
APPENDIX 2

ELIGIBILITY AND PRIORITY TERMINOLOGY

This appendix describes nine terms related to eligibility and priorities for child care services submitted by States and Territories as part of each Fiscal Year (FY) 2006-2007 Child Care and Development Fund (CCDF) Plan. For some terms, States and Territories provide similar definitions, whereas other definitions differ significantly. A complete list of all State and Territory definitions is available from the National Child Care Information Center at 800-616-2242 and on the Web at <http://nccic.acf.hhs.gov/pubs/stateplan2006-07/index.html>.¹

Attending (a Job Training or Educational Program)

While some States and Territories provide generic definitions, many provide specific information about how attendance in a job training or educational program is verified, what activities are covered and the additional requirements for child care payments to be approved.

Nineteen States (AL, AR, DC, FL, GA, IA, MA, ME, MI, MS, NY, PA, RI, SC, SD, TN, UT, WA, WV) and three Territories (AS, CNMI, GU) include minimum or maximum time requirements for training and education in their definitions, including full- or part-time requirements.

Fifteen States (FL, KY, MI, MN, MO, MT, NC, NM, NV, OK, OR, TX, VA, WI, WV) and one Territory (GU) refer to satisfactory progress or “in good standing” requirements in their definitions.

Twelve States (AL, AR, AZ, CT, DE, GA, IL, KS, NM, OH, RI, TX) and one Territory (PR) include attendance requirements in their definitions.

Seven States (CA, CO, DC, IL, NJ, PA, VT) and two Territories (AS, VI) specifically refer to requirements for verification of enrollment in an approved education program or participation in an approved job training program.

Six States (IL, MT, NC, OK, OR, TN) describe time outside actual education or training hours for which child care can be paid, including travel time, study time, absences and meal time.

In Loco Parentis

State and Territory definitions are similar for this term; most States refer to an adult who is acting in the place of a parent or who has assumed responsibility for a child. Many States specifically include an adult with legal custody or guardianship. Many States include caretaker relatives, foster and

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

adoptive parents or a person acting in the place of a parent. Some States, like Alabama, Maryland, New Jersey, Oklahoma and Washington, report that the term *in loco parentis* does not apply to legal custody or guardianship.

Job Training and Education Program

Definitions for this term vary widely. While a few States report generic definitions, most States describe the types of education and training programs for which child care can be paid.

Forty-eight States (AK, AL, AR, AZ, CA, CO, CT, DC, DE, FL, GA, HI, ID, IL, IN, KS, LA, MA, MD, ME, MI, MN, MS, MT, NC, ND, NE, NH, NJ, NM, NV, NY, OH, OK, OR, PA, RI, SC, SD, TN, TX, UT, VA, VT, WA, WI, WV, WY) and four Territories (CNMI, GU, PR, VI) describe job skill development in their definitions, including job-specific training, work experience, on-the-job training and job readiness activities.

Thirty-four States (AK, AL, AZ, CO, CT, DC, DE, GA, IA, ID, IL, IN, KS, LA, MA, MD, MI, MN, MT, NC, ND, NJ, NM, NY, PA, SC, SD, TX, UT, VA, VT, WA, WI, WV) and three Territories (AS, PR, VI) include remedial education in their definitions, including education toward a high school diploma or equivalent, English as a Second Language and Adult Basic Education.

Thirty-four States (AK, AL, AZ, DC, DE, HI, IA, ID, IL, IN, LA, MA, MD, MI, MN, MT, NC, ND, NE, NJ, NM, NY, OK, OR, SC, SD, TN, TX, VA, VT, WA, WI, WV, WY) include post-secondary course work in their definitions, including vocational or technical training or work toward 2-year or 4-year degrees.

Physical or Mental Incapacity

States and Territories provide various descriptions of a child's physical or mental incapacity, and definitions vary in the level of specificity of how the incapacity is verified.

Thirty-eight States (AK, AL, AR, CA, CT, DC, FL, HI, IA, ID, IL, KY, LA, MA, MD, MI, MN, MO, MT, NC, ND, NE, NM, NV, NY, OH, OK, OR, PA, RI, SC, SD, TN, UT, VT, WA, WI, WY) and one Territory (GU) specify that the physical or mental incapacity must be diagnosed by a qualified professional or court ordered.

Twenty-nine States (AK, AL, CA, CT, GA, HI, ID, KY, LA, MD, ME, MI, MT, ND, NH, NJ, NM, NV, NY, OH, OK, RI, SD, TN, UT, VA, VT, WA, WY) and two Territories (GU, VI) define physical or mental incapacity as a child being incapable of self-care.

Eighteen States (AR, CO, CT, DC, DE, FL, GA, IL, IN, KS, MT, NE, NV, NY, OR, TX, VA, WV) and one Territory (PR) define the term as mental or physical functional limitations or developmental delays.

Ten States (ID, IN, LA, MA, MN, MO, MS, OK, OR, WV) specify that receipt by a child of Supplemental Security Income, special education or early intervention services verifies that a child has a physical or mental incapacity.

Protective Services

All States and Territories providing a definition for protective services refer to children who have been abused or neglected, are at risk of abuse or neglect or are receiving protective services.

Thirteen States (AZ, CA, IA, KY, MI, MO, NY, OH, OR, SD, WA, TX, WI) define protective services to include domestic abuse, alcohol and drug abuse treatment, shelter care, services to the homeless, special needs, disabilities or illness.

- Seven States (AZ, IA, KY, NY, OR, WA, WI) include references to domestic abuse or alcohol and drug abuse treatment in their definitions.
- Six States (AZ, CA, KY, NY, OH, WA) refer to emergency services, such as shelter care or homeless shelters, and services to the homeless in their definitions.
- Six States (AZ, MI, MO, SD, TX, WI) include situations in which an adult or child has special needs, disabilities or illness in their definitions.

Nine States (GA, KY, MS, MT, NJ, OR, TX, VT, WI) and one Territory (AS) specifically include children in foster care in their definitions.

Residing With

State and Territory definitions for “residing with” vary considerably. Many States and Territories refer to an adult living in the same household with the child. Whether that adult is eligible for child care services varies widely depending on that person’s status: parent, foster parent, adoptive parent, step-parent, legal guardian or relative caretaker; whether the adult is acting in loco parentis or how long the adult has been living in the same household.

Special Needs Child

Most State and Territory definitions focus on children with disabilities, developmental delays or incapacities.

Forty States (AK, AR, AZ, CO, CT, DC, DE, HI, IA, ID, IL, KS, KY, LA, MA, ME, MI, MN, MO, MT, NC, ND, NE, NH, NJ, NM, NV, NY, OH, OK, OR, PA, SC, UT, VA, VT, WA, WI, WV, WY) define a special needs child as a child with a disability, developmental delay or a physical or mental condition or incapacity, usually as diagnosed by a qualified professional or a program with eligibility requirements.

Nine States (CA, DC, FL, IN, MO, MS, NC, OK, OR) and one Territory (CNMI) include a requirement that eligibility was determined for special education, early intervention services or Supplemental Security Income in their definitions.

Six States (AL, CA, MN, MO, NE, TX) and three Territories (AS, GU, PR) include receipt of protective services in their definitions.

Eight States (DE, GA, MD, MT, NY, SD, TN, VT) include a determination that a child was incapable of self-care in their definitions.

Very Low Income

Most States define very low income as a percentage of the Federal Poverty Income Guidelines or of the State Median Income.

Twenty-eight States (AL, AZ, CO, DC, DE, FL, GA, HI, IA, ID, IN, KS, KY, LA, ME, MN, NH, NJ, NM, OH, OR, RI, SC, SD, TX, WA, WI, WV) and two Territories (CNMI, GU) define very low income as a percentage of the Federal Poverty Income Guidelines in at least a part of the definition, with the percent ranging from 10 percent to 250 percent.

Ten States (AK, AR, CA, CT, IL, MA, MD, MO, MS, NC) and three Territories (AS, PR, VI) define very low income as a percentage of the State or Territory Median Income in at least a part of the definition, with the percent ranging from 19 percent to 85 percent.

Seven States (AL, MI, MT, NV, TN, UT, WA) report definitions that tie very low income to Temporary Assistance for Needy Families (TANF) eligibility or benefit levels.

Working

While several States and Territories provide generic definitions of working, most definitions set minimum work requirements or expand the definition to include other work-related activities, such as those required under TANF.

Nineteen States (AZ, CT, DE, ID, IL, IN, KS, MD, ME, MI, MO, NE, NH, NV, OH, OR, SC, VT, WY) and one Territory (GU) provide a generic definition. For instance, one definition was simply “paid or self-employment,” while another describes “gainful employment that produces earned income from wages, salaries, commissions, fees, tips or self-employment in one’s own business, professional enterprise, partnership or farm.”

Seventeen States (AL, AR, DC, GA, IA, KY, LA, MN, MS, MT, PA, RI, SD, TN, TX, UT, WV) and two Territories (AS, CNMI) set minimum work hour requirements within their definitions. Minimum weekly work hour requirements range from 15 hours per week to 40 hours per week.

Seventeen States (AK, AL, CA, CO, FL, HI, IA, NC, ND, NM, NY, OK, SD, TX, VA, WA, WI) report definitions that include work-related terms, such as job search, job training, work experience and community services programs, often as part of meeting TANF work activity requirements.