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TITLE 218 - RHODE ISLAND DEPARTMENT OF HUMAN SERVICES

CHAPTER 20 - INDIVIDUAL AND FAMILY SUPPORT PROGRAMS

SUBCHAPTER 00 - N/A

PART 04 - CHILD CARE ASSISTANCE PROGRAM RULES AND REGULATIONS

4.1 General Provisions

4.1.1 Introduction

A. The Rhode Island Department of Human Services (DHS) recognizes the importance of access to affordable child care for families making the transition from economic assistance to economic self-sufficiency as critical to promote safety, permanency and well-being for Rhode Island children.

1. The Starting RIght Child Care Assistance Program (CCAP), adopted in 1998, ensures access to affordable, developmentally appropriate, early childhood education and support services for young children and their families. CCAPs focus is on three crucial supports:

a. providing low to moderate-income families with the financial resources to find and afford quality child care for their children;

b. promoting a stable, regulated, well-qualified provider community; and

c. implementing quality initiatives to enhance the quality of child care in Rhode Island.

4.1.2 Authority and Purpose

A. R.I. Gen. Law § 42-12-23 designates the Department of Human Services (DHS) as the principal agency of the State responsible for the planning and coordination of state involvement in the area of child care, including responsibility for State programs subsidizing child care services provided to families receiving benefits from the Rhode Island Works Program (RIW) and to~~o~~ low to moderate-income eligible working families.

B. Accessible, affordable high quality child care benefits a strong RI economy by supporting today's workers and providing children, our future workforce, a strong

foundation for learning. The Child Care Assistance Program (CCAP) maintains its efforts to transform the State's child care subsidy programs to fulfill the comprehensive goals of Starting Right. Accordingly, the purpose of the Child Care Assistance Program is to:

1. Create an integrated system of child care assistance programs that ensures the seamless delivery of services to eligible children through age twelve (12) or through age eighteen (18) if disabled, or those children turning 13 during the 12 month certification period;

2. Ensure families have access to high quality child care and can focus on their own work or training with confidence without worrying about the safety of their children;

3. Assist families in obtaining child care assistance by standardizing the CCAP eligibility requirements, streamlining enrollment and payment procedures, and expanding the range of child care providers approved to participate in the program;

4. Ensure that all children participating in the CCAP receive safe, developmentally appropriate, quality child care;

5. Facilitate the development of a network of child care facilities and skilled and stable care givers/providers capable of delivering early education and enhanced child care services to support young children from income eligible families; and

6. Respond to the diverse needs of children and families by supporting the development of a diverse array of high quality and affordable program models and services.

4.2 Definitions

A. For the purposes of this administrative rule, the following definitions apply unless otherwise noted:

1. “Allowable child care expense” means the total cost of CCAP authorized child care services paid by DHS to an approved provider, after deducting the amount the family is required to pay the provider as its share of the cost (or family share) for authorized services.

2. “Applicant child(ren)” means the dependent child(ren) in the financial unit for whom CCAP authorized child care services are being requested.

3. “Application date” means the date that a signed application for CCAP is stamped as received by a DHS office or the date an application is submitted online.

4. “Approved child care provider” means an individual or program that:

   a. has met the requirements established by the Department of Human Services to participate in the CCAP; and

   b. entered into a signed and valid agreement with the DHS specifying the terms and conditions for enrolling eligible children and receiving payment for CCAP allowable child care expenses.

5. “Approved education and training program” means a training, apprenticeship, internship, on-the-job training, work experience, work immersion, or other job readiness/job attachment program that is:
   a. funded by the Governor’s Workforce Board or state agencies that are part of the coordinated program system pursuant to §§ 42-102-9 and 42-102-11;
   b. twenty hours per week or more;
   c. no longer than one year in duration.

~~5~~6. “Authorized child care services” means the child care a CCAP eligible child is approved to use in a given time period based on the department's assessment of the family's need for services. CCAP authorized child care is categorized as full-time (FT), three-quarter time (3QT), half-time (HT), or quarter-time (QT).

~~6~~7. “Basic education program” or “BEP” means the overarching set of regulations for the Rhode Island public education system.

~~7~~8. “Categorically eligible” means that eligibility for the CCAP has been conferred, by either State law or DHS policy, based on receipt of, or participation in, a particular public benefit/program. Both RIW cash assistance recipients and Youth Services program participants receiving RIW cash assistance are categorically eligible for the CCAP if they have met all other general requirements and established a need for services.

~~8~~9. “CCAP approved provider agreement” or “APA” means the agreement that all CCAP approved providers must sign with DHS that establishes the respective responsibilities and obligations of both the Department and the provider.

~~9~~10. “CCAP approved provider introductory training” means the introductory training session(s) about the CCAP, conducted by the Office of Child Care

(OCC) and that approved providers must complete in order to receive DHS reimbursement of allowable child care expenses.

1~~0~~1. "CCAP approved provider rate report" or "APRR" means the report that providers must complete and submit to the OCC to gain or maintain approved provider status. The APRR requires providers to specify the actual rate they charge for child care services rendered to non-CCAP subsidized families. As part of this report, providers are also required to submit their published rate schedule for all payers other than DHS/CCAP. The APA shall include the Approved Provider Rate Report (APRR) and this report will be incorporated into the agreement.

1~~1~~2. "CCAP automated enrollment system" means the DHS system through which an approved provider shall enroll eligible children.

1~~2~~3. "Center-based child care program" means a facility operated on a regular basis which receives children, not of common parentage, and provides non-residential care in a location separate from the children's parents during the day. Rhode Island General Law (RIGL) requires center based child care programs to obtain licensure through the Department of Children, Youth and Families.

1~~3~~4. "Central provider directory" means the information source maintained by the department about all the child care providers in the State that have met the requirements to be approved to participate in the CCAP and receive payment for authorized child care expenses.

1~~4~~5. "Certification period" means the actual period of time that an eligible child may obtain CCAP authorized child care services. A certification period shall not ~~exceed~~ be less than twelve (12) months in duration.

1~~5~~6. "Child Care Assistance Program" or "CCAP" means the program administered by the Rhode Island Department of Human Services that provides financial assistance for authorized child care services rendered to eligible children~~, and families where the parent(s) is participating in an approved education or training program,~~ by approved child care providers. The CCAP consolidates DHS child care subsidy programs for RIW recipients, income eligible working families (formerly known as the Low Income Child Care Program), families where the parent(s) is participating in an approved education and training program, and teens participating in the Youth Services (formerly known as the Youth Success Program), and short term special approval child care.

1~~6~~7. “Child Development Associate Credential” or “CDA” means a credential awarded by the Council for Professional Recognition to certain individuals working in child care settings who demonstrate proficiency in specific competency standards.

1~~7~~8. “Classroom Assessment Scoring System” or “CLASS” means an observational tool that measures the quality of teacher-child interactions.

1~~8~~9. “Comprehensive Early Childhood Education” means a program for preschool aged children approved by RIDE, formerly known as Nursery School.

~~19~~20. “Department of Children, Youth and Families” or “DCYF” means the Rhode Island State agency with statutory responsibility for licensing and regulating child care providers. DCYF licenses child care centers, group family child care homes and family child care homes.

2~~0~~1. “Department of Human Services” or “DHS” or “Department” means the Rhode Island State agency that administers financial, medical, social and rehabilitation programs and services, and approves licensed and license exempt child care providers to participation in the DHS Child Care Assistance Program (CCAP) and receive payment for authorized child care expenses.

2~~1~~2. “Dependent child” means any child who is under the age of thirteen (13) years, or who turns thirteen (13) years during the 12 month certification period, or who is under the age of nineteen (19) if they have a documented disability, and are of an acceptable degree of relationship for purposes of CCAP, is an eligible child.

2~~2~~3. “DHS authorized payment rate for providers” means the rate that DHS CCAP pays approved providers for CCAP authorized child care services. The DHS authorized payment rate for each provider is either the actual rate the provider charges for child care services as reported in the APRR or the DHS CCAP Established Payment Rate for each rate category, whichever is lower.

2~~3~~4. “DHS CCAP established payment rate” means the maximum rate that DHS CCAP will pay approved providers for authorized child care services in each rate category. This maximum rate is established based on the results of a biennial Market Rate Survey as defined in R.I. Gen. Laws § 40-6.2- 1.1.

2~~4~~5. “DHS Code of Administrative Rules and Regulations” or “DHS Code” means the compendium of rules and policies governing the programs

administered by the department. The DHS Code was formerly referred to as the DHS Policy Manual.

2~~5~~6. "Early Childhood Environment Rating Scale, Revised" or "ECERS-R" means a research-based assessment tool that measures environmental indicators of quality in preschool classrooms with children ages 2.5-5 years of age.

2~~6~~7. "Eligible child" means a dependent child that meets the requirements to receive authorized child care services from a CCAP approved child care provider. A foster child who is eligible for child care services provided through the Rhode Island Department of Children, Youth and Families (DCYF) shall not be deemed an eligible child for the purposes of the CCAP.

2~~7~~8. "Environmental Rating Scale" or "ERS-R" means the assessment tools developed at the Frank Porter Graham Child Development Center of the University of North Carolina at Chapel Hill that measure environmental indicators of quality. They include the Infant Toddler Environment Rating Scale-Revised (ITERS-R) and the Early Childhood Environment Rating Scale-Revised (ECERS-R), as well as the School Age Care Environment Rating Scale (SACERS) for school age programs, and the Family Child Care Environment Rating Scale-Revised (FCCERS-R) for family child care homes.

2~~8~~9. "Excluded income" means certain money, goods or services that are not considered countable for the purposes of determining whether a family meets the requirements for CCAP income eligibility. Excluded income includes, but is not limited to, the following:

a. The value of U.S. Department of Agriculture donated foods;

b. Any payment received under Title II of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970;

c. The value of certain assistance provided to undergraduate students Including: any grant or loan for an undergraduate student for educational purposes made or insured under any loan program administered by the U.S. Commissioner of Education (or the Rhode Island board of governors for higher education or the Rhode Island higher educational assistance authority);

d. Payments distributed per capita to, or held in trust for, members of any Indian tribe under Public Law 92-254, Public Law 93-134 or Public Law 94-540;

e. Any benefits received under Title VII, Nutrition Program for the Elderly, of the Older Americans Act of 1965, as amended;

f. Payments for supportive services or reimbursement of out-of-pocket expenses made to individual volunteers serving as foster grandparents, senior health aides or senior companions, and to persons serving in the Service Corps of Retired Executives (SCORE) and Active Corps of Executives (ACE) and any other program under Title II and Title III of the Domestic Volunteer Service Act of 1973;

g. The value of supplemental food assistance received under the Child Nutrition Act of 1966, as amended, and the special food service program for children under the National School Fund Act, as amended, (Public Law 92-433 and Public Law 93-150);

h. Payments of Experimental Housing Allowance Program made under Annual Contributions Contracts entered into prior to January 1, 1975, under Section 23 of the U.S. Housing Act of 1937, as amended;

i. Receipts distributed to members of certain Indian tribes which are referred to in Section 5 of Public Law 94-114 that became effective October 17, 1975;

j. Tax exempt portions of payments made pursuant to the Alaska Native Claims Settlement Act, Public Law 93-203;

k. Foster care payments made by the Rhode Island Department for Children, Youth and Families (when the child is not included in the assistance unit);

l. The value of food assistance benefits;

m. The value of government rent or housing subsidies;

n. Home energy assistance funded by the State or Federal government or from non-profit organizations;

o. Income from college work study programs;

p. The earned income of a dependent child who is included in the financial unit;

q. Stipends, earned income, and reimbursements paid through the Federal Workforce Investment Act and through the Workforce Innovations Opportunity Act (WIOA);

r. In accordance with PL 100-485, the refund of taxes under the earned income tax credit (EITC), or the advance payment of the EITC;

s. Loans and grants, such as scholarships, obtained and used under conditions that preclude their use for current living costs;

t. Monies received under the federal Social Security Persons Achieving Self-Sufficiency (PASS) program or the Income Related Work Expenses (IRWE) program;

u. The income of the parents with whom a teen parent(s) resides;

v. Section 8 Utility Payment;

w. Veterans Aid and Attendant Allowances;

x. Payments to volunteers under Americorps/ VISTA (payments to volunteers under Americorps are NOT excluded).

y. Rhode Island Works cash assistance payments.

~~29~~30. "Family child care home" means a child care program located in the provider's home residence in which child care services may be offered at the same time to four (4) or more children unrelated to the child care provider, up to eight (8).

a. Family child care home shall not mean a private residence used for an informal cooperative arrangement among neighbors or relatives, or the occasional care of children with or without compensation.

b. R.I. Gen. Laws § 42-72.1-4 requires family child care home providers to obtain a license from DCYF.

3~~0~~1. "Family child care environment rating scale-Revised" or "FCCERS-R" means a research-based assessment tool that measures environmental indicators of quality in programs conducted in a providers own home for children from infancy through school age.

3~~1~~2. "Family share" means the amount a family is expected to contribute in co-payments to the cost of child care services.

3~~2~~3. “Financial unit” means the dependent children, including both applicant and non-applicant child(ren), and the parent(s) and the legal spouse(s) of the parent(s) who live with them in the same household. The financial unit may also include applicant children that DHS has determined, upon verification, to be a relative of acceptable degree to the parent(s) requesting CCAP authorized services. The financial unit determines family size for the purposes of determining income.

3~~3~~4. “Group family child care home” means a child care program located in the provider's home residence in which child care services may be offered at the same time for up to nine (9), but no more than twelve (12) children unrelated to the child care provider.

a. R.I. Gen. Laws Chapter 42-72.1 requires group family child care home providers to obtain licensure from DCYF.

3~~4~~5. “Head Start performance standards” means the standards determined by the Administration for Children and Families (ACF) to define the services that Head Start and Early Head Start programs are required to provide to the children and families that they serve. The standards constitute the expectations and requirements that Head Start grantees must meet.

3~~5~~6. “Homeless individuals” means individuals who:

a. lack a fixed, regular and adequate nighttime residence;

b. are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;

c. are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative accommodations;

d. are living in emergency or transitional shelters; have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human being; are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar setting.

3~~6~~7. “Income” means any money, goods or services available to the financial unit used to calculate eligibility for the CCAP. For the purposes of the CCAP, countable income includes, but is not limited to, any of the following:

a. Monetary compensation for services, including gross wages, salary, commissions, and any work-based fees, stipends, tips or bonuses;

b. Adjusted gross income from self-employment;

c. Social Security Benefits - Retirement, Survivors and Disability Insurance (RSDI);

d. Supplemental Security Income (SSI);

e. Dividends or interest on savings or bonds;

f. Income from estates or trusts;

g. Adjusted Gross Rental Income;

h. Adjusted Gross Room and Board Income;

i. Public assistance ~~or RIW cash assistance~~ payments;

j. Unemployment Compensation;

k. Temporary Disability Insurance (TDI);

l. Workers' Compensation;

m. Government civilian employee or military retirement, Private pensions or annuities;

n. Cash payouts for waiving employer sponsored health insurance;

o. Adoption subsidies;

p. Alimony;

q. Child support payments;

r. Regular contributions from persons not living in the household;

s. Royalties;

t. Strike Benefits;

u. Trade Readjustment Allowance;

v. VA Compensation Payments, VA Educational Benefits, Spousal/Dependent Allowances and Military Allotments;

w. Payments to volunteers under Americorps (payments to volunteers under Americorps/VISTA are excluded);

x. Foster care payments made by the Rhode Island Department of Children, Youth and Families (when the child is included in the assistance unit);

y. In-Kind Assistance;

z. Non-citizen Sponsor Income (includes income of the sponsor and sponsor's spouse), refer to the Rhode Island Works Rules and Regulations regarding Deeming provisions and Indigent Exceptions.

3~~7~~8. "Income eligible" means CCAP eligibility is determined on the basis of income, for applicants not receiving RIW cash assistance, within the limits prescribed in State law, contingent upon meeting certain general requirements and the need for services.

3~~8~~9. "Infant" means a child from at least one (1) week up to, and inclusive of, eighteen (18) months of age.

~~39~~40. "Infant Toddler environment rating scale-revised" or "ITERS-R" means a research-based assessment tool that measures environmental indicators of quality in preschool classrooms with children 0-2.5 years of age.

4~~0~~1. "Initial eligibility date" or "Care start date" means the actual first date that CCAP authorized child care services, rendered to an eligible child by an approved provider, can be paid by DHS.

4~~1~~2. "Legal guardian" means Judicially created relationship between the dependent child and caregiver which is intended to be permanent and self-sustaining as evidenced by the transfer to the caregiver of the following parental rights with respect to the child: protection, education, care and control of the person, custody of the person and decision-making.

4~~2~~3. "License exempt child care provider" means any relative~~, friend or neighbor~~ of a family eligible for CCAP rendering child care in the home of the child or the provider (not to exceed ~~3 unrelated or~~ 6 related children), who has been successfully screened by the DHS and determined eligible to participate in the CCAP, must be listed in the CPD, and receive

payment for allowable child care expenses. License exempt providers are not required under applicable State laws (R.I. Gen. Laws Chapter 42-72.1, *et. seq.*) to obtain licensure from the Rhode Island Department of Children, Youth and Families, but must meet the capacity requirements. License Exempt providers are only approved in CCAP as long as they have a CCAP pending or eligible child in their care.

434. "Licensed child care facility" means any facility that provides child care, including a center-based program or family child care home, that is licensed by the Rhode Island Department of Children, Youth and Families (DCYF). The term includes facilities that have programs such as: Comprehensive Early Childhood Education Program, preschool, pre-kindergarten, Head Start, Early Head Start, child play school, before or after school care, or child development center and applies to the total child care operation, including the physical setting, administration, staff, equipment, program, and care of children.

445. "Non-Applicant child" means any dependent child living in the household up to age eighteen (18), who is not included in the family's request for CCAP authorized child care services.

46. "Non-Temporary Change in Status" means a non-temporary change in employment or education and training status due to permanent loss of work or cessation of attendance at an approved education and training program.

457. "Office of child care" means the unit within DHS responsible for administering the CCAP, approving child care providers participating in the program, and maintaining the CCAP Central Provider Directory.

468. "One-Parent home" means a family in which there is only one parent living in the household with financial responsibility for the eligible child(ren).

479. "Parent" means any person in the household who is legally and financially responsible for the routine care of the applicant child(ren) including, but not limited to, providing income, resources or other forms of support.

a. A person seeking CCAP authorized services for a dependent child is considered to be a parent for CCAP eligibility purposes if so deemed for any other Department of Human Services program(s).

b. The term parent is used broadly in this rule to refer to biological, adoptive, or stepparents, as well as legal guardians or caretaker relatives of an acceptable degree as defined in the Rhode Island Works Rules and Regulations

~~48~~50. “Pre-School age child” means a child from age three (3) up to entry into the first grade of a public or private elementary school program. A child who will reach age seven (7) on or after September 1st in a given school year shall not be considered a pre-school age child under any circumstances.

~~49~~51. “Quality Rating and Improvement System” or “QRIS” means systemic approach to assess, improve, and communicate the level of quality in early and school-age care and education programs

5~~0~~2. “Relationship, acceptable degree” means dependent child must be living with a relative of acceptable degree of relationship in a home maintained by such relative. The establishment of relationship is either biologically, through marriage, or through legal guardianship.

a. When the relative with whom the child lives is not the biological or adoptive parent, the term *in loco parentis* (in place of the parent) is used.

b. Spouses of any of the persons in the listed groups meet the relationship requirement and continue to meet it even after the marriage is terminated by death or divorce.

53. “Relative” means an individual at least eighteen (18) years old who is the grandparent, great-grandparent, aunt/uncle, or sibling not living in the home, as it pertains to licensed-exempt providers. The status of relative is established by blood, marriage or court decree.

5~~1~~4. “Rhode Island Works Program” or “RIW” means the Rhode Island State program authorized by R.I. Gen. Laws Chapter 40-5.1 *et. seq.*, that provides cash assistance and support to families who meet certain requirements. RIW beneficiaries are categorically eligible for fully-subsidized CCAP services if they meet the requirements established in § 4.5 of this Part.

~~52 “RIW Unit” means the operational arm of the Rhode Island Department of Human Services responsible for determining whether categorically eligible RIW beneficiaries, including those who are also YS participants, meet the CCAP general and need for services requirements. The RIW Unit also determines CCAP eligibility for families making the transition off RIW cash assistance.~~

~~53~~55. “School age care environment rating scale-revised” or “SACERS-R” means a research-based assessment tool that measures environmental

indicators of quality of group programs for children of school age, 5 through 12 years.

5~~4~~6. “School-age child” means a child through age twelve (12), or who turns thirteen (13) years during the eligibility period, enrolled in at least the first grade in a public or private school program. Certain children with special needs may be categorized as school age through the age of eighteen (18) and qualify for CCAP child care services as detailed in § 4.3.1 of this Part.

5~~5~~7. “Short-Term Special Approval” or “SSACC” means the continuation of CCAP authorized services despite the temporary reduction in employment or RIW employment plan participation as a result of a documented serious health condition or related circumstance in the family that creates an immediate need to continue CCAP authorized child care services on a temporary basis, as provided in Section of this rule.

5~~6~~8. “Successfully screened provider” means a provider that has no disqualifying information or evidence of criminal activity in background clearances and criminal record checks of the individual seeking CCAP approved license exempt provider status or of any of the adults living in the provider's household. Child care providers who possess a valid DCYF license to operate, and who are seeking CCAP approved status, are presumed to have been successfully screened in accordance with the R.I. Gen. Laws § 40-13.2-1 *et. seq.*

5~~7~~9. “Summer Camp” means a DHS approved program serving eligible school age children during periods when school is out-of-session. Summer camps must meet applicable State laws and regulations pertaining to child health and safety and any other applicable DHS requirements.

60. “Temporary Change in Status” means a temporary change in the ongoing status of the child’s parent as working or attending a job training or educational program shall include:

a. any time-limited absence from work for an employed parent due to reasons such as the need to care for a family member or an illness;

b. any interruption in work for a seasonal worker who is not working between regular industry work seasons;

c. any student holiday or break for a parent participating in training or education;

d. any reduction in work, training or education hours, as long as the parent is still working or attending training or education;

e. any other cessation of work or attendance at a training or education program that does not exceed three months;

~~58~~61. "Toddler" means a child over the age of eighteen (18) months, up to the age of three (3) years.

~~59~~62. "Two-Parent home" means a family in which the two parents live in the same legal household as, and share financial responsibility for, the applicant's dependent child/children.

~~60~~63. "Youth services/home visiting program" means the Rhode Island State program that provides assistance to pregnant/parenting teens engaged in approved education and training programs. YS participants may or may not be cash assistance recipients, employed or a combination of both. The program was formerly known as the Youth Success Program or the Nurse Family Partnership.

4.3 Eligibility and Authorization of Services

A. Families with incomes at or below 180 percent of the federal poverty level (FPL) who meet the requirements for the Starting RIght Child Care Assistance Program (CCAP) are eligible to receive full or partial payment for child care expenses when delivered by a CCAP approved child care provider. There are two avenues for qualifying for payment of child care expenses through the CCAP:

1. Categorical Eligibility - The Rhode Island TANF Program extends eligibility for the CCAP to Rhode Island Works Program (RIW) cash assistance recipients, including Youth Services Program participants, who meet the need for services as established in § 4.5 of this Part.

2. Income Eligibility - Working Rhode Island families, families where a parent(s) is participating in an approved education and training program, and YS participants who are not RIW cash recipients may be income eligible for the CCAP if they meet the requirements set forth in § 4.6 of this Part.

4.3.1 General Eligibility

A. For a child to be eligible to participate in the Child Care Assistance Program (CCAP), the family applying for CCAP services shall meet the general requirements set forth in this Section as well as the specific requirements pertaining to either categorical or income eligibility. To be eligible for the CCAP the following requirements have been met:

1. Age of applicant child(ren) - The child to receive CCAP services shall be over one (1) week old and below the age of thirteen (13) years unless the following circumstances apply:

    a. The child is thirteen (13) up through eighteen (18) years old and has a documented physical or mental disability which makes the child incapable of self-care; or

    b. The child is under age thirteen (13) and would be considered a dependent child for the purposes of Rhode Island Works except for the receipt of Supplemental Security Income, or foster care services under Title IV-E. This rule applies only in those instances in which child care is necessary for a parent to accept or retain employment or to participate in a RIW approved education or training program.

    c. The child turns thirteen (13) years during the certification period and remains eligible until redetermination.

2. Relationship - The applicant child(ren) must live in the home of the parent requesting CCAP services. The relationship between the adult applying for CCAP services and each applicant child must meet the broad definition of parent as set forth in this Part.

3. Residency - As defined in the DHS General Provisions, the applicant parent(s) and any applicant children in the financial unit shall be residents of the State of Rhode Island.

4. Citizenship

    a. The applicant child shall be either a citizen of the United States or a qualified immigrant. There is no five (5) year waiting period for qualified immigrant children to be eligible for CCAP. Qualified immigrants are:

        (1) lawful permanent residents (LPRs);

        (2) refugees, asylees, persons granted withholding of deportation/removal, conditional entry (in effect prior to Apr. 1, 1980), or paroled into the U.S. for at least one year;

        (3) Cuban/Haitian entrants;(4) battered spouses and children with a pending or approved (a) self-petition for an immigrant visa, or (b) immigrant visa filed for a spouse or child by a U.S. citizen or LPR, or (c) application for cancellation of

removal/suspension of deportation, whose need for benefits has a substantial connection to the battery or cruelty (parent/child of such battered child/spouse are also "qualified");

(4) Victims of trafficking and their derivative beneficiaries who have obtained a T visa or whose application for a T visa sets forth a prima facie case.

b. The adult applying for CCAP for an eligible child shall not be required to provide proof of citizenship or immigration status.

c. The Department utilizes the State Verification and Exchange System (SVES) to validate Social Security Numbers (SSNs) and verify an applicant/recipient's citizenship.

5. Need for Services:

a. RIW or Youth Parents involved in Youth Services/Home Visiting Program: must be in an approved education and training activity or work plan activity as established in § 4.5 of this Part.

b. Income Eligible / Low-income Child Care: the parents of the applicant child(ren) shall be employed, or participating in an approved education and training program, and unavailable to provide routine care for the child(ren) in accordance with the provisions established § 4.6 of this Part.

c. Child Care for Training:

~~(1)~~ Beginning October 1, 2013 , the department shall provide child care to Income Eligible / Low-income families with income below one hundred eighty percent (180%) of the federal poverty level who are involved in training, apprenticeship, internship, on-the-job training, work experience, work immersion, or other job readiness/job attachment programs sponsored or funded by the human resource investment council (governor's workforce board) or state agencies that are part of the coordinated program system pursuant to R.I. Gen. Laws §§ 42-102-9 and 42-102-11.

6. Cooperation with the Office of Child Support Services. All families with an absent parent(s) are referred to the Office of Child Support Services. As a condition of eligibility, the parent/caretaker relative is required to cooperate in establishing paternity, and in establishing and/or enforcing child support and medical support orders for all children in the family, unless the parent/caretaker relative is found to have good cause for refusing to

comply with these requirements. Additional requirements to cooperate with the Office of Child Support Services are detailed in § 4.3.2 of this Part.

4.3.2 Cooperation with the Office of Child Support Services

A. An applicant or recipient must cooperate with the agency for all children in the family (unless good cause for refusing to do so has been determined to exist) in:

1. Identifying and locating the parent of each child;

2. Establishing the paternity of any child born out of wedlock;

3. Obtaining support payments for the applicant or recipient and for all children; and

4. Obtaining any other payments or property due the applicant or recipient or the child(ren) of any absent parent.

B. In order for the applicant to be found cooperative in achieving the above objectives, the applicant must, at the request of the Office of Child Support Services:

1. Appear, as necessary, to provide verbal or written information or documentary evidence, known to, possessed by, or reasonably obtainable by her/him.

2. Appear as a witness at court or other hearings or proceedings, as necessary.

3. Provide information, or attest to the lack of information, under penalty of perjury.

4.3.3 Consequences of Non-cooperation with OCSS

A. The failure of a parent/caretaker relative to cooperate with the Office of Child Support Services in establishing paternity or in establishing, modifying, or enforcing a support order with respect to a child, when the applicant does not qualify for good cause, results in the closure or denial of all CCAP benefits.

1. All applicant children are found to be ineligible for benefits, if the parent/caretaker relative fails to cooperate with OCSS with regards to any child in the household.

2. The closure or denial of the CCAP case and the ineligibility of the applicant child(ren) in all subsequent CCAP applications, shall continue until the parent/caretaker relative who refused to comply with child support cooperation requirements consents to and cooperates with the agency in satisfying those requirements.

3. Once the applicant has satisfied the requirements of cooperation with the Office of Child Support Services, the applicant may re-apply for CCAP.

4. A pending letter will not be generated for any application filed by a client who is currently non-cooperative with OCSS.

4.3.4 Good Cause for Refusing to Cooperate

A. Every applicant is given an opportunity to claim good cause for refusing to cooperate.

1. If good cause is claimed, the applicant is referred to the Domestic Violence Advocate who will conduct the Family Violence Option Assessment;

   a. If the client refuses the referral, s/he is advised that s/he must state the basis of the claim and present corroborative evidence within twenty (20) days of the claim; or,

   b. s/he must provide sufficient information to enable the investigation of the existence of the circumstance; or,

   c. provide sworn statements from individuals to support the claim.

2. A determination of good cause is based on the findings of the Domestic Violence Advocate; or,

   a. evidence supplied which establishes the claim; or,

   b. an investigation by the agency of the circumstance which confirms the claim; or,

   c. a combination of evidence and investigation; or,

   d. when the claim is one of anticipated physical harm without evidence, the investigation supports the credibility of the claimant.

3. The determination as to whether good cause does or does not exist should be made within thirty (30) days of the good cause claim unless the record documents that the agency needs additional time because the

information required to verify the claim cannot be obtained within the time standard.

4. The DHS representative will obtain verification and/or conduct an investigation in order to make the determination.

    a. If sufficient information to conduct an investigation is provided, an otherwise eligible applicant is provided assistance (or assistance is continued) pending the final determination on the good cause claim.

4.3.5 When Cooperation Not in Best Interest.

A. Cooperation is determined to be against the best interest of the child(ren) if:

1. The applicant's cooperation is reasonably anticipated to result in physical or emotional harm to the child, mother, or other relative with whom the child is living (Physical or emotional harm must be determined to be of a genuine and serious nature).

    a. The mere belief that cooperation would result in harm is not sufficient basis for a finding of good cause. The emotional harm to the mother must be of such a serious nature that the capacity to care for the child adequately would be reduced.); or

2. It would be harmful to the child for whom support would be sought because the child was conceived as a result of incest or rape; or

3. Legal proceedings for adoption of the child are pending before a court of competent jurisdiction; or

4. The applicant is currently being assisted by a public or licensed private social agency to resolve the issue of whether to keep the child or release him/her for adoption and the discussions have not gone on for more than three (3) months; or

5. There is anticipated physical harm to the parent without corroborative evidence.

4.3.6 Corroborative Evidence of Good Cause.

A. Corroborative evidence upon which a determination of good cause is based without further agency investigation is limited to documents similar to the following, which must be presented within twenty (20) days of the claim:

1. Birth certificates, medical, or law enforcement records which indicate that the child was conceived as a result of incest or rape.

2. Court documents or other records which indicate that legal proceedings for adoption are pending before a court of competent jurisdiction.

3. Court, medical, criminal, child protective services, social services, psychological, or law enforcement records which indicate that the putative father or absent parent might inflict physical or emotional harm on the child or caretaker relative.

4. Medical records which indicate emotional health history and present emotional health status of the caretaker relative (parent or *loco parentis*) or the child for whom support is sought or, written statements from a mental health professional indicating a diagnosis or prognosis concerning the emotional health of the caretaker relative or the child for whom support is sought.

5. A written statement from a public or licensed private social agency that the applicant is being assisted by the agency to resolve the issue of whether to keep the child or release him/her for adoption, and the discussions have not gone on for more than three (3) months.

B. If the evidence is insufficient, the DHS agency representative will promptly notify the applicant that additional corroborative evidence is needed and specify the type of document needed.

C. When sufficient information to permit an investigation is given or when the claim is one of anticipated physical harm without corroborative evidence and the DHS representative considers the claim credible and corroborative evidence is not available, the DHS representative will conduct an investigation.

1. In conducting the investigation, the DHS representative will not contact the absent father or putative father unless such contact is determined to be necessary to establish the claim.

2. Prior to making any contact, the applicant or recipient will be notified in order for her to present additional evidence or information that the contact is unnecessary or she can withdraw the application, or the good cause claim can be denied.

D. On the basis of the evidence or the results of the investigation, the DHS agency representative makes a decision on the applicant's good cause claim.

4.3.7 Good Cause Based Upon Emotional and Physical Harm

A. Physical harm and emotional harm, as defined, must be of a serious nature. It must be demonstrated to the DHS agency representative that there exists an emotional impairment that substantially affects the applicant's functioning for a finding of good cause for emotional harm to be made.

1. If a determination is based in whole or in part upon the anticipation of emotional harm to the child, parent, or other caretaker relative, consideration is given to the following:

a. the present emotional state of the applicant subject to emotional harm;

b. the emotional health history of the applicant; intensity and probable duration of the emotional upset;

c. degree of cooperation to be required; and

d. the extent of the involvement of the child in paternity establishment or support enforcement activity to be undertaken.

B. The DHS agency representative can find good cause on the basis of anticipated physical harm without corroborative evidence if the agency considers the claim credible without corroborative evidence and if such corroborative evidence is not available.

1. The agency is required to investigate this type of claim and while it may not establish the good cause circumstance, it should establish the credibility of the claimant.

C. Good Cause Decision. If the DHS representative has made a determination that good cause exists, the case does not need to be referred to the Office of Child Support Services. The case will be sent to OCSS, at a later date, should the good cause exception be lifted due to new circumstances.

D. Review of Good Cause Finding. A review of the good cause decision must be made at each redetermination by the DHS agency representative. If it is determined that circumstances have changed such that good cause no longer exists, there must be enforcement of the cooperation requirements.

E. The failure of a parent/caretaker relative to comply with child support enforcement cooperation requirements without good cause results in the closure or denial of the case.

4.3.8 Referral to the Domestic Violence Advocate

A. If an applicant discloses a domestic violence situation to DHS, the agency representative refers the applicant to the Domestic Violence Advocate who conducts the Family Violence Option Assessment.

1. If the applicant involved is a minor parent/pregnant minor, an immediate report at the time of disclosure must be made to the Department of Children, Youth and Families (DCYF) as well as referral made to the Domestic Violence Advocate for assessment.

2. If the applicant refuses referral to the Domestic Violence Advocate, eligibility for CCAP is not affected. However, if the applicant requests a good cause exception to cooperation with the child support enforcement requirement, that exception will not be granted unless the applicant can provide evidence to support the good cause exception as detailed in § 4.3.4 of this Part.

3. The Domestic Violence Advocate must review the suitability of any or all waivers at the end of the specified waiver period(s), or earlier if the applicant's circumstances change.

a. The maximum time period for the granting of a waiver is six (6) months.

4.3.9 Limitations and Exclusions of Eligibility

A. Both categorical and income eligibility for CCAP services are subject to the following limitations and exclusions:

1. One CCAP Household per Applicant Child. CCAP services shall only be authorized for one household per applicant child during any given certification period.

a. In general, the CCAP household is the parent's home which serves as the principal place of residence of the applicant child - i.e. where the child lives the majority of the time. This rule applies whenever an applicant child's parents live in separate households or have an acceptable need for services independently of, or in tandem with, one another.

b. A household other than the child's principal place of residence may only be considered a CCAP household if:

(1) The parent in the household where the child lives the majority of the time does not qualify, or have a need for CCAP services; and

(2) The parent in the household where the child lives less than a majority of the time applies and meets the requirements for CCAP authorized services.

2. If the parents of an applicant child live in different households, but share legal custody and physical possession of a child due to a court order/agreement, then neither parent's household may be the child's principal place of residence.

   a. When both parents apply separately for the same child, only one household shall be considered a CCAP household when determining authorized services.

   b. In such instances, the department shall request the documentation from the applicant parents required to make a factual determination as to which is the CCAP household.

3. Self-Employment as a Child Care Provider. Any parent whose income is derived solely from self-employment as a child care provider shall not be eligible for CCAP authorized services.

   a. However, a parent who is self employed as a child care provider on a part time basis may be eligible to receive CCAP authorized services for an eligible child for a period of time while working in some other capacity or participating in a RIW- approved activity, if all requirements established in this rule are met.

4.4 Applying for Child Care Assistance

4.4.1 Application

A. The application for CCAP consists of the required application, verification of certain eligibility criteria, and the need for services. When information is known to DHS from other DHS program sources, and meets the minimum verification requirements of each program, independent verification is not required and previous verified information is used in determining CCAP eligibility. Families seeking eligibility for the CCAP shall apply to DHS in accordance with the following:

1. Point of Application

   a. Rhode Island Works (RIW) recipients, including those who are YS participants, parents participating in an approved education or training program, as well as families making the transition off cash assistance, shall complete an application for Child Care Assistance.

b. Working families, families where the parent(s) is participating in an approved education and training program, and YS participants not receiving income support through RIW may apply online at www.dhs.ri.gov, or at www.healthyrhode.ri.gov, or may obtain a printable application at www.dhs.ri.gov, or through a local DHS office.

2. Application Packet

a. The completed application form signed by the applicant (in a two-parent home both parents must sign the application), along with the documentation required to verify eligibility and the need for services must be submitted to the Department of Human Services to initiate a child care application.

4.4.2 Application processing

A. The date a signed application is date stamped as received by at a DHS office, or the date an application is submitted online, is the application date.

B. The application period is the period when eligibility for the CCAP is determined by DHS staff.

1. The period begins on the application date and extends for thirty (30) days.

2. An application is considered incomplete until DHS has all the information and documentation required to make an eligibility determination.

a. applications from homeless families shall be processed even when all documentation required to make an eligibility determination has not yet been provided.

b. homeless applicants have up to 90 days to provide the documentation required to make an eligibility determination.

3. An application that remains incomplete on the last day of the application period shall be denied unless DHS is responsible for the delay in processing the application.

4. Once an application is complete, every effort will be made to determine eligibility in the most expeditious manner possible.

C. If there is missing information or documentation required to determine eligibility, the Department notifies the family in writing one or more of the following as appropriate:

1. A list of any missing information or documentation required to determine eligibility, the appropriate DHS location to send the information to, and a deadline for submitting any information requested;

2. The unique CCAP certificate number assigned to the family. This is the identification number that shall be used by approved child care providers when enrolling eligible children for CCAP authorized child care services;

3. The names of the children in the family for whom child care assistance is being requested; and/or

4. A statement indicating that the applicant may request services from an approved child care provider pending final determination of eligibility by DHS. The statement shall include a disclaimer indicating that:

    a. DHS shall only make payment for allowable child care expenses when rendered by a CCAP approved provider;

    b. An approved child care provider is not required to accept a child during the period when an application is pending. If a child is accepted, the provider must enroll the child either prior to or during the first week of care; and

    c. DHS shall not guarantee payment for any child care expenses incurred while an application is pending.

        (1) A family requesting to enroll a child for services prior to the final determination of eligibility shall disclose to the approved child care provider that their application for child care assistance is pending and that no payment shall be made by DHS for any child care expenses if the application is denied.

D. Determining the Basis for Eligibility

1. Upon determining that the general requirements for the CCAP have been met representatives shall assess the scope of CCAP services to be authorized on the basis of the criteria for categorical or income eligibility, as specified in §§ 4.5 and 4.6 of this Part.

2. The date DHS determines to be the earliest date a family can begin receiving CCAP authorized child care services is the initial eligibility, or care start date. This date may or may not be the same as the application date.

a. The certification period for CCAP authorized services shall begin on the initial eligibility date and shall continue for a period of no less than twelve (12) months

b. Any child care services utilized prior to the initial eligibility shall be deemed unauthorized and shall not be considered allowable child care expenses for the purposes of making CCAP payments.

3. Applicants shall provide complete and accurate information and all documentation required for verification listed on the CCAP application. Submitting false or inaccurate information for the purposes of obtaining CCAP eligibility shall result in denial of the application.

a. Non-cooperation. Failure to provide the documentation required to verify any eligibility requirement, including the source of income or need for services is acceptable grounds for a delay in the processing of an application. If such failure continues beyond the thirty (30) day application period, the application shall be deemed incomplete and denied on the basis of non-cooperation.

(1) Homeless applicants who are unable to provide proper documentation to verify any eligibility requirement shall not be considered non-cooperative.

b. The application is valid until eligibility is determined by DHS within the prescribed application period of thirty (30) days unless the application is withdrawn voluntarily or DHS is responsible for the delay in processing the application. After thirty (30) days, submission of a new application may be required.

(1) If CCAP eligibility is denied, the application is invalid after the thirty (30) day appeal period expires.

(2) If CCAP eligibility is approved, the application is presumed valid from the application date to the end date of the certification period unless there is a change in the family's status or circumstances that might in any way affect CCAP eligibility.

4.4.3 Reporting Requirements

A. Applicant and recipient parents shall report to DHS any changes in the information or documentation included in, or submitted in conjunction with, the CCAP application related to the general requirements in § 4.3 of this Part or

criteria for categorical (§ 4.5 of this Part) or income eligibility (§ 4.6 of this Part) within ten (10) days from the date the change occurs.

1. The duty to report begins on the application date and remains in effect while the application is valid. Failure to report changes in a timely manner may be grounds for denying eligibility to an applicant or discontinuing authorized services for CCAP beneficiaries. Families are required to report:

   a. Changes to income, during the twelve (12) month certification period, if the income exceeds 85% of the State Median Income (SMI).

   b. ~~If the family has experienced a~~ A non-temporary cessation of work, training or education.

   c. Any change in address.

B. Families have the option to report any changes in income if it would reduce the family's co-payment, or increase the family's subsidy.

4.4.4 Redetermination

A. The eligibility period for CCAP shall be no less than twelve (12) months. CCAP benefits shall be re-determined through the recertification process prior to the end of the twelve (12) month period.

B. DHS shall notify families of the eligibility redetermination date by sending the renewal form no later than the first day of the last month of the eligibility period. The renewal form shall indicate the date the form is due back to DHS.

C. Families must submit the completed and signed form to DHS by the renewal due date in order for CCAP authorized services to continue without interruption.

4.4.5 Notice Requirements: Notice of Approval, Notice of Denial, Right to Appeal and Hearing.

Applicants for the CCAP shall receive timely and adequate notice of DHS eligibility determinations and the right to appeal. DHS shall also provide timely and adequate notice of any adverse decisions terminating or reducing benefits.

4.5 Criteria for Categorical Eligibility

4.5.1 General Requirements and Criteria

A. RIW recipients who fulfill the general requirements stated in § 4.3 of this Part, shall meet the following criteria to be eligible for the CCAP:

1. CCAP authorized services shall only be approved for RIW recipients who have an acceptable need for services related to fulfilling program requirements.

a. The following shall constitute an acceptable need for services for RIW eligible families:

(1) The parent(s) or caretaker relative shall have an approved, signed and current employment plan on file and shall need CCAP authorized child care services during periods of time when engaged in one or more of the component activities required to comply with that plan.

(2) RIW families receiving CCAP services shall meet the employment plan component activity requirements outlined in the RI Works Rules and Regulations. Such component activities include those specified therein, as well as any combination of education and work-related activities contained in an employment plan approved by a RIW caseworker.

(3) In a two-parent home, both parents shall have a signed and approved current employment plan as specified in the RI Works Rules and Regulations.

b. To have an acceptable need for services, YS participants who are RIW cash assistance recipients shall meet the following program-specific criteria:

(1) YS parents shall be under twenty (20) years of age and not yet in possession of a high school diploma or equivalency.

(2) The parent shall be actively working with the Youth Services Home Visiting Program and participating in an approved education activity, as specified in a current RIW Employment Plan. The applicant child must be living with the YS participant and the need for child care services must be directly related to working, obtaining a high school education or otherwise participating in activities required by the YS program.

~~(3) The period of authorization for CCAP services will coincide with the end date for the parent's component school program.~~

(43) A teen parent who is under age sixteen (16) may not obtain authorized CCAP child care services on their own, unless documentation of emancipation exists or circumstances exist that the inclusion of the parent or legal guardian would present an obstacle to securing child care. CCAP child care services extended to a teen parent under the age of sixteen (16) shall be authorized under a parent or legal guardian of the teen parent and may also include that teen parent as a child care recipient.

4.5.2 Limitations.

A. Child care services shall not be authorized for an otherwise categorically eligible family under the following circumstances:

1. In a one-parent home, the parent has failed to complete or comply with an RIW employment plan;

2. One of the parents in a two-parent home does not have an approved employment plan;

3. One of the parents in a two-parent home is statutorily barred from receiving RIW and is not working;

4. The parent of the eligible child is a self-employed child care provider and is requesting CCAP payment for care provided to the child during the hours when employed in that capacity. This limitation shall not apply if the parent is an employee of a child care provider;

5. A parent of the eligible child is providing the child care, irrespective of whether the parent lives in the same legal residence as the eligible child(ren);

6. A person living in the same legal residence of the eligible child(ren) is providing the child care; or

7. There is a full family sanction in place, refer to the RIW Rules and Regulations.

4.5.3 Exceptions

A. The following exceptions apply to the general and program-specific criteria for categorical eligibility:

1. RIW recipients whose RIW cash assistance is scheduled to close, and who are requesting child care assistance due to employment, will have their CCAP eligibility determined using income eligibility rules - if the RIW case closes prior to the application for child care assistance.

2. CCAP services may be authorized if one of the parents in a two-parent home does not have an approved employment plan when the family provides written verification from a licensed health care practitioner, program or facility, qualified to make such a determination, indicating that the parent without an approved employment plan cannot provide appropriate, routine care of the child due to a neuro- physio-logical, psychological or emotional disorder, physical impairment, or serious health condition.

    a. Requests for an exception shall be made on forms approved by the department and submitted along with the required medical documentation.

    b. Any health information requested or obtained for the purposes of this Section shall be subject to the privacy protections established in state law and the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

4.5.4 Co-payments

A. CCAP co-payments are applied to recipients of RIW as follows:

1. RIW recipients who receive Child Care Assistance as a supportive service are provided assistance at a co-payment of zero.

2. Loco-parentis applicants receiving RIW cash assistance on behalf of the child, but who are not included in the RIW payment, are assessed a co-payment amount based upon the Family Cost Sharing Requirement.

B. Homeless families applying for CCAP shall have a co-payment of zero.

4.6 Criteria for Income Eligibility

4.6.1 General Requirements and Criteria

A. Working families and families where a parent(s) is participating in an approved education or training program, as well as YS participants not receiving RIW cash assistance who meet the general requirements in § 4.3 of this Part and the following criteria may be CCAP income eligible:

1. Financial Determination.

a. The countable income of the financial unit shall be at or below 180 percent of the Federal Poverty Level (FPL), based on family size.

(1) Transitional Child Care allows families currently eligible for child care to continue to receive child care after their income exceeds 180% of the federal poverty level (FPL), as long as income remains below 225% FPL.

(2) When income rises above 225% FPL the family is no longer eligible.

(3) New child care assistance applicants with income over 180% FPL will not be eligible for Transitional Child Care.

(4) Eligibility for Transitional Child Care will be determined at normal recertification times or sooner if a currently eligible CCAP family submits evidence of increased income over 180% FPL.

(5) Families found eligible will be continued on ~~t~~Transitional ~~c~~Child ~~c~~Care until they reach 225% F~~L~~PL. ~~or at the close of the pilot program.~~

(AA) If approved for Transitional Child Care and income later falls below 180% FPL, eligibility for transitional child care ends and an application for child care assistance under the regular CCAP program can occur.

(BB) Families are eligible to resume Transitional Child Care if their income were to again rise above 180% FPL.

b. The income of self-employed families shall be calculated as outlined in the RI Works Rules and Regulations.

c. In the process of determining eligibility for CCAP, prospective budgeting is used. Eligibility is established based on the knowledge

and reasonable expectation of what income and circumstances will exist in the month for which a payment is authorized.

(1) Weekly income for these cases is converted to a monthly amount using the 4.3333 weeks per month conversion method.

(2) The projected estimate of income is valid for the following periods:

(AA) between the initial determination of eligibility and redetermination;

(BB) between redeterminations;

(CC) following a change in income or circumstances which is reported by the recipient or discovered by the Department.

B. Treatment of Resources

1. A determination of eligibility requires a review of the family's liquid resources.

a. The review, for both initial eligibility and redeterminations, will be limited to the parents' statements unless the stated resources are close to limit or there is other reason to require verification.

b. The request for verification shall be at the discretion of the DHS representative if the information given is inconsistent or questionable from information known to the Department.

c. The value of liquid resources must be counted toward the $1,000,000 liquid resource limit. If the combined value of the child's or the family's liquid resources exceeds the $1,000,000 liquid resource limit, the family is ineligible and the application is denied or eligibility for assistance is discontinued.

2. Liquid resources are defined as any interest(s) in property in the form of cash or other financial instruments or accounts that are readily convertible to cash or cash equivalents.

a. These include, but are not limited to: cash, bank, credit union or other financial institution savings, checking and money market accounts, certificates of deposit or other time deposits, stocks,

bonds, mutual funds, and other similar financial instruments or accounts.

b. These do not include educational savings accounts, plans, or programs; retirement accounts, plans, or programs; or accounts held jointly with another adult, not including a spouse, living outside the same household but only to the extent the applicant/recipient family documents the funds are from sources owned by the other adult living outside the household, plus the proportionate share of any interest, dividend, or capital gains thereon.

3. Bank accounts are liquid resources and, as such, must be verified for CCAP households, both at initial certification and at recertification. The same procedures employed at certification are used at recertification.

~~3. In addition to the evaluation of resources at the time of the CCAP application, or redetermination, resources are reviewed when a change occurs, or when information is received which indicates that unreported resources may exist.~~

~~a. If, at the time of the liquid resource evaluation, countable liquid resources exceed the liquid resource limit, resources are assumed to be in excess of the limit for the entire month.~~

~~b. Households are required to report a change in resources during the period between recertification dates only when the change in resource would increase the amount of the household's resources in excess of $1,000,000.~~

~~c. Bank accounts are liquid resources and, as such, must be verified for CCAP households, both at initial certification and at recertification. The same procedures employed at certification are used at recertification.~~

4. The applicant/recipient's statement is acceptable for verification of resources unless the household is near the resource maximum limit, or the information given is inconsistent or questionable from information known to the Department. The same procedures employed at certification are used at recertification.

5. In order to be countable in the determination of CCAP eligibility, a resource must be available to the individual. The individual must be able to use the resource to provide food, shelter, clothing, or convert it into a form in which it can be used to meet needs:

a. A resource is considered to be available both when actually available, and when the applicant has the legal ability to make such sum available for support and maintenance;

b. Resources are not available when a legal impediment exists which precludes the applicant from making the resource available for support, maintenance or child care payments.

c. Applicants/Recipients are required, as a condition of eligibility, to cooperate with the Department in making resources available.

6. Countable liquid resources are determined as of the FIRST MOMENT OF THE MONTH (FOM).

a. The determination is based on the liquid resources the individuals own, their value, and whether or not they are excluded as of the first moment of the month.

b. The FOM rule establishes a point in time at which to value liquid resources;

~~c. Changes to SSI, SSDI/RSDI, and Lump Sum payments do not affect the countable value of liquid resources in the month in which they occur but will affect a household's countable liquid resources as of the first moment of the following month~~

cd. If countable liquid resources exceed the limit as of the first moment of a month, the recipient is not eligible for that month, unless the liquid resources are reduced by expenditure on certain allowable expenses. Expenses that may be used to reduce liquid resources, to attain or retain eligibility, in CCAP are:

(1) Any and all expenses related to payment for education or child care for members of the family unit;

(2) Contributions to educational savings accounts, plans or programs owned by any member of the family unit; and

(3) Contributions to retirement accounts, plans or programs owned by any member of the family unit.

7. Whenever the applicant is a joint account holder who has unrestricted access to the funds in the account, ALL of the funds in the account are PRESUMED to be the resources of the applicant. The applicant is offered the opportunity to submit evidence in rebuttal as described below.

a. A successful rebuttal results in finding that the funds (or a portion of the funds) in the joint account are not owned by the applicant and, therefore, are not the resources of the applicant.

b. In order for a household member to demonstrate a lack of ownership, or only partial ownership of a resource, two (2) of the following sources of documentation must be presented as evidence:

(1) Documents showing the origin of the resource.

(2) Documentation through federal or state tax records as to which of the joint account holders declares the tax on the interest credited to the account as income;

(3) Records of who makes deposits and withdrawals and, if appropriate, of how withdrawn funds are spent. The person claiming a lack of ownership (or accessibility) should not have made any withdrawals.

(4) A notarized affidavit that details a written or oral agreement made between the parties listed on the resource or by someone who established or contributed to the resource, with respect to the ownership of the funds in the resource;

(5) When the household member states that s/he does not own a bank account but is listed as a co-holder solely as a convenience to the other co-holder to conduct bank transactions on his/her behalf, evidence of the age, relationship, physical or mental condition, or place of residence of the co- holder must be provided;

(6) A signed, notarized statement from the household member and from either other individual(s) listed in the joint account, or the person who established or contributed to the account, stating that the applicant or recipient had no knowledge of the existence of the account.

c. A document or piece of evidence submitted to verify a particular fact does not count as more than one verification under the above Subsections. However, a document, piece of evidence or a statement may address more than one fact needed for verification.

d. If a household member cannot demonstrate that s/he is not the owner of the account through the submission of two (2) of the above listed documents, the rebuttal must be denied.

C. Family Cost Sharing Requirement

1. Eligible families with countable income above 100% of the FPL shall pay a share of the expense for the child care services.

a. The family shall be assessed for a share of the cost for authorized services (formerly referred to as co-payment) based on a percentage of the gross countable income for families at each level.

b. The family share and income guidelines are set in accordance with the CCAP Cost-Sharing Payment Rate Table.

c. The income levels and percentage range of family shares are as follows:

LEVEL	FEDERAL POVERTY LEVEL	AMOUNT
Level 0	Less than or equal to 100%	No Family Share
Level 1	Above 100% up to and including 125%	2% of Countable Gross Income
Level 2	Above 125% up to and including 150%	5% of Countable Gross Income
Level 3	Above 150% up to and including 180%	8% of Countable Gross Income
Level 4	Above 180% up to and including 200%	10% of Countable Gross Income
Level 5	Above 200% up to and including 225%	14%of Countable Gross Income

~~d. 2017 CCAP Eligibility and Cost-Sharing levels by Gross Income-Adjusted for Family Size~~

FAMILY SIZE									
Level	Standard Federal Poverty Level	% Gross Countable Income Applied as Co-	2	3	4	5	6	7	8
0	<100%	0	16,240	20,420	24,600	28,780	32,960	37,140	41,320
1	>100 – 125%	2%	20,300	25,525	30,750	35,975	41,200	46,425	51,650
2	>125 – 150%	5%	24,360	30,630	36,900	43,170	49,440	55,710	61,980
3	>150 – 180%	8%	29,232	36,756	44,280	51,804	59,328	66,852	74,376
4	>180% – 200%	10%	32,480	40,840	49,200	57,560	65,920	74,280	82,640
5	>200% – 225%	14%	36,540	45,945	55,350	64,755	74,160	83,565	92,970

FAMILY SIZE									
Level	Standard Federal Poverty Level	% Gross Countable Income Applied as Co-Payment	9	10	11	12	13	14	15
0	<100%	0	46,550	51,780	57,010	62,240	67,470	72,700	77,930
1	>100 – 125%	2%	58,188	64,725	71,263	77,800	84,338	90,875	97,413
2	>125 – 150%	5%	69,825	77,670	85,515	93,360	101,205	109,050	116,895
3	>150 – 180%	8%	83,790	93,204	102,618	112,032	121,446	130,860	140,274
4	>180 – 200%	10%	93,100	103,560	114,020	124,480	134,940	145,400	155,860

~~5~~	~~>200% - 225%~~	~~14%~~	~~104,738~~	~~116,505~~	~~128,273~~	~~140,040~~	~~151,808~~	~~163,575~~	~~175,343~~

d. **2019 CCAP Eligibility and Cost-Sharing levels by Gross Income Adjusted for Family Size**

			FAMILY SIZE						
Level	Standard Federal Poverty Level	% Gross Countable Income Applied as Co-payment	2	3	4	5	6	7	8
0	<100%	0	16,910	21,330	25,750	30,170	34,590	39,010	43,430
1	>100 - 125%	2%	21,138	26,663	32,188	37,713	43,238	48,763	54,288
2	>125 - 150%	5%	25,365	31,995	38,625	45,255	51,885	58,515	65,145
3	>150 - 180%	8%	30,438	38,394	46,350	54,306	62,262	70,218	78,174
4	>180% - 200%	10%	33,820	42,660	51,500	60,340	69,180	78,020	86,860
5	>200% - 225%	14%	38,048	47,993	57,938	67,883	77,828	87,773	97,718

			FAMILY SIZE						
Level	Standard Federal Poverty Level	% Gross Countable Income Applied as Co-Payment	9	10	11	12	13	14	15
0	<100%	0	47,850	52,270	56,690	61,110	65,530	69,950	74,370
1	>100 - 125%	2%	59,813	65,338	70,863	76,388	81,913	87,438	92,963
2	>125 - 150%	5%	71,775	78,405	85,035	91,665	98,295	104,925	111,555
3	>150 - 180%	8%	86,130	94,086	102,042	109,998	117,954	125,910	133,866
4	>180 - 200%	10%	95,700	104,540	113,380	122,220	131,006	139,900	148,740
5	>200% - 225%	14%	107,663	117,608	127,553	137,498	147,443	157,388	167,333

2. The family share shall be determined without regard to the number of eligible children who are enrolled or the total of services utilized.

   a. The family share shall be assigned to the first or youngest eligible child enrolled in care, that is, the eligible child who receives authorized services paid at the highest rate.

   b. The family share shall only be distributed among providers when the total amount of the family share assigned exceeds the rate paid for the first, or youngest, eligible child enrolled.

3. A family's share of the cost for child care services approved for CCAP payment shall be recalculated any time that the family submits a new application and supporting documentation, ~~or reports a change to DHS that may affect eligibility prior to the end of the family's certification period. DHS shall recalculate the family's share of the cost for CCAP authorized services anytime there are changes in the family's income or size of the financial unit;~~ or at recertification. DHS shall recalculate the family's share of the cost for CCAP authorized services during the certification period and will adjust the family share only if the family submits documentation that would result in the lowering of the family share amount.

4. The Notice of Approval for child care assistance shall indicate whether a family is required to pay a share of the cost for authorized child services based on countable income.

   a. The Approval Notice shall indicate to the family the exact amount of their family share and the calculations used to determine that amount.

   b. The family shall also be informed of the amount of their family share and which provider(s) to pay in the Confirmation of Enrollment letter.

4.6.2 Need for Services

A. To be authorized for income-based CCAP child care services, the parent(s) shall have an acceptable need for services related to employment, or ~~or in the case of non-RIW cash assistance YS Program participation, in~~ an approved educational or training program. ~~, or in the case of participation in the Child Care for Training Program, in an approved job readiness/job attachment program.~~

   1. General Criteria: Income Eligible

a. For there to be an acceptable need for services in a two-parent home, each parent shall be employed a minimum of an average of twenty (20) hours per week in a month and require CCAP child care services in order to work in accordance with the section below, entitled, Limitations.

(1) The twenty (20) hours per week minimum requirement cannot be met by combining the working hours of both parents, but must be met individually by each working parent.

(2) In addition, the parents shall each earn, per hour, an average of the greater of either the state or federal minimum wage.

b. For there to be an acceptable need for services in a one-parent home, the parent living in the household shall be employed a minimum of an average of twenty (20) hours per week in a month, earn per hour an average of the greater of either the state or federal minimum wage, and require CCAP child care services in order to work.

2. Program-Specific Criteria: Non RIW cash assistance YS Participants.

a. To obtain CCAP authorized services, non-RIW teens applying for income eligibility shall meet the applicable general criteria as well as the following program-specific criteria:

(1) The applicant parent shall be a YS participant, under twenty (20) years of age, and without a high school degree or its equivalent;

(2) The applicant YS parent shall be employed, attending school or participating in education related activities, or engaged in some combination thereof for a minimum of twenty (20) hour per week, on average, in a month. CCAP child care services for YS participants who meet this requirement may be authorized for a period of up to twelve (12) months, with the end date set to correspond to completion date of the educational activity - e.g., date high school diploma or GED is received.

b. A teen parent who is under age sixteen (16) may not have a child care case in their own name unless documentation ~~of~~ that emancipation exists or circumstances exist that the inclusion of the

parent or legal guardian would present an obstacle to securing child care.

3. Program-Specific Criteria: Child Care for Training.

a. Beginning October 1, 2013, the department shall provide child care to Income Eligible / Low-income families with income below one hundred eighty percent (180%) of the federal poverty level who are involved in training, apprenticeship, internship, on-the-job training, work experience, work immersion, or other job readiness/job attachment programs sponsored or funded by the human resource investment council (governor's workforce board) or state agencies that are part of the coordinated program system pursuant to R.I. Gen. Laws §§ 42-102-9 and 42-102-11.

b. To obtain CCAP authorized services, such applicants applying for income eligibility shall meet the applicable general criteria as well as the following program-specific criteria:

(1) The applicant parent shall be a participant in an approved training, apprenticeship, internship, on-the-job training, work experience, work immersion, or other job readiness/job attachment programs sponsored or funded by the human resource investment council (governor's workforce board) or state agencies that are part of the coordinated program, and require CCAP child care services in order to take part in the job readiness/job attachment activities.

(2) The applicant parent shall be participating in approved education or training ~~job readiness/job attachment~~ activities for a minimum of twenty (20) hours per week, on average, in a month. CCAP child care services for participants who meet this requirement may be authorized for a period of ~~three (3) to six (6) months, with the end date set to correspond to completion date of the activity~~ no less than twelve (12) months.~~.~~

c. For there to be an acceptable need for services in a two-parent home, ~~at least~~ one or both parents shall be participating in approved education or training ~~job readiness/job attachment~~ activities, or employed for an average of twenty (20) hours per week in a month and require CCAP child care services in order to ~~work~~ participate in the activity.

(1) In addition, any parent with earned income outside of the approved education and training program ~~job training~~ shall earn, per hour, an average of the greater of either the state or federal minimum wage.

d. For there to be an acceptable need for services in a one-parent home, the parent living in the household shall be participating in approved education or training ~~job readiness/job attachment~~ activities for a minimum of an average of twenty (20) hours per week in a month.

4.6.3 Limitations

A. The need for child care services shall be related to the periods of time in which no parent is available to provide care for the child as a result of employment or education or training. CCAP child care services shall not be authorized for an otherwise income eligible child under the following circumstances:

1. A parent of the eligible child is self-employed as a child care provider, and is requesting payment for care provided to the child during the hours they are employed in that capacity. This limitation shall not apply if the parent is an employee of a child care provider;

2. A parent is providing the child care, irrespective of whether the parent lives in the same household as the eligible child(ren);

3. A person living in the same legal residence of the eligible child(ren) is providing the child care;

4. The applicant parent's sole source of income is derived from rental and/or room and board income, and the need for services is based on activities related to obtaining or collecting that income;

5. The applicant parent's need for services is based in part or in whole on time spent working as a volunteer, or in any similar capacity in which no wages are earned, paid, or expected. Unpaid work of this kind also shall not count toward the minimum number of work hours required for CCAP income eligibility; or,

6. Such activities shall not be considered employment for the purposes of this Section and, as such, shall not count toward the minimum number of hours of work required to establish a need for CCAP authorized child care services.

4.6.4 Exceptions

A. In certain circumstances, families unable to meet the need for services requirements may qualify for an exception that allows authorization of CCAP services. The exceptions are as follows:

1. Parents with disabilities.

a. Employed parents determined to have disabilities may be exempt from meeting the minimum number of hours of work and the minimum wage requirements required to establish a need for services set forth in this Subsection.

b. An exemption shall not be granted until an assessment by an appropriate entity or provider of the parent's condition is complete, a final determination of disability is made, and the documentation verifying the parent's disability is submitted to DHS.

c. Notice of the decision shall be provided to the parent requesting the exemption.

2. Temporary Change in Status:

a. A temporary change in the ongoing status of the child's parent as working or attending a job training or educational program shall include:

1. any time-limited absence from work for an employed parent due to the need to care for a family member or an illness;

2. any interruption in work for a seasonal worker who is not working between regular industry work seasons;

3. any student holiday or break for a parent participating in training or education;

4. any reduction in work, training or education hours, as long as the parent is still working or attending training or education;

5. any other cessation of work or attendance at a training or education program that does not exceed three months;

~~2. Short Term, Employer Authorized Absences.~~

a~~b~~. ~~Short-term, employer authorized, absences from work for family/medical leave, vacations, or annual or personal leave are considered to be within the parameters of employment and~~ A temporary change in status is considered to be within the

parameters of employment, approved education or training and will not adversely affect the ~~scope of eligibility or~~ ability to utilize CCAP authorized care. ~~, as long as the parent retains "employee" status during such absences. In addition, the following criteria must be met:~~

~~b. The parent's absence from work does not exceed twenty-one (21) consecutive days in a certification period.~~

~~(1) Absences that extend beyond these time limits must be reported, and may result in a change in the scope of CCAP authorized services.~~

~~(2) CCAP payment for parent absences from work shall not exceed two (2) weeks.~~

~~c. There is an expectation on the part of both the parent and the employer that the parent will return to work once the authorized absence or period of leave is over.~~

3. Non-Temporary Change in Status

a. A parent(s) who experience a non-temporary change in employment, education or training status due to loss of work or cessation of attendance at an approved education or training program shall continue to receive CCAP services for three (3) months for each loss or cessation in order for the parent(s) to resume work or attendance in an approved education or training program.

b. The three (3) month grace period shall be applied as follows:

(1) the grace period will be applied when there is less than three months of the existing twelve (12) month certification period when the loss of employment, education, or training status occurs and will extend the twelve (12) month certification period with the same level of coverage.

(2) at the end of the grace period, a parent(s) engaged in qualifying employment or an approved education or training program shall be assessed for a new twelve (12) month certification period according to Income Eligibility guidelines.

(3) the three (3) month grace period will not be extended if there has been no entry into employment, or into an approved education or training program.

~~3. Job Loss/Temporary Unemployment.~~

~~a. An eligibility grace period may be granted in cases when a parent of a child receiving CCAP authorized services is unable to meet the minimum number of work hours required to maintain a need for CCAP services due to temporary unemployment as a result of an involuntary job loss (excluding a quit without good cause) or the transition between jobs.~~

~~b. In addition, the following criteria must be met:~~

~~(1) The eligibility grace period shall not exceed twenty-one (21) consecutive days in a certification period from the date the period of temporary unemployment begins.~~

~~(2) The grace period shall not be extended or renewed.~~

~~(3) A parent who does not report a change in employment shall not be granted a CCAP eligibility grace period unless good cause for the failure to report is shown.~~

~~c. The department reserves the discretion to require a temporarily unemployed parent to submit any documentation deemed necessary to verify that continuation of CCAP eligibility during the grace period is warranted.~~

~~d. New applicants do not qualify to request a CCAP eligibility grace period.~~

4.7 Short Term Special Approval

4.7.1 Criteria for Short Term Special Approval

A. In a limited range of circumstances, families who are not eligible for CCAP based on categorical or income eligibility criteria related to employment plan or work requirements may be approved for Short Term Special Approval (SSACC) Child Care Assistance.

1. SSACC may be approved for instances when there is documented evidence indicating that either the child (child-based SSACC) or the parent (parent-based SSACC) has a serious health condition that constitutes a

temporary "special" need for services based on the inability of the parent to provide the necessary level or kind of child care.

2. When applying for SSACC services, the available countable income of the financial unit shall be used in determining an applicant's eligibility.

3. Determinations of requests for child-based SSACC shall be made, on a case-by-case basis.

4. The criteria for approval of SSACC for income and categorically eligible CCAP families differ, as specified below:

    a. SSACC Criteria for Income Eligible Families.

        (1) When the requirements of this Subsection have been met, SSACC may be approved for otherwise income eligible families who no longer meet the need for services requirement established in § 4.8.1 of this Part due to a change in the employment status of the parent(s).

        (2) As such, requests for SSACC shall only be considered for income eligible families who have been receiving authorized CCAP services and have lost~~,~~ or are in jeopardy of losing them because of the change in the need for services.

    b. For approval of child-based SSACC in an income eligible family, there must be documented evidence that, although the parent's employment no longer meets the need for services requirement, the continuation of authorized CCAP services is necessary for the health and wellbeing of the eligible child.

        (1) In the case of a YS family, it is understood that school attendance can replace the work hours needed for eligibility. The determination of whether a continuation of CCAP authorized care is warranted, and as such constitutes a special need for services, shall be based on a CEDARR (Comprehensive Evaluation, Diagnosis, Assessment, Referral and Re- evaluation) of the eligible child. Accordingly, child-based SSACC for an income eligible family shall only be approved when:

            (AA) There is a special need for services based on a CEDARR finding that the discontinuation of CCAP services will have a direct adverse effect on the

eligible child's health and well- being and all other income eligibility requirements have been met.

c. For approval of parent-based SSACC in an income eligible family, there must be documented evidence from a qualified health care provider or practitioner that the health condition of the parent prohibits both employment and the routine child care activities necessary to maintain the health and safety of the child.

(1) The special need for services is the result of a change in the parent's health status that temporarily prevents the parent from meeting the work requirements in § 4.6 of this Part.

(2) A parent hospitalized as a result of an acute illness or condition, or bedridden while recovering from an illness or condition for a limited period may receive partial or full payment of child care expenses until able to resume employment subject to the general restrictions of this Subsection.

d. SSACC may be approved for categorically eligible families who have not met their RIW employment plan requirements or who do not have a signed employment plan when the condition or health of the child or parent constitutes a special need for services.

(1) For approval of child-based SSACC for categorically eligible families, the special need for services must be established by either:

(AA) Documented evidence from a physician, qualified licensed health practitioner, program, facility or responsible government authority, that the child has a serious health condition that is not currently being treated or accommodated either because access to an appropriate program that meets the child's special needs has been denied or delayed, or is unavailable. Payment of child care expenses shall be provided under such circumstances while permanent placement in an appropriate program for the child is being arranged or located; or

(BB) A CEDARR finding that the continuation of CCAP authorized services is necessary for the health and wellbeing of the eligible child.

(2) For approval of parent-based SSACC for categorically eligible families, documented evidence must be provided from a qualified licensed health care practitioner, program, facility or responsible government authority indicating:

(AA) The disorder or impairment of the parent poses a serious barrier to appropriate child care/rearing. Payment for CCAP authorized child care may be made while the parent is participating in an appropriate remediation or rehabilitation protocol, such as substance abuse treatment, parenting skills training, therapy or counseling, that will lead to the alleviation of the need for services and progress toward great self- sufficiency. In such cases, DHS may require the applicant to provide documentation of a family assessment, conducted by a qualified provider, when evaluating the need for SSACC services. However, in no instance shall DHS authorization of SSACC for a categorically eligible child include, or otherwise be based upon, an assessment of whether the parent can successfully complete the remediation/rehabilitation protocol; or

(BB) The health condition of the parent both prohibits employment or participation in a RIW employment plan and routine child care activities necessary to maintain the health and safety of the child. A parent hospitalized as a result of an acute illness or condition, or bedridden while recovering from an illness or condition for a limited period, may be eligible to receive partial or full payment of child care expenses until able to resume employment, subject to the general restrictions of this Subsection.

4.7.2 Limitations.

A. The scope of SSACC shall be limited as follows:

1. SSACC shall not be authorized for more than full-time in any twenty-four (24) hour period.

2. SSACC authorized services shall be approved, upon initial request, for up to three (3) months, and may only be approved for an additional three (3)

months period in any twelve (12) month period, if the family provides documentation to DHS indicating that:

a. The parent's condition will improve during the additional time to the extent necessary for the parent to return to work or participate in their RIW employment plan, once the extension is over; or

b. The child's permanent placement in a long-term treatment or special needs program cannot be arranged without additional time.

3. In no case shall child-based SSACC serve as an adjunct to or a substitute for services, administered by other government agencies or their designees that provide long-term treatment or otherwise address the special needs of a child. Similarly, authorization of parent-based SSACC is not based on an assessment of whether the successful remediation/rehabilitation can be achieved and shall not be portrayed as such for any purpose. Accordingly, authorization of SSACC under the requirements set forth in this section shall not be construed to or in any way mitigate, or otherwise address, the underlying cause -- e.g., impairment, serious health condition, etc.-- creating the need for services.

4.7.3 Notifications

Notices, Rights, and Responsibilities. Families applying for SSACC are afforded the same right to timely and adequate notice, to appeal DHS decisions and to be informed of application and enrollment status applicable to all other CCAP applicants/beneficiaries set forth in § 4.1 of this Part. Except as the special need for services requirements for the SSACC established in this Section apply, the responsibilities of DHS, approved providers, and the families of an eligible child related to application, enrollment and payment of allowable child care expenses shall also be the same as those specified for the CCAP.

4.8 Authorization of Child Care Services

4.8.1 Assessment and Scope of Authorized Child Care

A. Upon determining that a family is either categorically or income eligible for the CCAP, the agency representative shall make an assessment of the scope of authorized child care required to meet a family's need for services.

1. The authorization for CCAP child care services is based on an assessment of the following factors related to the need for services:

a. The number of hours each day per week that the parent(s) of an eligible child is employed, in an approved education or training

program or engaged in a RIW or YS approved activity that requires child care services.

b. Up to one (1) hour per day of child care may be added to the daily total to cover travel time from the child care location to place of employment/approved activity and return. Additional travel time may be allowed if there is a documented need, related directly to meeting work or employment plan commitments.

c. In cases where the parent is requesting CCAP services under either §§ 4.5 or 4.6 of this Part, the allowable child care expense is based on the total number of hours reported on the work or training schedule provided in the CCAP application.

2. Upon completing the assessment of a family's need for services, the agency representative determines the scope of child care services appropriate for each eligible child in the family. Child care services are then authorized as follows:

a. Full-time (FT) child care, for thirty (30) or more hours per week;

b. Three-quarter time (3QT) child care from twenty (20) up to twenty-nine (29) hours per week.

c. Half-time (HT) child care, from ten (10) up to nineteen (19) hours per week; and

d. Quarter time (QT) child care, for less than ten (10) hours per week.

4.8.2 Limitations of Authorized Child Care

A. Authorized child care shall be utilized within the following parameters:

1. The department authorizes CCAP child care for a specific period of time that begins on the initial eligibility date, and continues for no less than twelve (12) months.

2. CCAP authorized child care corresponds to, and is generally expected to be utilized during, the hours when a family has a need for services as defined in § 4.8.1 of this Part.

3. An eligible child may receive CCAP authorized services from multiple providers if necessary for a family to meet a need for services due to split shifts or non-traditional employment schedules, but only in instances in

which the hours of authorized child care rendered by each provider do not overlap.

a. In no case, shall DHS pay more than one provider for the same hours of child care services authorized for a particular eligible child.

4. CCAP services shall not be authorized for school age children during hours when school is in session, which are defined as from ~~9:00 AM to 2:00 PM.~~9:30AM to 1:30PM.

5. Payment for CCAP authorized services shall only be made when rendered by child care providers approved by DHS who meet the requirements of § 4.12 of this Part.

6. Care shall not be authorized for eligible school age children age thirteen and over unless a child has a documented disability that requires the child to have adult supervision.

7. An eligible child, enrolled with an approved provider, shall not be absent for more than five (5) days per month ~~than two (2) full weeks~~ of authorized child care ~~in a given twelve (12) month period~~, unless granted a good cause exemption by DHS as a result of a serious health condition or unusual family circumstance.

a. Parents shall make requests for good cause exemptions, in writing, to DHS.

b. Timely notice, including a statement of appeal rights, shall be sent to the family by DHS explaining the basis for granting or denying the request for an exemption to the ~~two week~~ five (5) days per month limit on absences from authorized CCAP child care.

(1) Once the ~~two (2) week~~five (5) days per month limit has been reached, no payment shall be made for periods of authorized child care in which the eligible child is not in attendance unless a good cause exemption has been granted.

(2) The department reserves the right to consider repeated extended absences of an eligible child when making recertifications of CCAP eligibility.

4.9 Enrollment for CCAP Authorized Services

4.9.1 Responsibilities

A. Through the enrollment process, the family of an eligible child and the CCAP approved child care provider of choice make the arrangements necessary for the delivery of CCAP authorized services, in accordance with the requirements established by the department for payment of allowable child care expenses.

1. The child care provider is required to transmit the pertinent information about these arrangements to DHS using the CCAP automated enrollment system.

a. All CCAP approved providers shall have access to the CCAP automated enrollment system and are required to enroll all eligible children through that system as a condition of receiving payment for CCAP authorized child care services.

B. DHS Responsibilities

1. DHS shall issue each family applying for child care assistance a CCAP certificate number, to serve as a unique identifier for the purpose of enrolling an eligible child for authorized services and establishing a basis for payment to a CCAP approved provider.

a. Once the enrollment process has been completed, a letter shall be sent from the department to both the family and provider that confirms enrollment of the child(ren) and indicates the assignment of the family's share of the cost for authorized services, if any.

b. DHS shall initiate the process for authorizing payment to a provider for allowable child care expenses upon receipt of the notification that an eligible child has been enrolled. DHS reserves the right to deny payment for services to providers who fail to enroll eligible children within the first week that an eligible, or potentially eligible, child begins care with that provider.

c. DHS shall pay for child care service provided while an application is pending for homeless families, up to the first 90 days, even if the application for CCAP is ultimately denied for lack of verification or eligibility.

C. Responsibilities of the Family

1. To initiate the process of enrolling an eligible child for CCAP authorized child care services, the family of the child shall contact a CCAP approved provider and present the Certificate of Approval for CCAP services or, its CCAP certificate number.

D. Enrollment During the Pending Period

1. As indicated in § 4.4.2 of this Part, some approved child care providers may be willing to enroll a child, using the CCAP certificate number, while the application is still pending and before the final determination of eligibility.

   a. The certificate number may first be issued to the family in the pending letter, which acknowledges that the application has been received and is pending further review.

   b. In RI Works cases, if no pending letter is sent and the application is approved, the certificate number is issued to the family in the Notice of Approval. In such instances, the following conditions apply:

      (1) If the application for CCAP services is subsequently denied by the department, no payment shall be made for any child care services rendered during the period when the application was pending and before the final determination of eligibility.

      (2) If a family does not give their DHS certificate number to a provider, the provider may hold the family liable for payment for any child care services used.

2. ~~Providing Information to CCAP Approved Providers.~~ The family of the child shall present the CCAP certificate number to an approved provider when ~~making~~ arrang<u>ing</u>~~ements for~~ authorized child care services.

3. The family shall also provide any information required for CCAP web or telephone enrollment requested by the provider.

4. Enrollment with Multiple CCAP Approved Providers.

   a. A family choosing to enroll a child for authorized services with multiple providers shall advise each provider accordingly when making arrangements for child care, and shall not enroll a child at more than one provider during overlapping hours.

   b. The CCAP automated enrollment system prevents enrollment of, and payment for, services to an eligible child during overlapping hours.

c. No more than one (1) provider shall be authorized to provide full time services to an eligible child for a specific period of care.

5. The family of an eligible child may choose to change approved child care providers at any time while authorized for CCAP child care services.

a. However, DHS is permitted to make payment to only one approved provider for a particular hour or set period of CCAP authorized child care once the week begins.

b. Accordingly, families are best served when changes in providers are arranged to take effect at the start of the week (Sunday).

c. To the extent time and circumstances allow, notification of the change should be made by the parent to any providers involved.

(1) In general, however, to change approved child care providers a family is required to present the CCAP certificate number to the new provider of choice and make the arrangements necessary for authorized child care services.

(2) Enrollment information sent to DHS by the new approved provider through the CCAP automated enrollment system shall automatically disenroll the eligible child from, and thereafter prohibit payment for, child care services rendered by the child's previous care provider.

d. Families may change approved providers at any time during the CCAP eligibility period.

6. A family may choose to enroll an eligible child for services in excess of the CCAP period authorized.

a. No CCAP payment shall be made for any unauthorized hours of child care even with an approved provider.

E. Responsibilities of CCAP Approved Providers.

1. It shall be the responsibility of the CCAP approved provider selected by the family of an eligible child to officially enroll a child for authorized services before or during the first week that CCAP authorized services are provided.

a. a provider may enroll the child of a homeless family prior to receipt of the immunization record and/or completion of other health and safety requirements.

b. a provider shall dis-enroll the child of a homeless family if the requirement to provide the immunization record and/or the completion of other health and safety requirements have not been met by day 90 of the enrollment.

2. Only child care providers who have been approved and entered into a signed and valid DHS- Approved Provider Agreement, have access to the DHS CCAP automated enrollment system.

   a. Both DHS approval and access to the CCAP automated enrollment system are necessary preconditions for provider participation in the CCAP. (See § 4.12 of this Part for requirements for approval.)

3. The approved child care provider shall use the CCAP certificate number issued by DHS acknowledging receipt of the application, as specified in § 4.4.2 of this Part, when enrolling a child whose eligibility for authorized services is pending.

   a. The enrollment process is not completed unless and until CCAP eligibility has been approved. Any provider that has not been approved by DHS shall not initiate enrollment of a child for the purposes of seeking CCAP payment, irrespective of whether a final determination of eligibility has been made.

   b. If the application for CCAP services is subsequently approved, payment for any CCAP authorized services rendered while the application is pending shall be made by DHS to the approved provider as long as the child was appropriately enrolled.

   c. Upon receipt of payment from DHS, the approved provider shall refund the family for any allowable child care expenses paid by the family during the period in which the application was pending.

      (1) The approved provider may apply a refund due to the family to future cost-sharing obligations of the family, if the eligible child's family expressly requests, in writing, the refund be applied to future costs.

4. An approved provider enrolls a child using the DHS CCAP automated enrollment system.

5. The approved provider shall dis-enroll a child immediately upon receiving notice that an eligible child shall not be using services any longer, for any reason.

   a. A provider shall not receive continued payment for a child not in their care even if the parent failed to notify said provider of the child's disenrollment.

6. CCAP approved child care providers shall monitor enrollment patterns to ensure that the number of children receiving services at any one time remains within the provider's authorized maximum capacity; that is, the total number of children in a provider's care--both CCAP eligible and non-eligible children.

   a. The Rhode Island Department of Children, Youth and Families (DCYF) establishes the maximum capacity for all state regulated child care centers and family child care homes in the applicable standards for licensure. CCAP approved providers subject to DCYF regulations shall not be permitted to enroll an eligible child through the DHS CCAP automated enrollment system when at full capacity.

   b. Approved license exempt providers, though not directly regulated by DCYF, are prohibited by the State from caring for any ~~for more than three (3)~~ unrelated children or for more than ~~up to~~ six (6) children related to the provider at any one time without obtaining DCYF licensure as a family child care home.

      ~~(1) Any children of the license exempt provider are excluded from the count until enrollment reaches the limit of three (3) unrelated children.~~

      (1~~2~~) The children of the license exempt provider who are under six (6) years of age count toward the maximum limit of six (6) related children.

      (2~~3~~) DHS shall not make payment for an eligible child once the maximum number of ~~unrelated~~ children allowed for a license exempt provider has been reached.

   c. Approved child care providers cannot retroactively enroll an eligible child. Approved providers must enroll both eligible and pending children before or during the first week that care is delivered if DHS payment is anticipated.

4.10 Notices, Rights and Duties

4.10.1 Notices

A. To ensure that the Child Care Assistance program (CCAP) is administered in an equitable, effective and efficient manner, the following requirements have been established:

1. Applicants for the Child Care Assistance Program shall receive timely and adequate notice from DHS of eligibility determinations. The department shall also provide timely and adequate notice of any adverse decisions that terminate or reduce benefits.

a. Notice of Approval. Upon determining that an applicant meets the general requirements for the CCAP in § 4.3 of this Part and the criteria for either categorical (§ 4.5 of this Part) or income (§ 4.6 of this Part) eligibility, Notice of Approval shall be sent by DHS informing the family of the eligibility start and end dates and the scope of services authorized.

(1) The notice shall also indicate whether an income eligible family is required to pay a share of the cost for CCAP authorized services and the amount of the family share.

(2) In addition, the Notice of Approval shall state that any eligible children in the family shall only be enrolled for CCAP authorized child care services by a CCAP approved provider, who has a signed and valid DHS-CCAP Approved Provider Agreement and is listed, accordingly, in the Central Provider Directory (CPD).

(3) Notices of approval are also sent when there are additional children in the family approved for the CCAP.

b. Notice of Adverse Actions. DHS shall send timely and adequate notice of any decisions that adversely affect a family's CCAP eligibility or the scope of authorized services.

(1) All notices of adverse action shall contain:

(AA) acknowledgment of a client's request for withdrawal of an application, or discontinuance of benefits, if applicable;

(BB) the reason for the proposed adverse action and citation of the applicable rule herein;

(CC) a statement indicating that the family may discuss the pending adverse action with the appropriate agency representative and, if further review is deemed necessary, schedule an Adjustment Conference to the discuss the action further with the designated supervisor; and

(DD) explanation of the family's right to request a hearing within thirty (30) days of the date of the notice. Notices in this category include those indicating denial or discontinuation of CCAP eligibility, or change in CCAP authorized services.

(2) The notice of denial shall be sent by DHS to a family when a department representative determines that a case, or an applicant in a case, is ineligible for the CCAP.

(3) The notice of eligibility discontinuation shall be sent when a decision made by the department results in the discontinuance of CCAP eligibility for a particular child or for the family as a whole.

~~c. A notice of change in authorized services shall be sent to a family in situations in which a DHS decision results in change in the scope of authorized services or the family share obligation that reduces the level of CCAP benefits or otherwise adversely affects the family.~~

~~(1) When a change in the family's eligibility or need for services results in a reduction, suspension, or discontinuance of DHS payment to the provider, a notice of adverse action shall be sent to the family at least ten (10) days prior to the effective date of the action.~~

4.10.2 Rights

A. Applicants for, and beneficiaries of, the Child Care Assistance Program have the right to appeal and request a hearing during the determination of eligibility, and during the receipt of benefits.

1. In conjunction with notices informing applicants/beneficiaries of initial eligibility determinations, adverse actions, and recertifications, DHS shall inform the family of the right to appeal and request a hearing.

    a. The Notice of Approval shall include information pertaining to the right to appeal the eligibility date, the amount or type of authorized services, the family's cost-sharing obligations, and any other matters related to the scope of CCAP benefits approved.

    b. Notice of adverse actions shall include information pertaining to the right to appeal DHS decision (e.g., denial, discontinuation, change in authorized services), the scope of its impact, and the basis on which the decision was made.

4.10.3 Duties

A. DHS has a duty to provide the following information:

1. Confirmation of enrollment.

    a. Upon receiving notification of enrollment of an eligible child from an approved provider, DHS shall send a client written confirmation of an eligible child's enrollment for authorized services by the provider.

    b. The Confirmation of Enrollment shall specify the approved provider who enrolled the eligible child and, as such, who shall receive payment, if any is required, from DHS for CCAP authorized child care services. Any cost-sharing obligations for an income eligible family shall also be specified in the Approval Notice and the Confirmation of Enrollment.

2. When information provided to DHS in conjunction with the duty to report in § 4.4.3 of this Part requires a change in CCAP authorized services, the following apply:

    a. If the resulting change in CCAP authorized services does not adversely affect the family, implementation will begin, in most circumstances, on the first Sunday following the date the report was made to DHS;

    b. If the resulting change in CCAP services has an adverse impact on the family, notice of the change shall be provided by DHS to the family at least ten (10) days prior to the implementation date.

4.11 Improper Payments

4.11.1 Underpayments

A. If the household was eligible to receive child care assistance benefits, but received a benefit that was less than that which they were entitled, or the failure to issue a benefit for a benefit month in which the household was eligible for such a benefit constitutes an underpayment.

1. The agency representative corrects the underpayment as soon as possible, but not later than thirty (30) days after discovery of the underpayment, to a current recipient or one who would be a current recipient had the error causing the underpayment not occurred.

2. In cases involving an underpayment and an overpayment in the same month, the agency representative must factor in both in determining what the correct payment should have been. If an underpayment still exists, it is promptly corrected.

3. For purposes of determining eligibility and the amount of assistance, a retroactive corrective payment is not considered income, nor is it considered a resource in the month received or in the following month.

4.11.2 Overpayments

A. An overpayment occurs when the child care benefit amount paid exceeds the benefit that would have been issued if the payment were calculated correctly based on accurate information that was reported, verified, and acted on in a timely manner.

1. If the agency representative discovers that the household failed to report a change as required by § 4.10 of this Part, and as a result, received child care benefits to which it was not entitled, the agency representative refers an improper payment claim to the Claims, Collections, and Recoveries Unit (CCRU).

2. The CCRU Unit establishes whether the improper payment was agency caused, household caused, or fraud and recovers the improper payment in accordance with § 4.11 of this Part.

4.11.3 Types of Improper Payments

A. A client improper payment occurs when the child care benefit paid exceeds the benefit that would have been issued if the payment were calculated correctly

based on accurate information that was reported, verified, and acted on in a timely manner.

1. A provider based improper payment occurs when a provider receives a duplicate benefit or receives payments for services not rendered.

2. The cause of each improper payment shall be classified as agency, client or provider caused.

3. Improper payments shall be further classified as unintentional errors or fraud.

B. An improper payment shall be classified as an agency error if the error was caused solely by actions taken by the department or department staff.

1. Agency errors shall include, but not be limited to the following types of errors:

a. errors caused by delays in processing applications or taking prompt action on changes that were reported timely;

b. errors in determining eligibility, the benefit amount or the payment authorization period; data entry errors;

c. errors caused by the incorrect application of state regulations, policy or procedures; and

2. Improper payments that are not due to agency error shall be classified as client or provider caused. The error shall be classified as both client and provider caused if the client and the provider both had knowledge and actively participated in the action that caused the improper payment to occur.

a. Improper payments caused by the client shall include, but not be limited to errors caused by reporting false or inaccurate information, and/or delays in reporting changes in household income, resources, circumstances or provider arrangements.

b. Improper payments caused by the provider shall include, but not be limited to the following types of errors:

(1) inaccurate reporting of information concerning licensing status, age or other provider eligibility requirements;

(2) inaccurate reporting of the provider's relationship to the child or the location at which care is given;

(3) inaccurate reporting of household circumstances;

(4) committing an illegal act, such as cashing a replacement check after falsely claiming that the original check was lost, stolen or destroyed;

(5) inaccurate reporting of actual charges, attendance or dates of service; and

(6) any other false claim for services provided.

3. The CCRU Unit shall make a preliminary determination of whether the improper payment was intentional or an unintentional error pursuant to guidelines below.

a. Improper payments shall be classified as intentional if the client or provider knowingly withheld or provided false information on matters affecting eligibility, benefits or a claim for services. If a question of fraud exists, the case may be referred by the CCRU Unit to DHS Legal Counsel and/or to the Office of the Attorney General of Rhode Island for civil and/or criminal action.

b. An improper payment shall be considered unintentional household error under the following circumstances:

(1) there was clearly no intent to commit fraud or to obtain benefits or payments under false pretenses;

(2) the client or provider did not purposefully withhold or provide erroneous information;

(3) illness, a family emergency, or any other good-cause reason exists for not reporting information timely or accurately; or

(4) the error was due to a delay in taking action as the result of an administrative hearing request.

4. ~~Below are the p~~Procedures for recovery:

a. Enable a repayment in full settlement (a lump-sum repayment);

b. Enable a repayment agreement between the CCRU Unit and the child care provider when there is no requirement for an adjustment by the Department's Financial Office; or

c. Enable a repayment agreement between the CCRU Unit and the child care recipient, using the "Notice of Child Care Overpayment". When a child care improper payment is to be recovered from the recipient, the recipient shall be given notice of that determination using the "Notice of Child Care Overpayment." The notice shall include an explanation of the improper payment determination, including the following:

(1) The amount and period of the improper payment;

(2) The reasons for the improper payment;

(3) The regulations supporting the improper payment determination;

(4) An explanation of the available methods of repayment;

(5) The recipient's right to appeal; and

(6) A telephone number to call for information about free legal services.

5. Consequences for failure to repay:

a. Failure of the child care provider to repay a child care improper payment made by the DHS CCAP and not subject to adjustment by the Department's Financial Office because of provider error, provider fraud, or agency error, shall result in the termination/revocation of the “DHS-CCAP Approved Provider Agreement" and disenrollment from the CPD.

(1) Revocation of CCAP approved provider status shall continue until further notification.

(2) An appeal may be taken from the denial in accordance with policy.

b. When a licensed child care facility has pled guilty to, has been determined to have committed fraud, or has been convicted of fraud, the Department shall notify the DCYF Child Care Licensing Unit in writing of any findings of fraud. Notification is to be made by the Hearing Officer if fraud is found in a hearing, or to be made by the CCRU Unit, if found by the CCRU Unit.

c. The DHS shall retain any improper payment it recovers and shall use the funds for the provision of child care services.

d. Improper payments that are recovered shall be reported to the Agency Director and the Program Administrator.

e. Failure of the child care recipient or provider to repay may result in further legal action, and/or loss of benefits.

4.12 Child Care Provider ~~Directory~~Guide

4.12.1 DHS CCAP Approved Child Care Providers

A. The Department of Human Services shall make payment only for CCAP authorized child care services when rendered by DHS CCAP approved child care providers.

1. To obtain approval, child care providers shall meet the minimum requirements set forth in this § 4.12 of this Part, including entering into an agreement with DHS that fulfills the requirements set forth in this Part.

2. A list of ~~P~~providers that have obtained DHS approved status ~~are~~ is maintained at exceed.ri.gov. ~~in the CCAP Central Provider Directory (CPD) operated by the Office of Child Care (OCC).~~

3. A provider may begin to provide authorized services to CCAP eligible children during the week that an application for the CCAP approval has been submitted to the OCC.

   a. However, DHS shall only make payment for such services when, and on the condition that, the provider is granted CCAP approved status, completes the introductory trainings and enrollment, and complies with reporting activities specified in this rule.

4. DHS shall discontinue payments when a provider exceeds the number of allowable children in its care or has evidence of provider non-compliance with the current approved Provider Agreement (APA), and or DCYF licensing regulations.

4.12.2 Central Provider Directory (CPD) Approved Providers

A. The CCAP Central Provider Directory (CPD) standardizes the process for approving child care providers to participate in the CCAP and provide a central source of information about, and for, CCAP approved providers.

1. The process for gaining entry to the CPD, and attaining CCAP approved status, varies depending on type of child care provider.

B. In general, entry into the CPD shall be limited to the following categories of child care providers:

1. DCYF Licensed Child Care Providers.

a. Child care providers regulated by, and operating in accordance with, the standards established by the Rhode Island Department of Children, Youth and Families (DCYF) appropriate to the child care setting.

(1) Providers in this category include licensed center-based child care programs, group family child care homes, family child care homes and school-age programs.

(2) Also included are summer camp programs operated by licensed centers where DCYF center standards are maintained during the entire day. Summer camps, by definition, may not operate for more than twelve (12) weeks per year.

2. License exempt Child Care Providers.

a. Relatives~~, friends and/or neighbors~~ of families eligible for CCAP who are not required by law to obtain DCYF licensure, ~~but are~~may be authorized to participate in the CCAP.

b. Providers in this category will only be approved as long as they have a CCAP pending or eligible child in their care and have been successfully screened by DHS as specified in § 4.12.3 of this Part.~~;~~ ~~and~~

3. Comprehensive Early Childhood Education Programs.

a. Programs licensed by DCYF, approved by the Rhode Island Department of Education (RIDE) to operate half (1/2) day pre-school programs and approved by DHS as meeting the CCAP program requirements.

C. For the purposes of the CCAP, "approved" means the child care provider has met the requirement to enroll eligible children through the DHS CCAP automated enrollment system, has received payment for allowable child care expenses, and has participated in certain DHS programs.

1. Although these requirements reflect the minimum standards for safe and healthful child care, CCAP approved status is not, and shall in no way be construed as, related to the quality of services rendered by the child care provider.

2. DHS will not pay providers for services rendered prior to the week that the CPD receives their application to be a CCAP approved provider.

4.12.3 Central Provider Directory Application for Approval Process

A. Child care providers who fall into the categories defined in § 4.12.2 of this Part, may apply for entry into the CPD.

1. In the event that the family of an eligible child selects a child care provider that is not listed as approved in the CPD, the provider must contact the Office of Child Care, to request the appropriate application forms and related information about obtaining CCAP approved provider status.

2. The process for becoming approved in CCAP and entered into the CPD includes both general and category specific application requirements, as outlined in § 4.12.3(B) of this Part.

3. All child care providers seeking access to the CPD and CCAP approved status shall meet the following general requirements:

a. Applications shall be made on forms approved by the department and shall be submitted for review to the Office of Child Care.

b. All CCAP approved child care providers shall sign a CCAP Approved Provider Agreement (APA) that establishes the respective responsibilities and obligations of both the Department and the provider as well as the grounds for discontinuation of approved status. No payment shall be made for allowable child care expenses until the Department receives the original APA, signed and dated by the child care provider and notarized or witnessed by a member of the staff of the OCC. Providers shall agree to the terms and conditions set by DHS for:

(1) Completing the APA;

(2) Enrolling eligible children;

(3) Complying with maximum capacity limits;

(4) Transmitting documentation of authorized services rendered;

(5) Establishing the DHS authorized payment rate for services provided to CCAP eligible children enrolled in care as well as the payment method and interval;

(6) Ensuring the safety and well-being of children in their care; and

(7) Filing timely reports to DHS about changes in enrollment, licensure, capacity or any other such matters as deemed necessary to maintain the CPD and authorize payment for services.

c. Providers, and any substitute providers, shall be successfully screened through a background clearance and criminal record check.

(1) All members of the provider's household, at the time approved status is initially requested, and at two-year intervals thereafter must submit to the background clearance.

(2) The screening process entails a background clearance performed by DCYF through the Rhode Island Children's Information System (RICHIST), and a criminal record check (also referred to as a background criminal investigation or BCI) conducted by the Rhode Island Attorney General's Office.

d. To be successfully screened, the following criteria shall be met:

(1) DCYF/RICHIST clearances.

(AA) There shall be no disqualifying information, and no record of substantiated involvement in an investigation that may result in disqualification, as defined in DCYF policy.

(BB) Clearance of Agency Activity, in the RICHIST background clearances of the provider and members of the provider's household.

(CC) Any changes in the composition of the household must be reported immediately. Background checks on the new household member shall be conducted

anytime there is a change in the composition of the approved provider's household.

(2) Criminal Records Check.

(AA) There shall be no evidence of criminal activity in the BCI record check of the provider and members of the provider's household.

(BB) For the purposes of this Section, evidence of criminal activity is defined as a conviction or plea of nolo contendere in any criminal matter or the fact that the individual has outstanding or pending charges related to any Types of Criminal Activity detailed in the RI Department of Children, Youth and Families Policy.

(3) The Office of Child Care reserves the discretion to deny approval of an application in circumstances when the evidence in the record of a member of the household indicates a pattern of behavior that poses a risk to the safety and/or well-being of the eligible children to receive care.

(AA) Such a determination shall only be made subsequent to a comprehensive review of the information provided through the clearances and background checks required in this Section, as well as any related official documents pertaining to the criminal record of the applicant or household member that may become available.

e. Providers shall be U.S. citizens or submit documentation of a legal immigration status that includes the appropriate authorization to work in the child care field, or a related industry.

(1) DHS is prohibited from making payment to, and therefore will not approve, non- citizen providers who do not have proof of such authorization; and

f. Meet any category specific requirements set forth in this Section.

B. Category Specific Access Requirements. In addition to the general access requirements, child care providers shall meet the following category specific requirements in accordance with R.I. Gen. Laws § 40-5.1-17(b):

1. To be eligible to be CCAP approved, a child care provider operating under the jurisdiction of DCYF shall:

    a. Provide documentation of a valid State of Rhode Island license to operate, deemed by DCYF to be in good- standing, and meet any additional requirements specified by DHS.

        (1) Individuals operating, or employed by, child care centers and family homes regulated by DCYF are subject to screening -- including both a background clearance and criminal records checks -- as part of the process of obtaining and maintaining licensure. Accordingly, a valid license in good standing is considered evidence of successful screening for the purposes of this Section.

        (2) For continued eligibility, all licensed providers are required to submit a schedule of their rates for non-assisted or non-subsidized families.

        (3) If a provider's license lapses, is revoked, or otherwise becomes invalid, DHS shall initiate appropriate action to discontinue approved provider status.

        (4) A provider whose approved status is discontinued must submit a new application to be considered for reinstatement as CCAP approved provider.

2. For continued approved provider status, all licensed providers are required to complete and submit a CCAP Approved Provider Rate Report (APRR) that includes their published rate schedule.

    a. The CCAP APRR specifies the actual rate a provider charges for child care services rendered to any non-CCAP subsidized families in all rate categories.

    b. The APRR is used to determine the DHS Authorized Payment Rates for Providers. If a provider does not have a published rate schedule, the provider shall make a statement attesting to that fact, as indicated, in the appropriate Section of the CCAP APRR.

3. For continued approved provider status, all licensed providers shall maintain a minimum of designation of One Star in the Quality Rating Improvement System. Maintenance of a program’s Star level designation includes the completion and submission of a Quality Improvement Plan to

ensure compliance with the Quality Rating and Improvement System criteria outlined in § 4.12.10 of this Part.

4. To be eligible for CCAP approval, a license exempt provider shall be a relative~~, friend or neighbor~~ of an eligible family for CCAP who has been requested to provide child care services to a CCAP pending or eligible dependent child and submit a completed and signed CPD/CCAP application packet which includes the following:

   a. A signed Health and Safety Certification Form in which the provider attests to being free of any physical, mental and/or emotional condition(s) with the potential to endanger children or impede the ability to care for children.

   b. Proof of completion of the Approved CCAP Health & Safety Training Module

   c. If an applicant is receiving disability related income and/or supportive health care services, or has been hospitalized for a chronic condition for one (1) day or more in the last year, a treating physician must submit either medical documentation or a signed letter, indicating that the applicant is capable of providing safe and appropriate care for children.

   d. AW-9 Form (Request for Taxpayer Identification Number and Certification) completed and signed by the provider;

   e. Proof that the applicant is at least twenty-one (21) years old as verified by a birth certificate or other legal document that contains an applicant's date of birth;

   f. A valid social security number and proof that the applicant is a United States citizen or a non-citizen who is lawfully entitled to reside and work in the United States;

   g. Proof of the applicant's Rhode Island residency and of a stable address. A post office box is not an acceptable form of proof of Rhode Island residency, though it may serve as an applicant's official mailing address.

      (1) As used in this Section, a stable address means that the applicant intends to maintain one principle place of residence once approved for the CCAP. For the purposes of CCAP, a stable address is necessary to ensure prompt enrollment of eligible children, timely payment for authorized

services and to protect the safety and security of the child care environment.

(2) A signed and dated lease or rental agreement in which the applicant, or the parent or spouse of the applicant, is a legally responsible party shall be considered acceptable proof of a stable address. A person who lives in a residence as a boarder is not considered to have a stable address and, as such, does not meet the requirements of this Section.

(3) At least ten (10) days prior to the actual date of a planned move, an approved license exempt provider must submit to the Office of Child Care (OCC), the information necessary to verify the address of, and the intent to maintain, a new principal place of residence. The provider shall also report any changes in household composition that occur in tandem with, or as a result of, the change in residence.

(4) An approved provider who makes more than two (2) changes in the principal place of residence during the two (2) year period of CPD status is not considered to have a stable address. Accordingly, CPD status of such providers is subject to review by the Office of Child Care and possible discontinuation of approved provider status.

h. Proof that there is a working telephone accessible at all time at the applicant's residence as verified through a current phone bill. A cell phone number is acceptable, provided that documentation is provided showing that the phone is attached to the provider and the provider's residence;

i. Information on the applicant, and all adult members of the applicant household, including social security numbers and dates of birth; and

j. A CCAP Parent-Provider Enrollment Agreement for each CCAP assisted child the provider intends to care for signed by a parent who has submitted an application for child care assistance from DHS and is currently pending or eligible for such assistance from the CCAP; and

k. A self-declaration specifying how many children (both CCAP assisted and non- CCAP assisted) will be rendered services~~, including any related children~~. License exempt providers are limited

to caring for ~~three (3) unrelated children, or~~ six (6) children if an acceptable degree of relationship to the provider can be proven. The provider's children under six (6) years of age shall be included in the maximum number of six (6) related children.

(1) ~~In instances in which the eligible children are related to the provider, l~~Legal documentation must be submitted to the CPD verifying that the provider has a relationship of acceptable degree to the eligible child(ren). For the purposes of the CCAP, a relationship of acceptable degree is an eligible child's aunt, uncle, grandparent, great grandparent, great aunt, great uncle, or adult sibling age twenty-one (21) or older.

(2) The Central Provider Directory (CPD) shall accept as verification of the provider's relationship the legal documents specified in the RIW rules and regulations. Information about the required legal documentation shall be made available to the provider by the OCSS upon request.

4.12.4 Criminal Records Checks- Disqualifying Information

A. The arrest and conviction or arrest pending disposition for one of the criminal offenses listed below or for any offense, which involves elements of proof that are substantially similar to the offenses listed below, disqualifies an individual from serving in a child caring capacity in a program or service operated by or for DCYF and/or requiring licensure by DCYF or residing in a household wherein such a program or service is provided or from owning or operating any such program subject to a statewide or nationwide criminal background check in accordance with federal and/or state law or DCYF rule.

1. For purposes of this protocol, "conviction" means a judgment of conviction entered by a court subsequent to a finding of guilty.

a. Further, any case where a defendant has entered a plea of nolo contendere and has received a sentence that includes a fine and/or a period of incarceration shall constitute a conviction.

b. In addition, any instance where the defendant has entered a plea of nolo contendere and has received a sentence of only probation shall constitute a conviction while the probationary period is pending.

B. Level 1 Offenses: If an individual is disqualified for the arrest and/or conviction for any of the following offenses, that individual shall have a right to appeal for

the purpose of demonstrating that he or she has not been arrested and/or convicted for such an offense.

1. Felony Child Abuse or Neglect
2. Felony Domestic Violence
3. Felony committed against a child
4. 1st Degree Child Molestation
5. 2nd Degree Child Molestation
6. Child Pornography
7. Circulation of obscene publications and shows
8. Sale or exhibition to minor of indecent publications, pictures or articles
9. Child nudity in publication
10. Transportation for Indecent purposes
11. Harboring
12. Prostitution
13. Pandering
14. Deriving support or maintenance from prostitution
15. Felony Drug Offense committed less than five (5) years ago
16. Felony involving violence
17. Murder
18. Manslaughter
19. Rape
20. 1st Degree Sexual Assault
21. 2nd Degree Sexual Assault
22. Kidnapping
23. Car-jacking

24. 1st Degree Arson

25. 2nd Degree Arson

26. Mayhem

27. Felony Assault committed less than five (5) years ago

28. Felony Battery committed less than five (5) years ago

C. Level 2 Offenses: If an individual is disqualified for the arrest and/or conviction for any of the following offenses, that individual shall have a right to appeal for the purpose of demonstrating his or her long standing record of excellence in child care:

1. Felony Assault committed over five (5) years ago

2. Felony Battery committed over five (5) years ago

3. Felony Drug Offense committed over five (5) years ago

4. Robbery

5. Breaking and Entering

6. Burglary

7. Illegal Possession of a Firearm

8. Misdemeanor Domestic Assault

9. 3rd Degree Sexual Assault

D. If an individual is disqualified for the arrest and/or conviction for any of the following offenses, when the offense does not involve a child, that individual shall have a right to appeal for the purpose of demonstrating his or her long standing record of excellence in child care:

1. Transportation for Indecent purposes

2. Harboring

3. Prostitution

4. Pandering

5. Deriving support or maintenance from prostitution

6. Circulation of obscene publications and shows

4.12.5 Determination/Maintenance of Provider Status

A. The Office of Child Care shall review a child care provider's application, complete the screening process, where appropriate, and make a determination of the CPDs provider status in no more than thirty (30) days from the date the appropriate signed application form and any required documentation are date-stamped as received by DHS.

1. Upon determining that a child care provider has met the general and category specific requirements, signed the CCAP Approved Provider Agreement (APA), and completed the CCAP Approved Provider Rate Report (APRR), DHS shall provide notification in writing of approved status to the provider.

    a. Upon completing the Approved Provider Introductory Training, the provider gains access to the CCAP automated enrollment system.

2. Applicants who do not meet the general and category specific requirements shall be denied CCAP approved status.

    a. The Department shall send written notice to the child care provider indicating the reasons for denial and providing information on how to request a hearing and appeal the decision.

    b. Any provider who has been denied on two occasions must wait a period of twelve (12) months before re-applying to be a CCAP approved child care provider.

3. DHS shall not make payment for allowable child care services rendered during the period while the application for approved status is pending.

    a. However, if approved status is granted, the provider will be reimbursed for such services at the DHS Authorized Payment Rate, but only after an Approved Provider Agreement has been signed and the Approved Provider Introductory Training has been completed.

B. The Department shall reserve the right to remove a child care provider from the CPD and discontinue approved status in CCAP upon obtaining evidence that the provider has not met one or more of the criteria outlined in these rules.

1. Notice of Discontinuation of CCAP approved status shall be sent to the provider and include the reasons for the discontinuation and information on how to appeal the DHS decision.

2. DHS shall also notify the families of any eligible children affected by discontinuation of the provider's approved status.

3. License exempt providers shall be automatically discontinued at one (1) year during which no CCAP payments were made.

C. Renewal.

1. License exempt Providers are listed in the CPD for two (2) years (as long as they continue to provide child care for a CCAP pending or eligible child) and Licensed Providers for a period of five (5) years.

a. After this period of time, a provider must be re-approved and present appropriate documentation to the CPD to remain active.

2. Notice shall be sent to approved providers indicating the dates and requirements for renewal of CPD status at least thirty (30) days prior to the end date of their period of approval.

4.12.6 DHS-CCAP Approved Provider Agreement

A. All CPD approved child care providers shall sign an agreement with DHS that establishes the respective responsibilities and obligations of both the department and the provider and the grounds for discontinuation of approval as specified in this Section.

1. The signature on the agreement with DHS shall be notarized or witnessed by a member of the staff of the OCC.

2. No payment shall be made for allowable child care expenses until the department receives an original copy of the DHS-CCAP Approved Provider Agreement, signed and dated by the child care provider.

3. Terms and Conditions for Payment.

a. The department shall determine the DHS Authorized Payment Rate for each eligible child enrolled.

b. The department shall also determine the method that approved providers shall use to request and receive payment for allowable child care expenses.

4. In certain circumstances, the department may determine that an approved provider is no longer qualified to provide authorized CCAP services and, as a result, approved status shall be discontinued. In such cases, the department shall cease payment for any CCAP services rendered by the provider, and access to the DHS CCAP automated enrollment system is denied.

    a. The department reserves the right to discontinue DHS approved status for providers for any of the following reasons:

        (1) Upon obtaining evidence that the Department of Children, Youth and Families suspends and/or terminates the license of a child care provider with whom DHS has a provider agreement.

            (AA) License Status placed on hold by DCYF – Unless otherwise instructed by DCYF, DHS will allow the Provider to retain current enrollments and DHS sends a Provider notice that no further enrollments are to take place after the date of the notice putting the license on hold. DHS retains the right to discontinue DHS Approved Provider status if the Provider's license remains on hold beyond 60 days.

            (BB) License suspended and/or Revoked - Provider must cease all operations and all DHS children are dis-enrolled using the effective date immediately following the decision to place the license on suspension. Notices are sent to parents and provider.

        (2) Failing to meet the terms and conditions established in the DHS-CCAP Approved Provider Agreement;

        (3) A Provider engaging in fraudulent or other unlawful acts: in obtaining or seeking to obtain CCAP approved status; in providing or receiving payment for CCAP; in utilizing the CCAP automated enrollment system shall be ineligible to participate in the program:

            (AA) For a period of three (3) months for the first discontinuance;

            (BB) For a period of six (6) months for the second discontinuance; and,

(CC) Permanently for the third occasion.

(4) Knowingly providing false information to obtain benefits from any DHS program or any other federally funded program; in not reporting CCAP income when applying for a federally funded program; or in committing tax fraud;

(5) Failing to maintain DCYF licensure or otherwise failing to comply with DCYF regulations or the standards and regulations established by another federal or State government entity applicable to the setting in which the child care is provided;

(6) Failing to protect the confidentiality of information related to CCAP beneficiaries; or

(7) Endangering, or failing to ensure, the health or safety of any child in the provider's care;

(8) Failing to report criminal convictions or the imposition of civil penalties.

(AA) An approved provider shall report to DHS any criminal conviction or civil penalties imposed for such acts on: the provider, an employee of the provider engaged directly in the provision of child care; or, if a license exempt provider, an adult member of the provider's household.

(BB) Failure to make such reports within ten (10) days from the date the conviction/penalty is imposed shall be grounds for discontinuation of approved status;

(9) Failing to report any changes in their provider status, living arrangements, addition of new household members, or other vital information to the OCC within ten (10) days prior to the change;

(10) Caring for more children than allowed under this rule or applicable state laws and regulations;

(11) Caring for a child who lives in the same household as the provider;

(12) Failing to attend CCAP Approved Provider Introductory Training;

(13) For license exempt providers, failing to complete the Approved CCAP Health & Safety Training Module.

(14) Failing to provide DHS with a completed CCAP APRR when requested;

(15) Providing inaccurate or misleading information in the CCAP APRR for the purposes of altering the amount of the DHS authorized payment rate; or

(16) Refusing or failing to cooperate with DHS personnel conducting audits, reviews, or evaluations related to the proper and efficient operation of the CCAP or compliance with the rules set forth herein or terms and conditions of the provider agreement; or

(17) For legal License exempt providers, ceasing to provide child care services to CCAP pending or eligible children for a period of one (1) year.

(18) Refusing or failing to maintain a QRIS Quality Rating of one (1) Star or higher.

b. The department reserves the right to offer a CCAP approved provider subject to discontinuation the opportunity to take corrective action prior to the effective date of discontinuation of approved provider status and termination of the provider agreement.

(1) In such cases, the OCC shall send a notice to the approved provider that shall clearly state the type of corrective action required, the date it is to be completed, and the method for evaluating whether the deficiency has been corrected.

(2) Corrective actions shall be permitted in only those cases in which the department determines that the health, safety and welfare of eligible children and the fundamental purposes of the CCAP will not be jeopardized while the remedy is being implemented.

(3) DHS reserves the right to adhere to a permanent discontinuation of CCAP approval for situations when the terms of a DHS corrective action plan have not been met.

5. Approved providers and the families of eligible children shall be notified at the time of application that, as CPD providers and CCAP beneficiaries, certain personal information may be accessed on the DHS web site by department personnel, approved providers and contracted agents of DHS.

   a. A confidentiality statement shall be signed by both providers and parents, prior to participating in the CCAP, indicating that they are aware of, and understand, the limits on confidentiality associated with the methods DHS employs to gather and disseminate information through the CCAP automated enrollment system and the purposes for such information, as well as how that information will be accessed and used.

   b. DHS shall utilize the most advanced technological methods available to ensure the confidentiality of information contained in the CPD and through web enrollment pertaining to CCAP beneficiaries and approved providers.

4.12.7 CCAP Payments to Approved Providers

A. To ensure that payment for CCAP authorized child care expenses is made in the timeliest and most efficient manner possible, the department has established requirements related to attendance and the payment of allowable child care expenses for CCAP authorized child care services.

B. Payment shall only be made for CCAP authorized child care services during periods in which the approved provider is open or available to provide services.

   1. To determine the allowable child care expense, certain information related to attendance is required by DHS, as follows:

      a. Billing Invoices and Attendance Reports. An approved provider shall:

         (1) Submit accurate billing invoices to DHS, indicating the days and/or hours of attendance for each eligible child, in the manner and for the time periods prescribed in the DHS-CCAP Approved Provider Agreement; and

         (2) Maintain daily attendance records on-site, signed by the parent, for each eligible child, for a minimum of three (3) years.

C. When a child is enrolled with a licensed provider, DHS shall make payment for up to ~~two (2) weeks~~ five (5) days per month of CCAP authorized child care

services ~~per calendar year~~ during which an eligible child is absent and the parent authorizes payment.

1. Documentation of the parent's authorization must be attached to the attendance report for the period in which the absence occurred.

2. No payment shall be made for periods of CCAP authorized services when the eligible child is not in attendance once the ~~two (2) week~~ five (5) days per month limit has been reached, without the approval of the department.

D. Presence of the Provider at the Care Site

1. During periods when eligible children are receiving services, the provider or an approved substitute caregiver must be present at all times.

2. For legal license exempt providers, the approved substitute caregiver must be listed on the provider's current application for CCAP Approval.

3. For licensed providers, substitute caregivers must be approved by DCYF. In no case should the approved provider listed on the application be absent for more than three (3) hours in any one (1) week period, without prior approval of the department.

E. If a provider has other employment, the total hours the provider is permitted to work and maintain CPD status, is fifteen (15) hours in a twenty-four (24) hour period.

1. The fifteen (15) hour work limit applies to all forms of employment combined, including the hours spent providing CCAP services as well as while working at any other job(s) or traveling to and from other employment.

F. For CCAP payment to be made, an eligible child enrolled with an approved licensed provider shall attend at least some portion of their CCAP authorized enrollment each week, with the exception of the ~~two (2) week~~ five (5) days per month allowed absence described in § 4.12.7(C) of this Part.

1. Further, if a child attends for significantly fewer hours than for the authorized hours for more than two (2) weeks, the provider has the duty to update the child’s enrollment utilizing the CCAP enrollment website.

2. License exempt providers receive DHS payment only for services rendered. No payment is made to license exempt providers when an eligible child is not receiving care.

4.12.8 CCAP Payments

A. When making payment for allowable child care expenses, the DHS Authorized Payment Rate for Providers shall apply. The process for determining the DHS authorized payment rate is as follows:

1. Licensed Approved Providers.

   a. The DHS authorized payment rate shall be the actual rate the CCAP approved provider charges for child care services as reported in the APRR, up to, but not to exceed the DHS established payment rate as set forth in these rules.

   b. The rate reported by each provider on their APRR shall be equivalent to the lowest actual rate charged for services delivered to any family by that provider.

   c. If a provider offers non-CCAP financial assistance of any type to non-CCAP assisted families, the provider shall be required to substantiate that every child is supported by a combination of funding that equals the same rate reported to DHS on the APRR.

   d. The provider shall also identify the source of funds that support that assistance.

2. License exempt Approved Providers.

   a. The DHS authorized payment rate shall be the CCAP Established Schedule of Maximum Weekly Rates.~~Payment Rate as set forth in § 4.13 of this Part~~.

B. Changes in Licensed Provider Rates.

1. All licensed providers shall report any changes in the actual rates they charge to non-CCAP assisted families as reported on the APRR.

2. Reductions in rates must be reported at least thirty (30) days before the change takes place.

   a. If a provider reports a reduction in rates, the reduced rates shall be entered into the CPD effective on the date that the change took place.

3. Increases in rates shall be reported at least sixty (60) days before the change takes place. If a provider reports an increase in rates, the increased rates shall be entered into the CPD with an effective date.

4. The department will limit rate increases for any provider in the CPD to no more than once in any twelve (12) month period and all such changes shall take effect in CCAP the first payroll period in July.

5. The Department has the discretion, when deemed necessary, to delay or deny any changes requested by the provider through the APRR.

6. In absence of submission of a new APRR, the provider's actual rate charged shall be considered that which is currently entered in the CPD.

7. When licensed providers renew their approval status in the CCAP, a new APRR shall be collected and entered into the CPD.

C. Payment of allowable child care expenses for CCAP authorized services shall be made at the DHS Authorized Payment Rate.

1. The terms and conditions for payment of CCAP services are established in the DHS APA in accordance with the requirements of R.I. Gen. Laws § 40-6.2-1.1. ~~and located in § 4.13 of this Part.~~

D. Billing Periods.

1. An approved provider shall request payment for allowable child care expenses in the twelve (12) month period that begins on the date the authorized services were rendered.

2. In no case shall DHS make payment for any child care services rendered more than one (1) year prior to the date the approved provider requests payment.

E. Restrictions and Limitations.

1. There shall be no more than one (1) CCAP approved provider eligible to receive payment from DHS for allowable child care expenses rendered at a specific site or location at any one time.

a. In the case of license exempt child care providers, no more than one (1) person living in the household where CCAP child care services are provided shall be permitted to obtain or retain active approved status at any one time.

2. Approved providers shall not be paid for child care services rendered to children who live in their households.

4.12.9 Periodic Provider Audits

A. DHS reserves the right to conduct periodic audits of provider records and investigations of provider operations relevant to provider approval, rate reporting, billing invoices, attendance records, and accepting payments from CCAP.

1. At the time an audit or investigation is conducted, a designated representative of the Department will review attendance and payment records of all children currently enrolled and receiving child care services and all children enrolled and receiving services during the two (2) years prior to the audit or visit.

4.12.10 Quality Rating and Improvement System

A. Authority

1. Rhode Island's Quality Rating and Improvement System (QRIS) is established and administered under the authority of the state and federal laws. Promulgated in accordance with 45 C.F.R. Part 98 and R.I. Gen. Laws §§ 42-12-23 and 42-12-23.1.

B. Administration

1. DHS administers the Quality Rating and Improvement System and partners with public and private agencies that receive funding for the implementation of the QRIS, including collecting and validating information, conducting standardized observations, assigning quality ratings, and providing quality improvement services.

C. Quality Rating and Improvement System Requirements

1. The Quality Rating and Improvement System is designed to set standards of excellence for early care and education programs and school-age child care serving children from birth through age 12, to assess and communicate the level of quality in these programs, to provide a pathway to help programs continually improve, and to serve as a bridge to align all State-level early childhood programs under one common vision of quality.

2. The Quality Rating and Improvement System consists of five star level ratings that can be earned by licensed early care and education programs and school-age child care programs.

a. The Quality Rating and Improvement System uses DCYF licensing standards as the foundational star level for community-based programs, Basic Educational Program (BEP) Standards as the foundational star level for school-based programs, and has four star ratings above these licensing standards.

3. The Quality Rating and Improvement System Standards (Health Safety and Nutrition; Enrollment and Staffing; Staff Qualifications and Ongoing Professional Development; Administration; Early Learning and Development; and Family Engagement) each have indicators that must be achieved to earn and maintain a star rating.

4. The Quality Rating and Improvement System standards are organized as building blocks. In order to reach a higher star level, programs must meet all of the standards at that level and in all of the lower levels.

4.12.11 Participation

A. Eligible Programs

1. All early care and education programs and school age child care programs as licensed under R.I. Gen. Laws § 42-72.1, and approved under R.I. Gen. Laws § 48-16, including without limitation child care centers, family child care homes, group family child care homes, school-age child care programs and preschools, but excluding child placement agencies, are eligible to participate in the Quality Rating and Improvement System.

B. Entry into the Quality Rating and Improvement System for CCAP Approved Providers.

1. Child care programs/providers complete an application to participate in the Quality Rating and Improvement System (QRIS), indicating their desired star rating on the application.

2. Once the complete application has been submitted and reviewed, QRIS staff may conduct one or more unannounced site visits prior to awarding a program their initial Star Rating.

3. Programs then need to maintain that rating by

a. continuing to meet the criteria as set out in the Quality Rating and Improvement System Standards;

b. completing and submitting a Quality Improvement Plan within 3 months of receiving their initial star rating; and

c. completing and submitting an annual report each year.

C. Award of Initial Star Rating

1. By virtue of receiving DHS CCAP approved child care provider status, all programs licensed by DCYF will be exempt from submitting a formal

application to the QRIS for the purposes of receiving their initial star rating, and will receive all benefits and advantages bestowed to programs participating in the QRIS.

2. On November 1, 2013, all licensed DHS CCAP-approved child care programs were automatically awarded a temporary “Starting Star” designation within the QRIS. Licensed programs that were already participating in the QRIS maintained their star level status.

3. Effective April 1, 2014, all of those “Starting Star” programs that did not receive, or submit an application to receive, a star rating, will automatically transition to a Star Level One designation.

4. Licensed programs receiving CCAP approval after April 1, 2014 that are not yet participating in the Quality Rating and Improvement System, shall be automatically awarded a Star Level One designation.

D. Maintenance of QRIS Star Rating

1. All CCAP-approved programs must maintain a Star Level One designation or higher to continue their CCAP-approval. Star Level One includes the submission of a Quality Improvement Plan.

2. “Starting Star” programs that were automatically transitioned to a Star Level One designation on April 1, 2014 will have 6 months from their initial star rating on April 1 (until October 1, 2014) to submit a Quality Improvement Plan in order to maintain their rating.

   a. Only those programs that were awarded a temporary “Starting Star” will have 6 months to submit a Quality Improvement Plan.

3. Licensed programs receiving CCAP approval, and in turn a Star Level One designation, after April 1, 2014 will follow traditional QRIS policy, and must complete their Quality Improvement Plan within 3 months of receiving their initial star rating in order to maintain their rating.

4. All CCAP-approved programs must also complete QRIS annual reporting requirements in order to maintain their Star Level designation and continue their CCAP-approval.

4.12.12 Quality Awards for CCAP Approved Providers Licensed by the RI Department of Children, Youth and Families

A. The Department of Human Services is authorized by R.I. Gen. Laws § 42-12-23 to implement Quality Award payments.

1. These Quality Awards are separate and distinct from DHS CCAP Subsidy payments.

B. The purpose of the Quality Awards is to encourage and support programs to reach and maintain the highest levels of quality as part of Rhode Island's Quality Rating and Improvement System. For DHS CCAP Approved Providers who meet the eligibility criteria, an established monthly Quality Award will be made to the program.

1. Quality Award payments will be made directly to the program no less than monthly, starting in August 2013. Quality Award payment beginning in August will include payments for the month of July 2013 for those deemed eligible.

2. Programs will be required to provide a certified Quality Award Request Form to the Department documenting the number of enrolled children that met the eligibility criteria for this payment, within ten (10) business days of the first of each month.

3. A Quality Award Summary Report indicating how the award was utilized will be required at least quarterly.

4. DHS will conduct periodic audits to verify data supplied as part of the Quality Award Request and/or the Quality Award Summary Report.

4.12.13 Quality Award Payment Amount

A. The Quality Award amount will be determined based on a two-part award structure:

1. Base Award - Eligible Programs will receive up to $500 per year, per child age birth through 5 years, based on the Star Level Rating of the program

2. CCAP Infant-Toddler Incentive – Eligible Programs will receive up to $500 per year, per CCAP eligible child age birth through 3 years based on the quality rating of the program.

B. At no time shall a program receive an award based on a per child calculation that exceeds their DCYF licensed capacity for children under 6 (infants, toddlers, and preschoolers).

C. Children ages 6 and older, or 5 years or older and enrolled in Kindergarten, will not be included in the calculation of the Quality Award Payment.

4.12.14 Program Eligibility for Quality Awards

A. Programs must participate in the Quality Rating and Improvement System.

B. Programs must have reached a Star Level Rating of 3, 4, or 5.

C. Effective October 1, 2014, programs must have at least 10% of their enrollment made up of CCAP eligible children, either as a percentage of total capacity, or as a percentage of the enrollment of children age birth through 5 years. Programs can also be eligible if they have CCAP children enrolled in their enrolled in their program and are able to demonstrate that at least 10% of their capacity serves children from families that are low income (less than 200% of the FPL.)

D. Program must be in compliance with DCYF licensing regulations to receive a Quality Award.

E. Programs operating based on the School year will be ineligible for awards during the months of July and August.

4.12.15 Quality Rating and Improvement System Standards

A. The following shall serve as the QRIS standards for Child Care Centers and Preschool Programs:

1. DOMAIN ONE: HEALTH, SAFETY AND NUTRITION

DOMAIN ONE: HEALTH, SAFETY AND NUTRITION Daily activities and interaction show that the program is providing a safe, healthy and stimulating environment. The program provides for indoor and outdoor space to support varied and enriching experiences for children. Daily interactions demonstrate that staff respect, care for and enjoy working with children. The program supports the inclusion of children with disabilities and developmental delays, response to the cultural and linguistic diversity of the population it serves, and promotes the acceptance of diversity among staff, families and children.		
STAR LEVEL ONE	Valid DCYF License Community Based Programs OR BEP Compliance	

	(Public Schools compliance with all critical areas of health and safety in BEP)	
STAR LEVEL TWO	Compliance with DCYF Licensing Regulations OR BEP Compliance	Learning Environment -Approved Environment Assessment Training -Approved Environment Self-assessment, including materials, routines, and activities that promote play and learning
STAR LEVEL THREE	Compliance with DCYF Licensing Regulations OR BEP Compliance	Learning Environment Average ERS-R score of 3.0 or greater, with no observed classroom score less than 2.5
STAR LEVEL FOUR	Compliance with DCYF Licensing Regulations OR BEP Compliance	Learning Environment Average ERS-R score of 4.0 or greater, with no observed classroom score less than 3.0
STAR LEVEL FIVE	Compliance with DCYF Licensing Regulations OR BEP Compliance	Learning Environment Average ERS-R score of 5.0 or greater, with no classroom score less than 3.0

2. DOMAIN TWO:

   a. ENROLLMENT AND STAFFING MINIMUM – STAFF-CHILD RATIO*

DOMAIN TWO: ENROLLMENT AND STAFFING MINIMUM – STAFF-CHILD RATIO* The program has enough staff members at all times to supervise the children and to support early learning and development. This standard reiterates what is expected of programs through compliance with licensing. *Unless federal or state law requires more stringent ratios or when determined to be appropriate considering student behavioral, health or educational needs.	
STAR LEVEL ONE	Staff Child Ratios Community Based Programs DCYF Child Care Center Regulations require: 1:4 for infants (6 weeks to 18 months) 1:6 for toddlers (18 to 36 months) 1:9 for three year olds 1:10 for four year olds 1:12 for five year olds OR Public Schools Current RI Special Education Regulations require a minimum of 2:15 for preschoolers in inclusive/integrated classrooms.
STAR LEVEL TWO	Compliance with Staff Child Ratios AND Staff-Child Ratio Posted Minimum staff child ratio is clearly posted for each group of children.
STAR LEVEL THREE	Compliance with Staff Child Ratios AND

	Staff-Child Ratio Posted Minimum staff child ratio is clearly posted for each group of children.
STAR LEVEL FOUR	Compliance with Staff Child Ratios AND Staff-Child Ratio Posted Minimum staff child ratio is clearly posted for each group of children.
STAR LEVEL FIVE	Compliance with Staff Child Ratios AND Staff-Child Ratio Posted Minimum staff child ratio is clearly posted for each group of children.

b. Enrollment and Staffing Maximum Group Size

DOMAIN TWO: ENROLLMENT AND STAFFING MAXIMUM GROUP SIZE* Maximum group size is determined by the number of children cared for by a caregiver or group of caregivers in a classroom or designated area. Measuring group size ensures that children are cared for in a small group, separate from other groups of children in order to promote the development of stable, positive relationships and to prevent the spread of disease. This standard reiterates what is expected of programs through compliance with DCYF Licensing or the BEP for group size. *Unless federal or state law requires more stringent group size or when determined to be appropriate considering student behavioral, health or educational needs.

STAR LEVEL ONE	Compliance with Group Size Community Based Programs Child Care Center Regulations limit group size to a

	maximum of: 8 infants (6 weeks to 18 months) 12 toddlers (18 to 36 months) 18 three year olds 20 four year olds 24 five year olds DCYF Requirement: Programs serving mixed age groupings shall meet the staff/child ratio and group size requirements for the youngest child in the group. OR Public Schools: Current RI Special Education Regulations require a maximum group size of 15 preschoolers in inclusive/integrated classrooms.
STAR LEVEL TWO	Compliance with Group Size AND Group Size Posted Maximum group size is clearly posted for each group of children.
STAR LEVEL THREE	Compliance with Group Size AND Group Size Posted Maximum group size is clearly posted for each group of children.
STAR LEVEL FOUR	Compliance with Group Size AND Group Size Posted Maximum group size is clearly posted for each group of children.

STAR LEVEL FIVE	Compliance with Group Size AND Group Size Posted Maximum group size is clearly posted for each group of children.

3. Domain Three - Staff Qualifications & Ongoing Professional Development

a. Teacher Qualifications

DOMAIN THREE: STAFF QUALIFICATIONS & ONGOING PROFESSIONAL DEVELOPMENT - TEACHER QUALIFICATIONS Each group of children shall have a teacher who works under the supervision and guidance of the Education Coordinator to care for the children and implement the classroom curriculum. The teacher has the formal education and professional preparation to work with children in their assigned age group.	
STAR LEVEL ONE	Valid DCYF License Community Based Programs OR BEP Compliance Public Schools
STAR LEVEL TWO	Professional Development Plans All teachers have a written individual professional development plan aligned with the Workforce Knowledge and Competencies.
STAR LEVEL THREE	Professional Development Plans All teachers have a written individual professional development plan aligned with the Workforce Knowledge and Competencies. AND Formal Education

	At least 75% of teachers have: a CDA and 9 college credits in ECE/related field OR 12 college credits in ECE/related field.
STAR LEVEL FOUR	Professional Development Plans All teachers have a written individual professional development plan aligned with the Workforce Knowledge and Competencies. AND Formal Education At least 75% of teachers have: A minimum of 12 college credits in ECE/related field. Of these teachers, at least 25% have: an AA degree/higher OR 60 college credits. AND RI Early Learning and Development Training 50% of teachers have a RIELDS Certificate relevant to this position.
STAR LEVEL FIVE	Professional Development Plans All teachers have a written individual professional development plan aligned with the Workforce Knowledge and Competencies. AND

	Formal Education At least 75% of teachers have: An AA degree or higher and 24 college credits in ECE/related field. Of these, 50% of preschool teachers have: A BA degree or higher and 24 college credits in ECE/relate d field. AND RI Early Learning and Development Training 75% of teachers have a RIELDS Certificate relevant to this position.

b. Program Leadership

DOMAIN THREE: STAFF QUALIFICATIONS ANDONGOING PROFESSIONAL DEVELOPMENT - PROGRAM LEADERSHIP The Program Administrator is responsible for overall operations and compliance with licensing regulations. The Education Coordinator is responsible for the development and implementation of the early learning and development program, including classroom curriculum, organization of children's groups, and staff performance. These roles may be stand-alone positions, or done by the same person, depending on the size of the program.	
STAR LEVEL ONE	Administrator Valid DCYF License Community Based Programs OR BEP Compliance Public Schools

	Education Coordinator Valid DCYF License Community Based Program OR BEP Compliance Public Schools
STAR LEVEL TWO	Administrator Compliance with DCYF Licensing Regulations Community Based Programs OR BEP Compliance Public Schools Education Coordinator Compliance with DCF Licensing Regulations Community Based Programs OR BEP Compliance Public Schools
STAR LEVEL THREE	Administrator Formal Education The administrator has an Associate's Degree or higher. Education Coordinator Rhode Island Early Learning and Development

	Training The Education Coordinator has a RIELDS Certificate relevant to this position.
STAR LEVEL FOUR	Administrator Formal Education The administrator has a Bachelor's Degree or higher AND 6 credits in ECE/related field. AND Rhode Island Early Learning and Development Training The administrator has a RI Early Learning and Development Standards Certificate relevant to this position. Education Coordinator Rhode Island Early Learning and Development Training The Education Coordinator has a RIELDS Certificate relevant to this position.
STAR LEVEL FIVE	Administrator Formal Education The administrator has a Bachelor's Degree or higher AND 12 credits in ECE/related field. AND Rhode Island Early Learning and Development Training

	The administrator has a RI Early Learning and Development Standards Certificate relevant to this position. Education Coordinator Rhode Island Early Learning and Development Training The Education Coordinator has a RIELDS Certificate relevant to this position.

4. Domain Four: Administration

DOMAIN FOUR: ADMINISTRATION-CONTINUOUS QUALITY IMPROVEMENT The program conducts a comprehensive self-assessment, at least once a year, to assess compliance with regulations and standards and to determine its effectiveness in meeting the needs of the children and families it serves. The program then uses this information to create program goals to continually improve quality and documents progress towards achieving these goals.	
STAR LEVEL ONE	Valid DCYF License Community- based Program OR BEP Compliance Public Schools AND Quality Improvement Plan The program develops and implements an annual quality improvement plan that includes all BrightStars domains.
STAR LEVEL TWO	Program Self- Assessment The program administers a comprehensive self-

	assessment which includes at least 2 sources of evidence such as: monitoring reports, child assessment information, family survey, staff professional development plans, board survey; etc. AND Approved Environmental Self-Assessment AND Quality Improvement Plan The program develops and implements an annual quality improvement plan that includes all BrightStars domains and is informed by the multiple sources of evidence used in the program self- assessment.
STAR LEVEL THREE	Program Self- Assessment The program administers a comprehensive self-assessment which includes at least 2 sources of evidence such as: monitoring reports, child assessment information, family survey, staff professional development plans, board survey; etc. AND ERS-R Observations in 1/3 of classrooms

	AND Quality Improvement Plan The program develops and implements an annual quality improvement plan that includes all BrightStars domains and is informed by the multiple sources of evidence used in the program self- assessment.
STAR LEVEL FOUR	Program Self- Assessment The program administers a comprehensive self-assessment which includes at least 3 sources of evidence such as: monitoring reports, child assessment information, family survey, staff professional development plans, board survey; etc. AND ERS-R Observations in 1/3 of classrooms Approved Teacher-Child Interaction Self-Assessment AND Quality Improvement Plan The program develops and implements an annual quality improvement plan that includes all BrightStars domains and is informed by the multiple sources of evidence used in the program self- assessment.
STAR LEVEL FIVE	Program Self- Assessment

	The program administers a comprehensive self-assessment which includes at least 3 sources of evidence such as: monitoring reports, child assessment information, staff professional development plans, board survey; etc. AND ERS-R Observations in 1/3 of classrooms CLASS Observation in 1/3 of classrooms Family Survey Results AND Quality Improvement Plan The program develops and implements an annual quality improvement plan that includes all BrightStars domains and is informed by the multiple sources of evidence used in the program self- assessment.

5. Domain Five: Early Learning and Development

a. Curriculum

DOMAIN FIVE: EARLY LEARNING AND DEVELOPMENT CURRICULUM The program uses a curriculum or curriculum framework, aligned to the Rhode Island Early Learning and Development Standards (RIELDS), for all age groups served, including infants and toddlers. Teaching staff have positive emotional connections with children and respond appropriately to individual children's early learning and development needs. Classroom schedules and routines maximize time spent in early learning and development activities. The program provides many opportunities for children to learn and practice skills in all domains of the

Rhode Island Early Learning and Development Standards.	
STAR LEVEL ONE	Valid DCYF License Community Based Programs OR BEP Compliance Public Schools
STAR LEVEL TWO	Written Curriculum Compliance with DCYF Licensing Regulations OR BEP Compliance AND Learning Environment (measured in Domain 1) Approved Environment Assessment Training Approved Environment Self Assessment, including materials, routines, and activities that promote play and learning.
STAR LEVEL THREE	Written Curriculum Curriculum aligned with the RIELDS OR Compliance with Head Start Performance Standards related to curriculum OR NAEYC Accreditation AND Learning Environment (measured in Domain 1) Average ERS-R score of 3.0 or greater, with no

	observed classroom score less than 2.5. AND RIELDS Training (measured in Domain 3) The educational leader has a RIELDS Certificate relevant to the position
STAR LEVEL FOUR	Written Curriculum Curriculum aligned with the RIELDS OR Compliance with Head Start Performance Standards related to curriculum. OR NAEYC Accreditation AND Learning Environment (measured in Domain 1) Average ERS-R score of 4.0 or greater, with no observed classroom score less than 3.0 AND RIELDS Training (measured in Domain 3) The educational leader has a RIELDS Certificate relevant to this position AND 50% of teachers have a RIELDS Certificate relevant to this position. AND Teaching and Interaction Approved Teacher-Child Interaction Professional

	Development Approved Teacher-Child Interaction Self-Assessment, including emotional support, classroom organization and instructional support.
STAR LEVEL FIVE	Written Curriculum Curriculum and curriculum framework aligned with the RIELDS OR Compliance with Head Start Performance Standards related to curriculum. OR NAEYC Accreditation AND Learning Environment (measured in Domain 1) Average ERS-R score of 5.0 or greater, with no observed classroom score less than 3.0. AND RIELDS Training (measured in Domain 3) The educational leader has a RIELDS Certificate relevant to this position. AND 75% of teachers have a RIELDS Certificate relevant to this position. AND Teaching and Interaction CLASS Observations in 1/3 of classrooms.

b. Child Assessment

DOMAIN FIVE: EARLY LEARNING AND DEVELOPMENT-CHILDASSESSMENT The program connects families to developmental screenings for their children, and systematically and routinely gathers information about each child in order to meet the individual needs of children and provide differentiated learning experiences.	
STAR LEVEL ONE	Valid DCYF License Community- based Programs OR BEP Compliance Public Schools
STAR LEVEL TWO	Developmental Screening Info The program provides written information to families about developmental screenings available through health care settings and/or Child Outreach.
STAR LEVEL THREE	Developmental Screening Info The program provides written information to families about developmental screenings available through health care settings and/or Child Outreach.
STAR LEVEL FOUR	Developmental Screening Info The program provides written information to families about developmental screenings available through health care settings and/or Child Outreach. AND Child Assessment The program gathers information about each child using 2 or more methods (e.g., child observation, checklists, family surveys/ interviews) to inform classroom instruction. OR

	Compliance with Head Start Performance Standards related to Child Assessment OR NAEYC Accreditation.
STAR LEVEL FIVE	Developmental Screening Info The program provides written information to families about developmental screenings through health care settings. AND Collaborates with Child Outreach to provide on-site developmental screenings or provides families with specific dates and locations. AND Child Assessment The program gathers information about each child using 3 or more methods (e.g., child observation, checklists, family surveys/ interviews) to inform classroom instruction. OR Compliance with Head Start Performance Standards related to Child Assessment. OR NAEYC Accreditation AND The program uses valid and reliable assessment tools to inform curriculum planning.

c. Inclusive Classroom Practices

DOMAIN FIVE: EARLY LEARNING AND DEVELOPMENT-INCLUSIVECLASSROOMPRACTICES

The program supports the inclusion of children with disabilities and developmental delays, and uses self- assessments to reflect on inclusivity within their classroom practices.	
STAR LEVEL ONE	Valid DCYF License Community Based Programs OR BEP Compliance Public Schools
STAR LEVEL TWO	Compliance with DCYF Licensing Regulations Community Based Programs OR BEP Compliance Public Schools AND Program provides written information to families about Early Intervention and/or Preschool Special Education Services.
STAR LEVEL THREE	Written Program Philosophy The program welcomes children and families of all abilities, modifies the program, makes reasonable accommodations, and collaborates with key partners to support children with developmental delays and disabilities in inclusive/integrated classroom settings. OR Compliance with Head Start Performance Standards related to Child Assessment AND

	Program provides written information to families about Early Intervention and/or Preschool Special Education Services.
STAR LEVEL FOUR	Written Program Philosophy The program welcomes children and families of all abilities, modifies the program, makes reasonable accommodations, and collaborates with key partners to support children with developmental delays and disabilities in inclusive/integrated classroom settings. OR Compliance with Head Start Performance Standards related to Child Assessment AND Program provides written information to families about Early Intervention and/or Preschool Special Education Services.
STAR LEVEL FIVE	Written Program Philosophy The program welcomes children and families of all abilities, modifies the program, makes reasonable accommodations, and collaborates with key partners to support children with developmental delays and disabilities in inclusive/integrated classroom settings. OR Compliance with Head Start Performance Standards related to Child Assessment AND Program provides written information to families about Early Intervention and/or Preschool Special Education Services. AND

	Staff Release Time Program makes staff available to collaborate with IEP/IFSP teams by attending meetings, participating in relevant training, and/or sharing information (e.g., child assessment results) to support children with developmental delays or disabilities and their families.

6. Domain Six: Family Engagement

DOMAIN SIX: FAMILY ENGAGEMENT-FAMILY COMMUNICATION AND INVOLVEMENT The program communicates regularly with families by engaging in two-way communication with families, offering ongoing opportunities for family involvement, and working to build partnerships with families.	
STAR LEVEL ONE	Valid DCYF License Community Based Programs OR BEP Compliance Public Schools
STAR LEVEL TWO	Family Communication Program offers two or more of the following: Monthly newsletter Family meeting, social event, or workshop (four times per year) Ideas and suggestions to support learning at home (four times per year) Annual family survey Support parents in transitioning

	children in/out and within program Connect families with community services, as needed OR Compliance with Head Start Performance Standards related to Family Engagement OR NAEYC Accreditation
STAR LEVEL THREE	Family Communication Program offers two or more of the following: Monthly newsletter Family meeting, social event, or workshop (four times per year) Ideas and suggestions to support learning at home (four times per year) Annual family survey Support parents in transitioning children in/out and within program Connect families with community services, as needed AND Family/Teacher Conference Offered twice per year OR Compliance with Head Start

	Performance Standards related to Family Engagement OR NAEYC Accreditation
STAR LEVEL FOUR	Family Communication Program offers two or more of the following: Monthly newsletter Family meeting, social event, or workshop (four times per year) Ideas and suggestions to support learning at home (four times per year) Support parents in transitioning children in/out and within program Connect families with community services, as needed AND Conducts an Annual Family Survey AND Family/Teacher Conference Offered twice per year OR Compliance with Head Start Performance Standards related to Family Engagement OR NAEYC Accreditation
STAR LEVEL FIVE	Family Communication Program

	offers three or more of the following: Monthly newsletter Family meeting, social event, or workshop (four times per year) Ideas and suggestions to support learning at home (four times per year) Support parents in transitioning children in/out and within program Connect families with community services, as needed AND Conducts an Annual Family Survey AND Family/Teacher Conference Offered twice per year AND Advisory Board An advisory board that includes families meets 4 times per year OR Compliance with Head Start Performance Standards related to Family Engagement OR NAEYC Accreditation

B. The following shall serve as the Quality Rating and Improvement System Standards for Family Child Care Homes:

1. Domain One: Health, Safety and Nutrition

DOMAIN ONE: HEALTH, SAFETY AND NUTRITION-LEARNING ENVIRONMENT Daily activities and interaction show that the program is providing a safe, healthy and stimulating environment. The program provides for indoor and outdoor space to support varied and enriching experiences for children. Daily interactions demonstrate that the educator respects, cares for and enjoys working with children. The program supports the inclusion of children with disabilities and developmental delays, responds to the cultural and linguistic diversity of the population it serves, and promotes the acceptance of diversity among families and children.	
STAR LEVEL ONE	Valid DCYF License Compliance in all critical areas of licensing. OR DCYF Licensing Compliance with an approved variance
STAR LEVEL TWO	Compliance with DCYF Licensing Regulations AND Learning Environment Approved Environment Assessment Training Approved Environment Self- Assessment, including materials, routines, and activities that promote play and learning
STAR LEVEL THREE	Compliance with DCYF Licensing Regulations AND Learning Environment FCCERS-R score of 3.0 or greater.
STAR LEVEL FOUR	Compliance with DCYF Licensing Regulations

	AND Learning Environment FCCERS-R score of 4.0 or greater.
STAR LEVEL FIVE	Compliance with DCYF Licensing Regulations AND Learning Environment FCCERS-R score of 5.0 or greater.

2. Domain Two: Enrollment and Staffing

DOMAIN TWO: ENROLLMENT AND STAFFING MINIMUM-STAFF-CHILD RATIO Program has enough staff members at all times to supervise the children and to support early learning and development. This standard reiterates what is expected of programs through compliance with DCYF Licensing for staff child ratios. *Unless federal or state law requires more stringent ratios or when determined to be appropriate considering student behavioral, health or educational needs.	
STAR LEVEL ONE	Staff Child Ratios Family Child Care Regulations require: 1:6; 2:8 and 2:12
STAR LEVEL TWO	Compliance with Staff Child Ratios AND Staff-Child Ratio Posted Minimum staff child ratio is clearly posted.
STAR LEVEL THREE	Compliance with Staff Child Ratios AND

	Staff-Child Ratio Posted Minimum staff child ratio is clearly posted.
STAR LEVEL FOUR	Compliance with Staff Child Ratios AND Staff-Child Ratio Posted Minimum staff child ratio is clearly posted.
STAR LEVEL FIVE	Compliance with Staff Child Ratios AND Staff-Child Ratio Posted Minimum staff child ratio is clearly posted.

3. Domain Three: Staff Qualifications and Ongoing Professional Development

DOMAIN THREE: STAFF QUALIFICATIONS & ONGOING PROFESSIONAL DEVELOPMENT- EDUCATOR QUALIFICATIONS The Educator has the formal education and professional preparation to work with children.	
STAR LEVEL ONE	Valid DCYF License
STAR LEVEL TWO	Professional Development Plan Educator has a written individual professional development plan aligned with the Workforce Knowledge and Competencies.
STAR LEVEL THREE	Professional Development Plan Educator has a written individual professional development plan aligned with the Workforce Knowledge and Competencies.

	AND Formal Education Educator has: CDA plus 9 college credits in ECE/related field. OR 12 college credits in ECE/related field.
STAR LEVEL FOUR	Professional Development Plan Educator has a written individual professional development plan aligned with the Workforce Knowledge and Competencies. AND Formal Education Educator has 12 college credits in ECE/related field. AND RIELDS Training The provider has a RIELDS Certificate relevant to this position.
STAR LEVEL FIVE	Professional Development Plan Educator has a written individual professional development plan aligned with the Workforce Knowledge and Competencies. AND Formal Education Educator has: An AA Degree/higher AND 24 college credits in ECE/related AND

	RIELDS Training The provider has a RIELDS Certificate relevant to this position.

4. Domain Four: Administration

DOMAIN FOUR: ADMINISTRATION – CONTINUOUS QUALITY IMPROVEMENT The program conducts a comprehensive self-assessment, at least once a year, to assess compliance with regulations and standards and to determine its effectiveness in meeting the needs of the children and families it serves. The program then uses this information to create program goals to continually improve quality and documents progress towards achieving these goals.	
STAR LEVEL ONE	Valid DCYF License AND Quality Improvement Plan The program develops and implements an annual quality improvement plan that includes all BrightStars domains.
STAR LEVEL TWO	Program Self- Assessment The program administers a comprehensive self-assessment which includes at least two sources of evidence such as: monitoring reports, child assessment information, family survey, professional development plan AND Approved Environmental Self- Assessment AND Quality Improvement Plan The program develops and implements an annual quality improvement plan that includes all BrightStars domains and is informed by the multiple sources of evidence used in the program self-

	assessment.
STAR LEVEL THREE	Program Self- Assessment The program administers a comprehensive self-assessment which includes at least two sources of evidence such as: monitoring reports, child assessment information, family survey, professional development plan AND FCCERS-R Observation AND Quality Improvement Plan The program develops and implements an annual quality improvement plan that includes all BrightStars domains and is informed by the multiple sources of evidence used in the program self-assessment.
STAR LEVEL FOUR	Program Self- Assessment The program administers a comprehensive self-assessment which includes at least 3 sources of evidence such as: monitoring reports, child assessment information, family survey, professional development plan AND FCCERS-R Observation AND Quality Improvement Plan The program develops and implements an annual quality improvement plan that includes all BrightStars domains and is informed by the multiple

	sources of evidence used in the program self-assessment.
STAR LEVEL FIVE	Program Self- Assessment The program administers a comprehensive self-assessment which includes at least 3 sources of evidence such as: monitoring reports, child assessment information, family survey, professional development plan AND FCCERS-R Observation Family Survey Results AND Quality Improvement Plan The program develops and implements an annual quality improvement plan that includes all BrightStars domains and is informed by the multiple sources of evidence. used in the program self-assessment.

5. Domain Five: Early Learning and Development

a. Curriculum

DOMAIN FIVE: EARLY LEARNING DEVELOPMENT CURRICULUM The program uses a curriculum or curriculum framework, aligned to the Rhode Island Early Learning and Development Standards, for all age groups served, including infants and toddlers. Educators have positive emotional connections with children and respond appropriately to individual children's early learning and development needs. Program schedules and routines maximize time spent in early learning and development activities. The program provides many opportunities for children to learn and practice skills in all domains of the Rhode Island Early Learning and Development Standards.	
STAR LEVEL ONE	Valid DCYF License

STAR LEVEL TWO	Written Curriculum Compliance with DCYF Licensing Regulations AND Learning Environment (Measured in Domain 1) Approved Environmental Assessment Training Approved Environmental Self- Assessment, including materials, routines, and activities that promote play and learning
STAR LEVEL THREE	Written Curriculum Curriculum aligned with the RI Early Learning and Development Standards AND Learning Environment (Measured in Domain 1) FCCERS-R score of 3.0 or greater.
STAR LEVEL FOUR	Written Curriculum Curriculum aligned with the RI Early Learning and Development Standards AND Learning Environment (Measured in Domain 1) FCCERS-R score of 4.0 or greater AND Rhode Island Early Learning and Development Training (Measured in Domain 3) The educator has a RI Early Learning and Development Standards Certificate relevant to this position.
STAR LEVEL	Written Curriculum

FIVE	Curriculum and curriculum framework aligned with the RI Early Learning and Development Standards AND Learning Environment (Measured in Domain 1) FCCERS-R score of 5.0 or greater AND Rhode Island Early Learning and Development Training (Measured in Domain 3) The educator has a RI Early Learning and Development Standards Certificate relevant to this position.

b. Child Assessment

DOMAIN FIVE: EARLY LEARNING AND DEVELOPMENT – CHILD ASSESSMENT The program connects families to developmental screenings for their children, and systematically and routinely gathers information about each child in order to meet the individual needs of children and provide differentiated learning experiences.	
STAR LEVEL ONE	Valid DCYF License
STAR LEVEL TWO	Developmental Screening Info The program provides written information to families about developmental screenings available through health care settings and/or Child Outreach.
STAR LEVEL THREE	Developmental Screening Info The program provides written information to families about developmental screenings available through health care settings and/or Child Outreach.
STAR LEVEL FOUR	Developmental Screening Info The program provides written information to families about developmental screenings available through

	health care settings and/or Child Outreach. AND Child Assessment The program gathers information about each child using 2 or more methods (e.g. child observation, checklists, family surveys/interviews,) to inform instruction.
STAR LEVEL FIVE	Developmental Screening Info The program provides written information to families about developmental screenings through health care settings. AND Collaborates with Child Outreach to provide on-site developmental screenings or provides parents with specific dates and locations. AND Child Assessment The program gathers information about each child using 3 or more methods (e.g. child observation, checklists, family surveys/interviews,) to inform instruction. AND The program uses valid and reliable assessment tools to inform curriculum planning.

c. Inclusive Classroom Practices

DOMAIN FIVE: EARLY LEARNING AND DEVELOPMENT – INCLUSIVE CLASSROOM PRACTICES The program supports the inclusion of children with disabilities and developmental delays.

STAR LEVEL ONE	Valid DCYF License
STAR LEVEL TWO	Compliance with DCYF Licensing Regulations AND Program provides written information to families about Early Intervention and/or Preschool Special Education Services.
STAR LEVEL THREE	Written Program Philosophy The program welcomes children and families of all abilities, modifies the program, makes reasonable accommodations, and collaborates with key partners to support children with developmental delays and disabilities in inclusive/integrated classroom settings. AND Program provides written information to families about Early Intervention and/or Preschool Special Education Services.
STAR LEVEL FOUR	Written Program Philosophy The program welcomes children and families of all abilities, modifies the program, makes reasonable accommodations, and collaborates with key partners to support children with developmental delays and disabilities in inclusive/integrated classroom settings. AND Program provides written information to families about Early Intervention and/or Preschool Special Education Services.
STAR LEVEL FIVE	Written Program Philosophy

	The program welcomes children and families of all abilities, modifies the program, makes reasonable accommodations, and collaborates with key partners to support children with developmental delays and disabilities in inclusive/integrated classroom settings. AND Program provides written information to families about Early Intervention and/or Preschool Special Education Services. AND Educator Release/Support Time Educators are available to collaborate with IEP/IFSP teams by attending meetings, participating in relevant training, and/or sharing information (e.g., child assessment results) to support children with developmental delays or disabilities and their families.

6. Domain Six: Family Engagement

DOMAIN SIX: FAMILY ENGAGEMENT – FAMILY COMMUNICATION AND INVOLVEMENT The program communicates regularly with families by engaging in two-way communication with families, offering ongoing opportunities for family involvement, and working to build partnerships with families.	
STAR LEVEL ONE	Valid DCYF License
STAR LEVEL TWO	Family Communication Program offers two or more of the following: Monthly newsletter Family meeting, social event, or workshop (four times per year) Ideas and suggestions to support learning at home (four times per year)

	Annual family survey Support parents in transitioning children in/out and within program
STAR LEVEL THREE	Family Communication Program offers two or more of the following: Monthly newsletter Family meeting, social event, or workshop (four times per year) Ideas and suggestions to support learning at home (four times per year) Annual family survey Support parents in transitioning children in/out and within of program AND Family Conference Offered twice per year
STAR LEVEL FOUR	Family Communication Program offers two or more of the following: Monthly newsletter Family meeting, social event, or workshop (four times per year) Ideas and suggestions to support learning at home (four times per year) Support parents in transitioning children in/out and within of program AND Conducts an Annual Family Survey AND Family Conference Offered twice per year

STAR LEVEL FIVE	Family Communication Program offers three or more of the following: Monthly newsletter Family meeting, social event, or workshop (four times per year) Ideas and suggestions to support learning at home (four times per year) Support parents in transitioning children in/out and within of program AND Conducts an Annual Family Survey AND Family Conference Offered twice per year

C. The following shall service as the Quality Rating and Improvement System Standards for School Age Programs:

1. Domain One: Health, Safety and Nutrition

DOMAIN ONE: HEALTH, SAFETY AND NUTRITION Daily activities and interaction show that the program is providing a safe, healthy and stimulating environment. The program provides for indoor and outdoor space to support varied and enriching experiences for children. Daily interactions demonstrate that staff respect, care for and enjoy working with children. The program supports the inclusion of children with disabilities and developmental delays, responds to the cultural and linguistic diversity of the population it serves, and promotes the acceptance of diversity among staff, families and children.	
STAR LEVEL ONE	Valid DCYF License
STAR LEVEL TWO	Compliance with DCYF Licensing Regulations AND

	Learning Environment Comprehensive self-assessment
STAR LEVEL THREE	Compliance with DCYF Licensing Regulations AND Learning Environment Average SACERS score/s of 3.0 or greater, with no observed group SACERS score less than 2.5 OR COA After School Recognition
STAR LEVEL FOUR	Compliance with DCYF Licensing Regulations AND Learning Environment Average SACERS score/s of 4.0 or greater, with no observed group SACERS score less than 3.0 OR COA After School Recognition
STAR LEVEL FIVE	Compliance with DCYF Licensing Regulations AND Learning Environment Average SACERS score/s of 5.0 or greater, with no observed group SACERS score less than 3.0 OR COA After School Recognition

2. Domain Two: Enrollment and Staffing

    a. Staff-Child Ratio

DOMAIN TWO: ENROLLMENT AND STAFFING MINIMUM – STAFF-CHILD RATIO The program has enough staff members at all times to supervise the children and to support learning and development. This standard reiterates what is expected of programs through compliance with DCYF licensing. *Unless federal or state law requires more stringent ratios or when determined to be appropriate considering student behavioral, health or educational needs.	
STAR LEVEL ONE	Compliance with Staff-child ratios AND School-age program licensing requires a staff-child ratio of one adult to thirteen children be maintained.
STAR LEVEL TWO	Compliance with Staff-child ratios AND Staff-Child Ratio Posted Minimum staff-child ratio is clearly communicated to parents/families.
STAR LEVEL THREE	Compliance with Staff-child ratios AND Staff-Child Ratio Posted Minimum staff-child ratio is clearly communicated to parents/families.
STAR LEVEL FOUR	Compliance with Staff-child ratios AND Staff-child ratio of 1:12 if the program serves any Kindergarteners. AND Staff-Child Ratio Posted

	Minimum staff-child ratio is clearly communicated to parents/families.
STAR LEVEL FIVE	Compliance with Staff-child ratios AND Staff-child ratio of 1:12 if the program serves any Kindergarteners. AND Staff-Child Ratio Posted Minimum staff-child ratio is clearly communicated to parents/families.

b. Maximum Group Size

DOMAIN TWO: ENROLLMENT AND STAFFING – MAXIMUM GROUP SIZE Maximum group size is determined by the number of children who occupy a defined space while engaged in a specific activity. Programs plan for and provide appropriate group sizes for children according to the type, complexity, and difficulty of activities as well as the ages, abilities, developmental levels, and needs of the children. *Unless federal or state law requires more stringent group size or when determined to be appropriate considering student behavioral, health or educational needs.	
STAR LEVEL ONE	N/A
STAR LEVEL TWO	Maximum Group Size 26 children
STAR LEVEL THREE	Maximum Group Size 26 children AND No more than 52 children in a room

STAR LEVEL FOUR	Maximum Group Size 26 children OR 24 if the program serves any Kindergarteners AND No more than 52 children in a room OR No more than 48 if the program serves any Kindergarteners
STAR LEVEL FIVE	Maximum Group Size 26 children OR 24 if the program serves any Kindergarteners AND No more than 26 children in a room OR No more than 24 if the program serves any Kindergarteners

3. Domain Three: Staff Qualifications & Ongoing Professional Development

a. Lead Staff Qualifications

DOMAIN THREE: STAFF QUALIFICATIONS & ONGOING PROFESSIONAL DEVELOPMENT – LEAD STAFF QUALIFICATIONS Lead Staff have primary responsibility for children in the program. Lead Staff should have the formal education and professional preparation to work with school-age children.

STAR LEVEL ONE	Valid DCYF License
STAR LEVEL TWO	Professional Development Plans All lead staff have an individual professional development plan.
STAR LEVEL THREE	Professional Development Plans All lead staff have an individual professional development plan. AND Formal Education All lead staff have 12 college credits in any field.
STAR LEVEL FOUR	Professional Development Plans All lead staff have an individual professional development plan. AND Formal Education All lead staff have 24 college credits in any field.
STAR LEVEL FIVE	Professional Development Plans All lead staff have an individual professional development plan. AND Formal Education All lead staff have an Associate's Degree or higher or 60 college credits in any field.

b. Program Administrator

DOMAIN THREE: STAFF QUALIFICATIONS & ONGOING PROFESSIONAL DEVELOPMENT

The Program Administrator is responsible for overall operations and compliance with DCYF licensing regulations and has the formal education and professional preparation to manage the program and act as the pedagogical leader.	
STAR LEVEL ONE	Valid DCYF License
STAR LEVEL TWO	Compliance with DCYF Licensing Regulations
STAR LEVEL THREE	Formal Education Administrator has a Bachelor's Degree or higher and 18 college credits in Child/Youth Development or a related field.
STAR LEVEL FOUR	Formal Education Administrator has a Bachelor's Degree or higher and 18 college credits in Child/Youth Development or a related field.
STAR LEVEL FIVE	Formal Education Administrator has a Bachelor's Degree or higher and 18 college credits in Child/Youth Development or a related field.

4. Domain Four

DOMAIN FOUR: ADMINISTRATION CONTINUOUS QUALITY IMPROVEMENT The program conducts a comprehensive self-assessment, at least once a year, to assess compliance with regulations and standards and to determine its effectiveness in meeting the needs of the children and families it serves. The program then uses this information to create program goals to continually improve quality and documents progress towards achieving these goals.	
STAR LEVEL ONE	Valid DCYF License AND Quality Improvement Plan The program develops and implements an annual quality improvement plan that includes all BrightStars

	domains.
STAR LEVEL TWO	Program Self- Assessment Comprehensive program self- assessment using the RIPQA- Younger Youth Version AND Quality Improvement Plan The program develops and implements an annual quality improvement plan that includes all BrightStars domains.
STAR LEVEL THREE	Program Self- Assessment Comprehensive program self- assessment using the RIPQA- Younger Youth Version AND Quality Improvement Plan The program develops and implements an annual quality improvement plan that includes all BrightStars domains.
STAR LEVEL FOUR	Program Self- Assessment Comprehensive program self- assessment using the RIPQA- Younger Youth Version AND Quality Improvement Plan The program develops and implements an annual quality improvement plan that includes all BrightStars domains.
STAR LEVEL FIVE	Program Self- Assessment Comprehensive program self- assessment using the RIPQA- Younger Youth Version

	AND Quality Improvement Plan The program develops and implements an annual quality improvement plan that includes all BrightStars domains.

5. Domain Five: Early Learning and Development

a. Curriculum

DOMAIN FIVE: LEARNING AND DEVELOPMENT CURRICULUM The program uses a curriculum or curriculum framework. Staff have positive emotional connections with children and respond appropriately to individual children's learning and development needs. Program schedules and routines maximize time spent in learning and development activities. The program provides many opportunities for children to learn and practice skills across a broad range of developmental areas, including social, emotional, physical, cognitive, and language.	
STAR LEVEL ONE	Valid DCYF License
STAR LEVEL TWO	Program Self- Assessment Comprehensive self-assessment
STAR LEVEL THREE	Program Self- Assessment Comprehensive self-assessment
STAR LEVEL FOUR	Written Curriculum The program plan or curriculum includes weekly opportunities for each of the following: active physical activity creative expression academic support
STAR LEVEL FIVE	Written Curriculum The program plan or curriculum includes two or more different opportunities weekly for each of the following:

	active physical activity creative expression academic support

b. Child Assessment

DOMAIN FIVE: EARLY LEARNING AND DEVELOPMENT – CHILD ASSESSMENT The program systematically and routines gathers information about each child in order to meet the individuals needs of children and provide differentiated learning experiences.	
STAR LEVEL ONE	N/A
STAR LEVEL TWO	N/A
STAR LEVEL THREE	N/A
STAR LEVEL FOUR	Child Assessment The program gathers information about each child through at least one of the following: observations, checklists, interest inventories, family/child surveys or interviews, school performance information, or other assessment tools
STAR LEVEL FIVE	Child Assessment The program gathers information about each child through at least two of the following: observations, checklists, interest inventories, family/child surveys or interviews, school performance information, or other assessment tools.

6. Domain Six: Family Engagement

DOMAIN SIX: FAMILY ENGAGEMENT – FAMILY COMMUNICATION AND INVOLVEMENT The program communicates regularly with families by engaging in two-way

communication with families, offering ongoing opportunities for family involvement, and working to build partnerships with families.	
STAR LEVEL ONE	Valid DCYF License
STAR LEVEL TWO	Family Communication Program offers one of the following: Monthly newsletter Family meeting, social event, or workshop (four times per year) Ideas and suggestions to support learning at home (four times per year) Annual family survey Parent-staff conferences (twice per year) An advisory board that includes families meets four times per year
STAR LEVEL THREE	Family Communication Program offers one of the following: Monthly newsletter Family meeting, social event, or workshop (four times per year) Ideas and suggestions to support learning at home (four times per year) Annual family survey Parent-staff conferences (twice per year) An advisory board that includes families meets four times per year
STAR LEVEL FOUR	Family Communication Program offers one of the following:

	Monthly newsletter Family meeting, social event, or workshop (four times per year) Ideas and suggestions to support learning at home (four times per year) Annual family survey Parent-staff conferences (twice per year) An advisory board that includes families meets four times per year
STAR LEVEL FIVE	Family Communication Program offers one of the following: Monthly newsletter Family meeting, social event, or workshop (four times per year) Ideas and suggestions to support learning at home (four times per year) Annual family survey Parent-staff conferences (twice per year) An advisory board that includes families meets four times per year

4.13 CCAP Maximum Weekly Reimbursement Rates

A. Weekly reimbursement is paid according to the provider type, enrolled hours and age of the child receiving care. A copy of the CCAP Established Schedule of Weekly Rates may be viewed at www.dhs.ri.gov.

B. The categories for time authorized and enrolled and for the Child's Age are as follows:

~~A. The following tables display the CCAP maximum weekly reimbursement rates:~~

1. Licensed Family Child Care Homes

Licensed Family Child Care Homes				
Time Authorized & Enrolled Child's Age Category	Full Time	Three Quarter Time	Half Time	Quarter Time
Infant/Toddler	$169.95	$127.46	$84.98	$42.49
Preschool	$154.50	$115.88	$77.25	$38.63
School Age	$146.26	$109.70	$73.13	$36.57

2. Licensed Child Care Centers

Licensed Child Care Centers				
Time Authorized & Enrolled Child's Age Category	Full Time	Three Quarter Time	Half Time	Quarter Time
Infant/Toddler	$193.64	$145.23	$96.82	$48.41
Preschool	$161.71	$121.28	$80.86	$40.43
School Age	$146.26	$109.70	$73.13	$36.57

3. Legally License-Exempt Providers

Legally License-Exempt Providers Caring for Children in the Provider's Home				
Time Authorized & Enrolled	Full Time	Three Quarter Time	Half Time	Quarter Time

~~Child's Age Category~~				
~~Infant/Toddler~~	~~$93.73~~	~~$70.30~~	~~$46.87~~	~~$23.43~~
~~Preschool~~	~~$55.62~~	~~$41.72~~	~~$27.81~~	~~$13.91~~
~~School Age~~	~~$54.59~~	~~$40.94~~	~~$27.30~~	~~$13.65~~
~~Legally License-Exempt Providers~~ ~~Caring for Children in the Child's Home~~				
~~Time Authorized & Enrolled~~ ~~Child's Age Category~~	~~Full Time~~	~~Three Quarter Time~~	~~Half Time~~	~~Quarter Time~~
~~Infant/Toddler~~	~~$87.00~~	~~$65.25~~	~~$43.50~~	~~$21.75~~
~~Preschool~~	~~$51.50~~	~~$38.63~~	~~$25.75~~	~~$12.88~~
~~School Age~~	~~$50.47~~	~~$37.85~~	~~$25.24~~	~~$12.62~~

~~B~~1. Time Authorized and Enrolled:

~~1~~a. Full time: 30 hours or more per week

~~2~~b. Three Quarter Time: 20-29 hours per week

~~3~~c. Half time: 10-19 hours per week

~~4~~d. Quarter Time: 0-9 hours per week

~~C~~2. Child's Age Category:

~~1~~a. Infant/Toddler: 1 week up to 3 years of age

~~2~~b. Preschool: 3 years up to 1st grade entry (this includes ALL Kindergarten children)

~~3~~c. School Age: 1st grade up to 13 years of age.