
Care 4 Kids Program POLICY TRANSMITTAL

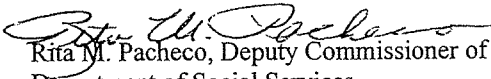


DIVISION OF FAMILY SERVICES-CHILD CARE TEAM

Transmittal Number: C4K-POL-02-08

Date: October 16, 2002

To: Lou Gettis, Program Director
Care 4 Kids

From: 
Rita M. Pacheco, Deputy Commissioner of Programs
Department of Social Services

CC: Policy Distribution List

Subject: Family Composition in Two-Parent Households

Program Issue: Care 4 Kids regulations require parents living in the same household to be included as part of the family unit. A question has been raised concerning the composition of the family when the parents have a child in common but are not married and care is requested for another child who is not in common to both parents. This transmittal provides clarification of the rules for determining family composition in households that contain parents who are not married.

Background: The term "parent" is defined broadly to include parents by blood, marriage or adoption, the current or former spouse of such individuals (stepparent), legal guardians, a person designated as the caretaker relative in the Temporary Family Assistance (TFA) program or other person who acts as the child's parent, regardless of relationship. Generally, parents living in the household are included in the family unless care is requested for a child who receives foster care payments from the Department of Children and Families.

The rules governing family composition are contained in section 17b-749-03 of the Child Care Assistance Program Regulations. They require eligibility for Care 4 Kids to be based on the circumstances of the individuals who reside together in the same household as a family. Subsection (d) of the regulation requires the following individuals to be included in the family based on their relationship to the parent(s) and the children who need care:

- (1) parent(s) of the children for whom assistance is requested;
- (2) the parent's spouse and their dependents who are under the age of eighteen; and
- (3) any individuals who receive cash assistance as part of the same Temporary Family Assistance (TFA) assistance unit.

The household in question contains two parents who are not married. The parents have one child in common. The mother has a second child living in the home. The father of the first child is not the parent of the second child. DSS was asked if the father must be included in the family, if the mother requests care only for the second child who is not in common to both parents.

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Policy Clarification: The regulations require parents of the children for whom care is requested to be included in the family unit together with their minor dependents. The language does not specifically reference parents who are not married. However, clearly it is the intent of the regulations to include all parents and children living together as one family, including the parents of any dependents who are required to be part of the family unit. In this case, the mother is included because she is the parent of the second child for whom care is requested. Her other child (the child in common) is included because that child is her minor dependent. The father of this child is included in the family because he is the other parent of a dependent who is a mandatory inclusion in the family unit.

This case also raises a question concerning the father's responsibility to provide care. When assessing the need for care, subdivision (e)(5) of Section 17b-749-04 of the regulations states that a child is not eligible for payment if the applicant's "spouse" or "the child's" other parent is available and capable of providing care. In this case, the father is neither the spouse nor the other parent of the child for whom care is requested. Therefore, he is not responsible for providing care to the child and his work or activity schedule is not considered when determining the need for care.

It should be noted that because the father is a member of the family unit, he would not be eligible to receive payments for providing care to the second child (reference 17b-749-12(a)(4)(A) of the regulations).

Attached for your information is a desk aide that was developed in January 2002 for the conversion to the new uniform child care regulations. It can be used as a guide to build the family units. To use the chart, start at the top and progress down the rows to include all individuals living in the household who meet the descriptions.

RMP:db

attachment

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