Interim Financial Assistance Policy Guide
EFFECTIVE DATE: OCTOBER 1, 2018

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Commissioner
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EFFECTIVE DATE

This guide is effective for all authorizations or reauthorizations initiated on or after October 1, 2018 and is effective until a new policy guide is issued. This means that any appointments scheduled after this date will be subject to the new rules. Any appointments scheduled prior to October 1, 2018 will be subject to the old rules. Any appointments scheduled on or after October 1, 2018 will be subject to this guide until further notice from EEC.

Examples:

- Parent has a reauthorization appointment on September 24, 2018 for a reauthorization start date of October 5, 2018: 2013 Financial Assistance Policy Guide applies

- Parent has a reauthorization appointment on October 1, 2018: 2018 Interim Financial Assistance Policy Guide applies
CHAPTER 1 Definitions

The words listed below shall have the following meanings unless the context otherwise requires:

**Absence.** Any day that a child is authorized to attend an early education and care program, but is not in attendance.

**Approved Break-in-Care.** A written request, approved by EEC or Subsidy Administrator, to place a child care placement in inactive status for up to 90 consecutive days during the 12 month authorization period.

**Assets.** Valuables including, but not limited to, all houses or other buildings, real property, vehicles, cash, bank accounts, cash value of life insurance policies, trusts, stocks, bonds, and overall business value, including equipment, jewelry, livestock, or other goods.

**Authorization/Reauthorization.** An assessment/reassessment and provision of financial assistance benefits to a family in accordance with regulations and policies defined by the Department of Early Education and Care.

**Caretaker.** A person who lives with, supervises and cares for a child or children whose parents do not live in the home, such as a foster parent, legal guardian (temporary or permanent), or designated caregiver, in accordance with M.G.L. c. 201F.

**Child.** A person younger than 13 years old, or 16 years old if such person has special needs.

**Child Care Educator/Provider.** A licensed or exempt center-based child care program, including out of school time programs, or a licensed, family-based child care program located within the Commonwealth of Massachusetts.

**Child Care Resource and Referral Agency (CCRR).** An agency that contracts with the Department of Early Education and Care (EEC) to provide child care resource information, referral services, and/or subsidy management.

**Child Care Subsidy.** Financial assistance given to eligible parents for child care provided by a Child Care Educator/Provider pursuant to a contract or agreement with EEC, CCRR or a Contracted Child Care Educator/Provider.

**Contracted Child Care Educator/Provider.** A licensed, or license exempt, child care program or family child care system that holds a contract with EEC for the provision of subsidized child care services.

**Days.** Calendar days, unless otherwise specified.

**DCF.** Massachusetts Department of Children and Families, or successor agency.
Dependent Child. A person younger than 18 years old, or a person younger than 24 years old if that person is a full time student.

Dependent Grandparent. A grandparent of the child receiving care who resides in the household with the child and is financially dependent on the child's parent(s), as certified through the parent(s)'s most recent tax returns.

DHCD. Massachusetts Department of Housing and Community Development, or successor agency.

DTA. Massachusetts Department of Transitional Assistance, or successor agency.

EEC. Massachusetts Department of Early Education and Care, or successor agency.

Eligible Family. A family that qualifies for a child care subsidy based on criteria determined by EEC in regulation and policy.

ESOL. English for Speakers of Other Languages, an English language training program for people whose primary language is not English.

Excessive Absence. More than three consecutive days of unexplained absences.

Explaned Absence. Absence due to:
   a. Child illness or medical condition;
   b. Death in the family;
   c. Emergency circumstances;
   d. Religious holidays; and
   e. Up to ten days of vacation in a 12 month period.

Unexplained Absence. Failure to attend a subsidized child care program without contacting the provider.

Family. One of the following:
   a. parent(s) and their dependent child(ren) and any dependent grandparent(s) who reside in the same household; or
   b. a teen parent and his/her child(ren) who reside in the same household. Parents of teen parents may only include the teen parent and his/her child(ren) in the family composition if the teen parent is NOT receiving an EEC child care subsidy for his/her child(ren).

Full Time Child Care. Care for not less than 30 hours nor more than 50 hours per week at any one placement, unless otherwise approved by EEC.

Full Time Service Need. Participation in an approved activity for 30 hours or more per week.


Homeless Family. A family meeting the requirements established under the McKinney-Vento Act (42 U.S.C. 11434a) as certified in accordance with EEC policy.
Informal Child Care Provider. An individual who meets informal child care provider standards and requirements established by EEC and is exempt from EEC licensure because the individual either provides care in the child's own home or is a relative of the child.

Intentional Program Violation (IPV). A parent’s failure to adhere to EEC’s subsidy requirements, including: failing to report a non-temporary change, within 30 days from the date the change occurred; failing to accurately report income at eligibility authorization; failing to respond to an EEC request for more information; and non-payment of fees.

Non-Temporary Change. A change to a parent’s circumstances, including: increases in total household income exceeding 85% SMI; changes in family contact information; changes in household composition for more than 30 total days in a 12 month authorization; changes in child custody arrangements; any out of state change in address; or any change or cessation of a parent’s work, training, or education participation for more than 30 days.

Parent. A biological or adoptive parent or step-parent who resides in the household with his or her dependent child(ren), or a caretaker.

Part Time Child Care. Child care for up to 30 hours per week.

Part Time Service Need. Participation in an approved activity for more than 20 but less than 30 hours per week.

Protective Services. Families authorized for a child care subsidy based on a clinical decision by DCF will be deemed to be in need of protective services, including foster care. Additionally, children may be deemed at risk of needing protective services in special circumstances, wherein families are unable to provide child care for any portion of a 24 hour day due to a situation of domestic violence or homelessness; a physical, mental, emotional or medical condition; or participation in a drug treatment or drug rehabilitation program.

Provisional Authorization. Parents who do not have an approved activity at time of initial authorization may be granted a provisional authorization of 12 weeks to seek and certify an approved activity. This includes parents on maternity or paternity leave at initial authorization, parents enrolled in a non-approved training program, or parents unable to certify employment at time of initial eligibility. Parents who lose their approved activity during the last 30 days prior to reauthorization may be granted a 12 week provisional authorization to seek and certify an approved activity.

Referral. A written or electronic notice that a family is eligible for child care funding issued by DTA, DCF, or DHCD.

Relative. Sibling, aunt, uncle, or grandparent, whether by birth, marriage or adoption.

State Median Income (SMI). The dollar amount which represents the midpoint in a rank ordering of the incomes of all families of the same size in Massachusetts.
**Subsidy Administrator.** A person or organization authorized or designated by EEC to conduct eligibility determinations for child care subsidies, subject to EEC oversight and review. Current authorized entities include Contracted Child Care Educators/Providers and CCRRs.

**Substantiated Fraud.** Providing false or misleading information or documentation to EEC or a subsidy administrator for the purpose of establishing or maintaining eligibility or increasing the level of child care assistance that has been verified as false or misleading by EEC or a subsidy administrator; or the concealing or withholding of information for the purpose of establishing or maintaining eligibility or increasing the level of child care assistance as determined by the Bureau of Special Investigations (BSI) or successor agency.

**TAFDC.** Transitional Aid to Families with Dependent Children.

**Teen Parent.** A biological parent that is younger than 20 years old, who resides in the household with his or her dependent child(ren). This shall include teen parent(s) that attain the age of 20 years old during their third trimester of pregnancy.

**Vocational Training Program.** A program other than graduate, medical or law school, which is intended to teach a specific skill leading to employment.

**Voucher Child Care Educator/Provider.** A program or individual who provides child care services pursuant to an EEC voucher services agreement.
CHAPTER 2  How Do I Get On the Wait List?

The EEC centralized waitlist for financial assistance is the only wait list for EEC financial assistance. As a general rule, placement on the EEC waitlist is the first step in the process for families to access EEC financial assistance.

2.1 Placing Families on the EEC Centralized Waitlist

A. **HOW TO ACCESS THE WAITLIST:** Families may access the waitlist by contacting any waitlist administrator, including Mass 211; any CCRR; or an EEC contracted provider.

B. **REQUIREMENT PRIOR TO ENROLLMENT:** Families who seek EEC financial assistance (e.g., through vouchers or contracts) must be placed on the EEC centralized waitlist to access EEC financial assistance.

   Exceptions to the waitlist requirement:
   1. Families who have received a DTA Referral;
   2. Families who have received a DCF Referral for Supportive Child Care;
   3. Families who have received a DCF Referral for Homeless Child Care, unless no appropriate openings are available; and
   4. Families who have received a DHCD Referral for Homeless Child Care, unless no appropriate openings are available.

C. **CHILD STATUS CODES:** All children placed on the waitlist must be assigned one or more child status codes, regardless of access point.

D. **VERBAL CONFIRMATION OF ELIGIBILITY:** All families entered onto the EEC centralized waitlist must declare that they meet EEC income eligibility requirements:

E. **DATE CHILD CARE NEEDED:** Families seeking child care financial assistance in Massachusetts may either have an immediate need for services or a need for services in the future. Circumstances in which a family may need care in the future include:

   1. Pregnancy; or
   2. Family member currently caring for child will be unable to care for the child at a future date.

2.2 Waitlist Child Status Codes

All children placed on the EEC centralized waitlist should receive one or more of the following child status codes. EEC uses codes to better understand the population of families seeking child care subsidy in Massachusetts.
## Waitlist Status Codes

<table>
<thead>
<tr>
<th>CHILD STATUS CODE</th>
<th>DEFINITION</th>
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<tbody>
<tr>
<td>Child in Foster Care</td>
<td>A child receiving temporary substitute parental care under the auspices of the Department of Children and Families (DCF)</td>
</tr>
<tr>
<td>General Priority</td>
<td>A child who does not meet any of the specific child status criteria listed above.</td>
</tr>
<tr>
<td>Child of Homeless Family</td>
<td>A child whose family is homeless, and residing in a Department of Housing and Community Development (DHCD) or DCF shelter, or at risk of homelessness based on the child’s family’s participation in a DHCD diversion or stabilization program.</td>
</tr>
<tr>
<td>Child of Military Personnel</td>
<td>A child with one or both parents who is a member/are members of the U.S. military, including the National Guard, who is/are deployed or activated to a combat zone, a hazardous duty zone, or venue for preparation for deployment to a combat or hazardous duty zone.</td>
</tr>
<tr>
<td>Child of Teen Parent</td>
<td>A child with a parent who is younger than 20 years of age.</td>
</tr>
<tr>
<td>Child in Legal Guardianship</td>
<td>A child who is in the legal temporary or permanent custody of a grandparent or other adult.</td>
</tr>
<tr>
<td>Parent with Special Needs</td>
<td>A child of a parent with a documented special need who is unable, due to the special need, to care for the child during the time for which early education and care financial assistance is being requested.</td>
</tr>
<tr>
<td>Child with Special Needs</td>
<td>A child with a documented special need who would benefit from access to early education and care.</td>
</tr>
<tr>
<td>School Closure Only</td>
<td>A child who only requires care on school closure days.</td>
</tr>
</tbody>
</table>

Please review the Variances section contained in Chapter 4 of this guide or e-mail EECSubsidyManagement@mass.gov if a family presents extraordinary circumstances above and beyond those reflected by these child status codes who you believe would warrant immediate access to EEC financial assistance.

### 2.3 Communicating with Families on the Waitlist

To ensure accuracy of the data on the waitlist and the continued need for child care services, you will receive several written communications from EEC once you have been placed on the waitlist.
A. **CONFIRMATION LETTERS.** EEC issues confirmation letters to all new families on the waitlist. These letters instruct families to review the information and verify its accuracy, and to contact a waitlist administrator to declare any changes.

**Parent responsibility for accuracy.** Families are responsible for ensuring the accuracy of the information they provide when they place their name on the income eligible waitlist. When changes occur, updates shall be made promptly.

B. **RENEWAL LETTER(S).** Renewal letters are sent to families on the waitlist whose application has not been updated in the previous 12 months. Families may contact Mass 211, any CCRR, OR any EEC contracted provider. Failure to respond to Renewal Letter(s) will result in the family being terminated from the waitlist.

C. **FUNDING AVAILABILITY LETTERS (FAL).** Subsidy Administrators **must** use the centralized waitlist to identify families seeking subsidized child care. When funding becomes available, subsidy administrators will issue FALs to families on the waitlist on a first-come, first-serve basis in descending order (starting with the earliest date).

1. **TIME IS OF THE ESSENCE.** Families must contact the subsidy administrator that issued the FAL within 15 days of the date of the letter to schedule an appointment. Failure to respond in a timely manner will result in families’ removal from the waitlist. Families who initially respond to a FAL but who do not complete the eligibility process may be considered non-responsive and removed from the waitlist.

2. **TELEPHONE CONTACTS.** In addition to issuing FAL, Subsidy Administrators may also call families after sending a FAL in order to expedite the process.

3. **SELECTION OF PROVIDERS.** Families who have been offered EEC financial assistance, but have been unable to find care within 30 days may continue to look for care, but funding is not guaranteed to be available. Families may be placed back on the EEC centralized waitlist using their original waitlist date.

D. **TARGETED FUNDING OPPORTUNITIES.** From time to time, EEC may ask subsidy administrators to prioritize a particular population to be served.

1. **IDENTIFYING PRIORITY POPULATIONS.** To target families who need funding at once, a Subsidy Administrator will perform a search for families with one or more of the child status codes identified for immediate access. Before a FAL is issued to any family with an immediate access category, the family must be added to the EEC centralized waitlist and immediately marked as placed. The step of adding the family to the waitlist is critical for EEC to monitor caseloads and available funding.

2. **INCORRECT CHILD STATUS CODES.** If a Subsidy Administrator issued a FAL to a family that no longer qualifies for, or was originally coded incorrectly, the child status code that identified the family for immediate access, the family will be placed back on the waitlist with the appropriate child status code, with the family’s original waitlist date.

### 2.4 Removing Families from the Waitlist

It is essential that waitlist administrators remove families from the EEC centralized waitlist and terminate the families’ or children’s records to ensure accurate data.
A. REASONS FOR REMOVAL FROM THE WAITLIST. Families will be removed from the centralized waitlist under any of the following circumstances:

1. FAILURE TO MAINTAIN ACCURATE CONTACT INFORMATION. A letter is returned to sender via mail as undeliverable;
2. OVER INCOME. Family does not meet EEC income requirements;
3. OVER AGE LIMITATIONS. Any child on the waitlist age 13 or older will be removed from the waitlist, unless the family has identified the child as special needs. If the child is identified as special needs, any child age 16 or older will be removed from the waitlist;
4. CARE NO LONGER NEEDED. Family indicates that they are no longer waiting for care or financial assistance;
5. CARE REFUSED. Families who are offered access to financial assistance on 3 occasions, and refuse to accept the offer, will be removed from the waitlist after the third refusal; or
6. FAILURE TO RESPOND TO FAL. Families must contact the subsidy administrator that issued the FAL within 15 days of the date of the letter to schedule an appointment. Failure to respond in a timely manner will result in the families' removal from the Waitlist.

7. FAILURE TO RESPOND TO RENEWAL LETTER. Families must update their continued eligibility and interest in the Waitlist once per year. Failure to update information, including responding to annual renewal letter, within 15 days of the date of the letter will result in the families' removal from the Waitlist.

B. NOTICE OF REMOVAL REQUIRED. Families removed from the EEC centralized waitlist must be sent a letter informing them of their removal and explaining the reinstatement process. If no valid contact information is available, a notation shall be made in EEC’s centralized waitlist.

2.5 Reinstating Waitlist Records

If a family that has been removed from the waitlist contacts an administrator within 30 days of their removal, the family may be placed back on the waitlist using their original placement date provided that information that the family provides demonstrates eligibility for child care financial assistance.
CHAPTER 3  How Do I Get a Child Care Subsidy?

This chapter explains the general steps you need to take in order to receive child care financial assistance from the state. EEC’s regulations regarding subsidized child care can be found at 606 CMR 10.00 et seq. and are located on EEC’s website.

3.1 Application for a Child Care Subsidy

After receiving a funding availability letter or a referral for child care services from DCF, DTA, or DHCD, parents may apply for a child care subsidy by contacting the appropriate Subsidy Administrator.

A. APPLICATION AND FEE AGREEMENT. Each parent must complete an Application and Fee Agreement upon initial authorization for EEC child care subsidy and at each subsequent reauthorization. The parent must verify the information provided through documentation, as required by the regulations and policies of the Commonwealth.

   ACCURACY OF APPLICATION. Substantiated Fraud committed during authorization or reauthorization may result in denial or termination of the subsidy, ineligibility for any further EEC child care subsidy, an obligation to repay the cost of child care, and/or the assessment of a civil fine.

B. CONTACT INFORMATION. Each parent who receives EEC child care subsidies is responsible for maintaining current contact information (i.e., address, telephone number, or e-mail) with his/her subsidy administrator.

   NOTE: EEC requests certain information from parents seeking child care subsidies to assist the Commonwealth in establishing a longitudinal data system; however, no parent will be denied access to child care subsidies for failure to provide social security numbers, city of birth, or middle names.

3.2 Documentation Requirements

All documentation that verifies eligibility will be maintained in each family’s file. All documentation must be readily available at the time of application. Any documents that meet the eligibility requirements will be accepted. For your convenience, EEC provides examples of acceptable documentation throughout this guide.

Documents in foreign languages must be translated prior to submission. Subsidy administrators will offer translation services if resources are available or if their contract with EEC specifies that they must do so.

A. For the INITIAL APPLICATION, parents must submit documentation that verifies each of the following data elements, unless the regulations or policies of the Commonwealth specifically state an exception:
1. Identity of the applicant(s);
2. Massachusetts residency;
3. Citizenship or immigration status of any child seeking child care subsidies;
4. Total gross household income;
5. Service need for each parent on the application; and
6. Relationship of the parent to all children and dependent grandparents in the household.

B. For each REAUTHORIZATION, parents must submit documentation that verifies their continued eligibility for child care subsidy, unless the regulations or policies of the Commonwealth specifically state an exception:
   1. Massachusetts residency;
   2. Current total gross household income; and
   3. Ongoing service need for each parent on the reauthorization.

3.3 Family Composition and Relationship Requirements
Parents applying for child care subsidies must list all family members residing in the household and attest to the accuracy of this list when they complete and sign an Application and Fee Agreement. All subsidy applicants are subject to the general eligibility requirements regardless of whether they were referred or received a FAL letter. Parent(s) shall complete Household Composition Form at initial authorization and shall be informed that they must report any changes in countable household members that last more than 30 total days of the 12 month authorization.

A. DEFINITION OF FAMILY. See Chapter 1.
B. DEFINITION OF PARENT. See Chapter 1.
   1. TWO-PARENT FAMILIES. If a household includes two parents, both parents will be included when determining family size and eligibility.
   2. TEEN PARENT FAMILIES. A teen parent is a parent younger than 20 years old. The applicant must submit adequate documentation to verify the teen parent’s age. Examples of acceptable documentation include:
      a) Birth certificate,
      b) Driver’s license, OR
      c) Other government issued identification (e.g., state identification card, military dependent’s card, or passport).
C. RELATIONSHIP TO MINORS IN FAMILY. Parents will need to provide documentation to verify their relationship to each child under the age of 18, or under the age of 24 if the child is a full-time student and is financially dependent on the parent(s) applying for child care financial assistance. Examples of acceptable documentation include:
   1. Birth certificates;
   2. Hospital birth records;
   3. Copies of previously issued EEC child care authorizations or vouchers;
   4. Social security benefits records;
   5. Court orders establishing custody or guardianship; OR
6. School records verifying the address of the child, as well as the name and relationship of the relative responsible for the child.

D. **RELATIONSHIP TO DEPENDENT GRANDPARENTS IN FAMILY.** Grandparents may be included as dependent members of the family if they have been claimed as dependents on the applicant’s most recent federal income tax return. The applicant must submit a copy of his/her most recent federal income tax return to verify the dependent status of the grandparent(s).

E. **ADDITIONAL DOCUMENTATION REQUESTS.** Subsidy Administrators must request additional documentation if they have reason to believe that a parent has not accurately reported his/her family composition and size. Examples of situations wherein a Subsidy Administrator must request additional documentation include, but are not limited to, the following:

1. Marital status noted on supporting documentation, but no second parent reported on the application;
2. Contradictory family composition identified in data matches with other government agencies;
3. Reports of new births; OR
4. Data from child care program contradicts information reported on the parent’s Application and Fee Agreement.

Documentation linking an individual to a specific address may also be requested. This may include, but is not limited to, a copy of any bill, preferably a utility bill, dated within 45 days of the eligibility authorization.

3.4 **Identity of Parent(s)**

Subsidy Administrators will verify the identity of each parent applying for subsidized child care. Documentation of identity must include original, valid, and unexpired documents, and only needs to be submitted once. Documentary evidence must contain a photo of the applicant. Examples of acceptable documentation include:

- U.S. passports;
- Certificates of naturalization;
- Driver’s licenses;
- Permits or state identification cards;
- U.S. military cards;
- Non-U.S. passports; OR
- School identification cards

3.5 **Massachusetts Residency and Location of Child Care**

A. **HOUSEHOLD RESIDENCY.** Child care applicants must be residents of the Commonwealth of Massachusetts. Documentation of residency must be updated at each reauthorization. Acceptable proofs of residency must show that the applicant’s current primary address is located within the Commonwealth. Post Office Box addresses and 911 emergency
residence verifications will not be accepted as proof of residency. Examples of acceptable documentation to verify Massachusetts residency include:

- Utility bills issued within the most recent 45 days;
- Property tax bills;
- Individual income tax returns for the most recent year;
- Mortgage documents or home owner insurance documents;
- Vehicle registration cards;
- Residential rental or lease agreements signed by the lease holder and the owner of the property or the owner’s legally designated agent; OR
- Letters from shelter programs confirming residence in a Massachusetts shelter program.

B. LOCATION OF CARE. Child care subsidies administered by EEC may only be used for child care provided within the Commonwealth of Massachusetts.

3.6 Citizenship and Immigration Status of Children

To determine eligibility for child care financial assistance in Massachusetts, the citizenship and/or immigration status of each child for whom care is requested must be verified. These verifications are not required for the parent(s) and/or caretaker(s) because the child is considered the primary beneficiary of child care subsidy. To qualify, the child must be a U.S. citizen, a non-U.S. citizen national, or a qualified alien. Applicants who cannot provide verification of citizenship or immigration status for the child are not eligible. Examples of acceptable documentation include:

- U.S. passports;
- Birth certificates; OR
- Reports of birth abroad.

The law regarding U.S. citizenship and nationality is complex and constantly changing; therefore, no child shall be denied child care financial assistance based solely on an applicant’s failure to demonstrate citizenship or immigration status without final review by EEC.

For additional guidance, please refer to Appendices A (Evidence of United States Citizenship, United States National Status, or Immigration Status) and B (Desk Guide to Non-Citizen Eligibility for Child Care Financial Assistance).

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1 Child care subsidies in Massachusetts are funded, in whole or in part, by the federal Child Care Development Fund (CCDF). CCDF is a federal block grant that is considered a “federal public benefit” under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA).  

2 The Administration for Children and Families (ACF) confirmed that CCDF is a “federal public benefit” within the meaning of PRWORA and that the child is the primary beneficiary of the benefit. See ACYF-PI-CC-98-08. Based on this designation, federal law and policy requires that states verify the citizenship and immigration status of the child as a condition of eligibility for child care financial assistance programs funded, in whole or in part, by the CCDF program.
3.7 Attendance

All children who receive EEC child care subsidies are expected to attend the early education and care program in accordance with the terms of the child care authorization. Child care providers are required to make every effort to ensure that each child care slot is filled or each voucher is used at all times.

Absence due to illness, emergencies, and a maximum of two weeks’ vacation per year are considered explained absences. All other absences are considered unexplained. Excessive absence (more than 3 consecutive unexplained absences) may result in the termination of subsidized child care by the Subsidy Administrator. Any terminations by the Subsidy Administrator must happen on the fourth consecutive unexplained absence.

A. PROVIDERS WILL TAKE THE FOLLOWING ACTIONS TO ENSURE MAXIMUM ATTENDANCE:

1. Upon enrollment, child care providers must explain the Attendance Notification Agreement to parents and have them sign it. When unexplained occur, the Provider/System will contact the parent to determine the validity of the absences and verify the need for continued subsidized care. The provider will request written verification (i.e., signed notes from parents) for explained absences. The notes must contain the names of the children absent, the dates of the absences, and the reason for the absences.

2. When children are absent and the family does not call, the child care provider will call the family to determine if the child has withdrawn from services.

3. Excessive absence (more than 3 consecutive unexplained absences) will result in immediate reevaluation of the family’s continued need for child care. Providers must contact the family immediately when a child has more than 3 consecutive unexplained absences. A doctor’s note that includes why a child is ill with expected return date will be required for illnesses lasting more than 10 days. If a child is absent often, the provider may request supporting documentation for absences of shorter duration. If a child is absent excessively (consecutively or not), the contracted provider will determine if the absences are reasonable, or if they suggest a misuse of services. (Non-contracted providers accepting voucher payment shall discuss concerns regarding excessive absence with the CCRR.) If a child will not attend care due to an event, including, but not limited to, an extended vacation, a medical procedure, extended illness, or a visit to the non-custodial parent child shall be placed on an Approved Break in Care of up to 90 days in accordance with Chapter 11.6.

Failure to attend the child care program may result in the termination of the child care subsidy in accordance with 606 CMR 10.13. Children will not be authorized for early education and care on days they are regularly scheduled to be absent (i.e., every Friday, homework clubs, etc.).
B. **PAYMENT FOR CHILD CARE ABSENCES.** Educators/Providers will not be paid for more than 3 consecutive unexplained absences without written approval from EEC. Providers will not be paid for days that a child is regularly scheduled to be absent.

C. **LATE ARRIVAL.** Providers will establish policies for children’s arrival and departure times. These policies will be provided to parents in writing prior to implementation. Providers shall not exclude children from care who arrive late and will not be paid for any days children are excluded from care. However, care may be terminated (following a 2-week Advance Notice of Termination) if parents consistently fail to follow the provider’s policies. Such termination may result in loss of placement at a particular program but will not result in the loss of authorization for subsidized care.

### 3.8 Reporting Non-Temporary Changes

All families are responsible for reporting non-temporary changes that might affect their eligibility. Non-temporary changes must be reported immediately, but no later than 30 days after the change. Non-temporary changes are defined as changes to a parent’s circumstances, including:

1. Increases in total gross household income exceeding 85% SMI;
2. Changes in household composition for more than 30 total days in a 12 month authorization;
3. Changes in child custody arrangements;
4. Any out of state change in address;
5. Any change or cessation of a parent’s work, training, or education participation for more than 30 days, not including regular semester breaks as long as the parent is enrolled for the following semester; or
6. Change in family contact information.

Subsidy administrators must notify families of the requirement to report non-temporary changes and that failure to report may result in an intentional program violation (IPV). Parents shall be informed that reporting of a non-temporary change will not impact the level of subsidized child care being received; however, an out of state address change will result in the termination of benefits, as detailed in Chapter 12.

A. **Increases in total gross household income exceeding 85% SMI:**

1. Parent shall be given documentation of the 85% SMI limit for their household size at initial authorization and shall be told of reporting requirement.
2. When reporting the change in income, parent shall submit paystubs, or other proof of income, and complete a Household Income Statement to document income over 85% SMI.
3. Upon receiving documentation of income change, Subsidy Administrator shall confirm that income is over 85% SMI based on current SMI chart.
   i. If income is confirmed over 85% SMI, Subsidy Administrator shall issue a Notice of Termination in accordance with Chapter 12.
ii. If income is equal to or under 85% SMI, please reference Chapter 9.5 to evaluate if parent fee will change as a result of the increased income.

B. Changes in household composition for more than 30 total days in a 12 month authorization:

1. Parent(s) shall complete Household Composition Form at initial authorization and shall be informed that they must report any changes in countable household members that last more than 30 total days of the 12 month authorization.
   i. Countable household members include, but are not limited to, the following and as detailed in Chapter 2.3:
      1. Second parent (biological or through marriage);
      2. Dependent children, including foster children or guardian children;
      3. Dependent grandparent(s)
   ii. The time limit for this change is whether the household member is present for 30 total days, not 30 consecutive days. An example of this distinction is a countable person who is in and out of the household. If the number of days over the course of the authorization equals or exceeds 30, the person must be included in the household.

2. When reporting the change in household composition, parent shall complete a new Household Composition Form and provide relationship documentation as required under Chapter 2.3.
   i. If new household member would be required under Chapter 4 to report income and service need, documentation must be provided by the parent(s), including an updated Household Income Statement.
   ii. If change is a request to remove a person from the household, documentation must be provided.

3. Upon reporting change in household composition and receiving all required documentation, Subsidy Administrator shall update household members in CCFA add any income and service need information to the authorization in CCFA, make note of the change in parent’s case notes, and keep all documentation submitted in the family’s subsidy file.

4. Parent shall be informed that child care will continue at authorized level until the end of the current 12 month authorization. Please reference Chapter 9.5 to evaluate if parent fee will change as a result of the new household member.

C. Change in Custody Arrangements:

1. Child Enrolled in DCF Referred Child Care Contract or Voucher:
   i. When a child in a DCF referred child care contract or voucher changes caregivers, DCF must issue a new referral to the Subsidy Administrator listing new caregiver to authorize child care for the remainder of the original 12 month authorization period.
   ii. To ensure continuity of care for the child during this transition, the Subsidy Administrator will end the child’s current authorization and placement in CCFA and move child’s PID to the new caregiver’s household. An authorization will be
entered into new caregiver’s household for the remainder of the original 12 month period.

iii. Subsidy Administrator will contact new caregiver so that caregiver can present photo ID as required in Chapter 6. It is the Subsidy Administrator’s responsibility to ensure that the file is complete with all required documentation. DCF Social Worker, Supervisor, and Child Care Coordinator shall be informed if new caregiver is not complying with documentation requirements.

2. Child Enrolled in Other Subsidy Program (Income Eligible, DTA, Homeless, Teen) Where Child is Under the Care of a New Parent/Guardian:
   i. New Parent/guardian reports change in custody to Subsidy Administrator and presents documentation of new custody arrangement.
   ii. New Parent/guardian presents documentation of income and service need as detailed in Chapter 4.
   iii. Subsidy Administrator will end child’s current authorization and placement in CCFA and move child’s PID to the new parent/guardian’s household.
   iv. Child may be eligible for child care at the same level of care for the remainder of the original 12 month period, regardless of the new parent/guardian’s eligibility.

1. If new parent/guardian already has an Income Eligible authorization, child is added onto existing authorization to maintain one authorization end date for the new parent/guardian.
   a. If the child is not a guardian child (i.e. new parent/guardian is biological parent or stepparent), child is added to the existing authorization in the same process as a sibling is added. Please reference Chapter 9.5 to evaluate if parent fee will change as a result of the new household member.
   b. If the child is a guardian child, dual household must be created in CCFA. Both guardian and child’s PID shall be moved to the dual household with the relationship kept to the original household. Guardian’s original authorization is recreated in the dual household with the same end date. This will allow for no parent fee on the guardian child. Please reference Chapter 9.5 to evaluate if parent fee will change as a result of the new household member.

2. New Parent/Guardian does not have an existing authorization:
   a. If the new parent/guardian’s documentation confirms eligibility at the same or higher level of care, new parent/guardian is assessed for a full 12-month authorization in accordance with Chapter 4. Parent fee is established as a part of the authorization process.
   b. If new parent/guardian’s documentation would result in a decrease in care, an authorization shall be entered in the new parent/guardian’s household that is at same level of care as the child had been receiving.
The end date for this authorization is the child’s original end date. Please reference Chapter 9.5 to evaluate if parent fee will change as a result of the new household member.

3. Child Enrolled in Other Subsidy Program (Income Eligible, DTA, Homeless, Teen) Where Child is In a New Shared Custody Arrangement:
   i. Subsidy Administrator will collect documentation of shared custody arrangement and keep on file.
   ii. No changes will be made to child’s authorization under the original parent until the next reauthorization. However, changes in the child’s placement schedule may need to be changed if requested.
   iii. If shared custody arrangement remains in place at subsequent reauthorization, both parents/guardians shall be assessed for eligibility and the child’s PID shall be shared between the two households.

D. Any out of state change in address;
   1. If parent reports, or the Subsidy Administrator discovers, that the family has moved out of the Commonwealth of Massachusetts, a Notice of Termination is issued in accordance with Chapter 12.

E. Any change or cessation of a parent’s work, training, or education participation for more than 30 days, not including regular semester breaks as long as the parent is enrolled for the following semester.

By reporting change, a parent’s level of care will not be altered for the duration of the 12 month authorization. However, Subsidy Administrators are required to collect documentation at the time the change is reported and are required to record service need changes in CCFA.

1. The parent shall present documentation of new service need as required under Chapter 4.3. The parent may also be required to present documentation from prior service need as detailed below.

2. If a parent is leaving a place of employment, the parent must provide one of the following:
   i. Last day of work letter on the prior employer’s letterhead and signed by prior employer. The Subsidy Administrator must call employer to confirm accuracy of letter.
   ii. If a last day of work letter is not available, the parent may present his/her last paystub. The Subsidy Administrator must then verbally confirm with the prior employer of the last day of work.
   iii. If neither of the first two options can be completed, an Last Day of Employment form(s) must be signed by parent confirming last day of work and signed by the Subsidy Administrator to confirm that the Subsidy Administrator could not reach employer. The Parent will be informed that tax information shall be required at next reauthorization to document change of employment.

3. If a parent is ending an education/training program, the parent must provide one of the following:
i. Transcript, or other documentation (such as Certificate, etc.), showing completion of coursework;
ii. Transcript or other documentation showing withdrawal from coursework; or
iii. Letter from education/training program, on program letterhead, documenting the date the parent un-enrolled.
iv. The Subsidy Administrator must call education/training program to confirm the accuracy of any documentation provided.

4. If a parent is going on maternity/paternity leave:
   i. Parents currently receiving a child care subsidy may take up to 12 weeks of maternity/paternity leave and continue to receive financial assistance.
   ii. Parents must provide a letter from the employer indicating the allowance of maternity/paternity leave, the income the parent may receive during leave, and the duration of the leave.

5. If parent does not have an ongoing service need, the parent shall be listed as having a 12 week seeking approved activity period. Parents may have more than one seeking approved activity period during the 12 month authorization. The seeking approved activity period shall take effect the day the parent separates from the activity. In CCFA, Subsidy Administrators will manually make this change by adjusting the end date of the new placement to be 12 weeks from the activity end date.
   Example: if a parent separates from an activity on November 1st but does not report the change until November 15th, the Subsidy Administrator will make the change in CCFA effective November 15th. However, the end date of the seeking approved activity period will be January 24th, 12 weeks from the end of the approved activity.

6. If a parent does have ongoing service need, a new service need must be recorded in CCFA.

7. Please reference Chapter 9.5 to evaluate if a parent fee will change as a result of the change in service need.

F. Change in family contact information.
   1. Families must report in writing any changes to physical address, mailing address, phone number(s), and e-mail address by completing a Parent Contact Information Form. Such reporting may be made by e-mail to the Subsidy Administrator. The parent does not need to provide documentation of the change (such as proof of address) until the next reauthorization.
   2. Once a parent has reported a change, Subsidy Administrator must update information in CCFA.

3.9 Voluntary Reporting of Any Changes
Parents may report changes that benefit the household, such as an increase in the level of care or a reduction in the parent fee.

A. If a parent is authorized for part time care and reports a change in service need that would allow full time care:
a. The parent must present documentation showing a full time service need as well as all other documents required for reauthorization as detailed in Chapter 11.

b. Once all required documentation has been received, the Subsidy Administrator will complete a full reauthorization of the household and issue a new 12 month authorization.

c. Parent fee is established as a part of the reauthorization process.

B. If parent reports, and provides documentation of, a change in income that will reduce the parent fee, fee adjustments shall be made in accordance with Chapter 9.5.
CHAPTER 4  

Am I Eligible?

This chapter outlines the financial and participation requirements for families who wish to receive subsidized child care.

4.1 Income Eligible Program Requirements

A. ELIGIBILITY CRITERIA – In addition to the requirements set forth in the General Provisions for child care subsidies detailed in Chapter 3, parents must establish both:
   1. Financial eligibility; and
   2. Service need/approved activity requirements.

B. ELIGIBLE PROGRAMS. Income Eligible Child Care subsidies are available to eligible parents for early education and care programs that are contracted with EEC to provide Income Eligible services or voucher agreements with CCRR agencies.

4.2 Financial Eligibility

A. INCOME THRESHOLDS. Total gross household income must not exceed the eligibility thresholds established by federal and state law. Please refer to current income eligibility table published by EEC.
   1. GENERAL RULE. Families seeking EEC child care subsidies satisfy the financial requirement by demonstrating a total gross household income at or below 50% of the SMI.
      Income threshold at reauthorization. Families may remain eligible for child care subsidies if the total gross household income remains at or below 85% of the SMI.
   2. FAMILIES WITH SPECIAL NEEDS/DISABILITIES. Families with a child or parent with a documented special need satisfy the income requirement by demonstrating a total gross household income at or below 85% of the SMI.
      Income threshold at reauthorization. Families may remain eligible for child care subsidies if the total gross household income remains at or below 100% of the SMI.

B. RELEVANT INCOME. Families need to submit documentation of income for all required individuals from all relevant sources, as detailed below.
   1. ASSETS. Families seeking child care financial assistance shall not have assets that exceed $1 million dollars. Assets are defined as valuables including, but not limited to, all houses or other buildings, real property, vehicles, cash, bank accounts, cash value of life insurance policies, trusts, stocks, bonds, and overall business value, including equipment, jewelry, livestock, or other goods.
      a. To certify that assets are below $1 million dollars families must affirm in writing by signing the relevant portion of the Household Income Statement.
         Documentation does not need to be collected on the value of assets as the certification on this form is sufficient.
      b. Asset limit applies to all households, including those headed by guardians and caretakers.
c. Any family certifying that they possess $1 million or more in assets shall be denied child care financial assistance.

2. **HOUSEHOLD MEMBERS.** The subsidy administrator must obtain documentation verifying the earned and unearned income of each member of the family, including parents (biological, adoptive, or stepparent), and dependent grandparents, as well as all dependent children.
   a. **NON-REQUIRED ADULT HOUSEHOLD MEMBERS.** Income from legal guardians, foster parents, caretakers or other household members (i.e., relatives or unmarried partners) will not be included in the total household income calculation. Income verification will be required for households headed by guardians, foster parents, or caretakers, in order to determine a service need of paid employment.
   b. **DEPENDENT CHILDREN.** Earned income from dependent children shall not be included in the total household income calculation.

3. **INCOME SOURCES.** Parents must complete and sign a Household Income Statement and submit documentation of all relevant sources of earned income, including salaries/wages, business income, tips and commissions, as well as any unearned income, as detailed below.

4. **EXCLUDED INCOME.** Income that is excluded from income eligibility determination is listed below:
   a. **Government Assistance Earnings**
      i. Payments from the Low Income Home Energy Assistance Program;
      ii. DCF foster care support payments;
      iii. The value of the allotment under the Supplemental Nutrition Assistance Program (SNAP);
      iv. Subsidized adoption payments from the Commonwealth of Massachusetts;
      v. Rental allowance made to any welfare recipients (TAFDC), Emergency Aid to the Elderly, the Disabled and to Children (EAEDC), or funds from the Refugee Resettlement Program (RRP); and
      vi. Payments credited to an escrow account under the Family Self-Sufficiency Program administered by the Department of Housing and Urban Development.
   b. **Restitution Payment Earnings**
      i. Payments to eligible individuals of Japanese ancestry or their survivors under the Civil Liberties Act of 1988 and payments to eligible Aleuts (who were former residents of the Aleutian and Pribilof Islands) or their survivors under the Aleutian and Pribilof Islands Restitution Act, Public Law 100-383;
      ii. Payments made to individuals because of their status as victims of Nazi persecution in accordance with Public Law 103-286;
      iii. Veterans Benefits Payments to a female Vietnam veteran made on behalf of a child with birth defects or spina bifida;
      iv. Agent Orange Settlement Fund payments made to Vietnam veterans or their survivors in accordance with public law 101-201, January 1, 1989; and
v. Any payment received under the uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.

c. Earnings from Legal Actions, Contracts, or Agreements
   i. TAFDC cash benefits resulting from a correction of an underpayment or a fair housing decision, in the month of receipt and in the following month;
   ii. Any portion of a Workers’ Compensation, property damage, personal injury, Compensation to Victims of Violent Crimes Act, or death settlement or award that is spent for the purpose for which it was originally earmarked and is not compensation for lost wages;
   iii. Per capita payments to or funds held in trust for any individual in satisfaction of a judgment of the Indian Claims Commission or the Court of Claims; and
   iv. Money received from the sale of property, such as stocks, bonds, a house, or a car (unless the person was engaged in the business of selling such property, in which case the net proceeds would be counted as income from self-employment).

d. Employment or Training Related Earnings
   i. Training stipends including, but not limited to, payments from the Employment and Training Administration (ETA) or the Massachusetts Rehabilitation Commission (MRC). The balance of the stipend is treated as unearned income, which is countable unless specified as non-countable under another provision of these regulations;
   ii. Youthbuild, or AmeriCorps allowances, earnings, or payments to individuals participating in those programs;
   iii. Additional income received by a member of the Armed Forces deployed to a combat or hazardous duty zone, in accordance with Public Law 108-447;
   iv. Any grant or loan to an undergraduate student for education purposes made or insured under any program administered by the U.S. Department of Education;
   v. Loans and grants, such as scholarships, obtained and used under conditions that preclude their use for current living costs;
   vi. Military Housing Allowance;
   vii. Employer’s Benefit Dollars, unless the employee elects not to spend the dollars on benefits; and
   viii. Travel Reimbursement.

e. Exempted Personal Earnings
   i. Withdrawals from bank accounts;
   ii. Money borrowed;
   iii. Tax refunds and capital gains;
   iv. Income earned by dependent children;
   v. Gifts and lump sum inheritance; and
   vi. Lump sum insurance payments.
5. **SELF-EMPLOYMENT EXPENSES.** Self-employment income is calculated by taking the gross receipts from the business and subtracting allowable business expenses.

   a. **ALLOWABLE BUSINESS EXPENSES.** Allowable business expenses include expenses that are necessary for the operation of the business and that are commonly accepted and appropriate in the business. All business expenses are subject to review and verification by EEC, through receipts, business records, and other documentation, to ensure that they are allowable. Examples of allowable business expenses include:
      
      i. Amounts paid for any items necessary for the business, such as materials and supplies, advertising costs, repairs, legal and professional services;
      
      ii. Amounts paid for employee salaries and taxes on those salaries as well as any employee benefit plans (i.e., health insurance or retirement plans for employees);
      
      iii. Amounts paid for equipment, machinery, and other capital assets and durable goods (i.e., items used in the business that are expected to last a long time such as a delivery van);
      
      iv. Amounts paid for ownership or rental of commercial property (e.g., monthly mortgage or rent for office building, office space, workshop, or other place of business);
      
      v. Amounts paid for business insurance (if the home is used for business purposes, parent may deduct amounts paid only for commercial property insurance, but not for homeowner’s or renter’s insurance);
      
      vi. If the home is used for business purposes, only the business portion of residential expenses may be deducted (e.g., separate business phone line and any extra utility costs that can be attributed to the business);
      
      vii. If a personal car or truck is used for business purposes, only the business portion of these costs may be deducted; and
      
      viii. Mileage expenses between business sites, except for the mileage from home to the first business site and from the last business site to home.

   b. **UNALLOWABLE BUSINESS EXPENSES.** Some business expenses, such as depreciation and depletion, which are allowed by the IRS, are not allowable deductions for determining eligibility for EEC financial assistance because they do not accurately reflect the actual income available to a self-employed individual to meet his/her living expenses. Examples of business expenses that are not allowable include the following:
      
      i. Personal expenses, such as the parent’s/guardian’s health insurance premiums, life insurance premiums, or retirement benefits;
      
      ii. Taxes that parent pays on his/her net income, including Social Security, federal, and state taxes;
      
      iii. Monthly mortgage or rental payment for the home;
      
      iv. Depreciation; and
      
      v. Business losses from prior months/years.
C. VERIFYING INCOME

Unless excluded in the list above, any earned and unearned income for all required household members shall be reported to the subsidy administrator. Verification of income sources is dependent on the nature and type of the income source, as detailed below.

A. EARNED INCOME FROM PAID EMPLOYMENT (NOT SELF-EMPLOYED). Parents must submit one of the following:

a. EXISTING/ESTABLISHED EMPLOYMENT. Pay stubs representing 4 out of the 6 most recent weeks of employment.

   i. UNAVAILABILITY OF PAY STUBS. If an applicant is unable to provide pay stubs, he/she must submit other documentation of his/her income, such as:
      a) PERSONAL CHECKS/MONEY ORDERS. Copies of cancelled checks or money orders reflecting payment for 4 weeks out of the 6 most recent weeks, as well as copies of their most recent federal tax returns (including W-2 forms and tax return transcript).
      b) CASH. Applicants must submit the Employment Verification form as well as copies of their most recent federal tax returns and tax transcript for their most recent federal income tax returns. The purpose of collecting the tax return transcript (which the parent can obtain by submitting IRS Form 4506-T to the IRS) is to verify that the income tax returns submitted to EEC are consistent with those submitted to the IRS.

   ii. INDEPENDENT CONTRACTORS. An individual who works exclusively for one employer as an independent contractor, but has no business expenses and is treated by that employer as an employee in every respect, except for the withholding of taxes, is not required to submit the Report of Self-Employment Earnings form. These individuals shall provide EEC with copies of pay stubs, paychecks, or other documentation of their income for one month (4 weeks within the most recent 6-week period) along with a signed copy of their most recent federal income tax return, including form 1099, and a tax return transcript for their most recent federal income tax returns. The purpose of collecting the tax return transcript (which the parent can obtain by submitting IRS Form 4506-T to the IRS) is to verify that the income tax returns submitted to EEC are consistent with those submitted to the IRS.

b. NEWLY EMPLOYED. Applicants who have been employed for less than 4 weeks and, as a result, cannot submit the required pay stubs must submit preliminary proof of employment, such as a completed Employment Verification Form (EVF), hire letter, or single pay stub.

   i. Families who are new to the Income Eligible program who present preliminary proof of employment will be authorized under the 12 week provisional period to complete the eligibility documentation with actual pay stubs.

   ii. Families who present preliminary proof of employment at the end of a 12 week provisional period will be authorized for an additional 8 weeks to
complete required eligibility documentation with actual pay stubs. Failure to complete all required eligibility documentation by the end of the 8 week period will result in the expiration of the authorization.

B. **EARNED INCOME FROM SELF-EMPLOYMENT.** Self-employment is the earning of income directly from one’s own business, trade, or profession. A self-employed individual exercises control over how the business is conducted, (i.e., the methods and means of performing services or making/selling goods to others). An individual is self-employed if he/she:

- Earns income directly from his/her own business;
- Is responsible for obtaining or providing a service or product;
- Cannot be discharged from their employment by someone else;
- Is not required to have federal income tax, Social Security tax, and Medicare tax payments withheld from their earnings; and
- Is not required to complete an IRS W-4 form for an employer.

Verification of self-employment income is determined based on the nature of the existing self-employment venture, as detailed below:

a. **ESTABLISHING SELF-EMPLOYMENT.** All self-employed applicants, whose income is reflected in his/her most recent federal tax returns, must provide the following documents to establish income eligibility:


Subsidy administrators reserve the right to request receipts or other supporting documentation to verify the revenues and/or deductions.

ii. **VERIFICATION OF SELF-EMPLOYMENT BUSINESS.** Copies of business records, such as:

   a) Registration with the Massachusetts Department of Revenue;
   b) Doing Business As (DBA) certificate;
   c) Required licenses;
   d) Certificate of incorporation; or
   e) Other documentation verifying the business.

iii. **FEDERAL TAX FILINGS.** Copies of most recent federal tax returns, including all applicable schedules. A family new to the Income Eligible program whose most recent federal tax returns do not show sufficient income to meet minimum service need requirements may be treated as a newly self-employed (more than 3 months) household for the initial 12 month authorization.

iv. **FEDERAL TAX TRANSCRIPT.** A transcript for most recent federal tax returns (which may be obtained by submitting IRS Form 4506-T to the IRS) to verify that the income tax returns submitted to EEC are consistent with those submitted to the IRS.

b. **NEWLY SELF-EMPLOYED.** Applicants who meet the definition of self-employment, but whose self-employment business is not reflected in his/her most recent federal tax returns, must provide the following documents:
   a) Newly self-employed applicants will be written a provisional authorization for a 12-week period to provide additional documentation. After an initial 12-week provisional authorization, applicants must submit an updated Report of Self-Employment Earnings form, including completed Monthly Self-Employment Earnings Worksheets for the previous 3 months.
   b) Subsidy administrators reserve the right to request receipts or other supporting documentation to verify the revenues and/or deductions.

ii. **VERIFICATION OF SELF-EMPLOYMENT BUSINESS.** Copies of business records, such as:
   a) Registration with the Massachusetts Department of Revenue;
   b) Doing Business As (DBA) certificate;
   c) Required licenses;
   d) Certificate of incorporation; **OR**
   e) Other documentation verifying the business.

iii. **FEDERAL TAX FILINGS.** Copies of federal tax returns for the first year of self-employment, including all applicable schedules, must be submitted as part of required documentation for reauthorization at the end of current 12 month authorization.

iv. **FEDERAL TAX TRANSCRIPT.** A transcript for the first year of self-employment (which can be obtained by submitting IRS Form 4506-T to the IRS) must be submitted upon reauthorization to verify that the income tax returns submitted to EEC are consistent with those submitted to the IRS.

C. **INCOME FROM SELF-EMPLOYMENT BUSINESSES.** A self-employment business can be organized in a variety of ways, including a sole proprietorship, partnership, corporation, or S corporation. The required tax forms and the calculation of income received from a self-employment business will differ depending on how the business is organized.
   a. **SOLE PROPRIETORSHIP.** A trade or business owned and operated by an individual in which all profit and loss belongs to that individual.
      i. **REQUIRED FORMS.**
         a) IRS Form 1040;
         b) Schedule C (Form 1040)-Net Profit or Loss from Business (Sole Proprietorship) or Schedule C-EZ-Net Profit from Business;
         c) Schedule SE (Form 1040)-Self-Employment Tax (Sole Proprietorship); and
         d) Any other applicable schedules.
      ii. **CALCULATION OF INCOME.** Gross receipts minus allowable business expenses.
b. **PARTNERSHIP.** An agreement by 2 or more individuals to contribute money, skills, and/or labor to a business and share the profits, losses, and management.
   
i. **REQUIRED FORMS.**
   a) IRS Form 1040, and all applicable schedules; and
   b) IRS Form 1065, U.S. Return of Partnership Income.

ii. **CALCULATION OF INCOME.** Gross receipts minus allowable business expenses, divided by the number of partners, if they all own an equal share, or by the percentage of the business owned by the self-employed parent, if ownership is not shared equally.

c. **CORPORATION.** A distinct legal entity separate and apart from the individuals who comprise it. Corporations must file articles of incorporation with the Secretary of the Commonwealth.
   
i. **REQUIRED FORMS.**
   a) IRS Form 1040, and all applicable schedules; and
   b) IRS Form 1120, U.S. Corporation Income Tax Return.

ii. **CALCULATION OF INCOME.** Gross receipts minus allowable business deductions. If an individual is paid a salary by the corporation, then the individual is not self-employed. The salary is considered wages, and any distribution of profits from the corporation is counted as additional income.

d. **S-CORPORATION.** A small corporation with a limited number of shareholders which elects to be taxed as a partnership.
   
i. **REQUIRED FORMS.**
   a) IRS Form 1040, and all applicable schedules; and

ii. **CALCULATION OF INCOME.** Gross receipts minus allowable business deductions, plus any in-kind compensation paid to the owners, such as payment of personal bills and expenses directly from the business. If personal bills and expenses are paid by the S corporation, these amounts shall be included as part of the income received.

D. **INCOME FROM OTHER SOURCES.** In addition to income from paid employment, applicants must report income from each of the following sources:
   
a. **ALIMONY.** Any formal or informal spousal support received shall be included in the total household income. Applicants who pay spousal support may deduct those payments from his/her total household income. Spousal support must be verified by one of the following:
   i. Self-Declaration, in writing and signed;
   ii. Copy of court order; OR
   iii. Copies of check from payer.

b. **CHILD SUPPORT.** Any formal or informal child support received shall be included in the total household income. Applicants who pay child support may deduct those payments from his/her total household income. Child support must be verified by one of the following:
i. Self-Declaration, in writing and signed;
ii. Copy of court order;
iii. Copies of check from payer; OR
iv. Documentation from the Department of Revenue’s Child Support Enforcement Division.

c. LOTTERY EARNINGS. Lottery earnings must be verified by a statement from the state Lottery Commission indicating the amount of awards, as well as the number and amount of installment payments.
d. RETIREMENT INCOME. For applicants aged 65 and claiming retirement, any pension or other retirement related income must be verified by submitting copies of award letters or retirement pay stubs.
e. SOCIAL SECURITY INCOME. Social Security Income, including, but not limited to, survivor’s benefits, SSI, or SSDI, shall be verified by submitting copies of award letters.
f. UNEMPLOYMENT BENEFITS. Unemployment benefits shall be verified by submitting copies of award letters.
g. WORKER’S COMPENSATION. Worker’s compensation income must be verified by submitting copies of award letters.
h. TAFDC CASH BENEFITS RECEIVED FOR A CHILD IN THE APPLICANT’S CARE. TAFDC income must be verified by submitting copies of award letters.
i. NET RENTAL INCOME. Net rental income is determined by taking the total rental income less the cost of utilities, mortgage, and taxes paid. If a parent has an owner-occupied rental property, their personal living expenses (portion of mortgage, utilities, etc) cannot be deducted from the total rental income. Documentation must be submitted, including the current lease/rental agreement and any deductions claimed.
j. DIVIDENDS OR INCOME FROM TRUSTS/ESTATES. Trust or estate income must be verified by submitting copies of checks or interest statements.

4.3 Service Need and Approved Activities
A. SERVICE NEED. Service need is defined as the amount of time child care is required due to the parent’s participation in an approved activity. Each parent residing in the household can establish a full-time or a part-time service need for child care subsidy by demonstrating participation in one of the approved activities, as defined below.

1. PART-TIME SERVICE NEED. Applicants who participate in an EEC approved activity for 20 but less than 30 hours per week, are eligible to receive up to 30 hours of early education and care services per week, unless otherwise approved by EEC through a variance.
2. FULL-TIME SERVICE NEED. Applicants who participate in an EEC approved activity for 30 or more hours per week are eligible to receive up to 50 hours of care per week at any one placement.
B. **APPROVED ACTIVITIES AND VERIFICATION REQUIREMENTS.** Activities acceptable for establishing a service need, including verification requirements, are outlined below.

1. **SEEKING APPROVED ACTIVITY.** Parent(s) who do not have an approved activity at time of initial authorization or at reauthorization may be granted a provisional period of 12 weeks to seek and certify an approved activity. This includes parents on maternity/paternity leave at eligibility assessment or parents unable to certify employment at eligibility assessment.

   **DOCUMENTATION REQUIRED.** Parent(s) who are seeking an approved activity do not need to submit evidence of search activity.

   a. **EXTENSION OF SEEKING APPROVED ACTIVITY:** Parent(s) who present preliminary proof of approved activity at the end of the provisional 12 week period will be authorized for an additional 8 weeks to complete required eligibility documentation.

   b. **END OF SEEKING APPROVED ACTIVITY PERIOD:** Parent(s) who present full documentation of an approved activity by the end of the 12 week provisional period, or at the end of 8 week extension, may be granted a 12 month authorization. Parent(s) who fail to provide, at a minimum, preliminary documentation by the end of the 12 week period or who fail to provide full documentation by the end of the 8 week extension will have subsidized care end without further extensions. If the parent(s) provides full documentation within 30 days of the last day of care, 12 month authorization may be granted and the subsidy may resume.

2. **PAID EMPLOYMENT.** The following activities meet the service need requirement of paid employment:

   a. **EXISTING EMPLOYMENT.** Employment is defined as a work activity in which a parent earns at least minimum wage in the state wherein the employment takes place.

      **DOCUMENTATION REQUIRED.** Parents must submit copies of pay stubs for at least 4 weeks within the most recent 6-week period. If employed for less than 4 weeks, the parent must submit preliminary proof of employment and will be authorized for the length of time as detailed in Chapter 4 above to submit copies of pay stubs.

   b. **SELF-EMPLOYMENT.** All self-employed parents must work an average of 20 hours per week for part time care and 30 or more hours a week for full time care and show income equivalent to minimum wage in the Commonwealth. Service need hours will be verified by dividing the gross income reported, after allowable deductions, by the minimum wage to determine the number of hours for which the parent is eligible to use towards establishing a service need for child care subsidy.

      **LIMITATIONS ON SELF EMPLOYMENT.** For parents engaged in home-based self-employment activities, the self-employment activity shall not qualify as an approved activity, unless:
• The type of work performed entails a clear and present danger to children; or
• The primary work performed consists of face-to-face meetings/appointments with clients, preventing direct supervision of children.

**DOCUMENTATION REQUIRED.** Parents must complete the Employment Verification Form and EEC’s Report of Self-Employment Earnings Form.

c. **ACTIVE MILITARY DEPLOYMENT:** Parents serving in the U.S. military, including the National Guard, deployed or activated to a combat zone, hazardous duty zone, or venue for preparation for deployment to a combat or hazardous duty zone.
   
i. **TWO PARENT FAMILIES – one Deployed.** In a two parent family where one of the parents is in the military and is deployed or activated, the second parent must be participating in at least one EEC approved activity for at least 20 hours per week to be eligible for part-time care, and 30 hours per week to be eligible for full-time care.

   ii. **ALL PARENTS DEPLOYED.** In a single parent family where the parent is a member of the military and is deployed or activated; or in a two parent family where both parents are members of the military and are deployed or activated, the person responsible for the care of the child(ren) in the absence of the parent(s) must be participating in at least one EEC approved activity for at least 20 hours per week to be eligible for part-time care, and 30 hours per week to be eligible for full-time care.

**DOCUMENTATION REQUIRED.** A copy of military orders.

d. **RETIREMENT.** Parents may only qualify for child care subsidy based on retirement if they are aged 65 or older.

**DOCUMENTATION REQUIRED.** Verification of age and documentation of retirement income.

3. **EDUCATION/TRAINING.** Parents will qualify for a service need of education or training if they are enrolled in and attending any of the following:

   • full-time high school program;
   • a high school equivalency program (e.g., GED);
   • a vocational training program;
   • an ESOL program; or
   • an accredited college or university, leading to an Associate’s or a Bachelor’s degree. **Be advised that graduate, medical or law school activities are not approved activities.**

   a. **HIGH SCHOOL – SERVICE NEED.** The service need for parents participating in high school programs will be considered full time, regardless of the program schedule.

**DOCUMENTATION REQUIRED.** Written statement from the school verifying enrollment.
b. **COLLEGE COURSEWORK.** The service need for parents participating in college coursework with 12 credit hours or more will be considered full time. For parents participating in college coursework with less than 12 credit hours, the actual credit hours shall be multiplied by 2.5 to establish service need.

i. Summer college coursework is coursework at an accredited college or university that will lead to an Associate's or a Bachelor's degree that requires longer classroom hours (i.e., class schedule reflects eight hours per week or more). Parents who present with a classroom schedule reflecting twelve hours or more per week of classroom time will be determined to have a full-time service need. Those with a class schedule of at least eight hours, but less than twelve hours per week of classroom time will be determined to have a part-time service need.

ii. **WORK STUDY, INTERNSHIPS AND CLINICAL PROGRAMS.** Work study hours, required practical internships, and clinical experiences (including student teaching) will be calculated as hours of employment to determine service need. For example, if a parent is engaged in a 2-credit course, which requires 10 hours of practical experience, this “course” alone would qualify for 15 hours of service need per week. This activity may only be included for those parents seeking an undergraduate degree.

**DOCUMENTATION REQUIRED.** Written statement from the administration of the college/university program, specifically noting the number of credits for which the student is enrolled.

c. **VOCATIONAL TRAINING PROGRAMS, HIGH SCHOOL EQUIVALENCY PROGRAM, ESOL PROGRAM, OR NON-CREDITED EDUCATIONAL PROGRAMS – SERVICE NEED CALCULATION.** The service need for parents participating in education or training programs (other than college or high school) is 2.5 hours of service need for each hour spent in the education or training program per week.

**DOCUMENTATION REQUIRED.** Written statement from the school or training program verifying enrollment.

4. **AT RISK OF RECEIVING PROTECTIVE SERVICES.** Children may be deemed at risk of needing protective services in circumstances, in which families are unable to provide child care for any portion of a 24 hour day due to a situation of domestic violence or homelessness; a physical, mental, emotional, or medical condition; or participation in a drug treatment or drug rehabilitation program.

a. **SPECIAL NEEDS/DISABLED PARENTS.** A parent with a documented physical or mental disability may be eligible for either full-time or part-time care.

**LIMITATIONS ON SPECIAL NEEDS/DISABLED PARENTS.** Service need based on the physical or mental disability of a parent may not be authorized for more than 2 years, unless approved in writing by EEC.

**DOCUMENTATION REQUIRED.** Parents must complete the Verification of Disability/ Special Needs for Parent form.

b. **HOMELESS FAMILIES.** Parents who are homeless or at risk of homelessness, including parents who actively participate in homeless diversion and/or
stabilization programs through the Department of Housing and Community Development (DHCD), the Department of Children and Families (DCF), or any other agency designated by EEC, are eligible for child care subsidy.

**DOCUMENTATION REQUIRED.** Authorization or referral from the DHCD, DCF, or any other agency designated by EEC.

c. **DOMESTIC VIOLENCE, SUBSTANCE ABUSE, OR OTHER SPECIAL CIRCUMSTANCES.** Parents experiencing domestic violence, participating in substance abuse rehabilitation programs, or having other pressing circumstances may be eligible for either full-time or part-time care.

**DOCUMENTATION REQUIRED.** For families experiencing domestic violence or other pressing circumstances, a written statement from the parent’s social worker, case manager, or other social service advocate. For families participating in substance abuse rehabilitation programs, a written statement from the program, which includes the date of entry and expected date of completion, if possible. Approval from EEC is required through the variance process detailed in Chapter 4.4.

C. **SERVICE NEED DETERMINATIONS**

1. **SPECIAL NEEDS/DISABLED – CHILDREN.** A parent seeking a child care subsidy on behalf of his/her child must establish at least a part-time service need. Even if the parent does not establish an independent full-time service need, these children may be eligible for full-time child care, if the supporting documentation recommends it.

**DOCUMENTATION REQUIRED:** Parents must complete a Verification of Disability/Special Needs for Children form.

D. **COMBINING SERVICE NEED ACTIVITIES.** Parents receiving a child care subsidy may claim one or more approved activities, to demonstrate a full-time or part-time service need, provided that the combination of activities is not contradictory.

1. **SERVICE NEED COMBINATIONS – ALLOWED.** Work and education or training may be combined to meet service need requirements.

2. **SERVICE NEED COMBINATIONS – NOT ALLOWED.** Seeking paid employment or the incapacity of a parent may not be combined with any other approved activity to establish a service need. In addition, a parent may not claim job search, if he/she has established a part-time service need of employment, education, or training.

E. **USE OF TRAVEL TIME TO INCREASE SERVICE NEED.** Before travel time may be added to an applicant’s service need, the applicant must establish a minimum of at least 20 hours in an EEC approved activity.

1. **TRAVEL TIME.** If eligible, up to 5 hours of travel time per week may be added to a parent’s service need provided that the travel is reasonably related to the necessary time to/from the child care program and the parent’s service need activity.

2. **RESTRICTIONS ON THE USE OF TRAVEL TIME.** If children are transported to/from the early education and care program by someone other than the parent, including the program, travel time is not allowed.

F. **ENROLLMENT OF CHILDREN PRIOR TO THE START OF OR BETWEEN SERVICE NEED/FAMILY ACTIVITY.** To optimize transitions for children and families, families may enroll their
children in care up to 2 weeks prior to beginning a new job, school, or training program or between activities (e.g., going from school to employment). However, parents who choose to start their children in care prior to beginning a new service need and who have not provided full documentation of service need and are granted an interim authorization will not have additional time to provide full documentation. *Example:* If a parent is granted a 12 week seeking approved activity period to provide full documentation of new employment (i.e. pay stubs) and chooses to start child care 2 weeks prior to the start of employment, parent will only have 10 weeks after the start of employment to provide full documentation.

4.4 Requesting Policy Variances

EEC Financial Assistance policies govern eligibility and administration of early education and care subsidy funds distributed by the department. These policies address the majority of circumstances that occur in the routine implementation of the program. From time to time, however, unusual circumstances require individual resolution.

Requests for variances are limited to extenuating circumstances where lack of access to or loss of EEC financial assistance would result in extreme hardship for the family or would place an already at-risk child in greater harm. EEC will weigh the circumstances, and in its sole discretion, may allow a variance to policy.

Variances from financial assistance policy are not intended to address circumstances that present as a result of the routine application of policy, such as the presentation of alternative documentation, or the inability to secure employment within EEC’s mandated time frame.

Types of Variances

- Extraordinary Circumstances include but are not limited to: Death, severe illness of an immediate family member, or other family crisis that impacts the family’s ability to comply with EEC standard financial assistance policy;
- Extenuating circumstances where loss of EEC financial assistance would jeopardize a child’s kinship care arrangement who otherwise would be in the care and custody of the Department of Children and Families; or
- An unforeseen catastrophic event or natural disaster, such as flood or fire, that results in a family’s immediate need for temporary financial assistance to assist in stabilizing the family; or comply with EEC financial assistance policy.

Variance Process

Requests for variances shall be submitted, in writing, to EEC. The final decision to grant a variance will be made by the EEC General Counsel, or her designee, within 7 calendar days of receiving the request.
This chapter explains how a family can seek a child care subsidy with the Department of Transitional Assistance (DTA) if a parent is participating in their employment services program.

**5.1 Priority Access for Transitional Aid for Dependent Children (TAFDC) Families**

DTA may issue a referral to an active TAFDC parent seeking child care subsidy to support his/her participation in DTA’s Employment Services Program, in accordance with the General Provisions for subsidized child care described in Chapter 3 of this guide, unless otherwise noted.

A. **REFERRAL REQUIRED.** Referrals from DTA are required for parents to obtain prioritized access to child care. There are two types of child care referrals based on the family’s TAFDC status:

1. **TAFDC FAMILIES.** Parents who currently receive TAFDC cash assistance, participate in the employment services program, and receive a referral from DTA.
2. **TRANSITIONAL FAMILIES.** Parents who received TAFDC benefits within the 12 months prior to their application for a child care subsidy and who obtain a written or electronic child care referral from DTA and who meet EEC eligibility guidelines.
3. **POST-TRANSITIONAL FAMILIES.** Parents who seek eligibility following the parent’s Transitional child care authorization may receive priority access to a child care subsidy.

B. **INFORMATION AND REFERRAL.** If a family is eligible for either type of referral, DTA will provide parents with the name and contact information of an appropriate EEC subsidy administrator (e.g., CCRR) to identify and finalize the child’s enrollment.

C. **PARENTAL RESPONSIBILITY.** After receiving the referral from DTA, parents shall contact the subsidy administrator to obtain a voucher.

D. **SUBSIDY ADMINISTRATOR RESPONSIBILITY.** The subsidy administrator will help the parents identify a child care educator/provider.

**5.2 Eligibility Criteria and Duration of Eligibility**

A. **ELIGIBILITY CRITERIA.** Subsidy administrators will conduct an eligibility authorization of families with DTA referrals, as described below:

1. **TAFDC FAMILIES.** Subsidy administrators will review the DTA referral and verify the identity of the parent(s). The written or electronic child care referral is sufficient documentation for the parents to be eligible for a subsidy for each child included on the referral.

   **FEE ASSESSMENT.** TAFDC families with written or electronic child care referrals from DTA shall not be charged a fee.
2. **TRANSITIONAL FAMILIES AND POST-TRANSITIONAL FAMILIES.** The child care referral is evidence of family relationship for all children included on the referral. Subsidy administrators will verify the identity of the parent(s) listed on the child care referral issued by DTA, in accordance with 606 CMR 10.03(b). Parents must submit evidence of their income, service need, residence, and relationship to children or dependent grandparents not included on the referral in accordance with Chapter 4.

**FEE ASSESSMENT.** Transitional and Post-Transitional families with child care referral shall be charged a fee in accordance with Chapter 9.

B. **ELIGIBILITY PERIOD.** Subsidy administrators will approve the length of time for subsidized child care based on the parent’s TAFDC status, as described below. The subsidy administrator will notify families, in writing, no less than 30 days before the period is due to end.

1. **TAFDC FAMILIES.** Subsidy administrators will approve the subsidized child care based on the DTA referral as detailed below, provided that the family continues to receive TAFDC cash assistance.
   a. For TAFDC Families determined by DTA to be seeking an approved activity or otherwise ineligible for full child care, DTA may refer a parent for up to one initial 12 week provisional authorization.
   b. For TAFDC Families determined by DTA to be participating in an approved activity, DTA may refer parents for a 12 month authorization.

2. **TRANSITIONAL FAMILIES.** Subsidy administrators shall approve the subsidized child care in accordance with Chapters 4 and 11, not to exceed 12 months from the date the family’s TAFDC case closed.

   **Authorization in CCFA:** If parent is assessed for Transitional Child Care with less than 12 months from the TAFDC case closure date, the parent is still entitled to be authorized for 12 months of child care. The 12 month child care authorization shall be split as Transitional Child Care for part of the year and Post-Transitional Child Care for the remainder of the year.

   **For example:** eligible parent is assessed in June but the DTA case closure date was January. Parent’s authorization is Transitional from June to January and Post-Transitional from January to June for a full 12 months of child care.

3. **POST-TRANSITIONAL FAMILIES.** Following the family’s Transitional Child Care authorization, Subsidy Administrators shall approve the subsidized child care, in accordance with Chapters 4 and 11, not to exceed 24 months from the date the family’s TAFDC case closed.

   **Authorization in CCFA:** If parent’s Transitional authorization was split as detailed in the example above under Transitional Families, the parent is still entitled to be authorized for 12 months of child care. The 12 month child care authorization shall be split as Post-Transitional Child Care for part of the year and Income Eligible Child Care for the remainder of the year.
For example: Eligible parent is assessed for Post-Transitional in June but the DTA case closure date was January. Parent’s authorization is Post-Transitional from June to January and Income Eligible from January to June for a full 12 months of child care.

5.3 Continuity of Care – Post TAFDC Closure
Parents seeking to continue eligibility at the end of the family’s DTA Employment Services referral period or termination of TAFDC benefits may continue to receive child care financial assistance through the Income Eligible Child Care program if the family meets the requirements described in Chapters 3, 4, and 11.

5.4 Appeal Rights – DTA Fair Hearing Process
Parents whose child care referral has been denied or terminated by the DTA may appeal through the DTA Fair Hearing Process.
CHAPTER 6  
Department of Children and Families (DCF) /Supportive Program Requirements

This chapter outlines how families that are referred by the Department of Children and Families for a child care subsidy can access the care they need.

6.1 Access for DCF Referred Families

DCF may issue referrals for children who are either receiving, or at risk of receiving, protective services, in accordance with the General Provisions for subsidized child care described in Chapter 3 of this guide.

Children who are determined to be in need of protective services, including foster care, or in special circumstances in which families are unable to provide child care for any portion of a 24-hour period because of domestic violence or homelessness; a physical, mental, emotional, or medical condition; or participation in a drug treatment or drug rehabilitation program will be referred for subsidized child care by the DCF.

A. REFERRAL REQUIRED. Parents must obtain a referral from DCF to access DCF supportive child care.
   1. REFERRAL ESTABLISHES RELATIONSHIP. The written child care referral is sufficient documentation for the children listed on the referral to be eligible for supportive child care services.
   2. Identification of applicant required. Subsidy administrators will verify the identity of the parent(s) listed on the child care referral issued by DCF, in accordance with Chapter 3.4 of this guide.

B. SUBSIDY ADMINISTRATOR RESPONSIBILITY. When a family is declared eligible for a referral, DCF must provide The Subsidy Administrator with parent(s)’s name and contact information. The Subsidy Administrator must make initial outreach to the parent to provide assistance identifying a child care educator/provider and to complete the child care authorization process.

C. PARENTAL RESPONSIBILITY. After outreach by the Subsidy Administrator, parents are required to respond to the subsidy administrator and complete the enrollment process.

6.2 Eligibility Criteria and Duration of Eligibility

A. ELIGIBILITY CRITERIA. The written child care referral is sufficient documentation for the parent to be eligible for a child care subsidy for each child included on the referral.

   FEE ASSESSMENT. DCF-referred families with a written child care referral shall not be charged a fee.
B. **ELIGIBILITY PERIOD.** DCF may initially refer children for subsidized child care for no less than 12 months.

1. **SUPPORTIVE CHILD CARE RENEWALS.** DCF may renew the referral for additional 12 month periods. Any requests for additional referrals must be approved by the DCF supervisor and social worker.

2. **TRANSITIONAL SUPPORTIVE CHILD CARE (TSCC).** DCF may continue the supportive child care service beyond the closure of the DCF case for no less than 12 months.

3. **NOTICE OF EXPIRATION.** The subsidy administrator is required to notify families, in writing no less than 45 days before their eligibility period is due to end.

6.3 **Continuity of Care**

Parents seeking to continue eligibility at the closure of the family’s Supportive child care may continue to receive financial assistance through the Income Eligible Child Care program if the family meets income eligibility requirements described in Chapters 3, 4, and 11.

6.4 **Appeal Rights – DCF Fair Hearing Process**

Denial or termination of a referral. Supportive Child Care Services will end when the protective case closes, or when DCF determines that services are no longer appropriate and does not renew referral, whichever comes first. Parents in the middle of a 12 month child care authorization will be allowed to continue until the end of the authorization period. Parents who wish to appeal the termination of services may do so through the DCF Fair Hearing Process.
CHAPTER 7
Teen Parent Child Care Services Program

This chapter explains how a teen parent can get the child care services they need.

Teen parents may be eligible to receive subsidized child care through the Teen Parent Child Care Services Program, in accordance with the General Provisions for subsidized child care described at Chapter 3 of this guide, if they meet the following requirements:

A. DEFINITION OF TEEN PARENT. A teen parent is a parent younger than 20 years old. The applicant must submit adequate documentation to verify the teen parent’s age. Examples of acceptable documentation include:
   1. Birth certificate,
   2. Driver’s license, OR
   3. Other government issued identification (e.g., state identification card, military dependent’s card, or passport).

B. APPLICATION AND REFERRAL. Teen parents may apply for child care subsidies at a CCRR, a program contracted to provide Teen Parent Child Care services, a local DTA office, or any other location authorized by EEC. Parents must complete a child care application and fee agreement at the time of application and at each authorization. They also must submit documentation that verifies their income, service need, and residence and family relationships. If a teen parent has a current child care referral from DTA, the referral is sufficient documentation of their income and service need.

C. REFERRAL. Eligible parents will be referred to and/or enrolled, in a program that will provide Teen Parent Child Care services. Parents unable to enroll in a Teen Parent Child Care Services Program due to a lack of available funding will be placed on EEC’s centralized waitlist.

D. ELIGIBILITY CRITERIA. Unless referred for a child care subsidy through DTA’s Employment Services Program or the Supportive Child Care Program, teen parents who seek subsidized child care through the Teen Parent Child Care Services Program must comply with the financial and service need requirements of the Income Eligible Child Care program, unless exempted below.
   1. SERVICE NEED REQUIREMENTS. Unless authorized by DTA or DCF, teen parents must participate in a full-time high school or high school equivalency (GED) program, or must have received a GED or high school diploma and be participating in an approved higher education, training, and/or work activity, as specified in 606 CMR 10.04(1)(b). If existing teen parents are either (1) a full-time high school or (2) participating in a high school equivalency program, the teen parent would not need to demonstrate participation in an approved activity during the summer months. The teen parent would need to report employment or any earnings to determine if parent fees are applicable. If the teen already has a high school diploma or GED, the teen parent would need to comply with the regular income eligible service need requirements.
2. **AGE REQUIREMENTS.** Teens in their third trimester of pregnancy and teen parents are eligible to participate in the Teen Parent Child Care Services Program until they reach their 20th birthday. Enrolled teens who turn 20 may continue until they complete their service need activity.

E. **ELIGIBILITY PERIODS.** Eligibility is determined for periods no less than 12 months. The subsidy administrator is required to notify teen parents, in writing, 45 days before their eligibility period is due to end.

F. **PARTICIPATION REQUIREMENTS.** Teen parents participating in the Teen Parent Child Care Services Program must comply with the following requirements:
   1. Participation in at least 8 hours per month of structured social service support activities through the Teen Parent Child Care Services Program, unless they are receiving equivalent services from other sources.
   2. Participation in child care activities in their child’s classroom or family child care home at least 1 hour each month.

G. **DENIAL OR TERMINATION OF SERVICES.** All denials or terminations related to the Teen Parent Child Care Services Program shall comply with the provisions outlined in Chapter 12.

H. **CONTINUITY OF CARE.** Parents seeking to continue eligibility at the end of the family’s Teen Parent Child Care services may continue to receive child care financial assistance through the Income Eligible Child Care program if the family meets the requirements set forth in Chapters 3, 4, and 11.
CHAPTER 8  Homeless Child Care Services Program

This chapter explains how children who are homeless or could become homeless can get access to a child care subsidy.

Children experiencing homelessness or at risk of homelessness may be eligible for child care subsidies, through the Homeless Child Care Services contract, as described below, in accordance with the General Provisions for subsidized child care described in Chapter 3 of this guide, unless otherwise noted.

A. REFERRAL. DHCD and/or DCF may issue a written child care referral for a family seeking to enroll a child in the Homeless Child Care Services contract if the family is participating in an approved homeless activity, including, but not limited to: residing in an emergency assistance shelter, domestic violence shelter, or family substance abuse treatment shelter; residing in temporary housing at a motel/hotel; or participation in a homeless stabilization or diversion program.

B. REFERRAL AND WAITLIST. The family will be referred, by DHCD, DCF, or their designees, to a child care educator/provider with homeless child care openings appropriate to the age and needs of the child. If no appropriate openings are available, the family may be placed on EEC’s centralized waitlist.

C. ELIGIBILITY CRITERIA. Homeless families seeking subsidized child care through this program must comply with the financial and service need requirements of the Income Eligible Child Care program in Chapter 4, unless authorized for a child care subsidy through the Employment Services Program (Chapter 5) or through the Supportive Child Care Program (Chapter 6).

SERVICE NEED REQUIREMENT. Receipt of an active referral from DHCD or DCF is sufficient documentation to establish the service need requirement for child care. Families with homeless child care referrals from DHCD or DCF establish a full-time need for child care.

Verifications for Homeless Families. EEC is sensitive to the unique challenges confronting families experiencing homelessness. In recognition of these challenges, EEC will allow families with active homeless child care referrals from either DHCD or DCF to access homeless child care slots if the homeless parent(s) is unable to submit complete income verifications. For example, if a parent(s) is unable to submit four out of the most recent six pay stubs at the time of the initial assessment, a Subsidy Administrator shall allow access to a homeless child care slot based on self-reported income. In such instances, the Subsidy Administrator must work with the applicant to complete the first three sections of the Employment Verification Form, then provide the applicant with a 12 week provisional authorization to complete the assessment process.

D. ELIGIBILITY PERIOD. The length of the child care referral shall be no less than 12 months. Exception to 12 month eligibility period. If a homeless family needs additional time to submit complete documentation as described in item C, Eligibility Period shall be for no
more than 12 weeks under a provisional authorization. All rules of Chapter 4.3, Seeking Approved Activity, apply.

E. **ENROLLMENT.** The parent must meet with the contracted child care educator/provider to complete the enrollment process in accordance with the educators/provider’s policies and procedures.

G. **DENIAL OR TERMINATION OF SERVICES.** Homeless Child Care services will end when the family is no longer homeless or when DHCD or DCF determines that child care services are no longer appropriate and does not renew referral, whichever occurs first. Parents in the middle of a 12 month child care authorization will be allowed to continue until the end of the authorization period unless terminated in accordance with EEC’s reasons for termination in Chapter 12. All denials or terminations related to this program will comply with the regulations described in Chapter 12.

H. **CONTINUITY OF CARE.** Parents seeking to continue eligibility upon the closure of the family’s Homeless Child Care services may continue to receive child care financial assistance through the Income Eligible Child Care program if the family meets the requirements set forth in Chapters 3, 4, and 11.
CHAPTER 9  What Do I Have to Pay?

This chapter explains how parent fees work and the possible exemptions from the assignment of parent fees.

9.1  Requirement to Establish Parent Fees
Most families who receive EEC financial assistance are required to contribute to the cost of early education and care services through a parent fee, unless exempted below.

9.2  Determination of Parent Fees
A.  DETERMINATION OF PARENT FEES. A parent’s fee is based on the family’s income and size. The Parent Fee Table is used to determine the parent fee once the family is determined eligible and is being enrolled in an early education and care program. Instructions on how to use the Parent Fee Table are included with a copy of the Parent Fee Table on EEC’s website: https://www.mass.gov/guides/early-education-and-care-financial-assistance-for-families.
   1.  PART-TIME PARENT FEES. The parent fee for a child who attends a program for a half day (i.e., care provided for less than 6 hours per day), is half of the full day parent fee and is listed on the Parent Fee Table.
   2.  IF PARENT FEES EXCEED THE COST OF SUBSIDY. The amount of the parent fee may not exceed the stated daily reimbursement rate for subsidized care. If the total household income results in a parent fee that exceeds the daily reimbursement rate, the parent will be responsible for 100% of the subsidy. The family will not be deemed ineligible for subsidy.
B.  PARENT FEE EXEMPTIONS. The following household types are not charged parent fees:
   1.  DTA AUTHORIZED FAMILIES WITH OPEN TAFDC CASES. Fees will not be charged to parents who are authorized for care by DTA and have an open DTA case.
   2.  FOSTER PARENTS, Guardians or caretakers.
   3.  DCF AUTHORIZED FAMILIES WITH OPEN CASES.

9.3  Discount of Parent fees for Siblings
A discounted daily and/or weekly fee applies to families who receive EEC financial assistance for more than one child. The discount will be implemented as follows:
A.  Oldest child receiving EEC financial assistance: full fee;
B.  Second oldest child receiving EEC financial assistance: ½ of full fee; and
C.  Each additional child receiving EEC financial assistance: ¼ of full fee.
Children enrolled in EEC financial assistance on an intermittent basis (i.e., summer only or summer and school vacation and holidays) shall be treated as a younger sibling when determining the parent fee discount.
9.4 Verification of Discount of Parent fees for Siblings
To verify that a family is eligible to receive a discounted fee for siblings, the enrolling agency (CCRR, EEC contracted provider or Head Start program) must do the following:
A. Check in CCFA for placements with other Subsidy Administrators;
B. Identify the Subsidy Administrator with whom the sibling is placed;
C. Confirm the sibling’s enrollment status by contacting the identified Subsidy Administrator directly;
AND
D. Contact other Subsidy Administrators to adjust enrollment order for other children, if necessary. Add a placement for the new child with correct enrollment order. If one child leaves care, that child’s Subsidy Administrator must inform other agencies from whom the parent receives EEC financial assistance so that enrollment orders for other children are adjusted.

9.5 Changes to Parent Fees
A. Loss of Employment and/or Reduction in Income:
1. When a parent reports loss of employment or a reduction in income, the parent may request a reevaluation of their parent fee.
2. When a parent reports change in income and provides completed Household Income Statement and relevant documentation, the Subsidy Administrator must enter change in CCFA.
3. A Subsidy Administrator must enter revised income into CCFA and the system will recalculate the new parent fee.
4. Changes in parent fees take effect the business day following the day all documentation is received.
B. Change of Employment and/or Increase in Income:
1. A parent may have an increase in their parent fee if the parent previously had a reduction in their parent fee and reported a change of employment and/or increase in income:
   a. Example: Parent was assessed in January for a 12-month authorization with a parent fee of $7.50 per day. In June, parent reported loss in income and parent fee was reduced to $5.00 per day. When parent reports increase in income in September, parent fee shall be increased based on the new income but no higher than $7.50 per day.
   b. Once parent reports change in income and provides completed Household Income Statement and relevant documentation, the Subsidy Administrator must enter change in CCFA.
   c. The Subsidy Administrator must enter full income into CCFA and the system will recalculate the parent fee not to exceed the original level.
   d. Changes to parent fees take effect the first day of the following month.
2. If the parent did not previously have a reduction in their parent fee and reported a change of employment and/or increase in income, the parent fee cannot be increased until the next reauthorization.
a. After a parent reports change in income and provides completed Household Income Statement and relevant documentation, the Subsidy Administrator must enter change in CCFA.
b. The Subsidy Administrator must enter updated income into CCFA and the system will confirm that the parent fee will not increase.

3. A parent may report a change in employment or service need that allows an authorization to be changed from part time to full time. In such cases, the parent is issued a new 12 month authorization and a new parent fee is established.

C. Change in Household Composition:
   1. If the change in household composition would result in a reduction of the parent fee:
      a. When a parent reports change in household composition and provides completed Household Composition Form, Household Income Statement, and relevant documentation, the Subsidy Administrator must enter the change in CCFA.
      b. A Subsidy Administrator must enter the new household member(s) and their income into CCFA. The system will recalculate the new parent fee.
      c. Changes to parent fees take effect the business day following the day all documentation is received.
   2. If the change in household composition would result in an increase of the parent’s fee:
      a. When the parent reports change in household composition and provides a completed Household Composition Form, Household Income Statement, and relevant documentation, the Subsidy Administrator must enter change in CCFA.
      b. The Subsidy Administrator must enter the new household member(s) and their income into CCFA. The system will confirm that the parent fee will not increase.

D. Change in Custody Arrangement
   1. A child is being added to a household’s existing authorization:
      a. If a child is going into the custody of the parent and is being added to an authorization as a sibling, the parent fee reflects the current authorization. Enrollment order may be adjusted to account for any applicable sibling discounts.
      b. If a child is going into the custody of a guardian, the authorization is copied into a dual household in CCFA and the fee for the guardian child is zero. Please note that this may result in a change in parent fee for the guardian’s original household. Such change in fee shall follow steps detailed above for change in household composition.
   2. A child is going to household that does not have an existing authorization:
      a. If a family is assessed and granted a new 12 month authorization, the parent fee is established during the authorization process.
      b. If a family is assessed and is not granted a new 12 month authorization, the child’s original authorization is recreated in the new household for the reminder of the original 12 month period. The fee from the original authorization may be adjusted if a reduction in fee is warranted. Examples for when a reduction is warranted include: a child is now in the custody of a guardian or a child is now in the custody of a parent that has a lower income.
9.6 Collection of Parent Fees

Collection of the fee is the responsibility of the early education and care or out-of-school time program, including in-home/relative child care providers, where the child is placed.

A. SCHEDULE OF PAYMENT. Payments must be made in weekly amounts based on a daily fee. All parent fees are to be paid to the provider on a day determined by the provider, but no later than the first business day of the week in which care is provided. Fees for newly employed parents are due the first date of care, regardless of when the parent will receive income from new employment.

1. Parents may choose to enter into an alternative payment structure (i.e. monthly, biweekly, alternate payment date, etc.) if offered by the provider so long as a week’s payment is received prior to care being given. Any alternative payment structure must be in writing, signed and dated by both parties, and kept on file. Written agreement must be clear that parent is voluntarily choosing the arrangement and may choose to revert to the standard weekly arrangement at any time upon written notice.

B. FIRST PAYMENT. An initial deposit, equal to the amount of the weekly fee, is required prior to the child’s first day of care. For parents who receive a combination of full-time and part-time subsidy, the initial deposit is based on their full-time fee.

C. PARENT FEES FOR CHILD ABSENCES. Parents must pay the appropriate fee, for every day that care is available, for all explained and unexplained absences.

D. PARENT FEES FOR APPROVED CLOSURES. Parents must pay the appropriate fee for every approved day the program is closed, in accordance with the schedule approved by EEC on an annual basis.

E. PARENT FEES FOR UNAPPROVED CLOSURES. Parents are not responsible for parent fees for days when care is not available due to the provider’s illness, vacation, or other closing not approved in advance by EEC.

F. PARENT FEES FOR EMERGENCY CLOSURES. For each event requiring a program to close for emergency purposes, parents may not be charged parent fees for more than two (2) closure days. Billing associated with emergency closures may only occur if the program charges and collects payment from its private paying families at a reimbursement rate equal to or greater than the rate charged to EEC or CCRRs for such days. (See Emergency Closure guidance posted in the notifications section of CCFA).

G. COLLECTION OF FEE BY PROGRAM STAFF. Programs shall designate a trained staff person or persons to be responsible for collecting parent fees. Parents and other staff shall be informed whom they shall pay. Receipts must be provided to parents who pay for fees in cash. Providers are expected by EEC to collect parent fees in a timely manner.

9.7 Parent Fee Refunds

Providers may need to issue refunds to parents in the following circumstances:

A. If a parent gives a 14-day advance notice of a planned withdrawal from the program and pays the fee for the last week, the initial deposit will be refunded.
B. If a grievance determination by EEC results in a re-computation of the assessed fee and it is determined that the family has been overcharged, a refund will be promptly issued by check or account credit, as agreed to by the parent, within 5 days of receiving notice of EEC’s decision.

9.8 Late Payments
Providers shall establish their own policies to address late payments, provided such policies do not include suspension or exclusion of the child from child care services or additional charges for late payment. Examples of permissible late payment policies include the issuance of a 2-week notice of termination for non-payment of fee or establishment of an alternative payment schedule. Providers must give parents a copy of their late payment policy at the time of enrollment, or four weeks before the effective date of a policy change. The provider must retain an acknowledgement of the parent’s receipt of the policy with the parent’s original signature in the parent’s file. The policy must be implemented consistently with all parents.

Providers must address late payments in a timely manner and shall not allow parents to accrue a balance beyond 3 weeks’ worth of parent fees.

9.9 Additional Fees
Providers shall not charge parents for whom they are receiving EEC financial assistance funding, any additional “registration,” waitlist fee, deposit, application, field trip, special activity, food for special events, materials fees for participation in their program, or surcharges for late payments of parent fees.

Providers may not collect fees from parents receiving EEC financial assistance to supplement their approved EEC reimbursement daily rate.

Additional fees may be charged for services not offered to every child as part of the regular early education or out-of-school time program, such as transportation. Only providers who have signed a transportation addendum as part of their provider agreement or who hold a transportation contract with EEC are allowed to provide transportation with EEC funding. At their discretion, parents may enter into agreements with vendors for services that are made available through the program, and parents will be expected to pay for such optional services.

Providers may charge parents for the care of children who remain beyond program hours due to late pick-up by parents, and for bank fees resulting from checks deposited against overdrawn accounts (i.e., bounced checks).
CHAPTER 10 Eligible Child Care Subsidy Providers

This chapter details the kinds of child care providers parents can choose when receiving a child care subsidy.

10.1 Parent Choice

EEC provides subsidies for children to attend a full-range of early education and care programs within the mixed delivery system, including center-based care, family child care, Department of Public Health (DPH) licensed summer camps, public school preschool programs, Head Start programs, and in-home/relative care. Parents may not be required to enroll their children at a particular early education and care program. A parent is allowed to transfer his/her child to another program provided that the parent gives the existing provider at least two weeks' notice of the change and pays all outstanding parent fees. If the child is currently enrolled at a contract provider, the existing contract provider shall assist the parent in contacting the local CCRR to facilitate the selection of a new provider and to issue a new voucher placement, if needed. A parent whose child is currently enrolled in an EEC subsidized contract slot may not request the issuance of a voucher to stay in the same program. If the child is currently enrolled on a voucher, the parent contacts the local CCRR to change location of care.

A. After receiving a funding available letter for a voucher placement or after being determined eligible for a voucher by a CCRR, a parent may choose to enroll his/her child in a child care program that holds an EEC-funded income eligible contract. In such instances, the Contract Provider is not required to accept all voucher referrals or to enroll all voucher referred families in voucher placements. If the parent agrees to accept the contract slot, the parent will technically “forfeit” his/her voucher (or opportunity to receive a voucher if the formal authorization has not been completed). Once the child is enrolled in the contract slot, the Contract Provider shall contact the referring CCRR to confirm the child’s enrollment. Whenever a voucher referred family forfeits his/her voucher and accepts a contract slot, the Contract Provider must have parent complete and sign the Parent Choice Form that fully explains the parent’s right to transfer to another program if they become dissatisfied with the current placement in the future.

1. Voucher families authorized based on DCF or DTA referrals or receiving subsidized child care through DCF-Transitional, DTA-Transitional or DTA-Post-Transitional designations are exempt from this practice. If a family with a DCF or DTA referral seeks to enroll their child in a child care program holding an income-eligible contract, the Contract Provider cannot offer the family one of its vacant contract slots.

B. If a parent refuses to accept a contract slot after receiving a Funding Availability Letter (FAL) from a Contract Provider the family is not eligible to immediately receive a voucher to attend the child care program of their choice. The Contract Provider must update the Waitlist record to record the refusal and ensure that the child is designated as active on the waitlist.
C. If a child ages up or ages out of an EEC-funded contract slot, the contracted provider shall refer the family to the local CCRR to obtain a voucher. Current regulations and policies related to the child care subsidy program allow for children already receiving subsidized child care to continue in care through a voucher, provided that the family remains eligible. The continuity of care regulations and policies also allow for children enrolled in priority populations contract slots to remain in care through an income eligible voucher (or contract), if the family meets the eligibility requirements.

D. **PARENTS WHO ARE FAMILY CHILD CARE PROVIDERS/ASSISTANTS.** Parents who are family child care providers or regular/certified assistants will not be eligible to receive EEC financial assistance to care for their own children or foster children placed in their family child care home or the home in which they are employed. If inclusion of their own child or foster child in their family child care home would result in the home exceeding its licensed capacity, eligible parents may be issued EEC financial assistance for their child’s placement at another program.

### 10.2 Funded Child Care – Access and Limitations

A. **ACCESS.** Parents receiving a voucher for early education and care services may choose care provided by a relative in either the relative’s home or in the child’s own home or care provided in the child’s own home by a person who is not related to the child.

1. **SPECIAL NEED/DISABILITY RESTRICTION.** If a family has a full time authorization due to a combination of a part time service need and the child’s identified special need/disability, use of in-home non-relative or relative caregivers is prohibited unless approved in writing by EEC.

2. **MATERNITY LEAVE RESTRICTION.** Unless approved in writing by EEC, parents seeking a child care subsidy during maternity leave are precluded from using in-home non-relative or relative child care.

B. **LICENSE EXEMPT.** In-home non-relative or relative child care are exempt from EEC’s licensing requirements but are subject to following requirements in accordance with Federal law.

C. **QUALIFICATIONS.**

1. **AGE.** Subsidized child care may be provided by a non-relative in home caregiver or relative of the child in a private residence if the caregiver is at least 18 years old;

2. **HOUSEHOLD MEMBERSHIP FOR TAFDC PURPOSES.** The caregiver must not be a member of the parent’s TAFDC assistance unit (unless the parent is under the age of 18).

3. **RELATIONSHIP RESTRICTIONS.** The in-home non-relative caregiver may not be the child’s parent, stepparent, foster parent or guardian. Relative caregivers, include siblings, aunts, uncles, and grandparents, must submit evidence of the caregiver’s age and the caregiver’s relationship to the child receiving care. The evidence may include birth certificates, baptismal certificates, marriage certificates, and/or adoption orders or decrees. Additional documentation may be accepted upon approval by EEC.

4. **LOCATION OF CARE.** Non-related caregivers must provide care in the child’s own home and may not be residents of the child’s household. Relative caregivers may
provide care in their own home, if they are not a member of the child’s household, or in the child’s own home.

5. **CAPACITY RESTRICTIONS.** If the caregiver is caring for children in their own home, or in the child’s own home, if they are relative caregivers, the total number of their own children under the age of 13 plus any other children under the age of 13, present in the home where care is being provided while they are providing care, may not exceed six children. Children under the age of 16, who have special needs, shall be included in determining a caregiver’s capacity.

6. **ORIENTATION.** All license exempt relative and in-home, non-relative caregivers must attend an orientation provided by the CCR&R. Each one of these topics listed in Section D below be completed pre-service or during an orientation not to exceed three months; must be appropriate to the setting and age of children served by the provider; and must be completed before caregivers, teachers, and directors are allowed to care for children unsupervised.

D  **HEALTH AND SAFETY REQUIREMENTS AND TRAININGS.**
1. The prevention and control of infectious diseases, including immunizations
2. Prevention of sudden infant death syndrome and use of safe sleeping practices;
3. Administration of medication;
4. Prevention and response to emergencies due to food and allergic reactions;
5. Building and physical premises safety, including identification of and protection from hazards, bodies of water, and vehicular traffic;
6. Prevention of shaken baby syndrome, abusive head trauma, and child maltreatment;
7. Emergency preparedness and response planning for emergencies resulting from a natural disaster or a man-caused event;
8. Handling and storage of hazardous materials and the appropriate disposal of biocontaminants;
9. Appropriate precautions in transporting children (if applicable to the program);
10. Pediatric first aid and cardiopulmonary resuscitation (CPR); and
11. Recognition and reporting of child abuse and neglect.

Caregivers may also be required to attend trainings on additional topics, such as nutrition, access to physical activity, caring for children with special needs, or any other subject area necessary to promote child development or to protect children’s health and safety

E. **INSPECTIONS AND VISITS**
1. At least one annual visit, and more if needed, to ensure compliance with all EEC regulations, including health, safety, and fire standards. These visits will be unannounced and apply to both in home non-relative caregivers and to relative caregivers.
2. This requirement for unannounced visits also applies to care being provided by non-relatives in the child’s own home. EEC will obtain advance written parental permission for such unannounced visit to take place. Such permission must be renewed annually.
3. EEC may develop alternate monitoring requirements for care provided in the child’s home that are appropriate to the setting.

F. BACKGROUND RECORD CHECKS

1. CCRRs shall not issue child care vouchers for license exempt relative or In-Home, Non-Related (IHNR) caregivers until EEC has conducted a background record check (BRC) and has notified the CCRR that the individual has been found suitable by EEC and that the individual’s BRC has been approved.

2. Annual BRC. At the time of initial registration to provide IHNR child care and at each subsequent assessment, an applicant must complete an application form, the Consent for an EEC Background Record Check, and verify their identity. When an applicant registers to become a funded caregiver, the applicant must disclose whether or not they have a criminal record and of what crimes, if any, they have been convicted of. The applicant shall not be required to disclose any arrest that does not result in a conviction; a first conviction for any of the following misdemeanors: drunkenness, simple assault, speeding, minor traffic violations, affray or disturbance of the peace.

3. The Consent form will be sent by the CCRR to EEC. Upon receipt, EEC will transmit the information to the FBI, Department of Criminal Justice Information Services (DCJIS) for a CORI check, to the DCF Central Registry and Registry of Alleged Perpetrators to check for a supported 51B report, and the Sex Offender Registry Board (SORB) to check if the individual has been require to register as a Sex Offender of any level (SORI). Additional checks may be required as mandated under CCDBG. Based upon the information provided by the FBI, by DCJIS, DCF, or SORB, and in accordance with 606 CMR 14.00, Criminal Offender and Other Background Record Checks, EEC will send notification of either approval or disqualification directly to the applicant seeking to provide care, the parent seeking child care services and the CCRR. Convictions of certain crimes, DCF findings of sexual abuse, and classification as a Sex Offender are mandatory disqualifications with no right to appeal as required by CCDBG. The applicant will also be notified if there are any offenses in their BRC triggering the right to demonstrate why they should be approved to provide child care, by completing application for discretionary or presumptive review. The CCRR may only approve an applicant to receive funding within 45 business days of receipt of a BRC approval notification from EEC.

Any person approved by EEC to provide subsidized child care shall notify EEC if a criminal charge is filed against them in any state, if a DCF 51A report is filed against them, or if they are required to register as a Sex Offender. Pending criminal charges, allegations of abuse or neglect, and/or registration as a Sex Offender may be grounds for immediate disqualification. BRC information is confidential and will be used only for screening and review of an individual’s eligibility for approval to provide subsidized child care. Specific BRC information will not be communicated in any form to any person other than the individual about whom the BRC was completed. EEC will notify both the CCRR, and the parent seeking to utilize the applicant for child care services whether the applicant has been found suitable or not suitable by EEC and is
approved or disqualified from receiving funding to provide child care. Willful dissemination of CORI information to unauthorized individuals is punishable by up to one year in jail and/or a $5,000 fine. Willful dissemination of DCF information to unauthorized individuals is punishable by up to two and one half years in jail and/or a $1,000 fine.

In order to minimize the risk that parents may be unable to receive or retain employment while a BRC is pending, the CCRRs should direct parents to use licensed child care, if available, while the BRC is pending on the license exempt caregiver. In addition, parents are strongly encouraged to request their DTA child care authorizations during the job search phase of the Employment Services Program, and then promptly apply for a voucher through the CCRR. In this way, if a parent intends to use a license exempt caregiver, the BRC check on the caregiver will be completed and approved when the parent is ready to start their job.

In rare circumstances, the CCRR may approve retroactive payment for a license exempt caregiver for a maximum of 30 days prior to BRC approval. For a new applicant, retroactive payment may only be approved for the period of time after the BRC was submitted, and only if:

- the BRC is approved with no adverse background;
- the parent demonstrated at the time of application that they had no other options for child care (for example, there was no licensed child care available in the city or town where the parent works or lives or within a reasonable distance from these locations; there was no transportation available to licensed child care; or there was no licensed child care available during the parent’s work hours); AND
- the parent demonstrated that they would be unable to receive or retain employment.

If a previously approved license exempt caregiver fails to complete the BRC process before the child care voucher expires, payment may be approved for a maximum of 30 days prior to the date of final BRC approval.

10.3 Selection of Provider outside of Service Delivery Area

EEC contracts with CCRRs to manage the voucher child care system for specific service delivery areas. However, sometimes parents residing in one service delivery area may choose to use care in a service delivery area managed by a different CCRR. In these cases, timely coordination and communication between CCRRs are necessary to allow problem-free access to voucher services for both the parent and the provider. To facilitate the necessary coordination and communication, the CCRR that manages voucher services in the service delivery where the provider’s regional site is located will be designated as the lead CCRR, while the CCRR that manages voucher services in the service delivery area where the parents reside will be responsible for managing the parent voucher.
The lead CCRR will be responsible for:
- closing enrollment in CCFA to a provider who has been placed on an enrollment freeze by EEC and opening enrollment when the freeze has been lifted.
- notifying the managing CCRR in the event that a provider closes, drops a program type, or has any other significant change.

The managing CCRR will be responsible for:
- issuing the parent voucher once the provider information has been entered into CCFA by the lead CCRR;
- managing the vouchers for all children they place who are receiving child care from providers outside their service delivery area; and
- sharing appropriate information with the lead CCRR regarding the shared provider.

10.4 Change in Early Education and Care Program
A. PARENT DISSATISFACTION – TWO WEEK NOTICE REQUIRED. If the parent becomes dissatisfied with his/her early education and care provider, the parent may choose to withdraw the child and enroll the child in another program. After choosing a new child care provider and making arrangements to enroll the child, the parent must give two weeks’ notice to the current provider. At the conclusion of the two weeks, the child may be enrolled in the new program in a contracted slot, or a voucher may be written for the non-contracted provider, provided that the parent has paid all fees owed to the previous child care provider. A new voucher will not be written for parents with outstanding parent fees.

B. GEOGRAPHIC RELOCATION – TWO WEEK NOTICE REQUIRED. If the parent moves or a change in providers is necessary due to a change in job or to the location of an education or training program, the parent may also change child care by identifying a new provider, and then giving two weeks’ notice to the current provider. At the conclusion of the two weeks, the child may be enrolled in the new program in a contracted slot, or a voucher may be written for the non-contracted provider, provided that funds are available and the parent has paid all fees owed to the previous child care provider.

C. EMERGENCY EXCEPTION TO TWO WEEK NOTICE REQUIREMENT. Under limited circumstances a parent may withdraw a child from care and enroll the child in a new program without giving two weeks’ notice. If the provider agrees to waive the two weeks’ notice, or the parent has concerns about the health and safety of his/her child and files a complaint with EEC’s Regional Licensing Office, the parent may withdraw his or her child immediately. If the parent holds a voucher for the child, the parent must also notify the CCRR of his or her intention to terminate care. If the child is enrolled in a contract slot, the parent must notify the EEC Financial Assistance Unit of his/her intention to terminate care. All fees owed to the provider must be paid before a new placement is entered.

D. PARENT CONSENT REQUIRED FOR PROGRAM LOCATION CHANGES. Child Care Providers may not move children from one care location to another without the parent(s)’ written consent.
CHAPTER 11 How is Eligibility Reauthorized?

This chapter explains what a family can expect when their eligibility for an Income Eligible child care subsidy status is reauthorized.

11.1 Eligibility Reauthorization
Documentation of a family’s income, service need, family size, and residence must be updated for each reauthorization. Reauthorization shall occur in person. In addition to completing the reauthorization, Subsidy Administrators shall educate and counsel parents regarding program requirements. EEC may grant exceptions on a case-by-case basis to the in person reauthorization requirement.

For each reauthorization, families must demonstrate that their income does not exceed 85% SMI (or 100% SMI for a parent or child who continues to have a documented special need), and that they continue to meet all other requirements detailed in Chapter 4.

11.2 Reauthorization Period
A 12-month reauthorization period applies in all circumstances, except in the following situations:
- Parent(s) who lost their service need within 30 days of reauthorization may be granted a 12 week provisional authorization. All restrictions, extensions, and requirements detailed in Chapter 4 apply.
- Parent(s) who are on maternity/paternity leave at the time of reauthorization may be granted a 12 week provisional authorization. All restrictions, extensions, and requirements detailed in Chapter 4 apply.
- If parent(s) do not complete reauthorization prior to the last date of subsidy, then care will end and the authorization will expire. No extensions will be granted. If the parent(s) provides full documentation within 30 days of the last day of care, parent may be reauthorized and the subsidy may resume.

11.3 Reauthorization Period for Families with Referrals from DCF, DTA, or DHCD
Families who receive EEC financial assistance for supportive child care (i.e., referred by DCF), families who receive EEC financial assistance through a DTA referral whose DTA case is open (i.e., families with a code of 1 or 4A), and homeless families who receive EEC financial assistance through DHCD, DCF, or another designated entity will continue to be reauthorized in accordance with the requirements of those programs detailed in Chapters 5, 6, and 8.

11.4 Notification of Reauthorization
Parents must be notified in writing 45 days before the end date of the current authorization to inform them that reauthorization is required to verify continued
eligibility for EEC financial assistance, and that failure to submit documentation required to determine their continued eligibility will result in the expiration of the subsidy.

11.5 Continuity of Care
Continuity of Care refers to the continuation of EEC financial assistance services for a child already receiving EEC financial assistance in the form of an EEC contracted slot or voucher, if the household remains eligible.

Parent(s) who have a change in activity, income, or family size or composition (including DTA authorized families who lose their authorization or children who experience a change in child custody) upon reauthorization will continue to be eligible for financial assistance, as long as they continue to meet EEC income and activity requirements.

Parent(s) who are receiving subsidized child care for one child may be eligible for sibling access for any other children in the household. Sibling access does not apply to foster children or other children temporarily placed in the household, unless approved by EEC.

11.5.1 Continuity of Care for Older School Age Children
Children enrolled in out-of-school programs through EEC financial assistance will have continuity of care after they turn 13 or after they turn 16 if they have a documented special need, under the following circumstances:

When a child who is enrolled in an out-of-school program turns 13 years old (or 16 years old with a documented special need) during the school year, that child may remain in care until the end of the household’s authorization, unless the child is placed in In-home/Relative Care.

11.6 Approved Break in Care
EEC allows parents to request an Approved Break in Care for up to 90 days. An Approved Break in Care will allow parent(s) to suspend financial assistance for child care for up to 90 days without having to place their name back on EEC’s income eligible waitlist or without needing to be reauthorized for care.

If a child will not attend care due to an event, including, but not limited to, an extended vacation, a medical procedure, extended illness, or a visit to the non-custodial parent the child shall be placed on an Approved Break in Care of up to 90 days. Parent(s) have the right to opt out of an Approved Break in Care with the acknowledgment that unattended days will count against the child. In all circumstances, the Approved Break in Care Form must be completed to start, or opt out of, a break.

Limits to Approved Break in Care:
- Approved Break in Care must be for more than 2 weeks (14 calendar days) in length.
- Approved Break in Care can only occur during a 12 month authorization period.
• Approved Break in Care cannot occur during a provisional authorization.
• Approved Break in Care cannot exceed the end date of a 12 month authorization. Parent must reauthorize prior to the end date to maintain subsidy.
• Approved Break in Care cannot be used at the end of any authorization period to extend the time a parent has to reauthorize. Parent(s) are only allowed 30 days after the last day of care to complete reauthorization.
• Providers are not required to hold a child’s slot at the program during an Approved Break in Care. If a slot is no longer available at the parent(s)’s provider of choice, the parent(s) will be allowed to transfer the subsidy to a new location of care.
• Two week notice must be provided and Approved Break in Care Form completed prior to the start of an Approved Break in Care. If Approved Break is needed following an emergency situation, Approved Break in Care will begin two weeks after parent notifies provider of the emergency situation.
• Parent(s) must pay all outstanding balances prior to returning from an Approved Break in Care.
This chapter explains what a family can expect if their child care subsidy is denied or terminated.

EEC financial assistance authorization may be denied under the following circumstances:
- lack of a service need;
- lack of financial eligibility, including, but not limited to, exceeding income or asset limits;
- outstanding, unpaid parent fee balance;
- failure to submit required documentation at authorization or reauthorization; OR
- submission of false or misleading information or documentation to EEC or the Subsidy Administrator.

EEC financial assistance authorizations may be terminated under the following circumstances:
- non-payment or late payment of parent fee;
- substantiated fraud;
- residency outside of the Commonwealth of Massachusetts;
- income exceeding 85% SMI; OR
- excessive unexplained absences.

Child’s placement at a location of care may be ended under the following circumstances. Such circumstances do not result in the household’s loss of financial assistance. Two week notice must be given unless immediate health and safety concerns exist:
- Failure of parent(s) or child to comply with the provider’s policies; OR
- Health and safety concerns of parent or provider.

12.1 Notice of Denial or Termination of Child Care

When a subsidy administrator determines that a family will be denied child care or will terminate a child care subsidy, a written notice must be given to the parent immediately upon the decision to deny or at least 14 calendar days before the effective date of the termination.

All notices are considered served if they are mailed to parents at their last known address, or if they are mailed or delivered to parents based on contact information provided by the parent(s) to the Subsidy Administrator.

The notice must include the following:
- a clear and plain statement of the action to be taken;
- the effective date of the action;
- an explanation of the reason(s) for the action;
- the regulation or other legal authority on which the action is based;
- contact information to obtain more information related to the action;
• an explanation of the right to request a review and a copy of the Request for Review form (See Chapter 12);
• the circumstances under which child care services may continue pending a review, if applicable;
• a notice of the right to be represented; AND
• contact information to submit an appeal.

CCRRs and contracted child care providers shall use the Notice of Denial Form or the Notice of Termination Form, which can be found on EEC’s website. This form must be used consistently with all parents and in accordance with EEC policy and the educator’s policies.

However, if the parent files a request for review (of the decision to terminate services on or before the termination date, the family may request to receive subsidized care at the previous level until the outcome of the EEC Review Process (see Chapter 12).

12.2 Service Need or Income Criteria
If an initial eligibility authorization indicates that a family does not meet EEC’s service need or income eligibility requirements, the subsidy administrator must provide written notice of the denial immediately upon the decision. If reauthorization indicates that the family no longer meets EEC service need or income requirements, the subsidy administrator must notify the family in writing that continued EEC financial assistance has been denied. The last day of EEC subsidized care will be the end date of the prior authorization.

12.3 Failure to Pay Required Parent Fees
Services may be terminated if the family fails to pay the required fees.

A termination notice must be mailed or handed to the parent 14 calendar days prior to termination of care and must state that EEC financial assistance services to the family will end 14 calendar days from the date of the notice if they do not pay the amount of overdue fees.

If the parent resolves the outstanding parent fee balance prior to the end date of the termination notice, the termination notice shall be rescinded and the original end date of the authorization shall be restored. In such situations, a particular provider may decline to reenroll a child following the restoration of the EEC financial assistance. Last day of care at that particular provider remains the original termination end date. Parent(s) may transfer EEC financial assistance to another qualified provider.

If the parent files a request for review, the family may continue to receive subsidized care until the outcome of the EEC review process, if all undisputed fees are paid when due. If the parent fails to pay undisputed fees assessed by the provider, the review may still be conducted, but EEC financial assistance will be terminated and will only be reinstated if
the EEC Review Officer’s decision is favorable to the parent. The review will be limited to determining if the amount of the fees assessed is correct.

If a termination notice is sent or given to a parent because of unpaid fees, the provider may retain the parent’s initial 1-week deposit. If parent does not pay outstanding balance before the end of care, Subsidy Administrator shall add a note to CCFA and KinderWait that a balance is owed. Parent will not be allowed to reaccess the waitlist or subsidized child care while there is an unpaid balance. Parents who access care through a DCF or DTA Referral (active TAFDC clients only) will be allowed to access care while on the referral but will be required to pay the balance in full before transitioning to DTA-Transitional or Income Eligible child care. If parent pays balance in full within 30 days of the termination date, authorization shall be reinstated and the original end date of the authorization shall be restored. In such situations, a particular provider may decline to reenroll a child following the restoration of the EEC financial assistance. Parent(s) may transfer EEC financial assistance to another qualified provider.

12.4 Excessive Unexplained Absence
A termination notice will be issued in instances of excessive unexplained child absences. Excessive absence is defined as more than 3 consecutive unexplained non-attended days. An unexplained non-attended day is when the child does not attend care and the child’s parent does not contact the provider.

12.4.1 Action in Cases of Excessive Unexplained Absences
The subsidy administrator must attempt to contact the family after 3 consecutive days of unexplained absences. If provider is able to reach and discuss absence with the parent, the provider must leave the absence listed as unexplained since it was not the parent who initiated the communication. Parents shall be reminded that they must contact the provider each day a child is not going to attend. If a parent cannot be reached, a termination notice may be issued upon the child’s fourth consecutive unexplained absence.

If a child is expected to have an extended absence, the subsidy administrator shall consult with the parent about an Approved Break in Care. If the parent’s explanation indicates a change in circumstances that falls into a Non-Temporary Change, the provider shall refer to Chapter 3.8 for further guidance. If the parent cannot be reached, contracted providers may issue a termination notice directly to the parent. Providers accepting a voucher must contact the CCRR to discuss whether EEC financial assistance may be terminated.

A termination notice may be issued by handing it to the parent in person or by sending it by mail, e-mail, or fax. This notice is effective on the date that it is handed to or sent to the parent, and care will terminate 14 days later. It is important that subsidy administrators maintain accurate records of issued notices.
12.5  **Failure to Submit Required Documentation at Reauthorization**
Failure to submit the documentation required to establish the parent’s continuing service need and income eligibility will result in denial of further EEC financial assistance and the subsidy administrator will issue a denial notice.

A Notice of Denial of Financial Assistance for Child Care may be issued by handing it to the parent in person or by sending it by mail, e-mail, or fax. This notice is effective on the date that it is handed to or sent to the parent and care will terminate on the end date of the original authorization. It is important that subsidy administrators maintain accurate records of issued notices and keep all submitted documents that lead to the denial notice on file.

12.6  **Voluntary Termination**
Subsidy Administrators shall refer to Chapter 10.1, Parent Choice, for the process for voluntary terminations.
CHAPTER 13  

EEC Financial Assistance Complaint 
and Investigation Process

This chapter outlines what a parent, Subsidy Administrator or any other concerned parties can do if they need to file a financial assistance complaint.

13.1 Complaints
A complaint is an expression of dissatisfaction or concern communicated to an EEC staff person that alleges a violation of contracting standards, or financial assistance policy or regulations. Complaints may be filed against any program that contracts with EEC or that holds an EEC Voucher Agreement. These programs may include:
- independent family child care providers;
- family child care homes operating through a family child care system;
- family child care systems;
- child care centers or after school programs;
- a CCRR OR
- an in-home/ relative caregiver

Complaints may come from parents, relatives, concerned citizens, program or system staff/ administrators, CCRRs, or EEC staff.

Subsidy Administrators shall report any financial assistance complaints directly to the EEC Financial Assistance Unit at EEC’s Central Office.

13.2 Request for Review
A parent may file a request for review with EEC when a Subsidy Administrator:
- denies or terminates the parent’s EEC financial assistance;
- demands a fee that the parent believes is not in accordance with EEC financial assistance policy; or
- acts, or fails to act, in a way that the parent believes violates EEC financial assistance policy.

A parent may not challenge the legality of state or federal law or EEC regulation in the review process. The scope of the review shall be limited to determining if the Subsidy Administrator acted in accordance with state or federal law or EEC regulations and policy.

13.2.1 Filing a Request for Review
If a parent wishes to appeal a decision, the parent is required to submit a written, signed, and dated request for review form to EEC within 30 days of:
- notice that their child care is being denied or terminated; or
- an action or determination by the subsidy administrator that the parent has violated EEC regulations or policy.
If this request for review form is received on or before the date of termination, care may be extended during the review process. Requests for reviews received after the termination date but within 30 days of the termination date shall still be reviewed by EEC, however care will not be extended.

The form that parents need to request a review may be found on EEC’s website. A Request for Review form shall be provided when a denial or termination notice is issued. The Subsidy Administrator shall assist the parent in completing the form if requested.

The parent may submit evidence in support of his/her request, such as documents or receipts. If parent chooses to submit evidence, all evidence must be received by EEC within 14 days of submitting the request for review.

13.2.2 Representation
The parent may be represented by a person of his/her choosing at any stage of the review process.

13.2.3 Continuation of Subsidized Child Care Services
In order for subsidized child care to continue pending outcome of a request for review, the parent shall:
• file with EEC a written request for the continuation of child care services on a form provided or prescribed by EEC prior to the termination of the child care services (14 days after the Notice of Termination is issued);
• at all times during the review process and any subsequent appeals keep all undisputed fee payments current; and
• at all times during the review process and any subsequent appeals ensure that the child continues to attend care in accordance with EEC attendance policies.

Care extensions may be approved by the EEC Review Officer after consideration of the circumstances leading to the termination and confirmation that the parent meets the requirements above. EEC can extend care only until the end date of the original authorization. Parent must be reauthorized in full by the Subsidy Administrator and EEC must confirm any extension of care after that date.

13.2.4 Termination of Continued Subsidized Child Care.
Subsidized child care services continued during a Request for Review shall be terminated if at any time during the review process or any subsequent appeals:
• a determination is made that the sole issue is a challenge to the validity of a particular law or EEC regulation;
• a change affecting the parent's subsidy occurs subsequent to the filing of the request for a review which makes the previously filed request for a review moot, and the parent fails to appeal the subsequent matter within the applicable time period;
• the parent fails to comply with the requirements for continuing subsidized care listed in 12.2.3 above; or
• the parent fails to reauthorize prior to the original authorization end date.

13.2.5 Preliminary Review.

A. Notification: Within seven days of receipt of the parent's request for review, or as soon as administratively feasible, the EEC Review Officer shall notify the Subsidy Administrator of the Request for Review, and shall request that the Subsidy Administrator submit evidence in support of his or her determination. The EEC Review Officer shall also notify the parent and the Subsidy Administrator whether the subsidized child care shall continue pending the outcome of the review. The denial of variance requests are not subject to EEC’s appeals process.

B. Response: Within seven days of the date of notification from EEC, the Subsidy Administrator must submit to the EEC Review Officer its evidence in support of its decision, action or inaction which allegedly forms the basis for the parent’s request for review.

C. Record: The case record shall consist of any evidence submitted by the Subsidy Administrator, any evidence submitted by the parent, and, if applicable, any evidence obtained by the EEC Review Officer, including, but not limited to, documentary evidence obtained from other local, state, and/or federal agencies.

D. Decisions:

1. How Made: The EEC Review Officer will review all information submitted by the parent and the Subsidy Administrator and seek clarification from the parties, if necessary. The Review Officer may take administrative notice of general, technical or scientific facts within his or her specialized knowledge and may use his or her experience and specialized knowledge in the evaluation of the evidence presented. The EEC Review Officer may also take administrative notice of any public records or information from other local, state, and/or federal agencies.

2. When Made: Within 30 days of EEC's receipt of the Request for Review, or as promptly as administratively feasible, the EEC Review Officer shall issue a written decision to the parent and the Subsidy Administrator which upholds, reverses, or modifies the Subsidy Administrator’s decision, action or inaction.

3. When Implemented: Unless a parent files a Request for Hearing, the EEC Review Officer's decision will be the final appeal and will be implemented in accordance with the timelines set forth in the decision.

4. Notice of Right to Appeal: The Review Officer's written decision shall inform the parent of the parent's right to appeal the written decision by requesting an Informal Hearing with EEC. If the parent does not appeal, the Review Officer's written decision shall become EEC's final agency decision.
13.3 Request for Hearing
After a Request for Review, aggrieved parents may appeal the EEC Review Officer’s decision by filing a Request for Hearing, which is a request for an informal hearing.

13.3.1 Request for Hearing.
Parents may request an informal hearing by submitting to the EEC General Counsel a written, signed and dated Request for Hearing on a form prescribed or provided by EEC within seven days of the date of the EEC Review Officer's written decision. The Request for Hearing must state the grounds for the appeal and be submitted in a timely fashion. A late Request for Hearing may result in the denial of a hearing. A Request for Hearing is not available for variance requests.

13.3.2 Continuation of Subsidized Child Care Services
If the parent timely appeals the decision in accordance with Section 13.3.1, the child care subsidy will automatically continue pending the outcome of the appeal unless EEC has determined, in writing, that Section 13.2.4 applies.

13.3.3 Notice of Hearing
The designated EEC Hearing Officer shall notify the parent and the Subsidy Administrator of the date, time, and place of the hearing. The notice shall also describe the hearing procedure and the right to contact EEC to obtain further information, including the case file and documents to be submitted by EEC at the hearing.

13.3.4 Hearings
A. Procedure: The hearing shall be conducted in accordance with 801 CMR 1.02: Informal/Fair Hearing Rules. The General Counsel may appoint an EEC Hearing Officer to preside over the hearing.

B. Adjustment of Matters Relating to the Hearing: The EEC Hearing Officer may make informal disposition of the adjudicatory proceeding by stipulation, agreed settlement, consent order, or default, and may limit the issues to be heard, in accordance with M.G.L. c. 30A, § 10.

C. Submission Without a Hearing: The parent may elect to waive a hearing and to submit any documents without appearing at the time and place designated for the hearing. Submission of a case without a hearing does not relieve the parties from supplying all documents supporting their claims or defenses. Affidavits and stipulations may be used to supplement other documentary evidence in the record.

D. Location: The Informal Hearing shall be held in EEC's Central Office. If the parent has a disability or is otherwise unable to appear at the Central Office, the parent may request that the hearing be held at an EEC regional office more conveniently located to the parent, subject to approval by EEC.

E. Hearing Record: The EEC Hearing Officer shall ensure that a record is made of the hearing. All documents and other evidence offered and accepted shall become part
of the record. The record shall also include the Request for Review, the Request for Informal Hearing and the decision by the EEC Review Officer.

F. **Burden of Proof:** The EEC Hearing Officer’s decision shall be supported by substantial evidence presented at the hearing.

G. **Reasons for Dismissal:** The EEC Hearing Officer may dismiss a request for an informal hearing if a parent:
   1. fails to appear at the informal hearing, in accordance with 801 CMR 1.02: Informal/Fair Hearing Rules;
   2. fails to prosecute his or her claim, in accordance with 801 CMR 1.02: Informal/Fair Hearing Rules(10)(e); or
   3. withdraws the request for Informal Hearing in writing or on the record at the hearing.

H. **Decisions:** Within 30 days of conducting the Informal Hearing, or as promptly as administratively feasible, the EEC Hearing Officer shall issue a written decision in accordance with M.G.L. c. 30A, § 11(8).

I. **Judicial Review and Finality of Decision:** The decision of the EEC Hearing Officer following an Informal Hearing shall be the final agency decision for purposes of judicial review under M.G.L. c. 30A.

J. **Further Appeal and Stay of Decision:** Following the Informal Hearing, the decision of the Hearing Officer shall be implemented in accordance with the timelines set forth in the Hearing Officer’s decision unless the parent:
   1. timely appeals the decision to superior court pursuant to M.G.L. c. 30A;
   2. submits a written request for a stay of the decision to the EEC General Counsel; and
   3. the General Counsel grants the request for a stay.

13.4 **Investigations**
EEC fully expects all families who receive EEC financial assistance to comply with all relevant EEC policies. If a subsidy administrator suspects that a recipient of EEC financial assistance is providing false or misleading information, the subsidy administrator shall report the incident to the Financial Assistance Unit at EEC’s Central Office for further investigation.
CHAPTER 14

What Happens if Incorrect Payments Are Made?

This chapter defines an incorrect or improper payment and how the state may get its money back (recoupment.)

14.1 What Is an Improper Payment?

An improper payment is a payment made for early education and care services that is incorrect and/or is not authorized under applicable laws, regulations, contract terms, policies, and/or procedures. This includes payments to providers for families who are ineligible for subsidized services, payments for care that was not provided, or payments made in error by EEC to a child care provider, Family Child Care System, or CCRR.

Examples of improper payments include the following:
- Voucher or contract payments made on behalf of families that engaged in substantiated fraud; or
- Improper billing by voucher or contracted provider (e.g., child care or transportation services not provided or provider “double bills” for care or transportation through for the same child).

14.2 What Is a Recoupment Period?

A recoupment period is any number of days that a provider/system/CCRR over- or under-billed for subsidized early education and care services due to:
- double billing;
- billing for days when a child did not attend;
- billing when a child had exceeded the allowable number of absences;
- provider/system/CCRR did not follow EEC’s eligibility, billing, or closure policies resulting in an over- or underpayment; and
- any other improper payment caused by the provider’s/system’s/CCRR’s own administrative error.

For parents, the recoupment period is the length of time the parent received subsidized child care as a result of the substantiated fraud.

14.3 What Actions Can Be Taken if There Is Evidence of Fraud?

If a Subsidy Administrator receives information indicating that a parent may have engaged in substantiated fraud, the Subsidy Administrator shall send a termination notice to the parent along with a Request for Review form. The Subsidy Administrator shall send to the EEC Financial Assistance Unit all documentation used to support their decision. Subsidy Administrator shall maintain documentation related to such cases in a
secure location for a minimum of 7 years, or longer if requested by EEC, and provide EEC with access upon request. Examples of fraud include, but are not limited to:

- failure to report accurate household composition at authorization or reauthorization;
- failure to report all household income at authorization or reauthorization;
- falsified residency documentation;
- falsified pay stubs; or
- letters or forms containing forged signatures or signed by persons not employed by the issuing entity.

EEC will review all cases of suspected fraud and, if substantiated, issue a recoupment letter seeking repayment of the full amount of subsidy the parent obtained through fraud. EEC may refer cases to the Bureau of Special Investigations (BSI) of the State Auditor’s Office for further investigation.

14.4 How Will I Be Notified About Recoupment of Costs?

A. LETTER. EEC must notify the debtor in writing of:

- the amount owed;
- the time period that the debt relates to;
- the reason for the debt;
- a proposed monthly repayment plan. AND
- if applicable, the end date of subsidized child care, which will be 14 days from the date of the letter.

The letter will notify the parent that she/he has 14 days to respond. The response may include a request for a new monthly repayment amount or an agreement to repay the debt.

B. REQUEST FOR HEARING FORM AND AGREEMENT TO REPAY.

The recoupment letter shall be accompanied by a Request for Hearing Form and an Agreement to Repay. The recoupment letter shall explain to the family that if they fail to sign the Agreement to Repay within 14 days after the date of the recoupment letter, the recoupment value will be owed in full.

The recoupment letter must notify the family of their right to request a hearing if they have relevant evidence and grounds for challenging the recoupment value and/or termination of their subsidy. Grounds may include a challenge to the facts alleged by the Subsidy Administrator (e.g., a second parent was not residing in the home), the debt amount, or the time period used to calculate the debt. The family cannot request a hearing on the basis of challenging the fairness or terms of a regulation or policy or that the repayment poses a financial hardship to them. Such hearing requests will be denied, as explained in Chapter 12 of this guide. If a Request for Hearing is filed, subsidized child care may be continued pending a Hearing decision in accordance with Chapter 12.

C. DELIVERY. Recoupment letters may be sent by EEC by regular mail.
14.5 What Else Do I Need to Know About Recoupment if I Am a Provider?

A. PAYMENTS BY FAMILIES. Payments made by parents (whether related to the current or previous fiscal year) must be made payable to the Commonwealth of Massachusetts and repaid either directly to EEC’s Accounting Unit or in response to invoices generated through the Commonwealth’s automated accounts receivable system (BARS). EEC’s Financial Assistance unit will provide all necessary documentation to EEC’s Accounting Unit.

B. PAYMENT PLANS. EEC may use the following guidelines to establish the amount of time a parent debtor has to repay:

<table>
<thead>
<tr>
<th>AMOUNT OF DEBT</th>
<th>REPAYMENT PERIOD</th>
</tr>
</thead>
<tbody>
<tr>
<td>$1–$100</td>
<td>Payment in full in 2 months (preferably in one payment)³</td>
</tr>
<tr>
<td>$101–$200</td>
<td>Payment made in 3 months</td>
</tr>
<tr>
<td>$201–$300</td>
<td>Payment made in full in 6 months</td>
</tr>
<tr>
<td>$301–$600</td>
<td>Payment made in full in 12 months</td>
</tr>
<tr>
<td>$601 and higher</td>
<td>Payments shall be no less than $50 per month. Full repayment must be made within 3 years</td>
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C. PARENT FAILS TO RESPOND TO LETTER/ REFUSES TO REPAY. If the parent continues to refuse to repay, EEC may place the debt on BARS so that debt is intercepted and collection processes may be utilized. If there was alleged fraud, EEC may also refer the case to BSI for further investigation and/or to the Attorney General’s Office for litigation to collect the debt.

D. MONITORING OF PAYMENTS. EEC will ensure that all payments from parents are made in accordance with any signed Agreements to Repay. If a parent debtor fails to make timely or full payment, EEC reserves the right to restrict access to Income Eligible subsided child care while the debt is outstanding.

³In cases where only one payment of $100 or less will be made, checks should be sent directly to EEC’s Accounting Unit.
Appendix: A
Evidence of U.S. Citizenship, U.S. National Status, or Immigration Status

The law regarding U.S. citizenship and nationality is complex and constantly changing; therefore, the following broad definitions are provided for general guidance only:

- **U.S. CITIZEN:** (1) A person (other than the child of a foreign diplomat) born in one of the several states or in the District of Columbia, Puerto Rico, Guam, the U.S. Virgin Islands, or the Northern Mariana Islands who has not renounced or otherwise lost his/her citizenship; (2) a person born outside of the United States to at least one U.S. citizen parent (sometimes referred to as a “derivative citizen”); (3) a naturalized U.S. citizen or (4) a child (a) born on or after February 28, 1983, and under 18 years of age; (b) residing in the United States as a lawful permanent resident; and (c) in the legal and physical custody of at least one parent who is a U.S. citizen.

- **U.S. NON-CITIZEN NATIONAL:** a person born in an outlying possession of the United States (American Samoa or Swain’s Island) on or after the date the U.S. acquired the possession, or a person whose parents are U.S. non-citizen nationals (subject to certain residency requirements).

- **QUALIFIED ALIEN:** An alien lawfully admitted for permanent residence under the Immigration and Nationality Act (INA); an alien granted asylum under section 208 of the INA; a refugee admitted to the U.S. under section 207 of the INA; an alien paroled into the U.S. under section 212(d)(5) of the INA for at least one year; an alien whose deportation is being withheld under section 243(h) of the INA as in effect prior to April 1, 1997, or whose removal is being withheld under section 241(b)(3) of the INA; an alien granted conditional entry pursuant to section 203(a)(7) of the INA as in effect prior to April 1, 1980; an alien who is a Cuban or Haitian entrant as defined in section 501(e) of the Refugee Education Assistance Act of 1980; an alien who (or whose child or parent) has been battered or subjected to extreme cruelty in the U.S. and otherwise satisfies the requirements of Sec. 431(c) of the Act; or victims of human trafficking.

If the child seeking child care financial assistance claims to be a citizen of the United States or a non-citizen national of the United States, documentation from List A is required. If the child is a qualified alien, non-immigrant, or parolee, documentation from List B is required.

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List A: U.S. Citizen or U.S. National

A. PRIMARY EVIDENCE:
   1. A birth certificate showing birth in one of the 50 states, the District of Columbia, Puerto Rico, Guam, the U.S. Virgin Islands, American Samoa, or the Northern Mariana Islands, unless the child was born to foreign diplomats residing in such a jurisdiction;
   2. U.S. passport;
   3. Report of birth abroad of a U.S. citizen (FS-240) (issued by the Department of State to U.S. citizens);
   4. Certificate of Birth (FS-545) (issued by a foreign service post) or Certification of Report of Birth (DS-1350), copies of which are available from the Department of State;
   5. Form N-561, Certificate of Citizenship;
   6. Statement provided by a U.S. consular official certifying that the child is a U.S. citizen (given to an child born outside the United States who derives citizenship through a parent but does not have an FS-240, FS-545, or DS-1350);
   7. Form I-872 (or prior versions), American Indian Card with a classification code “KIC” and a statement on the back identifying the child as a U.S. citizen (issued by USCIS to U.S. citizen members of the Texas Band of Kickapoos living near the U.S./ Mexican border); or

B. SECONDARY EVIDENCE
If the child’s parent cannot present one of the documents listed in (a) above, the following may be relied upon to establish U.S. citizenship or U.S. national status:
   1. Religious record documented in one of the 50 states, the District of Columbia, Puerto Rico, Guam, the U.S. Virgin Islands, American Samoa, or the Northern Mariana Islands, unless the applicant was born to foreign diplomats residing in such a jurisdiction, within 3 months after birth showing that the birth occurred in such jurisdiction and the date of birth or the individual’s age at the time the record was made;
   2. Early school records (preferably from the first school) showing the date of admission to the school, the child’s date and U.S. place of birth, and the name and place of birth of the applicant’s parents;
   3. Census record showing name, U.S. nationality, or a U.S. place of birth, and child’s date of birth or age;
   4. Adoption finalization papers showing the child’s name and place of birth in one of the 50 states, the District of Columbia, Puerto Rico, Guam, the U.S. Virgin Islands, American Samoa, or the Northern Mariana Islands, unless the child was born to foreign diplomats residing in such a jurisdiction, or, when the adoption is not finalized and the state or other U.S. jurisdiction listed above will not release a birth certificate prior to final adoption, a statement from a state- or jurisdiction-approved adoption agency showing the child’s name and place of birth in one of such jurisdictions, and stating that the source of the information is an original birth certificate; or
5. Any other document that establishes a U.S. place of birth or otherwise indicates U.S. nationality. Examples of such a document include a contemporaneous hospital record of birth in one of the 50 states, the District of Columbia, Puerto Rico, Guam, the U.S. Virgin Islands, American Samoa, or the Northern Mariana Islands, unless the child was born to foreign diplomats residing in such a jurisdiction.

C. DERIVATIVE CITIZENSHIP

If the child’s parent cannot present one of the documents listed in (a) or (b) above, the following may be used to determine derivative U.S. citizenship:

**Born Abroad To 2 U.S. Citizen Parents:** Evidence of U.S. citizenship of the parents and the relationship of the child to the parents, and evidence that at least one parent resided in the United States or an outlying possession prior to the child’s birth.

**Born Abroad To A U.S. Citizen Parent And A U.S. Non-Citizen National Parent:** Evidence that one parent is a U.S. citizen and that the other is a U.S. non-citizen national, evidence of the relationship of the applicant to the U.S. citizen parent, and evidence that the U.S. citizen parent resided in the United States, a U.S. possession, American Samoa, or Swain’s Island for a period of at least one year prior to the applicant’s birth.

**Born Out Of Wedlock Abroad To A U.S. Citizen Mother:** Evidence of the U.S. citizenship of the mother, evidence of the relationship to the applicant and, for births after December 24, 1952, evidence that the mother had resided, prior to the child’s birth, in the U.S. or a U.S. possession for a period of one year.

In all other situations in which a parent claims that their child has a U.S. citizen parent and an alien parent, or claims to fall within one of the above categories, but is unable to present the listed documentation:
- If the child is in the United States, the parent should contact the local U.S. Citizenship and Immigration Service office for determination of U.S. citizenship;

D. ADOPTION OF FOREIGN-BORN CHILD BY U.S. CITIZEN

- If the birth certificate shows a foreign place of birth and the child cannot be determined to be a naturalized citizen under any of the above criteria, obtain other evidence of U.S. citizenship;
- Because foreign-born adopted children do not automatically acquire U.S. citizenship by virtue of adoption by U.S. citizens, the child should contact the local U.S. Citizenship and Immigration Service office to determine U.S. citizenship.
List B: Qualified Aliens, Non-immigrants, and Aliens Paroled into the United States for Less Than One Year

The documents listed below that are registration documents are indicated with an asterisk (*).

a) QUALIFIED NON-CITIZEN INDIVIDUAL

Evidence of qualified alien status includes the following:

Child Lawfully Admitted For Permanent Residence
- *Form I-551 (Lawful Permanent Resident (LPR) card, commonly known as a “green card”);
- Unexpired Temporary I-551 stamp in foreign passport or on *I Form I-94 (paper card or electronic version.
  OR
- Receipt from USCIS indicating an I-90 application to replace an LPR card has been filed.

Asylee
- Form I-94 (paper card in foreign passport or electronic version) annotated with stamp showing “asylee” or “§208”;
- Grant letter from the Asylum Office of the U.S. Citizenship and Immigration Service;
  OR
- Order of an immigration judge or USCIS granting asylum.

Refugee
- * Form I-94 (paper card in foreign passport or electronic version) annotated with stamp showing “refugee” or “§207”;
- Refugee travel document (Form I-571)
- Any verification of refugee status issued by USCIS or other authorized agency

Child Paroled Into The U.S. For At Least One Year
- Form I-94 (paper card in foreign passport or electronic version) annotated with “parole,” “PIP,” or §212(d)(5), and with a stamp showing admission for at least one year.

  Applicant cannot aggregate periods of admission for less than one year to meet the one-year requirement.

Child Whose Deportation Or Removal Was Withheld
- Order from an immigration judge showing removal withheld under §241(b)(3) of the INA.
Cuban/Haitian Entrant
- Form I-551 (Legal Permanent Resident Card) with the code CU6, CU7, or CH6;
- Unexpired temporary I-551 stamp in foreign passport or on * Form I-94 (paper card in foreign passport or electronic version) with the code CU6 or CU7; OR
- Form I-94 (in foreign passport or electronic version) with stamp or any other notation indicating “parole” as a “Cuba/Haitian Entrant” under Section 212(d)(5) of the INA.

Child Who Has Been Declared Battered Or Subjected To Extreme Cruelty
- USCIS petition (and supporting documentation).

Child Who Had Been Declared A Victim Of Human Trafficking
- Certification from U.S. Dept of Health and Human Services (HHS) Office of Refugee Resettlement (ORR);
- ORR eligibility letter (if under 18);
- Form I-797 Approval Notice indicating “T” status; OR
- Any verification from HHS, USCIS, or other authorized agency.
### Appendix: B

**Desk Guide to Non-Citizen Eligibility for Child Care Financial Assistance**

<table>
<thead>
<tr>
<th>Non-citizen status</th>
<th>Sample proof*</th>
</tr>
</thead>
</table>
| Legal permanent resident (LPR) | • Legal Permanent Resident card (‘green card,” but it’s not necessarily green) (Form I-551)  
*Because expiration of document does not indicate loss of status, an expired Permanent Resident card may be accepted.*  
• Re-entry permit (Form I-327)  
• Foreign passport stamped LPR or notated with I-551  
• Form I-94 (paper card or electronic version) referencing I-551  
• Memorandum of Creation of Record of LPR with approval stamp (Form I-181)  
• Order issued by USCIS, an immigration judge, the Board of Immigration Appeals, or a federal court granting registry, suspension of deportation, cancellation of removal, or adjustment of status. |
| Person granted parole for at least one year | • Form I-94 (paper card or electronic version) or foreign passport stamped “parolee”, “PIP”, “212(d)(5)” or other language indicating parole status, when “date admitted to” is at least one year from entry date or when parole status has continued for at least one year beyond the entry date |
| Refugee | • Form I-94 or foreign passport stamped “refugee” or “$207” or codes RE-1 to RE-5  
• Refugee travel document (I-571) |
| Asylum granted | • Form I-94 (paper card of electronic version) or foreign passport stamped “asylee” or “$208” or codes AS-1 to AS-3  
• Letter from USCIS approving asylum application  
• Order of immigration judge, Board of Immigration Appeals, or court granting asylum  
• Refugee travel document (I-571) |
| Person granted withholding of deportation or cancellation of removal | • Form I-94 or foreign passport stamped “§241(b)(3)”  
• Order of USCIS, immigration judge, Board of Immigration Appeals, or court granting withholding of deportation or cancellation of removal |
| (Vietnamese) Amerasian Immigrant | • I-94 (paper card or electronic version), foreign passport or Vietnamese exit visa with code AM-1 to AM-3 or AM-6 to AM-8 |
| Cuban/Haitian entrant | • Form I-94 (paper card or electronic version) with notation “Cuban/Haitian entrant,” “parole,” or “OOE” or “Outstanding Orders of Exclusion,” or “Order of Supervision”  
• Any documents showing pending asylum application (Form I-589)  
• Any documents showing pending removal, deportation or exclusion proceedings (with no final order), including Form I-122 (Notice to Applicant Detained for a Hearing Before an Immigration Judge), Form I-221 (Order to Show Cause and Notice of Hearing), or Form I-862 (Notice to Appear)  
• Form I-220 Order of Supervision  
• Any documents showing status granted under §504(e), §212(d)(5), or §212.12(b) |
| Afghani/Iraqi special immigrants | • Form I-94 (paper card of electronic version) or foreign passport stamped or coded SI-1 to SI-3 |
## Non-citizen Children Who Are Eligible for Child Care Financial Assistance

<table>
<thead>
<tr>
<th>Non-citizen status</th>
<th>Sample proof*</th>
</tr>
</thead>
</table>
| Battered non-citizen (abused child or child of abused parent) | - Receipt, I-797 Notice of Action, or other proof of filing of an I-130 visa petition under immediate relative (IR) or second family preference (P-2)  
- Any documents indicating a pending suspension of deportation or cancellation of removal case, including a receipt from immigration court indicating filing of Form EOIR-40 or EOIR-42  
- Receipt or other proof of filing of I-485 application for adjustment of status based on immediate relative or family second preference petition  
- Evidence of steps taken to obtain documentation, such as written confirmation from an attorney or USCIS. If the parent can show steps taken but is unable to provide official documentation, a signed self-declaration by the parent is acceptable, pending receipt of the necessary verification. (Because of the nature of abusive relationships, battered non-citizens may not have copies of documents that have been filed by them or on their behalf.)  

**AND**

Evidence of abuse by parent, spouse, or other family member with whom the victim previously lived. Abuse may be physical, verbal, or emotional. If no other evidence is available, statements from child’s parent and from a third-party with knowledge of the abuse may be sufficient.

**OR**

- Form I-360 application to qualify as abused spouse or child under VAWA  
- Form I-797 Notice of Action referencing pending I-360 petition, finding establishment of a prima facie case under the Violence Against Women Act (VAWA), or approving I-360 petition  
- Receipt or other proof of filing of I-485 application for adjustment of status based on VAWA application

*Because the VAWA application process requires evidence of abuse to be submitted to U.S. immigration authorities, no additional evidence is needed.*

| Victim of severe form of trafficking in persons (victim or witness to exploitation or abuse such as sex trafficking or slavery) | - Certification by U.S. Department of Health and Human Services (Office of Refugee Resettlement) that child’s parent is assisting in investigation of severe form of trafficking  
- Letter by DHHS Office of Refugee Resettlement stating that minor child is a victim of severe form of trafficking  
- I-94 card (paper card or electronic version) with code such as T-1 or T-2 |

* An individual may have other documentary proof indicating immigrant status from USCIS, an immigration judge, the Board of Immigration Appeals, or a court. A statement from an attorney may also serve to certify an immigrant’s status or pending status.

### Non-citizen Children Who Are Not Eligible for Child Care Financial Assistance

- Non-citizen immigrants not listed above  
- Non-immigrants, such as tourists, students, visitors on business, etc.
Appendix: C
Reimbursement

Utilization and Approved Closures
Programs with an Income Eligible Child Care contract will be reimbursed at the contracted (daily) rate, less required fees, for actual utilization. Utilization is the number of enrolled slots multiplied by the number of service days in a given month. Service days include enrolled days (present and absent), holidays, and approved closures. Approved closures include holidays that are listed in the provider’s contract with the EEC.

A child is not considered enrolled in subsidized care until the first day the child actually attends the program. If the child is on a voucher, he/she may not be enrolled in a program before the beginning date indicated on the voucher. The child may remain eligible for enrollment until the end date of the authorization or until the subsidy is terminated, whichever comes first. Enrollment must be confirmed through contract or voucher placements in CCFA.

NOTE: Providers will not be reimbursed for children who are enrolled without a valid authorization and contract or voucher placements in CCFA. Child care subsidies will not be back-dated or issued retroactively. Providers will not be reimbursed for care provided beyond the authorized end date or for care provided contrary to policies listed in this guide. Licensed Family Child Care Providers will not be reimbursed for care of their own children or foster children placed in their home.

Rates
EEC has established maximum standard daily rates (posted on EEC’s website) for the provision of early education and care services in the Commonwealth. EEC will reimburse providers up to the maximum daily reimbursement rate shown on the current rate chart as calculated for the region and type of care provided. EEC cannot pay a provider a rate that is higher than the lowest fee charged to any of its private paying clients for the same type of care, unless an exception can be sufficiently documented in accordance with the provisions of 808 CMR 1.03(4)(a) or (b), if applicable. Private rates shall include any rates based on sibling discounts. EEC may require all providers and family child care systems to submit documentation (as specified by EEC) to substantiate the rates they charge to their privately paying clients for the same type of services and, if applicable, documentation to substantiate any discounting of private rates with restricted revenues. Reimbursement for full time care (serving children for 30 or more hours per week) is paid at 100% of the approved daily rate. Part-time care (serving children less than 6 hours per day) is paid at 60% of the approved daily rate.
Family Child Care Systems must pay family child care providers who have an agreement with the system at a rate equal to or greater than the regional rate for Family Child Care, based on the age of the child (less than or more than 2 years old). The child care provider must be paid the sub-unit rate for every day that the system receives payment from EEC (including vacations, holidays, and vacant days). A full-day rate is paid when the child is present for 6 or more hours, and 60% of the full-time rate is paid when the child is present for fewer than 6 hours.

**Processing Payments**

**TYPE OF REIMBURSEMENT**
Regular monthly Invoiced Payment (for prior months services rendered) is offered by the EEC. All payments are received and reviewed by EEC’s Accounting Staff and processed in the Commonwealth’s Massachusetts Management Accounting and Reporting System (MMARS) within 10 business days of receipt of the original, accurate, and signed Payment Voucher.

**ISSUING PAYMENTS**
The Office of the State Comptroller requires statewide contracts and vendors to receive payment only via Electronic Funds Transfer (EFT). EEC requires all payments to contract providers and CCRRs through EFT only.

**CONTRACTED CHILD CARE EDUCATOR/PROVIDER**
Contracted programs must utilize EEC’s Child Care Financial Assistance (CCFA) application to complete and submit billing for services rendered. Once attendance for the prior month is completed by the Contracted Child Care Provider/Educator in CCFA, a Payment Voucher is generated from CCFA and made available to the provider to download. All information including contract and rate information for that contract type and/or flex pool will be included on the Payment Voucher for the prior month services. The contract provider must download and sign the Payment Voucher for each contract and/or flex pool held with EEC. This Payment Voucher must be signed by the authorized signatory of that agency and sent to EEC’s Accounting Unit. Monthly billing (for prior month’s services) must be received at EEC’s Accounting Unit by the 20th calendar day of the month. If the 20th falls on a weekend and/or holiday, the billing is due the next business day. All payments are processed within 10 business days of receipt of the Payment Voucher. Contract providers are expected to bill monthly in CCFA and submit billing by the required EEC deadline.

**CHILD CARE AND RESOURCE AGENCIES (CCRR)**
All voucher providers must utilize EEC’s Child Care Financial Assistance (CCFA) application to complete and submit monthly billing for prior month’s services. All voucher providers are required to submit billing each and every month in CCFA. All voucher billing is reviewed and
approved by the voucher provider’s CCRR. Voucher providers are required to submit their
attendance in CCFA by the 13th calendar day of the month. If the 13th falls on a weekend
and/or holiday, the billing is due the next business day. Once the voucher provider has
submitted billing in CCFA, the CCRR will review the attendance to ensure the billing is
accurate and complete. The CCRR generates one Payment Voucher for all their voucher
providers from CCFA. The Payment Voucher must be signed by the authorized signatory of
that agency and sent to EEC’s Accounting Unit. Monthly billing must be received at EEC’s
Accounting Unit by the 20th calendar day of the month. If the 20th falls on a weekend and/or
holiday, the billing is due the next business day. All payments are processed within 10
business days of receipt of payment voucher. EEC will reimburse the CCRR, who will
reimburse each provider within 5 business days of receipt of funds from EEC for services
rendered for the prior month.

All Contracted Providers and CCRRs are required to submit monthly billing by the required
EEC deadline and are expected to bill each month in full for the prior month’s services.
Appendix: D
Sharing of Information

Child Care Licensing and Subsidy

Child care programs serving families that receive EEC subsidies must, upon request, provide EEC staff and staff of the local CCRR with any information in children’s records relevant to a family’s eligibility for a child care subsidy. This sharing of information is in agreement with the Commonwealth Terms and Conditions and individual voucher provider agreements with CCRRs, which permit EEC to access records to determine compliance with EEC subsidy rules and requirements. Such information sharing is in agreement with EEC Licensing and Enforcement regulations, which require licensees to provide EEC access to their facilities, records, staff, and references to determine compliance with EEC regulations. See 102 CMR 1.06(3).

The sharing of information in a child’s records does not constitute a breach of confidentiality when the information is relevant to the family’s eligibility for a subsidy, is shared for the purpose of determining compliance with EEC subsidy regulations or policies, and is provided to EEC or to EEC’s designated authority (e.g., the CCRR).
Appendix: E
Transportation

Transportation Funding
Funding may be available to assist families who receive a child care subsidy through the income eligible program, by paying for transportation between home or school and child care. Subject to funding availability, programs will be reimbursed at the EEC-approved rate for one way or round-trip transportation, based on the family being determined eligible for transportation. The Subsidy Administrator must document the parent’s reason for needing transportation funding, taking into consideration such factors as:

- the availability of public transportation;
- whether a parent has a car;
- any physical incapacity of the parent that may prevent the parent from transporting the child; and
- whether the parent’s work schedule prevents transportation of the child to or from care.

In determining eligibility for transportation funding, the Subsidy Administrator must consider the distance from between the child’s home and the child care program. Anyone who lives within one half mile of the provider will not receive transportation funding. Exceptions to this rule include situations in which the parent has no car, there is no public transportation available, and:

- the parent’s work schedule would not allow time for the parent to walk the child to care and then get to work on time;
- the child’s disability prevents her/him from walking or being transported by stroller, carriage, or other similar means; OR
- the parent’s disability prevents him/her from walking the child to care.

All exceptions should be cleared through EEC.

Children who live more than one half mile from the child care program may be eligible for transportation funding when the parent’s or child’s disability prevents transportation via personal or public transportation, or when the parent does not have personal transportation resources and public transportation is not available. For public transportation to be considered “available” it must be running on the days and at the hours when the parent’s work and the child’s care schedules require transportation, and must be able to accommodate the child’s or parent’s disability, if any. Public transportation will not be considered “available” if the time required to travel from home to the child care program is

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5 The child or parent’s disability, including why the disability requires transportation, must be verified in writing by an M.D. If the disability is due to an injury or other temporary circumstance, transportation funding ends when the disability ends.
more than 45 minutes, or when the time required to travel from home to the child care program and then to work is more than one hour.

Subsidy Administrators may make exceptions to allow transportation funding under extreme circumstances. For example, when a parent has too many children to safely transport, when the route to child care is heavily trafficked or otherwise unsafe, or when a child’s health prohibits the outdoor time or physical exercise required, an exception may be appropriate. However, Subsidy Administrators will not make exceptions to the 45-minute travel time limit for transportation arranged or provided by the child care program, and must document the exception in writing and include it in the file.

All programs providing transportation services must ensure that all transportation, including that provided by subcontractors, complies with Registry of Motor Vehicles standards, and all EEC requirements, including the general terms and conditions of their contract or voucher provider agreement and EEC’s policy Procedures for the Drop-Off and Pick-Up of Children by Transportation Providers and Parent/Program Notification 606 CMR 7.13 (which can be found on EEC’s website).

Transportation Policies
A program that provides or coordinates transportation must develop written transportation policies and designate a specific staff person responsible for transportation services. The staff person is responsible for coordination of the transportation system, and for hearing and addressing consumer concerns, complaints, or suggestions. Providers must discuss their transportation policies with parents, and inform them of the identity of the transportation coordinator.

Providers must include the following in their policies: the procedures to be followed when children or parents are not ready for pick-up or available at time of drop-off; the maximum amount of time drivers will wait for unprepared families or the return of an absent adult at drop off; the amount of time professional staff will assume responsibility for trying to locate an absent parent or other emergency contact before taking additional steps such as filing a 51A with the DCF Area Office or after-hours hotline; the process for addressing misbehavior of children during transport; documentation and reporting of accidents; and the possible consequences for a family’s misuse of transportation.

Service Need
When children are transported by the child care provider between home and child care, the child’s time in transportation is not included in determining the parent’s service need.

A maximum of 5 hours per week spent by the parent traveling between work or school and child care may be included in determining the parent’s service need when the parent is responsible for transporting the child.