibling.

IN LOCO PARENTIS - Person standing in place of a parent, for example, a foster parent, a relative, or friend with whom the child resides if the child's parent is unable to act as the parent or has delegated his or her authority to someone else. The term describes someone who provides care and supervision like a parent but without going through the formalities of legal adoption or guardianship.

LICENSING OR REGULATORY REQUIREMENTS - Requirements necessary for a provider to legally provide child care services in a state or locality, including regulations and requirements established under State Local or Tribal law. The "Mississippi Child Care Licensing Law," Section 43-20-1, et seq., of the Mississippi Code of 1972 Annotated, which provides the legal authority under which the Mississippi State Department of Health prescribes minimum regulations for child care facilities defined under the law.

LOCAL SERVICE PROVIDER - See OCY Designated Agents.

LOW-INCOME - Income above the 50 percent of the State Median Income (SMI) or at or below the 85 percent of the SMI.

MINIMUM FEE - An assessment of $10 per month for full-day child care services and $5.00 per month for half-day before-and after-school/extended day, etc. child care services.

MHS TANF CASE MANAGER - An employee of the Mississippi Department of Human Services, Division of Economic Assistance, that provides case management services, supportive

services, and referrals for child care services for active TANF participants at the local/county level supportive services, and referrals for child care services for active TANF participants at the local/county level.

NON-TRADITIONAL CARE - Includes night care and supervision of school-age children for less than 24 hours per day that occurs within the twelve hours between 6:00 p.m. and 5:59 a.m., or weekend care and supervision of children that takes place between 6:00 p.m. Friday and 5:59 a.m. Monday.

OCY DESIGNATED AGENT - An OCY Subgrantee who administers the CCDF Certificate Program for a specified number of counties.

PARENT - A mother or father by blood, marriage, or adoption, a legal guardian, or other person standing in loco parentis.

PRESCHOOL - Children from three years of age through kindergarten.

PROVIDER - The entity providing child care services.

REIMBURSEMENT TIERS - The established rates for child care services based upon the age of the child, type of child care provider, hours of child care, and OCY approved tier criteria.

RESIDING/LIVING WITH - Refers to persons who regularly spend more than 12 hours per day together in the same dwelling for non work-related purposes.

SEASONAL WORKERS - Individuals who are temporarily unemployed due to the nature of their work.

SPECIAL NEEDS/DISABLED PARENT - A parent who meet s the SSI definition of disability by having medically proven physical or mental condition(s) that cause marked and severe functional limitations expected to last at least 12 months in duration and render the parents incapable of self-care. The condition(s) must be documented by a physician. In the absence of SSI benefits, medical documentation should attest to the degree of functional limitation(s) and prescribe the special care needed. If the parent is unable to manage their personal affairs, the application should be made in the parent/guardian or responsible adult's name. If the disabled parent receives SSI, the income maintenance fee of $10.00 should be applied to the child(ren). Short Term disability medically documented will be handled on a case-by-case basis with approval by OCY.

SPECIAL NEEDS CHILD RATE - Special Needs rates may be applied for children through the age of 18 who meet the SSI definition of disability by having medically proven physical or mental condition(s) that cause marked and severe functional limitations expected to last at least 12 months in duration and render the child(ren) incapable of self-care. The condition(s) must be documented by a physician. In the absence of SSI benefits, medical documentation should attest to the degree of functional limitation(s) and prescribe the special care needed.

STATE MEDIAN INCOME (SMI) - The average income of all Mississippi workers.

SUMMER CARE - Child care for children during the summer months, when school is not in session.

SUPPLEMENTAL SECURITY INCOME (SSI) - A monthly payment to a person for having a medically proven physical/mental or physical condition that causes marked and severe functional limitations that are expected to last at least 12 months in duration.

TANF (Temporary Assistance for Needy Families) - The block grant that replaced the Aid to Families with Dependent Children (AFDC) and Job Opportunities and Basic Skills Program (JOBS). Benefits are time-limited, mandating that families move quickly into work activities leading to self-sufficiency.

TERMINATED CHILD CARE CERTIFICATE - A certificate that has been used as payment for child care services for a period of time and is no longer valid. Reasons that certificates would be terminated include, but are not limited to, the following: giving false information, change in a provider, change in rates, change in funding sources (example: from CCDF to TANF), or there has not been a request for reimbursement on a Child Care Certificate 60 days after the certificate has been issued.

TODDLERS - Children the age of 13 months and less than 36 months.

TRANSITIONAL CHILD CARE (TCC) - Up to 24 months of subsidized child care for eligible parents.

VERY LOW INCOME - Income at or below the 50 percent of the State Median Income (SMI).

WITHOUT REGARD TO INCOME (WRI) - Income that is irrelevant; therefore, it is not to be considered. The only children who are to be considered WITHOUT REGARD TO INCOME are in court-ordered Protective Services Cases 340 and Preventive Services. The only documentation necessary to determine eligibility is the referral form from the Division of Family and Children's services and proof of the parent's work or exemption.

WORKING - Performing duties to earn a wage or complete educational/job training such as practicums or internships.