

DEPARTMENT OF HEALTH AND SOCIAL SERVICES

DIVISION OF SOCIAL SERVICES

Statutory Authority: 31 Delaware Code, Section 512 (31 Del.C. §512)

PROPOSED

PUBLIC NOTICE

Child Care Subsidy Program; Providing Child Care for Food Benefit Volunteers

In compliance with the State's Administrative Procedures Act (APA - Title 29, Chapter 101 of the **Delaware Code**) and under the authority of Title 31 of the **Delaware Code**, Chapter 5, Section 512, Delaware Health and Social Services (DHSS) / Division of Social Services is proposing to amend policies in the Division of Social Services Manual (DSSM) regarding the Child Care Subsidy Program, specifically, Providing Child Care for Food Benefit Volunteers.

Any person who wishes to make written suggestions, compilations of data, testimony, briefs or other written materials concerning the proposed new regulations must submit same to Sharon L. Summers, Policy, Program & Development Unit, Division of Social Services, 1901 North DuPont Highway, P.O. Box 906, New Castle, Delaware 19720-0906 or by fax to (302) 255-4425 by January 31, 2013.

The action concerning the determination of whether to adopt the proposed regulation will be based upon the results of Department and Division staff analysis and the consideration of the comments and written materials filed by other interested persons.

SUMMARY OF PROPOSAL

The proposal described below amends policies in the Division of Social Services Manual (DSSM) regarding the Child Care Subsidy Program, specifically, Providing Child Care for Food Benefit Volunteers.

Statutory Authority

45 CFR §98.44, Priority for child care services

Background

Effective October 1, 1996, Congress enacted the Child Care Development Fund (CCDF) which consolidated funding for child care for low-income working families and families reentering the workforce. The Child Care Subsidy Program provides support for families with young children to enable the caretaker to hold a job, obtain training or meet special needs of the child. Child care may also be provided in child abuse cases to help protect the child.

Summary of Proposed Changes

DSSM 11003.3, The intent of the proposed amendment is to consolidate, reformat and clarify language to make the rules easier to understand and follow.

Additionally, the name of the section is changed to more accurately reflect the content of the policy.

The applicable federal citation is also added to the policy section.

DSS PROPOSED REGULATION #12-59

REVISION:

11003.3 Parent/Caretaker on Food Stamps Providing Child Care for Food Benefit Volunteers

45 CFR 98.44

~~A. DSS provides child care for a dependent child when a parent/caretaker receives Food Stamps and the parent/caretaker needs to:~~

- ~~1. participate in Food Stamp Employment and Training activities, or~~
- ~~2. volunteer to participate in Employment and Training activities (both are Category 21).~~

~~B. Persons can volunteer to participate in E&T Food Stamps activities only as long as the activity for which they volunteer is a component activity of E&T Food Stamps. Acceptable E&T Food Stamps component activities are:~~

- ~~1. Independent Job Search,~~
- ~~2. One Stop Delivery System,~~
- ~~3. Adult Education, and Training,~~
- ~~4. Workfare Program (ABAWD only),~~
- ~~5. Post Secondary Education (first degree only), and~~

6. Refugee and Asylee Services.

Mandatory participants who fail to participate receive a sanction. Persons who receive a sanction lose their child care while the sanction remains in effect.

This policy applies to parents/caretakers who volunteer for Food Benefit Employment and Training and receive child care assistance.

1. DSS provides child care for parents/caretakers who volunteer to participate in the Food Benefit Employment and Training Program.

2. Clients may only participate in DSS approved Food Benefit Employment and Training components.

3. Food Benefit Employment and Training components are:

A. Independent Job Search

B. Job Search Training

C. Adult Education and Training

D. Workfare (ABAWD only)

E. Post Secondary Education (first degree only)

F. Refugee and Asylee Services

The DSS Worker will close the child care case of recipients of who stop volunteering with the E&T vendor or are disenrolled due to unsatisfactory participation in the program

Exception: The Worker will not close the case if the recipient has another need for child care that will allow the benefit to remain open.

Refer to DSSM 10000 for further discussion of Food Benefit Employment & Training (FB E&T). Refer to DSSM 10000 for further discussion of Food Benefit Employment & Training (FB E&T).

9 DE Reg. 572 (10/01/05)

~~11003.3.1 Food Stamp Guarantee~~

~~To the extent that child care is necessary for an eligible Food Stamp recipient to participate in Food Stamp Employment & Training—Food Stamps, DSS guarantees the recipient's child care. Note, however, that parent/caretakers responsible for a child under the age of six are exempt from participation in E&T—Food Stamps activities unless they choose to volunteer. DSS considers parent/caretakers receiving Food Stamp Employment & Training—Food Stamps Child Care a priority, and will typically provide service when DSS has a waiting list. Again, because DSS provides E&T—Food Stamps Child Care as an entitlement, recipients are to receive timely and adequate notice requirements before any termination or reduction in benefits.~~

~~Refer to DSSM 9200, 9201, 9202, and 9203 for further discussion of Food Stamp Employment & Training—Food Stamps.~~

16 DE Reg. 717 (01/01/13) (Prop.)