

Current Policy

Title 28 EDUCATION

Part CLXV. Bulletin 139--Louisiana Child Care and Development Fund Programs

Chapter 1. Child Care Assistance Program

§103. Definitions

Automated Child Care Time and Attendance—an electronic system that provides accurate and timely capturing, tracking, and reporting of time and attendance data. This system may utilize an adult's finger image or IVR interactive voice response (IVR) as a mechanism for capturing this data.

BESE—Board of Elementary and Secondary Education.

BESE Bulletin 136—The Louisiana Standards for Early Childhood Care and Education Programs Serving Children Birth-Five Years.

BESE Bulletin 137—Louisiana Early Learning Center Licensing Regulations.

Bureau—Louisiana Bureau of Criminal Identification and Information.

Caregiver—any person legally obligated to provide or secure care for a child, including a parent, legal custodian, foster home parent, or other person providing a residence for the child.

CBC—criminal background check.

CCAP—Child Care Assistance Program.

CCAP Household—a household certified by the department as eligible for participation in CCAP.

CCAP Provider—a child care provider certified by the Department of Education as eligible to receive CCAP payments.

Certification—verification by the department of eligibility to participate in CCAP and receive CCAP payments.

Certified—eligible to participate in CCAP.

Child—a person who has not yet reached the age 13, or a person with special needs who has not yet reached age 18. The words "child" and "children" are interchangeable in this Bulletin.

Child and Adult Care Food Program—federal nutrition reimbursement program as funded by the U.S. Department of Agriculture through the Department of Education.

Child Care and Development Fund (CCDF)—federal program whose purpose is to increase the availability, affordability and quality of child care for eligible families.

Child Care Assistance Program (CCAP)—program funded through the CCDF that makes payments to eligible child care providers for child care services provided to eligible families.

Child Care Center—any place or center operated by any institution, political subdivision, society, agency, corporation, person or persons, or any other group for the purpose of providing care, supervision, and guidance of seven or more children, not including those related to the caregiver, unaccompanied by parent or legal custodian, on a regular basis for at least 12 1/2 hours in a continuous seven-day week.

Child Care Provider—an early learning center, family child care provider, in home child care provider, military child care center or school child care center.

Child Care Resource and Referral (CCR and R)—a state or local organization with whom the department has contracted to provide services to families, early childhood professionals, and communities statewide.

Criminal Background Check (CBC)—a certified copy of a person's criminal history information record obtained from the Louisiana Bureau of Criminal Identification and Information.

DCFS—Louisiana Department of Children and Family Services.

Department—Louisiana Department of Education.

Early Learning Center—any child day care center, Early Head Start center, Head Start center, or stand-alone prekindergarten program that is not attached to a school.

1. *Type I Early Learning Center*—an early learning center that is owned or operated by a church or religious organization that is qualified as a tax exempt organization under §501(c) of the *Internal Revenue Code* and that receives no state or federal funds directly or indirectly from any source.

2. *Type II Early Learning Center*—an early learning center that either receives no state or federal funds directly or indirectly from any source or whose only source of state or federal funds is from U.S. Department of Agriculture's food and nutrition programs.

3. *Type III Early Learning Center*—an early learning center that directly or indirectly receives state or federal funds from any source other than the federal food and nutrition programs.

Family Child Care Provider—one individual who provides child care services for fewer than 24 hours per day per child, as the sole caregiver, for six or fewer children, in a private residence.

Family Independence Temporary Assistance Program (FITAP)—program administered by the Department of Children and Family Services (DCFS) that provides cash assistance to families with dependent children.

Finger Imaging—the measurement of physical characteristics of an adult's finger for use in personal identification.

FITAP—Family Independence Temporary Assistance Program.

Full-Time Care—child care calculated to be 30 or more hours per week that is paid in units of days or half days with a maximum of 22 days per month.

Head of Household—an individual with whom the child customarily resides more than half the time. The head of household is either the child’s parent or an adult household member with primary responsibility for the child’s financial support and care, if the parent is not living in the home or is living in the home but is under age 18 and not emancipated by law, or is disabled and is unable to care for himself and his child(ren).

Helping Individuals Reach Employment (HiRE)—system through which job seekers may file for unemployment and search for jobs that match their experience and interest.

Homeless—lacking a fixed, regular, and adequate nighttime residence. The term “homeless” shall encompass children and youths experiencing the particular conditions and situations provided for in subtitle B of title VII of the McKinney-Vento Education for Homeless Children and Youth Act, 42 U.S.C. 11434a(2).

Household—a group of individuals living together that consists of a head of household, that person’s legal spouse or non-legal spouse, disabled adult parents who are unable to care for themselves or their child(ren) who are in need of child care, and all children under the age of 18 who are dependent on the head of household or spouse, including the minor unmarried parents (MUPs) who are not legally emancipated, and children of MUPs

Household Designee (HD)—an adult who is designated in writing by the CCAP head of household, other responsible household member, or authorized representative to drop-off and pick-up the child or children from a CCAP provider. In the case of an in-home provider, a household designee is the person to whom the provider may release the child or children when the provider leaves the home.

Ineligibility Period for Providers—period of time following the termination of a CCAP provider’s certification during which the provider is ineligible for certification.

In-Home Child Care Provider—an individual who provides child care services in the child or children’s own home.

Intentional Program Violation (IPV)—any act by a CCAP household member that consists of intentionally making a false or misleading statement, or misrepresenting, concealing, or withholding relevant facts.

IPV—intentional program violation.

Licensing Division—Department of Education, Licensing Division.

Louisiana Bureau of Criminal Identification and Information (Bureau)—bureau within the Office of State Police that maintains a central repository of criminal history record information in Louisiana.

Louisiana Pathways Early Learning Center Career Development System (LA Pathways)—the state practitioner registry maintained by the department or its contractor. LA pathways registers early learning center directors and staff according to requirements based on training and education, experience, and professional activities, as approved by the department. Categories are established for early learning center staff, early learning center assistant teacher, early learning center teacher, early learning center assistant director and early learning center director.

Military Child Care Center—child care centers licensed by the U.S. Department of Defense.

MUP—minor unmarried parent.

Notice—written notice is considered given:

1. when it is sent by email or fax to the last email address or fax number furnished to the department;
2. when it is hand-delivered; or
3. on the fifth calendar day after it was mailed to the last mailing address furnished to the department.

Parent—includes parent, legal custodian or other person standing in loco parentis.

Part-Time Care—authorized child care calculated to be less than 30 hours per week, paid in units of hours (total per day may not exceed daily rate) up to a maximum of 129 hours per month.

Pathways—Louisiana early learning center career development system (LA pathways).

Quality Start Child Care Rating System—system designed to assess the level of quality of early care and education programs serving birth through age five, communicate the level of quality, and support improvements of type III early learning centers.

Relative or Related—the child, grandchild, niece, or nephew of the family child care provider.

School Child Care Center—any prekindergarten, or before and after school programs, or summer programs operated by a public school or a BESE-approved nonpublic school.

Seeking Employment—register for work with Louisiana Workforce Commission (LWC) by creating a helping individuals reach employment (HiRE) account and by maintaining an active work registration within their HiRE account.

SNAP—see Supplemental Nutrition Assistance Program.

Special Needs Child Care—child care for a child through age 17 who because of a mental, physical, or emotional disability, requires specialized facilities, lower staff ratio or specially trained staff to meet his or her developmental and physical needs. Incentive payments up to 25 percent higher than the regular rates can be allowed for a special needs child if the provider is actually providing the specialized care.

STEP—Strategies to Empower People Program.

Strategies to Empower People Program (STEP)—program administered by DCFS to provide opportunities for work eligible families of FITAP to receive job training, employment, and supportive services.

Supplemental Nutrition Assistance Program (SNAP)—federal program administered by DCFS that provides monthly benefits to that help eligible low income households buy food needed for good health.

TEMP—training or employment mandatory participant.

Training or Employment Mandatory Participant (TEMP)—a household member who is required to meet criteria described in §505.B.4 which includes the head of household, the head of household's legal spouse or non-legal spouse, the MUP age 16 or older whose child(ren) need CCAP, and the MUP under age 16 whose child(ren) live with the MUP and the MUP's disabled parent/guardian who is unable to care for the MUP's child(ren) while the MUP goes to school or work.

Transitional Living Program—any residential program or facility providing housing to homeless people, including but not limited to: emergency shelters; runaway and homeless youth residential programs or facilities; programs for parenting youth; programs for individuals who are fleeing domestic violence, dating violence, sexual assault, or stalking; transitional housing programs; and prisoner reentry programs.

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Chapter 5. CCAP Household Eligibility

§515. Payments Made on Behalf of Households

A. The state maximum daily rates for CCAP care are as follows.

Child Care Provider Type	Regular Care	Regular Care for Infants/Toddlers (under age 3)	Special Needs Care Incentive	Special Needs Care Incentive for Infants/Toddlers (under age 3)
Type III Early Learning Center	\$21.50	\$22.50	\$25.65	\$26.65
School Child Care Center	\$15.00	\$16.00	\$18.50	\$19.50
Family Child Care Provider	\$15.00	\$16.00	\$18.50	\$19.50
In-Home Provider	\$14.50	\$15.50	\$17.90	\$18.90
Military Child Care Centers	\$21.50	\$22.50	\$25.65	\$26.65

B. Categorically Eligible Households

1. Payments made to providers on behalf of categorically eligible households will be the lesser of:

- a. the provider's actual charge multiplied by authorized service days or authorized service hours; or
- b. the state maximum daily rate for CCAP care as provided in Subsection A.

2. The number of days or hours authorized for payment is based on the lesser of the following:

- a. the time the child is actually in care each week;
- b. the number of hours the head of household, the head of household's spouse or non-legal spouse, or MUP is working or attending a job training or educational program each week, plus one hour per day for travel to and from such activity; or
- c. the time the child care is actually needed and available.

C. Non-Categorically Eligible Households

1. Payment made to providers on behalf of non-categorically eligible households will be determined using a sliding fee scale based on a percentage of state median income and federal poverty levels. The sliding fee scale will be revised on an annual basis to the extent that funds are available.

2. A non-categorically eligible household shall pay a portion of its monthly child care costs in accordance with the sliding fee scale, and this portion will be referred to as a "co-payment."

3. Payments to providers on behalf of non-categorically eligible households will be a portion of the lesser of:

- a. the provider's actual charge multiplied by the number of authorized service days or authorized service hours; or
- b. the state maximum daily rate for CCAP care as provided in Subsection A.

D. Payment is made to the provider after the child care has been provided.

E. Payment may be made to more than one provider for the same child if the combined payment does not exceed the maximum allowable per child.

F. Absences

1. Payment will not be made for absences of more than five days by a child in any calendar month or for an extended closure by a provider of more than five consecutive days in any calendar month.

2. A day of closure, on a normal operating day for the provider, is counted as an absent day for the children in the provider's care.

3. If a child authorized for full-time care attends child care less than four hours in one day, the child will be counted as a half day absent and half the daily rate will be paid to the provider.

4. No absences will be authorized for part-time care.

5. In cases of federal, state, or locally declared emergency situations or other special circumstances, the department may waive these absence requirements.

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