
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 2008–2009 Child Care and Development Fund Plan. For some terms, States and Territories provide similar definitions, whereas other definitions differ significantly.

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 approval of payments. Specific information provided by States and Territories includes minimum or maximum time requirements for training and education, including full- or part-time requirements; satisfactory progress or “in good standing” requirements; specific attendance requirements; verification of enrollment in an approved education program or participation in an approved job training program; and descriptions of 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 adoptive parents, or those acting in the place of parents. Some States 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 and Territories report generic definitions, most describe the types of education and training programs for which child care can be paid. Some States and Territories describe job skill development in their definitions, including job-specific training, work experience, on-the-job training, and job readiness activities. Some include remedial education in their definitions, including education toward a high school diploma or equivalent, English as a second language, and adult basic education. Other States and Territories include post-secondary coursework in their definitions, including vocational or technical training or work toward 2- or 4-year degrees.

Physical or Mental Incapacity

States and Territories provide various descriptions of a child’s physical or mental incapacity, varying most greatly in the level of specificity regarding how incapacities are verified. Many States and

Territories specify that the physical or mental incapacity must be diagnosed by a qualified professional or court ordered. Others define physical or mental incapacity as a child being incapable of self-care. Some define the term as mental or physical functional limitations or developmental delays. Several States and Territories specify that receipt 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 and neglected, are at risk of abuse or neglect, or are enrolled in a protective service program. In some States and Territories, the definition encompasses other factors.

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. The adult’s eligibility for child care services depends on his or her status, i.e., whether he or she is the 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. Some States stipulate that the condition or incapacity be diagnosed by a qualified professional or a program with eligibility requirements. Several States and Territories require that eligibility be determined for special education, early intervention services, or Supplemental Security Income, and others require that a child be incapable of self-care.

Very Low Income

Most States define very low income as a percentage of the Federal Poverty Income Guidelines (FPIG) or of the State Median Income (SMI). Many States and Territories define very low income as a percentage of the FPIG in at least a part of the definition, with the percent ranging from 10 percent to 250 percent. Several define very low income as a percentage of SMI in at least a part of the definition, with the percent ranging from 19 percent to 85 percent. Others report definitions that tie very low income to Temporary Assistance for Needy Families (TANF) eligibility or benefit levels.

Working

Several States and Territories provide generic definitions of working. 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.” Most definitions, however, set minimum work requirements or expand the definition to include other work-related activities, such as those required under TANF. Several States and Territories set minimum weekly work hour requirements

ranging from 15 hours per week to 40 hours per week. Others 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.

