



## POLICY

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<b>CATEGORY:</b>	<b>Workforce Programs - Childcare</b>	<b>No: 4.3.106.01</b>
<b>TITLE:</b>	<b>Termination of Child Care</b>	
<b>SUPERSEDES:</b>	<b>4.3.106.00</b>	
<b>EFFECTIVE:</b>	<b>August 26, 2011</b>	
<b>BOARD APPROVAL:</b>	<b>August 25, 2011</b>	
<b>DATE OF LAST REVIEW:</b>	<b>August 25, 2011</b>	

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### **I. PURPOSE:**

To establish criteria for the removal of children from child care.

### **II. DEFINITIONS:**

*Child Care* - Child care services provided by the Board to assist qualified parents who are either working or participating in educational or training activities in accordance with state and federal statutes and regulations.

*Child Care Contractor* - The grant recipient of the funds to implement Child Care Services within the area.

*FPIL*- Federal Poverty Income Level

*Parent* – An individual responsible for the care and supervision of the child identified as the child’s natural parent, adoptive parent, stepparent, or legal guardian.

*Provider*- A person or entity that meets the minimum qualifications as set forth by Board policy for providing child care funded through the Commission.

### **III. POLICY STATEMENT:**

Families will have their CCDF child care services terminated under the following conditions:

- The family’s income is over the income requirements set forth by Board policy;
- The family is not meeting the work/training requirement defined by Board policy;
- The child no longer lives with the parent
- The family has not complied with TWC rules or Workforce Policies for child care services; or
- Sufficient funds are not available for all families, currently receiving child care and some families must be removed from care in order to make room for priority groups.
- The parent is non-compliant with the Office of the Attorney General regarding financial support.

Non-CCDF child care services will be terminated dependent upon the specific program requirement.

CCDF Families who are no longer eligible for child care services will be given 15 calendar days notice of termination of child care services except in the following instances;

- The parent's child care is funded through another workforce program and is no longer eligible for that program, in this instance child care services will be terminated immediately for that funding source.
- The family's child care is being terminated in order to ensure sufficient funding is available for priority groups; in this instance the family will be given a minimum of 30 days notice unless giving 30 days notice will interfere with the ability of the CBWDB to meet budget requirements.

When it becomes necessary to categorically terminate CCDF child care services due to lack of funding, income eligible children are to be dropped in the order listed below. Those in a Board Designated priority will be the last to be terminated.

- Children whose parents' income is at 150% of the FPIL. In order by those who have been in care the longest.
- Children whose parents' income is above 133% of the FPIL. In order by those who have been in care the longest.
- Children whose parents' income is above 100% of the FPIL. In order by those who have been in care the longest.
- School age children whose parent's income is at or below 100% of the FPIL. In order by those who have been in care the longest.
- Other children whose parent's income is at or below 100% of the FPIL. In order by those who have been in care the longest.
- Children in a Board designated priority. In order by those who have been in care the longest.

Parents whose CCDF child care services have been terminated are entitled to an appeal. Child care will continue during the appeal unless the child care was terminated because of:

- Excessive, absences;
- Voluntary withdrawal from child care;
- Change in federal or state regulations;
- Lack of funding due to increases in the number of enrolled children in State and Board priority groups;
- A sanctions recommendation against the parent participating in the Choices program;
- Sanctions to the parent responsibility agreement; Voluntary withdrawal of a parent from the Choices program;
- Non-payment of parent fees; or
- A parent's failure to report, within 10 days of occurrence, any change in the family's circumstances that would have rendered the family ineligible for subsidized child care.

Parents whose non-CCDF child care services have been terminated are entitled to an appeal. The appeal process shall be handled in accordance with the specific program's appeal process.

**IV. PROCEDURES:**

A parent against whom an adverse action is taken may request a review by the Board.

A request for review will be submitted in writing and delivered to the Board within 15 days of the date of written notification of the adverse action. The request will also contain;

- A concise statement of the disputed adverse action;
- A recommended resolution; and
- Any supporting documentation the requester deems relevant to the dispute.

On receipt of a request for review, the Board will coordinate a review by appropriate Contractor Staff.

Additional information may be requested from the Contractor, provider, and parents. Such information will be provided within 15 days of the request.

Within 30 days of the date the request for review is received or of the date that additional requested information is received by the reviewing Board staff member, the Board will send the Contractor, provider, or parent written notification of the results of the review.

**V. RELATED POLICY INFORMATION:**

40 TAC §809.101-103, §809.105(b)(2), §809.225, .271

45 CFR Chapter 98

TWC WD 01-06

Workforce Solutions of the Coastal Bend Child Care Standard Operating Procedures

**VI. RESPONSIBILITIES:**

The Contract Manager shall ensure that all relevant staff and the Child Care Management contractor are informed of and comply with this policy.

The Child Care Management contractor shall ensure that appropriate procedures are implemented and that relevant staff receive training regarding the requirements of this policy.

**VII. FORMS AND INSTRUCTIONS:**

Workforce Solutions of the Coastal Bend Child Care Standard Operating Procedures

**VIII. DISTRIBUTION:**     Board                     Board Staff                     Contracted Staff

**IX. SIGNATURES:**

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**Reviewed by EO Officer**

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**Date**

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**Pres/CEO**

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**Date**