
**PART
4**

Parental Rights and Responsibilities

Part 4 provides State and Territory descriptions of child care services in terms of parental rights and responsibilities according to Child Care and Development Fund (CCDF) regulations. Lead Agencies are required to provide information to parents regarding the range of provider options available and must ensure that State/Territory and local regulations or policies do not restrict parental access to any type of provider or category of care. CCDF law also requires Lead Agencies to ensure that parents receiving child care assistance are afforded unlimited access to their children whenever they are in providers' care (658(E)(2)(A)). Lead Agencies also must ensure that parents have access to all substantiated parent complaints against child care providers and offer instruction about how the information is made available to the public (658(E)(2)(C)).

Section 4.1 – Application Process/Parental Choice

States and Territories work closely with partners to promote access to child care assistance for eligible families and ensure that parents are informed about child care options. In the Fiscal Year (FY) 2008–2009 CCDF Plans, Lead Agencies report developing a variety of policies and procedures aimed at reducing barriers to child care services for eligible families. Strategies range from parent-focused policies, such as providing online applications or extending office hours, to system-focused strategies, such as establishing a seamless service delivery system by making the application available through multiple agencies, coordinating with the Temporary Assistance for Needy Families (TANF) agency to prioritize TANF families' needs, and providing consumer education to promote informed child care choices.

Section 4.1.1 – Applying for and Receiving Child Care Services

Describe the process for a family to apply for and receive child care services (658D(b)(1)(A), 658E(c)(2)(D) & (3)(B), §§98.16(k), 98.30(a) through (e)). At minimum, the description should include:

- *How parents are informed of the availability of child care services and about child care options*
- *Where/how applications are made*
- *What documentation parents must provide*
- *How parents who receive TANF benefits are informed about the exception to individual penalties as described in 4.4*

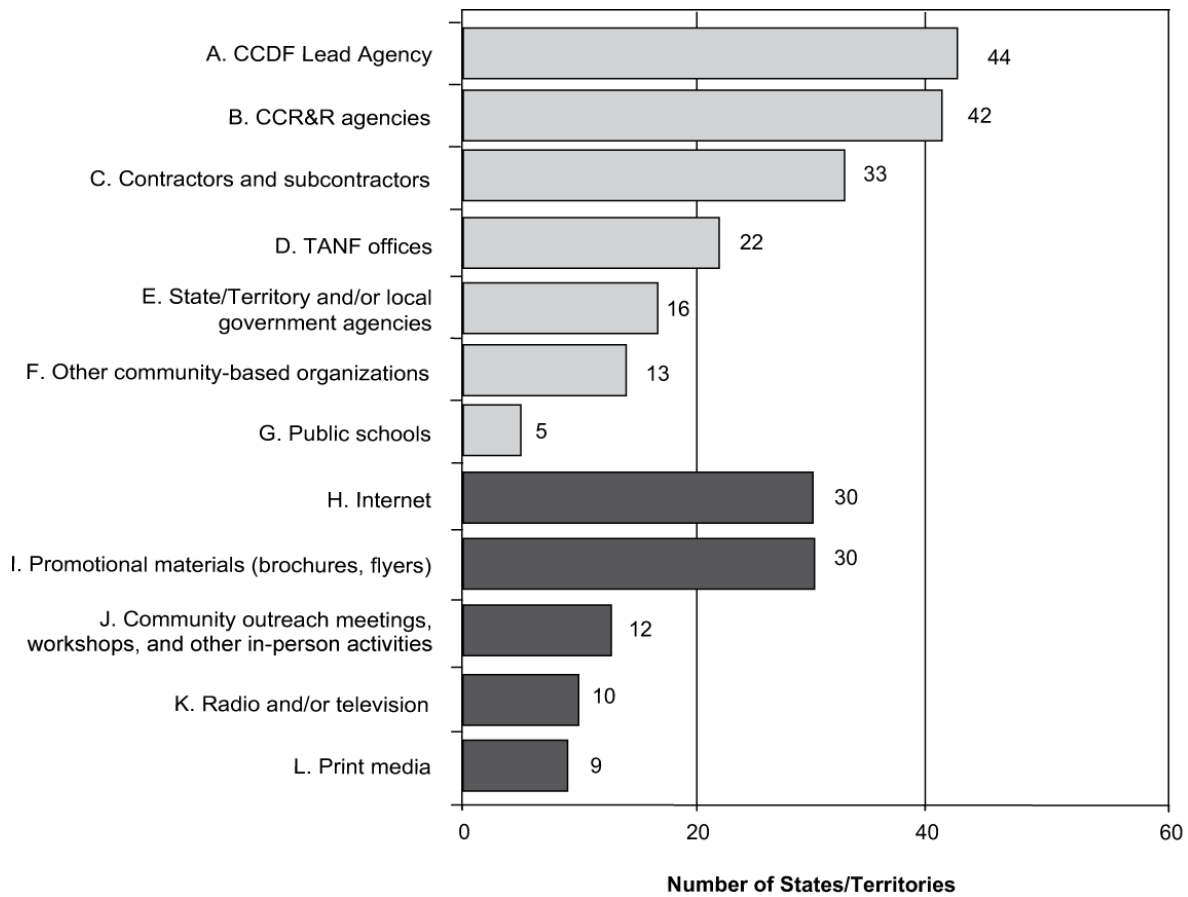
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- *Length of eligibility period including variations that relate to the services provided, e.g., through collaborations with Head Start or pre-kindergarten programs*
 - *Any steps the State has taken to reduce barriers to initial and continuing eligibility for child care subsidies*

Promoting Awareness of Child Care Services

States and Territories partner with other government and nongovernmental entities to inform parents of the availability of child care assistance. As shown in Figure 4.1-A, the Lead Agency in 44 States and Territories directly implements at least one activity to promote awareness of services. Three-fourths of CCDF Lead Agencies indicate that child care resource and referral (CCR&R) agencies provide information to families about availability of child care subsidies. Twenty-two partner with TANF agencies, and 16 partner with other State/Territory or local government agencies. Other partners include public schools and other community organizations such as Head Start programs and religious organizations.

Lead Agencies indicate that several methods are used to disseminate information about child care assistance and child care provider options. As shown in Figure 4.1-A, 30 States report that consumer education resources are available on their Web sites. Thirty States and Territories indicate that the Lead Agency and its partners develop brochures, flyers, and other promotional materials to inform families about child care subsidies. Twelve States and Territories use print media, radio, and/or television to distribute information. In 12 States, the Lead Agency and/or its contractors and subcontractors conduct outreach activities at community events.

FIGURE 4.1-A
Agencies and Methods for Promoting Awareness of Child Care Subsidies and Options



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

Where and How Families Apply

Table 4.1-A illustrates how States and Territories provide parents with a variety of ways to apply for child care assistance. FY 2008–2009 CCDF Plans reveal that 29 States and Territories allow families to submit applications by mail, and 29 permit families to apply in person. The CCDF Lead Agency in 17 States and Territories (AK, AL, AR, AZ, DE, GU, HI, ID, IL, KS, MD, MI, ND, OH, SD, VT, WA) indicate that the application is available on the Web, and in 4 of these States families are able to submit applications via the Web. In seven States, the application may be submitted via email or telephone.

Method	Number of States/ Territories	State/Territory
Mail	29	AK, AR, CT, DE, GU, HI, KS, KY, LA, MD, ME, MI, MO, MT, ND, NH, NV, NY, OH, OK, OR, PA, RI, SD, TN, TX, VT, WA, WY
In person*	29	AS, AZ, CA, CNMI, CO, CT, DC, GU, HI, IA, ID, KY, ME, MI, MT, NE, NH, NM, NV, OK, PA, PR, SD, TX, UT, VI, WA, WV, WY
Phone	7	AZ, CA, ID, IN, OK, TX, WA
Internet	4	KS, SD, VT, WA
Email	1	TX

*Not all States and Territories that indicate that applications can be submitted in person require a face-to-face interview.

The application typically is processed by the agency responsible for determining eligibility. As discussed in Part 1, the Lead Agency in nearly 50 percent of States and Territories is responsible for determining eligibility (see Table 1.5-A). In other States and Territories, the application may be processed by other State and local government agencies and/or nongovernmental entities.

Required Documentation

States and Territories have flexibility in determining what documentation is required from parents applying for child care services in order to ensure compliance with applicable State and Federal CCDF program eligibility policies and regulations. Examples of documentation collected by States and Territories include (1) family income information, such as pay stubs, tax records, or child support enforcement records; (2) parents' work and training activity information, such as letters of employment, work schedules, or school registration records; (3) child information, such as citizenship records and birth certificates; and (4) residency information, such as mortgage receipts or utility payments.

Informing TANF Families About Individual Penalty Exceptions

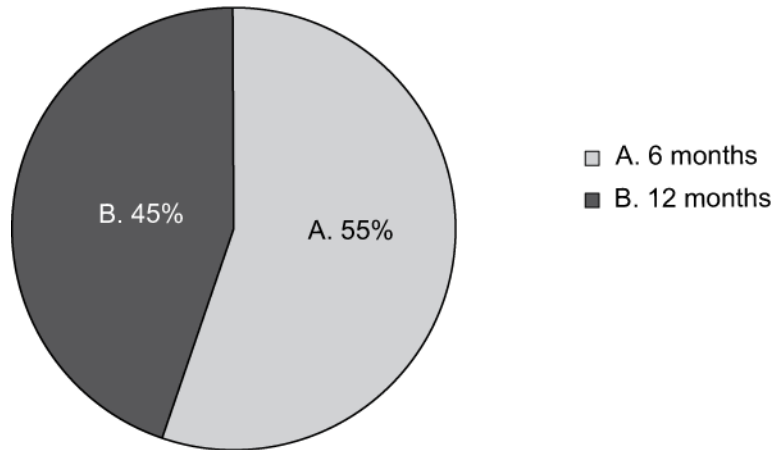
Single custodial parents who receive TANF benefits and have demonstrated an inability to find child care for children younger than 6 years may be exempt from work requirements in some cases. Lead Agencies are required to inform parents about these exceptions (98.33). Lead Agencies also must inform these parents about the procedures and definitions used by the TANF agency to determine the inability to obtain care (see Section 4.4 for TANF definitions). Typically, States and Territories indicate that parents who receive TANF benefits are informed verbally about the exception to individual penalties in their initial interviews with TANF caseworkers, CCDF Lead Agency staff, or its contractors. In many instances, information also is provided in written form. Parents also may receive notification about the exceptions to penalties during TANF orientation sessions or face-to-face interviews with child care specialists.

Length of Eligibility Period

All States and Territories establish a periodic review of eligibility status for families participating in the program. The initial eligibility authorization period typically ranges from 3 to 12 months, after which time the Lead Agency or its designee reviews the family's circumstances to ensure they continue to meet eligibility criteria. Figure 4.1-B shows the maximum eligibility length for which child care services are authorized. The length of eligibility provided in this figure represents the maximum eligibility length for the majority of clients; it does not include the extension provided for clients receiving Head Start wraparound services (see Table 4.1-B for States and Territories that extend eligibility length).

In most States and Territories, the length of eligibility may vary based on the type of service, client, or geographic area. While all States and Territories report that subsidies are authorized for fixed time periods, parents are required to report any changes that may affect their eligibility status. States and Territories may establish a minimum threshold before parents have to report changes and/or before the State/Territory makes any changes to the original care authorization.

FIGURE 4.1-B
Maximum Length of Eligibility for State and Territory Child Care Services



Category	State/Territory	Total
A	AK, AL, AR, AS, CO, CT, DE, GU, HI, IA, ID, IL, IN, ME, MN, MS, MT, ND, NH, NM, NV, PA, OR, RI, SD, TN, UT, WA, WI, WV, WY	31
B	AZ, CA, CNMI, DC, FL, GA, KS, KY, LA, MA, MD, MI, MO, NC, NE, NJ, NY, OH, OK, PR, SC, TX, VA, VI, VT	25

Reducing Barriers to Initial and Continuing Eligibility

States and Territories report strategies they have planned or implemented to reduce barriers for families when applying for and continuing to remain eligible for child care assistance. As shown in Table 4.1-B, the Lead Agencies in 20 States and Territories indicate that the number of required in-person visits to determine eligibility are reduced, or not required at all. Nineteen States and Territories do not require recipients to resubmit a full application as part of the eligibility redetermination process (i.e., a simplified form may be used to facilitate the process).

States and Territories report several strategies to facilitate access to the Lead Agency or its designee, including extending office hours and providing multiple locations where families can submit applications. Additional methods include providing information on the Web and via toll-free numbers. States and Territories also report efforts to coordinate eligibility policies across programs, such as extended periods of eligibility for families enrolled in Head Start.

**TABLE 4.1-B
Reducing Barriers to Initial or Continuing Eligibility**

Method	Number of States/Territories	State/Territory
No requirements for or minimum number of in-person visits	20	AK, AZ, DE, GA, GU, IN, KY, LA, MD, MO, MS, NE, NV, NY, OH, OK, RI, TX, VT, WV
Simplified application and/or redetermination process	19	AS, AZ, CO, DC, GA, GU, KS, KY, LA, MD, MO, MS, MT, NH, RI, UT, VA, WA, WV
Extended periods of eligibility for families enrolled in Head Start	10	CO, GU, IL, MD, NV, OR, PA, PR, SD, VA
Extended office hours	10	AK, AR, DC, GU, IN, LA, OH, TX, VA, WV
Multiple submission locations	10	AK, CT, DC, KS, LA, MI, NH, OH, OK, WV
Toll-free number for clients	6	AK, MI, SC, SD, TX, WV
Simplified verification procedures	5	KY, MD, MT, UT, VT
Online tool for families to estimate eligibility	4	IL, KS, MA, MI
One application for multiple public assistance programs	2	KS, MN

Section 4.1.2 – Application Process for TANF Families

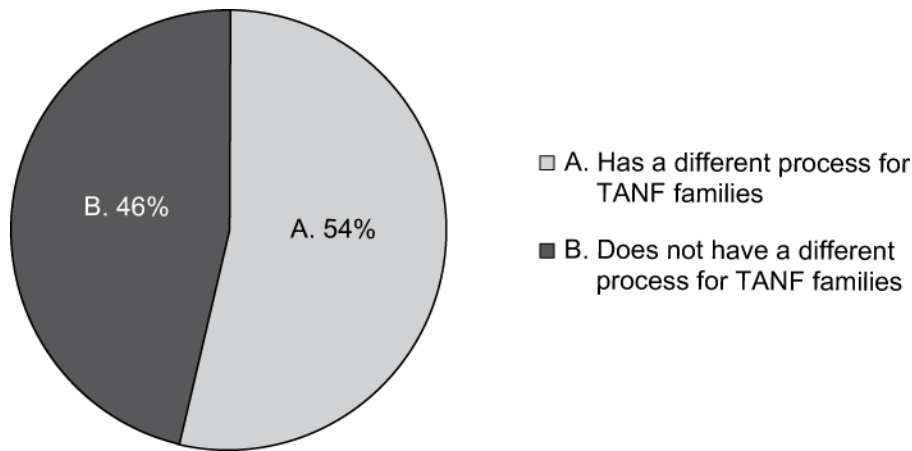
Is the application process different for families receiving TANF? If yes, describe how the process is different.

As discussed in Part 3, most States and Territories guarantee child care services for TANF families, and in many cases TANF families are not required to pay the parental fee.¹ In addition, as discussed in Part 2, the CCDF Lead Agency in all States and Territories works closely with its TANF counterpart to ensure TANF families’ child care needs are met. States and Territories indicate that CCDF and TANF programs are colocated within the same agency to facilitate coordination. Another coordination strategy is a seamless system of services, such as one-stop career centers, to facilitate the process for TANF families applying for child care.

¹ American Samoa and the Commonwealth of the Northern Mariana Islands do not have a TANF program.

As shown in Figure 4.1-C, the CCDF application processes are different for TANF families in 30 States and Territories. Of these 30, some indicate that TANF families are not required to complete an application or appear for a face-to face interview. Others report that TANF families submit a simplified application that is different from the one for non-TANF families. Some Lead Agencies indicate that eligibility determination for TANF families is processed by TANF caseworkers, while the CCDF Lead Agency has responsibility for resource and referral services and making provider payments. Others report that TANF caseworkers refer TANF clients to the CCDF agency to process child care applications. Lead Agencies also report that application processes may vary depending on whether the families are receiving TANF benefits or transitioning off TANF.

FIGURE 4.1-C
Application Process for TANF Families*



Category	State/Territory	Total
A	AK, AL, AZ, CA, CO, CT, DC, IA, IN, KS, KY, LA, MA, MD, ME, MN, MS, MT, ND, NJ, NY, OR, PA, PR, RI, SC, SD, TX, UT, VA	30
B	AR, AS, CNMI, DE, FL, GA, GU, HI, ID, IL, MI, MO, NC, NE, NH, NM, NV, OH, OK, TN, VI, VT, WA, WI, WV, WY	26

*This figure represents data from all 56 States and Territories; categories are mutually exclusive.

Section 4.1.3 – Ensuring Parents Are Informed About Child Care Options

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

Table 4.1-C illustrates the methods most commonly used by States and Territories to ensure that parents who are participating in the child care assistance program are informed about child care options. States and Territories report a wide variety of strategies. In 38 States and Territories, parents are informed verbally when applying for child care subsidies. Thirty-seven States indicate that CCR&R agencies assist the Lead Agency in informing parents about child care options. Thirty-three States and Territories indicate that parents receive written application materials such as brochures, booklets, information sheets, and/or flyers. Additionally, States and Territories may provide information through Web sites.

Method	Number of States/Territories	State/Territory
Verbal communication at the time of application	38	AK, AL, AR, AS, AZ, CA, CNMI, DC, DE, FL, GA, GU, IA, IL, KY, MD, ME, MN, MS, MT, NE, NH, NJ, NM, NY, OH, OK, PA, PR, RI, SC, UT, VA, VT, WA, WI, WV, WY
Referral to CCR&R agencies	37	AZ, CA, CO, CT, DC, GA, HI, IA, ID, IL, IN, KS, KY, LA, MA, MD, MI, MN, MO, MS, MT, ND, NH, NJ, NM, NV, NY, OH, OK, OR, PA, RI, SC, UT, WA, WI, WV
Parental choice information materials (e.g., flyers, forms, brochures, parent handbooks)	33	AL, AR, AS, AZ, CNMI, CO, CT, IA, IL, IN, KS, LA, MA, MD, ME, MI, MN, MO, MS, MT, ND, NM, NY, OH, OK, PR, RI, SC, SD, TN, TX, WA, WI
Agency Web site	18	AZ, IL, IN, KY, LA, MA, MI, MS, ND, NE, NY, OH, OK, SC, SD, TN, TX, WA
Community outreach meetings, workshops, or other in-person activities	4	AZ, CT, DC, PR

Section 4.1.4 – Activities to Promote Access to Child Care Subsidies for Families With Limited English Proficiency

Does the State conduct activities aimed at families with limited English proficiency to promote access to child care subsidies and reduce barriers to receiving subsidies and accessing child care services? If yes, describe these activities, including how the State overcomes language barriers with families and providers.

Table 4.1-D shows the range of strategies States and Territories use to serve families with limited English proficiency, including translating child care assistance materials into myriad languages. Some Lead Agencies connect non-English speakers to translators during calls regarding child care subsidies or CCR&R services. Others indicate that bilingual staff are available to work with families with limited English proficiency. CCDF Lead Agencies also offer training for child care providers who are caring for children with limited English proficiency, as well as for providers with limited English proficiency.

Type	Number of States/Territories	State/Territory
Caseworker speaks language(s) other than English or translation services are available	39	AK, AL, AS, AZ, CA, CT, DC, DE, FL, GA, GU, HI, ID, IL, IN, KS, KY, LA, MA, ME, MI, MN, MO, NC, NE, NH, NJ, NM, NV, NY, OK, OR, PA, RI, SC, SD, TX, VA, WA
Informational materials are available in other languages	29	AL, AS, DC, DE, FL, GA, IA, IL, IN, KS, MA, ME, MI, MN, NE, NH, NJ, NV, NY, OH, OK, OR, RI, SD, TX, VA, VT, WA, WI
Application is available in other languages	28	AL, AZ, CO, CT, FL, GA, IA, IL, IN, KS, ME, MI, MN, MO, NC, NE, NJ, NV, NY, OK, OR, RI, SC, SD, TX, VA, WA, WY
Training and technical assistance is provided in other languages	7	MN, NE, NH, NV, OK, OR, RI

Section 4.2 – Records of Parental Complaints

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

The Lead Agency must maintain records of substantiated parent complaints, either itself or via another State/Territory agency. Lead Agencies provide detailed descriptions in their CCDF Plans about how complaint information is made available to the public upon request.

Table 4.2 shows some of the methods used by States and Territories for making records of parental complaints available. Information regarding complaints generally is made available upon request at the designated agency’s main office or county or local offices, usually in accordance with the State or Territory’s open records law. States and Territories indicate that complaint information can be requested through toll-free numbers, and they post information about substantiated parental complaints or the status of providers’ licenses on the Web. Other States and Territories require families to request information about substantiated complaints in writing, by fax, or by mail.

Method	Number of States/ Territories	State/Territory
Review of public records may be accessed in person	19	AK, AS, AZ, DC, DE, GA, IN, MO, MS, NC, NJ, NM, NY, OK, RI, SD, TX, WI, WY
Request/review information via Internet	15	AK, AZ, DE, FL, GA, IN, MI, MN, NC, NH, OH, OK, SC, TX, VT
Request for information can and/or must be made in writing	12	AZ, DC, GA, IL, KS, LA, MA, MD, MI, NE, NY, VA
Request information through a toll-free number	8	IL, MS, NC, NE, NY, VA, VT, WA

Section 4.3 – Unlimited Access to Children in Child Care Settings

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

CCDF Lead Agencies are required to ensure that child care providers permit parents unlimited access to their children and the providers caring for their children during normal hours of operation and whenever children are in the care of such providers receiving funds through CCDF (658(E)(2)(A)). States and Territories report that giving parents unlimited access is a requirement for licensure or certification. For parents using license-exempt care, Lead Agencies stipulate that parents may be afforded unlimited access through provider agreements or other signed declarations. States and Territories also inform parents of unlimited access at the time of application for subsidy and through consumer education materials.

Section 4.4 – Criteria or Definitions Applied by TANF Agency to Determine Inability to Obtain Child Care

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

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

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

- “appropriate child care”:
- “reasonable distance”:
- “unsuitability of informal child care”:
- “affordable child care arrangements”:

This section provides a summary of TANF terminology submitted as part of each CCDF Plan. The regulations do not establish any criteria or standard against which the requested TANF definitions are compared. Terms are developed by TANF agencies simply as a means of providing the public with information and vary by State and Territory.

Appropriate Child Care

TANF agency definitions for appropriate child care most frequently use the terms *regulated* or *legal care as appropriate*. According to these definitions, regulated child care is care that is licensed, certified for public funding, or determined to meet specific health and safety standards. TANF agencies define appropriate care as settings that help children grow and develop and that have operating hours or locations that meet the needs of TANF recipients. Some also indicate that appropriate care settings support children with special needs.

Reasonable Distance

TANF agency definitions for reasonable distance consider the time of travel, setting a time limit or guideline for daily travel to and from child care and/or work. Time limits and guidelines range from 30 minutes to 2 hours, one way. The time limit or guideline sometimes differs based on the mode of transportation or variations in customary local commuting time. States and Territories allow discretion in determining what is reasonable, based on local administrative agency judgment or customary distance, or time traveled by working families in the community.

Unsuitability of Informal Child Care

TANF agencies report that informal child care is determined unsuitable if it does not meet health and safety standards or regulations, there are concerns about criminal or abuse and neglect records, or the child care program is operating illegally. In their definitions, States and Territories also describe parents' decisions to use informal or unregulated care, including how parents can raise informal care issues. Definitions describe processes parents can use to raise issues about the appropriateness or quality of informal care settings.

Affordable Child Care Arrangements

TANF agency definitions for affordable child care arrangements for TANF participants most often refer to child care that costs equal to or less than subsidy payment rates or a percentage of payment rates. States and Territories indicate that child care is affordable to TANF participants when parental fee requirements are waived or costs are equal to or less than the parental fee requirement in the State's child care subsidy program. Lead Agencies also define affordability as child care costs that are within a percentage of family income, typically from 10 percent to 25 percent, and child care that can be maintained without undue financial hardships to the family.

