This policy manual does not include all applicable state and federal laws. All parties who wish to participate in CAPS are responsible for ensuring that they are compliant with all state and federal laws and regulations that govern this program.

Bright from the Start:
Georgia Department of Early Care and Learning (DECAL)
2 Martin Luther King Jr. Dr.
Suite 754, East Tower
Atlanta, Georgia 30334
DECAL: 1-888-442-7735
CAPS: 1-833-4GACAPS (1-833-442-2277)
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1 OVERVIEW

1.1 Department of Early Care and Learning (DECAL)

1.1.1 Description

Bright from the Start: Georgia Department of Early Care and Learning (DECAL) is responsible for meeting the child care and early education needs of Georgia’s children and their families. The department administers the nationally recognized Georgia Pre-K Program, child care learning center and family child care learning home licensing program, Georgia’s Childcare and Parent Services (CAPS) program, federal nutrition programs, and quality enhancement programs. It also houses the Head Start State Collaboration Office, distributes federal funding to enhance the quality and availability of child care, and works collaboratively with Georgia child care resource and referral agencies and organizations throughout the state to enhance early care and education. DECAL's mission and vision is located online at www.decal.ga.gov.

1.1.2 DECAL Child Care and Education Program Information

DECAL is focused on helping to meet the child care and early education needs of Georgia’s children ages birth to 18 and their families, with a strong emphasis on quality educational opportunities for children birth to five. It administers various programs and fulfills multiple responsibilities related to child care and early childhood education in Georgia. The following programs are administered by, or operate in collaboration with, DECAL:

- **Child Care Services**
  Child Care Services licenses and monitors child care providers. For additional information about Child Care Services, visit [http://www.decal.ga.gov/CCS/About.aspx](http://www.decal.ga.gov/CCS/About.aspx).

- **Georgia’s Pre-K Program**
  The Georgia Pre-K Program is a lottery-funded educational program for Georgia’s four year olds to prepare them for kindergarten. For additional information about this program, visit [http://www.decal.ga.gov/Prek/About.aspx](http://www.decal.ga.gov/Prek/About.aspx).

- **Head Start State Collaboration**
  The purpose of the Head Start State Collaboration Office is to build collaborative partnerships between federally funded Head Start programs and state-funded early childhood programs to improve the quality of services to low-income children and their families in Georgia. For more information regarding Head Start State Collaboration, visit [http://www.decal.ga.gov/HeadStart/About.aspx](http://www.decal.ga.gov/HeadStart/About.aspx). To find more information about Head Start, or a Head Start location, visit [http://www.georgiaheadstart.org](http://www.georgiaheadstart.org).

- **Instructional Supports**
  DECAL also administers and coordinates services and support to help early education programs meet high quality standards and to help early education teachers improve their credentials. This includes:

- **Nutrition Services**
  Nutrition Services administers the Child and Adult Care Food Program (CACFP) and the Summer Food Service Program (SFSP) in Georgia. These federal nutrition programs are funded by the United States Department of Agriculture (USDA) and ensure that children and adults throughout Georgia have access to nutritious meals while they are in a day care setting and during the summer when school is not in session. For more information about Nutrition Services, visit [http://www.decal.ga.gov/Nutrition/About.aspx](http://www.decal.ga.gov/Nutrition/About.aspx).

- **Quality Rated: Georgia’s Quality Rated Improvement System (QRIS)**
  Quality Rated is a systemic approach to assess, improve, and communicate the level of quality in early care and education programs. Similar to rating systems for other service-related industries, Quality Rated assigns a quality...
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rating of one, two, or three stars to child care providers that meet a set of defined program standards that go above and beyond minimum health and safety requirements. By participating in Quality Rated, early care and education providers embark on a path of continuous quality improvement. Child care providers who participate in and achieve a Quality Rated designation may be eligible for free technical assistance, teacher and director training, grants to purchase classroom supplies and educational materials, and/or higher CAPS reimbursement rates.

- Parents and families can find Quality Rated child care programs at [www.qualityrated.org](http://www.qualityrated.org).
- Child care programs may apply to participate at [https://qualityrated.decal.ga.gov/](https://qualityrated.decal.ga.gov/).

- **Summer Transition Program (STP)**
  Summer Transition Program is a six-week program during the months of June and July that offers high-quality instruction in language, literacy, and math for children from families with low incomes whose children have attended or are eligible to attend GA Pre-K and need additional supports. The program is designed to reduce the achievement gap by providing additional support and resources to targeted high needs populations. For additional information regarding STP, visit [http://www.decal.ga.gov/Prek/SummerTransitionProgram.aspx](http://www.decal.ga.gov/Prek/SummerTransitionProgram.aspx).

1.2 **Childcare and Parent Services (CAPS)**

1.2.1 **Description and Goals**
The Childcare and Parent Services (CAPS) program is Georgia’s subsidized child care program administered by DECAL. CAPS assists low-income families with the cost of child care in order to support Georgia’s school readiness goals. CAPS is available in all 159 counties within Georgia.

1.2.2 **Funding Source**
Child care services provided through the CAPS program are funded by a combination of state funds and the Child Care and Development Fund (CCDF) under the administration of the U.S. Department of Health and Human Services (HHS), the Administration for Children and Families (ACF), and the Office of Child Care (OCC). Authorized by the Child Care and Development Block Grant (CCDBG) Act and Section 418 of the Social Security Act, the CCDF assists low-income families in obtaining child care so they can work or attend training/education.

1.2.3 **Compliance with Federal Regulations**
As the lead agency, DECAL is responsible for implementing a state plan that is compliant with federal regulations associated with CCDF. The CCDF State Plan serves as the agreement between DECAL, ACF, and OCC as to how programs are administered to comply with federal regulations; as well as, technical bulletins that are issued by ACF. Unless contrary to a federal law or regulation, DECAL has sole discretion on how the CAPS program is operated and how subsidy funding is allocated in Georgia. At any time, DECAL can make adjustments to CAPS program policies, procedures and funding allocations.

- The purposes of the CCDF as defined in the CCDBG Act sec. 658A are to:
  - Allow each state maximum flexibility in developing child care providers and policies that best suit the needs of children and parents within the state;
  - Promote parental choice to empower working parents to make their own decisions regarding the child care services that best suit their family’s needs;
  - Encourage states to provide consumer education information to help parents make informed choices about child care services and to promote the involvement by parents and family members in the development of their children in child care settings;
  - Assist states in delivering high-quality, coordinated early childhood care and education services to maximize parents’ options and support parents trying to achieve independence from **public assistance**;
  - Assist states in improving the overall quality of child care services and programs by implementing the health, safety, licensing, training, and oversight standards in state law, including state regulations;
  - Improve child care and development of participating children; and
o Increase the number and percentage of low-income children in high-quality child care settings.

• CCDF offers federal funding to states, territories, Indian Tribes, and tribal organizations in order to:
  o Provide low-income families with the financial resources to find and afford quality child care for their children;
  o Enhance the quality and increase the supply of child care for all families, including those who receive no direct assistance under the CCDF;
  o Provide parents with a broad range of options in addressing their child care needs;
  o Strengthen the role of the family;
  o Improve the quality of, and coordination among, child care programs and early childhood development programs; and
  o Increase the availability of early childhood development and before- and after-school care services.

POLICY REVISION HISTORY

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2 DEFINITIONS AND ACRONYMS

2.1 Definitions

**Administrative Error** – an error made by the Agency causing incorrect payment of subsidy and/or eligibility to be determined incorrectly.

**Administrative Hearing** – a judicial proceeding conducted so as to accord a parental authority or child care provider their due process rights required by applicable law.

**Adult** – for the purposes of CAPS, any person who is 18 years of age or older or an emancipated minor. For the purposes of criminal records check processes, an adult can be 17 years of age.

**Adverse Action** – an unfavorable action taken by DECAL against a child care provider or a parental authority.

**Adverse Action Period** – the 14-day notification period CAPS gives parental authorities before an adverse action will go into effect.

**Alimony** – money paid by a spouse pending or after a legal separation or divorce.

**Appeal** – the right to request a hearing as a result of an adverse action.

**Applicant** – the parent, guardian, or person acting in loco parentis (with whom the child resides) who submits the request for CAPS child care assistance.

**Application** – the form prescribed by CAPS used to apply for child care assistance.

**Approval** – disposition of an application for a parental authority who is determined eligible for CAPS services when funding is available. This occurs after an assessment has been made on a complete application.

**Arrival and Departure Records** – a daily attendance record documenting the child's arrival and departure times signed by the parental authority or other authorized representative. Formerly referred to as sign-in / sign-out logs.

**Authorized Representative** – an individual granted written permission by the parental authority to perform specified duties, including duties related to the application process or daily pickup and drop-off. The authorized representative may not be an employee of the child care provider except in limited circumstances (e.g., the employee is a family member, friend, or neighbor of the child and routinely performs pickup and drop-off duties because of their relationship to the child).

**Before and After School Care** – child care for a school age child before and/or after customary school hours while school is in operation for the child receiving care. Before and after school care also includes children who are less than school age if receiving education through GA Lottery-funded Pre-K or Head Start.

**Biological** – parental authority who has given birth to the child or children or is related by blood affiliation to the third degree of consanguinity, such as, a parent, aunt, uncle, grandparent, great-grandparent, or older sibling.

**Boarder Income** – direct payments for food and related shelter expenses, minus the cost of doing business. A boarder rents space within the applicant’s residence. Please see definition for rental income when income is received from renting space at a location other than the applicant’s own residence.

**Calendar Day** – time from 12:00 am to 11:59 pm.

**Capital Gains** – proceeds from the sale of capital goods or equipment. Proceeds are reported as capital gains for tax purposes, including items such as real estate, securities, machinery, etc., which are held as an investment for a set period of time. A capital gain is realized when the item(s) sold has appreciated in value from the original purchase price.

**Case Record** – all documentation collected and retained for a child care provider and parental authority throughout the course of their participation in the CAPS program.
Child and Parent Services (CAPS) – Georgia’s child care subsidy assistance program.

Child Care and Development Block Grant (CCDBG) – the primary source of federal funding for child care subsidies for low-income working families.

Child Care and Development Fund (CCDF) – the funds allocated to states under the provisions of the Child Care and Development Block Grant Act, as amended. The fund consists of Discretionary Funds authorized under section 658B of the amended Act, and Mandatory and Matching Funds appropriated under section 418 of the Social Security Act.

Child Care Scholarship – a written authorization of eligibility for the CAPS program. For the purposes of the CAPS program, a child care scholarship provides authorization for eligibility to the parental authority, not eligibility for the child care provider. Scholarships can be issued (based on the family’s needs) for full time, part time, or before/after school care.

Child Care Learning Center – means any place operated by an individual or any business entity recognized under Georgia law wherein are received for pay for group care, for fewer than 24 hours per day without transfer of legal custody, seven or more children under 18 years of age and which is required to be licensed. Child Care Learning Center also includes any day care center previously licensed by the Department of Human Resources and transferred pursuant to Code Section 20-1A-1 et seq.

Child Care Resource and Referral Agency (CCR&R or R&R) – statewide network of organizations that help parents choose child care by giving them referrals to local child care providers, information on state licensing requirements, etc. CCR&Rs also offer training and technical assistance as well as quality improvements activities to child care programs. For additional information, visit www.allgakids.org.

Child Protective Services – an investigation of child abuse or neglect that yields services to protect the child and strengthen the family.

Children with Disabilities – a child that has a disability or developmental delay that impacts their learning, as measured and documented by appropriate diagnostic instruments and procedures by a licensed medical specialist. The disability or delay must be in one of the following areas: physical development, cognitive development, communication development, social or emotional development, or adaptive development. Children with disabilities may include: a child who is eligible for early intervention services under part C of the Individuals with Disabilities Education Act (20 U.S.C. 1431 et seq.); a child who is eligible for services under part B, section 619, of the Individuals with Disabilities Education Act (20 U.S.C. 1419); a child who is eligible for services under section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794); a child with a Medicaid waiver for persons with disabilities (i.e., Katie Beckett, NOW, or COMP); and a child receiving Supplemental Security Income for blindness or a disability.

Child Support – maintenance allowance paid by the noncustodial parent for the support of a child.

Claim – an overpayment established or identified by DECAL as a result of an error or violation.

Client Error – an unintentional error caused by the parental authority. These include, but are not limited to, reporting false or inaccurate information, delays in reporting changes in household circumstances or provider arrangements, or excess payments made as the result of a request to continue benefits pending an administrative hearing.

Comprehensive Records Check Determination – a satisfactory or unsatisfactory determination by the department, based upon a Federal Bureau of Investigation fingerprint check, a search of the National Crime Information Center's National Sex Offender Registry, and a search of the following registries, repositories, or databases in the state where the actual or potential employee or director resides and in each state where such individual resided during the preceding five years: criminal registry or repository, with the use of fingerprints being required in the state where the individual resides and optional in other states; state sex offender registry or repository; and state based child abuse and neglect registry and data base.

Core Standards – health and safety standards identified as having the greatest impact on risk to children in care.

Denial – disposition of an application for a parental authority determined not eligible for CAPS services or when funding is not available. This occurs after an assessment has been made on a complete application.
**Department of Early Care and Learning (DECAL)** – the state entity, or Lead Agency, designated under §§98.10 and 98.16(a) (Code of Federal Regulations) to which a CCDF grant is awarded and that is accountable for the use of the funds provided.

**Director** – the chief administrative or executive officer of the child care facility. This person is responsible for the daily on-premises supervision, operation, and maintenance of the facility.

**Dismissal** – the action taken to remove a child care provider from the CAPS program for failure to comply with DECAL policies or federal or state laws and regulations.

**Dispose** – the act of moving an application from pending status to either approved, denied, or unable to process.

**Disqualification** – a time-limited or permanent status that disallows a child care provider or parental authority from participating in CAPS for failure to comply with DECAL policies or federal or state laws and regulations.

**Dividends** – a share of profits received by a policy holder or shareholder.

**Earned Income** – income gained from paid work, such as wages, salaries, tips, net earnings from self-employment, etc.

**Electronic Signature** – occurs when the signatory affixes their signature, unique and private pin, photo, fingerprint recognition, or unique and individualized card scan to an electronic document.

**Eligibility Period** – the 12-month period for which a parental authority is authorized to receive CAPS services as long federally mandated requirements are met.

**Eligible** – disposition of an application for a parental authority who may receive CAPS services when funding is available.

**Employment** – work performed by the parental authority in exchange for pay.

**Family Assessed Fee** – the amount the family should pay to share in the cost of child care based on their income and their family unit size.

**Family Child Care Learning Home** – means a private residence operated by any person who receives therein for pay for supervision and care fewer than 24 hours per day, without transfer of legal custody, at least three but not more than six Children under 13 years of age who are not related to such persons and whose Parent(s) are not residents in the same private residence as the Provider and which is required to be licensed; provided, however, that the total number of unrelated Children cared for in such Home, for pay and not for pay, may not exceed six Children under 13 years of age at one time, except that a Provider may care for two additional children three years of age or older for two designated one hour periods daily upon approval by the Department. For the purposes of the CAPS program, the parental authority cannot reside at, or work for, the family child care learning home that receives subsidies for the parental authority’s children.

**Family Unit** – persons who are considered in the family for the purpose of determining CAPS eligibility.

**Foster Care** – children in the custody of the Department of Family and Children Services (DFCS) that have been removed from their home and are under the supervision of DFCS.

**Fraud** – a criminal act in which a child care provider, parental authority or authorized representative makes a false statement and/or withholds information willfully, knowingly, and with deceitful intent and, as a result, obtains or attempts to obtain payment or assistance for which he/she is not eligible.

**Full Time Care** – child care for three or more days within a service week.

**General Equivalency Diploma (GED)** – a program of study leading to a secondary school diploma.

**Grievance** – any complaint regarding program services, policies, or procedures offered through the Childcare and Parent Services (CAPS) program excluding those that are subject to an administrative hearing. Grievances are handled and reviewed by impartial members of CAPS leadership.
Gross Applicable Income – income that is counted toward the maximum allowable income limit.

Gross Wages/Salary – income earned from work/employment, including base pay and tips, commissions, piece rate payments, and cash bonuses prior to deductions.

Household – all persons residing in the same home.

Improper Payment – any payment received in error. This may include a payment made for an incorrect amount, a payment made on behalf of an ineligible person or a payment made for a service not rendered or improperly authorized. This includes any duplicate payments or payments for services not received.

In loco parentis – person living with the child needing CAPS services who is one of the following: a non-custodial parent; another related person who acts as a caretaker (responsible for the care) of the child; a legal guardian; an unrelated adult who is at least age twenty-one (21) and whose petition for legal guardianship of the child is pending; an unrelated adult with whom DFCS has placed a child subsequent to a court order identifying DFCS as responsible for the child’s care and supervision.

Inactive Child Care Provider – a child care provider that does not currently care for a child served by the CAPS program.

Informal Provider – family, friend, or neighbor who provides care for no more than two unrelated (or no more than six related) children for pay. Informal providers are not required to be licensed but must register with the CAPS program. Informal care can only be authorized in limited situations as detailed in CAPS Participating Providers Policy (CAPS/00-11).

Irregular Income – periodic fluctuations where earnings may not reflect an accurate projected annual income when determining eligibility based upon the previous four weeks of income.

Lead Agency – see definition of DECAL.

License-Exempt Providers – child care providers that can operate legally without a license. DECAL rules and guidelines for all exempt programs can be found at http://www.decal.ga.gov/CCS/Exemptions.aspx.

Lump-Sum Repayment – repayment option where the child care program or parental authority repays the entire amount of a claim in one payment.

Major Parent – adult who is the parent/person responsible for a Minor Parent. The major parent and the Minor Parent reside in the same household with the minor parent’s child or children.

Maximum Allowable Income Limit – the highest income threshold for CAPS eligibility.

Military Allotments – payment received by a family unit member who is a dependent or a spouse of a military staff member.

Minor – for the purposes of CAPS eligibility, an individual who has not yet reached their 18th birthday. For the purposes of criminal records check processes, an individual who has not yet reached their 17th birthday.

Minor Parent – any person 20 years of age or younger who has a child.

Net Income from Self-Employment (Farm) – gross receipts minus operating expenses for one’s own business, professional enterprise, or partnership. Gross receipts include the value of all goods purchased, rent, heat, light, power, depreciation charges, wages, and similar items. Operating expenses include cost of feed, fertilizer, seed, and other farming supplies, cash wages paid to farmhands, depreciation changes, cash, rent, interest on farm mortgages, farm building repairs, farm taxes (not state and federal income taxes), and similar expenses. The value of fuel, food, or other farm products used for family living is not included as part of net income.

Net Income from Self-Employment (Non-Farm) – gross receipts minus expenses from one’s own business, professional enterprise, or partnership. Gross receipts include the value of all goods sold and services rendered. Expenses include cost of goods purchased, rent, heat, light, power, depreciation charges, wages, and salaries paid, business taxes, (not personal income taxes), and similar costs. The value of salable merchandise consumed by the proprietors of retail stores is not included as part of net income.
Non-relative Informal Provider – child care that is provided by a caregiver who is not related to the child by blood or marriage.

Occasional Scholarship – a scholarship that allows providers to bill for periodic care needed throughout the school term for school-aged children. Examples of occasional care include teacher work days, state holidays, etc.

Office of State Administrative Hearings (OSAH) – means the executive state agency responsible for the administration of the Georgia Administrative Procedure Act. OSAH is not accountable to the management of the CAPS program or DECAL.

Offsetting – a reduction in a child care provider’s on-going payments to recoup an established overpayment.

Overpayment – an improper payment where the parental authority or child care provider receives more in services or payment(s) than they are entitled to receive.

Parental Authority – parent by blood, marriage, or adoption; a legal guardian; or other person standing in loco parentis (acting in the role of a parent or guardian). Parental authorities also include any persons recognized by Georgia law or a competent court of jurisdiction as serving in loco parentis.

Part-time Care – child care authorized for one or two days during a service week.

Premises – a building, group of buildings, and/or contiguous parcels of land under the control of a single owner who may rent out portions of the premises.

Program Violation – an intentional submission of incomplete, incorrect, or falsified documents or information in order to qualify for assistance or receive payments that an individual or child care provider is not authorized to receive.

Provider – the person, facility, or program chosen by the parent(s) to provide child care.

Provider Error – an unintentional error caused by the provider where payments are made based on incorrect and/or inaccurate information.

Public Assistance – payment in or by money, medical care, remedial care, goods, or services to or for the benefit of needy persons.

Quality Rated – Georgia’s system to assess, improve, and communicate the level of quality in early education and school-age care programs. Similar to rating systems for hotels or restaurants, Quality Rated assigns a rating of one, two, or three stars to early education and school-age care programs that go above and beyond minimum licensing standards.

Registration Fee – the fee charged by a provider for enrollment.

Regular Income – a consistent pattern of pay for six consecutive months of earnings. It can include unearned and earned income.

Regular Lottery Payments – a sum of money received as a result of purchasing a winning ticket in a game of chance paid on a consistent basis.

Reinstatement – a process that allows a child care provider who has been dismissed or disqualified from receiving subsidies through CAPS to become eligible for enrollment once again.

Relative Informal Provider – child care that is provided by a caregiver who is related to the child by blood, marriage, or adoption within the third degree of consanguinity, such as an aunt, uncle, grandparent, great-grandparent, or older sibling.

Rental Income – money received on property owned and rented to others at a location other than at the applicant’s own residence. Please see the definition of Boarder Income when space within the applicant’s own residence has been rented to a Boarder(s).
Repayment Statement – form signed by the child care provider or parental authority when a claim has been established or identified by DECAL as a result of an error or violation. The agreement documents the amount of the claim and includes the frequency, method, and time period for repayment.

Sanction – action available under federal, state, or local law, regulation, or policy that may be utilized by DECAL when a child care provider or parental authority is found to be in noncompliance with CAPS policies and rules.

School Age – children who are at least five years old by the first of September of the current school year and who are eligible to attend public school and who are no more than 12 years old (or up to age 18 years for children with disabilities). For the purposes of CAPS, children enrolled in Georgia Lottery-funded Pre-K programs are considered school age.

Serious Injury – a death or an incident requiring hospitalization or professional medical attention other than first aid of a child while in the care of the provider that was the result of a substantiated intentional or gross negligent act on behalf of the provider or staff that indicates a deficiency in the operation or management of the program. Any case of serious injury that was substantiated by DECAL will be deemed as Extreme Harm and Imminent Danger according to DECAL’s Integrated Enforcement and Compliance System.

Service Week – the time period CAPS uses for providers to identify the type of care provided. Service begins on Monday morning at 6:00 a.m. and ends the following Monday morning at 5:59 a.m.

Single Parent – parent who resides with his/her child and is legally and/or financially responsible for the child when there is no other legally and/or financially responsible person for the child residing with that eligible family.

Social Security – for the purposes of CAPS eligibility determination, these are retirement and survivor’s insurance payments from the social security administration.

Standard of Promptness (SOP) – the time period within which certain actions must be taken.

State Median Income – income distribution promulgated by the United States Department of Health and Human Services that CAPS uses to determine the program income guidelines.

State Provider Management Agent (SPMA) – the vendor that the subsidy program contracts with to manage financial reimbursements for child care providers which participate in the subsidy program. The SPMA may conduct training, engage in marketing activities and participate in special initiatives related to the subsidy program and the Department of Early Care and Learning.

State Provider Management System (SPMS) – the information technology system that the SPMA uses to manage its work, and the system that the subsidy program uses to manage data related to subsidy services.

State-approved Activity – any activity as defined by CAPS in which the parental authority must participate as an eligibility requirement.

Suspension – when a CAPS case is active but there are no active scholarships.

Temporary Assistance for Needy Families (TANF) – the monthly cash assistance program for low-income families with children under age 18 and children 18 years of age who are attending school full-time.

Temporary Change – any time-limited absence from work for an employed parental authority due to such reasons as the need to care for a family member or an illness; any interruption in work for a seasonal worker who is not working; any student holiday or break for a parental authority participating in a training or educational program; any reduction in work, training, or education hours, as long as the parent is still working or attending a training or educational program; any other time-limited cessation of work or attendance at a training or educational program that does not exceed 13 weeks; any change in age, including turning 13 years old during the eligibility period; any change in residency within the state of Georgia.

TANF Diversion – occurs when a parental authority, after receiving short term assistance, voluntarily closes their TANF case in order to not exceed the 48-month lifetime limit on TANF participation.
Transportation Records – includes transportation agreements and logs maintained in accordance with child care licensing rules for licensed providers or health and safety standards manuals for license-exempt and informal providers.

Underpayment – an improper payment where the parental authority or child care provider receives fewer services or less payment(s) than she or he is entitled to receive.

Unearned Income – income gained from sources other than employment or work, such as interest and dividends from investments, retirement income, social security, unemployment benefits, alimony, and child support.

Unemployment Compensation – money received from government unemployment insurance agencies or private companies during times of unemployment and strike benefits received from labor unions.

Unable to Process – disposition of an application when the application cannot be processed due to: (1) any duplicate application or (2) missing or incomplete information or verification documents.

Uniform Accounting System (UAS) Code – codes used to direct funds and maintain a tracking system for the various populations served in CAPS. Each UAS code is used to serve a particular population (e.g., TANF, Pre-K, Transitional Child Care (TCC), Summer Transition Program (STP), Foster Care, and low-income working families). A list of the UAS codes is included as part of the appendices.

Veteran’s Benefits – pensions or benefits paid to a retired/disabled veteran or their surviving dependents.

Wages or Salary – earnings received in exchange for work performed as an employee, including armed services pay, consideration of tips, commissions, piece rate payments, wages/salary advances, vacation pay, overtime pay, sick pay, contract employment, and cash bonuses.

Withdrawn – an application status when the parental authority rescinds their application.

Worker’s Compensation – money received from private or public insurance companies for injuries incurred at work.

2.2 Acronyms

AE Administrative Error
APRN Advanced Practice Registered Nurse
CAPS Childcare and Parent Services
CACFP Child and Adult Care Food Program
CCDBG Child Care and Development Block Grant
CCDF Child Care and Development Fund
CCS Child Care Services (Licensing)
CCR&R Child Care Resource and Referral Agency
CE Client Error
CM Case Manager
CPR Cardiopulmonary Resuscitation
CPS Child Protective Services
CRC Criminal Records Check
DECAL Department of Early Care and Learning
DFCS Division of Family and Children Services
DHS Department of Human Services
<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>EHS</td>
<td>Early Head Start</td>
</tr>
<tr>
<td>FPL</td>
<td>Federal Poverty Level</td>
</tr>
<tr>
<td>GRG</td>
<td>Grandparents Raising Grandchildren</td>
</tr>
<tr>
<td>IE</td>
<td>Inadvertent Error</td>
</tr>
<tr>
<td>INA</td>
<td>Immigration and Naturalization Act</td>
</tr>
<tr>
<td>IP</td>
<td>Improper Payment</td>
</tr>
<tr>
<td>IRS</td>
<td>Internal Revenue Service</td>
</tr>
<tr>
<td>LES</td>
<td>Military Leave Earning Statement</td>
</tr>
<tr>
<td>OIG</td>
<td>Office of Inspector General</td>
</tr>
<tr>
<td>OP</td>
<td>Overpayment</td>
</tr>
<tr>
<td>OSAH</td>
<td>Office of State Administrative Hearings</td>
</tr>
<tr>
<td>PE</td>
<td>Provider Error</td>
</tr>
<tr>
<td>Pre-K</td>
<td>Pre-Kindergarten (generally refers to Georgia lottery funded program)</td>
</tr>
<tr>
<td>PV</td>
<td>Program Violation</td>
</tr>
<tr>
<td>QRIS</td>
<td>Quality Rated Improvement System</td>
</tr>
<tr>
<td>SFSP</td>
<td>Summer Food Service Program</td>
</tr>
<tr>
<td>SIDS</td>
<td>Sudden Infant Death Syndrome</td>
</tr>
<tr>
<td>SMI</td>
<td>State’s Median Income</td>
</tr>
<tr>
<td>SPMA</td>
<td>State Provider Management Agent</td>
</tr>
<tr>
<td>SPMS</td>
<td>State Provider Management System</td>
</tr>
<tr>
<td>SSCM</td>
<td>Social Services Case Manager</td>
</tr>
<tr>
<td>SMI</td>
<td>State Median Income</td>
</tr>
<tr>
<td>SSI</td>
<td>Supplemental Security Income (Blind, Aged, Disabled)</td>
</tr>
<tr>
<td>SSN</td>
<td>Social Security Number</td>
</tr>
<tr>
<td>TANF</td>
<td>Temporary Assistance for Needy Families</td>
</tr>
<tr>
<td>TFSP</td>
<td>TANF Family Service Plan</td>
</tr>
<tr>
<td>TCC</td>
<td>Transitional Child Care</td>
</tr>
<tr>
<td>TIN</td>
<td>Taxpayer Identification Number</td>
</tr>
<tr>
<td>UAS</td>
<td>Uniform Accounting System</td>
</tr>
<tr>
<td>UP</td>
<td>Underpayment</td>
</tr>
<tr>
<td>USCIS</td>
<td>U.S. Citizenship and Immigration Services</td>
</tr>
<tr>
<td>Date</td>
<td>Description of Change</td>
</tr>
<tr>
<td>------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>03/26/2018</td>
<td>Removed definition for Graduated Phase-out and added definitions for Gross Applicable Income and Maximum Allowable Income.</td>
</tr>
<tr>
<td>07/02/2018</td>
<td>Revised definition of Minor Parent to 20 years of age or younger; revised definition for Special Needs; added definition for Temporary Change; and added new definition for Authorized Representative. Replaced all instances of the word certificate with scholarship in this section and throughout the Policy Manual. Replaced most instances of the word program with provider in this section and throughout the Policy Manual.</td>
</tr>
<tr>
<td>10/01/2018</td>
<td>Revised the title of the “Special Needs” definition to “Children with Disabilities,” in accordance with a corresponding revision to the title of that priority group and added to the definition a requirement that the disability affect the child’s learning. Added new definition for serious injury.</td>
</tr>
<tr>
<td>10/19/2018</td>
<td>Revised definition of temporary change to include any change in age and any change in residency within the state of Georgia.</td>
</tr>
<tr>
<td>02/01/2019</td>
<td>Renamed sign in/sign out logs to arrival and departure records to align with child care licensing rules; renamed informal caregiver to informal provider; added definitions for adverse action period, comprehensive records check determination, core standards, and transportation records; and revised definitions of dismissal and disqualification.</td>
</tr>
<tr>
<td>10/01/2019</td>
<td>Added definitions for electronic signature and grievance. Revised definition of adverse action period to note CAPS will provide 14 days’ notice instead of 10 days’ notice.</td>
</tr>
<tr>
<td>05/15/2020</td>
<td>Added definitions for approval, dispose, unable to process, and withdrawn.</td>
</tr>
</tbody>
</table>

Cross Reference/See Also: CAPS Application Process Policy (CAPS/00-4), CAPS Eligibility Requirements Policy (CAPS/00-6), CAPS Priority Groups Policy (CAPS/00-7), CAPS Family Fee Policy (CAPS/00-9), CAPS Case Change and Documentation Policy (CAPS/00-13), CAPS Program Integrity Policy (CAPS/00-16), CAPS Grievances Policy (CAPS/00-17), CAPS Administrative Hearings Policy (CAPS/00-18)

Note: Definitions of words or phrases in bold are located in Definitions and Acronyms. Only the first occurrence of the defined words or phrases are bolded.

3 PARENTAL AUTHORITY RIGHTS AND RESPONSIBILITIES

3.1 Purpose
The purpose of this policy is to provide the rights and responsibilities parental authorities are required to abide by in order to receive Childcare and Parent Services (CAPS) services.

3.2 Scope
This policy applies to all employees of the Department of Early Care and Learning (DECAL), all parties responsible for the administration of the CAPS program, parental authorities, and child care providers who receive subsidies administered by DECAL on behalf of parental authorities.

3.3 Parental Authority Rights

3.3.1 The parental authority has the right to apply for assistance, withdraw the application, request termination of assistance, or reapply for CAPS at any time.

3.3.2 The parental authority is authorized to receive child care services as long as funds are available, and the parental authority remains eligible and has complied with all CAPS program requirements.

3.3.3 The parental authority has the right to make decisions about the choice of child care provider that suits the needs of their family, as long as the provider is approved by DECAL and meets the requirements of the CAPS program.

3.3.4 Temporary Assistance for Needy Families (TANF) recipients have the right to be informed of the availability of exemptions from mandatory participation in employment services activities if appropriate child care is not available, affordable or cannot be accessed.

3.3.5 Parental authorities who state that they or their children have been victims of domestic violence or who state that they are at risk of further domestic violence must be informed of the available community services that assist victims of domestic violence and how to voluntarily and confidentially access such services.

3.3.6 The parental authority has the right to have access to their child during all times the child is in child care.

3.3.7 Information that is provided by the parental authority and placed in a database used by the CAPS program will remain confidential in accordance with any applicable state or federal regulations.

3.3.8 The parental authority has the right to see their case file unless this is prohibited by state or federal laws or regulations.

3.3.9 The parental authority has the right to file a grievance or appeal when the Agency imposes an adverse action that is appealable, such as a denial or case closure if the parental authority does not agree with the action taken by the agency.

3.3.9.1 Changes where adverse actions are a direct result of implementation of federal and state regulations/policies and the change affects entire populations are not appealable.

3.3.10 The parental authority has the right to request a grievance mediation and/or the right to an administrative hearing.

3.3.11 Parental authorities who speak Spanish have the right to request and receive forms and notices in Spanish and request CAPS to provide an interpreter when contacting the CAPS program. Other non-English speaking individuals or persons with limited English proficiency shall have the right to request an interpreter provided by the agency.
3.3.12 Parental authorities with vision or hearing impairments have the right to request auxiliary aids or other accommodations.

3.3.13 The parental authority has the right to be treated fairly without regard to race, color, religion, sex or sexual orientation, marital status, national origin, ancestry, age, political beliefs, or disability.

Note: An applicant or recipient who feels their rights have been violated may contact the CAPS program at 1-833-4GACAPS (1-833-442-2277) or CAPS.Complaints@decal.ga.gov.

3.3.14 The parental authority has the right to appeal to the U.S. Department of Health and Human Services Office for Civil Rights (HHS OCR) if they feel DECAL or the CAPS case manager has violated their civil rights.

3.3.15 The parental authority has the right to request suspension or closure of their CAPS case.

3.4 Parental Authority Responsibilities

3.4.1 The parental authority is responsible for providing accurate, current, and complete information to the program. Failure to provide true and accurate information may result in sanctions as prescribed in CAPS Program Integrity Policy (CAPS/00-16).

3.4.2 The parental authority is responsible for supplying all requested forms, information, and verification needed to determine eligibility and amount of benefits. If all information is not submitted within the specified time frame, this may result in the inability to determine eligibility and a disposition of Unable to Process will be issued as prescribed in CAPS Application Process Policy (CAPS/00-04).

3.4.3 The parental authority must permit DECAL to verify all information/statements on the application and during the interview.

3.4.4 The parental authority must cooperate in taking any actions necessary to establish eligibility. The parental authority must cooperate with any CAPS investigation by completing any required forms, responding to scheduled interview appointments, and by making requested records or information available. Parental authorities who do not cooperate may be determined to be ineligible for CAPS until they cooperate.

3.4.5 The parental authority is responsible for reporting changes in their circumstances to the CAPS program within ten calendar days of becoming aware of the change. Some changes, while not required to be reported, will result in an increased benefit for the family by reporting them. Changes should be reported online through Georgia Gateway or by phone, fax, email, mail, or in person.

3.4.5.1 The following is a list of changes that the parental authority is required to report within 10 calendar days of becoming aware of the change:

- Change in family income where the gross applicable income exceeds 85% State Median Income (SMI) for a minimum of four consecutive weeks
- Change in activity that is not temporary (e.g., loss of employment, graduation from school or training activity)
- Request for change in child care provider
- Any change in child care arrangements (including child care provider’s location, relationship of the provider and the child, cost, or need for care)
- There is no longer a need for CAPS services
- Family moves out of the state of Georgia
- Change in contact information (e.g., phone number, email address, mailing address)

3.4.5.2 The following is a list of changes that the parental authority may, but is not required to, report:

- Change in family income where the gross applicable income is at or below 85% SMI
- Child birth, adoption, or addition of a new child
- Marriage
- Change in state-approved activity that is temporary and the activity may resume
3.4.5.3 Failure to report required changes may result in sanctions as prescribed in CAPS Program Integrity Policy (CAPS/00-16).

3.4.6 The parental authority is responsible for reporting within 10 calendar days if their child is no longer enrolled in child care or moves out of the home.

3.4.7 The parental authority is responsible for paying any amounts above the CAPS reimbursement to the provider, if applicable.

3.4.8 The parental authority is responsible for paying the provider if child care is received during a period in which the parental authority or the provider is ineligible.

3.4.9 The parental authority is responsible for paying the provider for any child care that CAPS did not authorize.

3.4.10 The parental authority is responsible for repaying any overpayments assessed against them by the CAPS program after all appeal processes have been exhausted. Any violations of responsibility for non-payment may result in additional sanctions. Refer to the CAPS Program Integrity Policy (CAPS/00-16).

3.4.11 The parental authority or authorized representative is responsible for signing their children in and out of care each day in accordance with both CAPS and the child care provider’s policies and procedures. Failure to sign children in and out of care each day may result in the provider being assessed an overpayment as prescribed in CAPS Program Integrity Policy (CAPS/00-16).

<table>
<thead>
<tr>
<th>Date</th>
<th>Description of Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>03/26/2018</td>
<td>Clarified text in section 3.4.5 regarding which changes parental authorities are required to report.</td>
</tr>
<tr>
<td>10/19/2018</td>
<td>Removed a change in child’s citizenship status from the list of changes parental authorities are required to report.</td>
</tr>
<tr>
<td>02/01/2019</td>
<td>Added references to CAPS Program Integrity Policy and added the responsibility for parental authority or authorized representative to sign children in and out of care each day.</td>
</tr>
<tr>
<td>05/15/2020</td>
<td>Revised language related to appeals and grievances. Updated the email address for parental authorities to contact if they feel their rights have been violated.</td>
</tr>
</tbody>
</table>

Cross Reference/See Also: CAPS Eligibility Requirements Policy (CAPS/00-6), CAPS Priority Groups Policy (CAPS/00-7), CAPS Case Change and Documentation Policy (CAPS/00-13), CAPS Annual Redetermination Policy (CAPS/00-14)

Note: Definitions of words or phrases in bold are located in Definitions and Acronyms. Only the first occurrence of the defined words or phrases are bolded.

4 APPLICATION PROCESS

4.1 Purpose
In order to participate in the Childcare and Parent Services (CAPS) program, parental authorities must complete an on-line or paper application. The purpose of this policy is to establish guidelines for the application process.

4.2 Scope
This policy applies to all employees of the Department of Early Care and Learning (DECAL), all parties responsible for the administration of the CAPS program, parental authorities, and child care providers who receive subsidies administered by DECAL on behalf of parental authorities.

4.3 Filing an Application

4.3.1 Parental authorities have several options to submit an application.

4.3.1.1 Online: Parental authorities requesting assistance with child care costs may apply online through Georgia Gateway at www.Gateway.ga.gov.

4.3.1.2 Paper: A paper application for child care services (Appendix J) may be completed and submitted by mail, fax, email, or in person at the DECAL office. The parental authority can access the paper application online at www.caps.decal.ga.gov or request that a paper application be sent to them by contacting CAPS at 1-833-4GACAPS (1-833-442-2277).

4.3.2 The parental authority with whom the child resides and who is in need of child care services should sign the application. When a minor parent applies for services the minor parent should sign the CAPS application.

4.3.3 Applications must include, at a minimum, the parental authority’s full name and address, the date completed and handwritten or electronic signature.

4.3.4 For individuals requiring assistance with completing an application, the application can be submitted by the parental authority’s authorized representative.

4.3.4.1 The parental authority must submit written or electronic confirmation of their authorized representative. The authorized representative can provide assistance to complete the application and submit documentation on behalf of the parental authority, but the parental authority and the authorized representative must sign the CAPS application.

4.3.4.2 No information can be shared with the authorized representative without the parental authority’s written consent.

4.3.4.3 All employees of the Department of Early Care and Learning (DECAL), and all parties responsible for the administration of the CAPS program are prohibited from being an authorized representative.

4.3.5 A complete paper application should be submitted to the following address:

Georgia Department of Early Care and Learning
CAPS Division
2 Martin Luther King Jr. Drive SE
Suite 754, East Tower Atlanta, GA 30334

4.3.6 The official application date shall be the date the initial application was received by CAPS.
4.4 Funding Availability

4.4.1 At the discretion of DECAL and/or due to federal regulations, funding may not always be available.

  4.4.1.1 Notifications about funding availability will be posted on the CAPS website.

  4.4.1.2 When funding is not available, applicants will be alerted at the time the application is submitted.

  4.4.1.3 If a family’s application is denied for CAPS due to funding availability, the family may reapply when funding becomes available. A denial due to lack of funding is not appealable.

4.5 CAPS Interview

4.5.1 An interview must be conducted to determine eligibility. Interviews can be conducted via phone, email, or in person (if requested by the parental authority). The purpose of the interview is to ensure that all aspects of the family’s situation have been recorded and that all needed verification documents have been received.

4.5.2 Interviews may occur at any time during business hours during the 30-day application review period.

4.5.3 Failure to participate in the interview may result in the application being denied.

4.6 Verification

4.6.1 An applicant will be required to submit verification documents as prescribed in CAPS Eligibility Requirements Policy (CAPS/00-6), CAPS Priority Groups (CAPS/00-07), and CAPS Income Calculations Policy (CAPS/00-8). The applicant will be given a specific time period to submit the supporting documents and information. Verification documents may be submitted in person, by mail, or online through the state’s integrated eligibility system, www.Gateway.ga.gov.

4.7 Application Status and Dispositions

4.7.1 CAPS staff have up to 30 calendar days from the date the application is received to provide an applicant with a written disposition of the application.

  4.7.1.1 The application processing period may be extended beyond 30 calendar days for good cause, with management approval, when the verification provided demonstrates a good faith effort by the parental authority to comply with a request for documentation.

4.7.2 An application shall have one of the following statuses or dispositions:

  4.7.2.1 Approved – An application may be approved if the family meets applicable activity, income, and other requirements during the application process.

      A. An application may be approved even when the parental authority has not selected a child care provider. CAPS staff should work with the parental authority, share resources, and inform the parental authority about child care options and quality learning environments that best fit the needs of the family.

      B. The start date of authorization cannot be prior to the receipt of the parental authority’s application or the determination of eligibility.

  4.7.2.2 Denied – An application shall be denied if the family applies and is not currently meeting all applicable eligibility requirements during the application process.

  4.7.2.3 Pending – Applications are considered pending until they are disposed.

  4.7.2.4 Unable to Process – An application may be disposed as Unable to Process for either of the following reasons:

      A. It is a duplicate application.

      B. The applicant does not provide all required information and verifications by the specified due date.

  4.7.2.5 Withdrawn (by the applicant) – An applicant may voluntarily withdraw their application in person, by mail, or email.
4.8 Grievances and Appeals

4.8.1 Applicants have the right to file a grievance if their application was disposed as Unable to Process as prescribed in CAPS Grievances (CAPS/00-17).

4.8.2 Applicants have the right to file a grievance as prescribed in CAPS Grievances (CAPS/00-17) or request an appeal as prescribed in CAPS Administrative Hearings Policy (CAPS/00-18) if their application was denied and they do not agree with the decision.

4.9 Consumer Education

4.9.1 After an application has been approved, CAPS staff will provide the parental authority information on the following topics:

- Goals of the subsidy program
- Parental authority rights and responsibilities
- Verification documents required for eligibility
- Types of child care providers
- Child care options, assessing quality, and Quality Rated providers
- Health and safety information and how to make a complaint concerning a child care provider
- Developmental screenings and child development
- Family engagement
- Healthy eating and physical activity
- State policies regarding social, emotional, and behavioral health of children
- Information about programs for children with disabilities
- Information about preschool special education and early intervention programs
- Other assistance programs for which families may be eligible
- Voter registration
- Family support guide (see Appendix AA)
- How to read a child care scholarship
- Requirements for signing their child in and out each day the child attends care
- Other child care resources

POLICY REVISION HISTORY

<table>
<thead>
<tr>
<th>Date</th>
<th>Description of Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>07/02/2018</td>
<td>Revised section 4.7 to reflect the limited scope of the interview and added section 4.10 regarding the Family Support welcome call.</td>
</tr>
<tr>
<td>07/01/2019</td>
<td>Revised language to note that applicants may reapply if their application is denied for failure to submit required documentation timely.</td>
</tr>
<tr>
<td>10/01/2019</td>
<td>Removed outdated language related to mailing paper applications and funding by counties and renamed the section previously titled Welcome Call to Consumer Education.</td>
</tr>
<tr>
<td>05/15/2020</td>
<td>Revised language to add descriptions of application statuses and to clarify when applicants may file a grievance or an appeal.</td>
</tr>
</tbody>
</table>

Cross Reference/See Also: CAPS Eligibility Requirements Policy (CAPS/00-6)

Note: Definitions of words or phrases in bold are located in Definitions and Acronyms. Only the first occurrence of the defined words or phrases are bolded.

5 FAMILY UNIT

5.1 Purpose

Childcare and Parent Services (CAPS) subsidy funding is provided to families who meet eligibility criteria. The purpose of this policy is to provide procedures for determining who is or is not included in the family unit.

5.2 Scope

This policy applies to all employees of the Department of Early Care and Learning (DECAL), all parties responsible for the administration of the CAPS program, parental authorities, and child care providers who receive subsidies administered by DECAL on behalf of parental authorities.

5.3 Family Unit Overview

5.3.1 A family unit is a parental authority with legal, biological, and/or day-to-day responsibility for children in the home and all those for whom the parental authority is responsible.

5.3.2 If the parental authority and other adults reside in the home, then the parental authority must be the applicant for the CAPS program. Biological and legal responsibility for children supersedes day-to-day responsibility unless otherwise indicated in legal documentation.

5.3.3 More than one family unit may live in a home.

5.3.4 The parental authority is responsible for disclosing the names and relationships of all individuals that reside together in the household in order to determine the composition of the family unit. In order for the case manager to determine the family unit, discussion will need to include who lives in the home, who is married, who are the parents of which children and what the relationships are between adults and children in the home.

5.4 Included in the Family Unit

The following individuals living in the household shall be included in the family unit:

- Biological, adopted, or step children 17 years of age or younger
- Children under legal or physical guardianship of the parental authority
- Spouse/parent residing in the home
- Unmarried adults living together with a mutual biological or legal child(ren) residing in the same household
- Spouse/parent temporarily absent from the household due to employment, military deployment, training, or education.

5.4.1 For each child in Georgia's Division of Family and Children Services (DFCS) custody, the State shall be considered the parental authority and the child will be authorized as a family unit of one.

5.4.2 Siblings in Georgia's DFCS custody will be assigned to their own case.
5.4.3 Unless otherwise specified, the chart below shall be used to determine the composition of the family unit(s):

<table>
<thead>
<tr>
<th>Family Composition</th>
<th>CAPS Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Biological or Marital Affiliation</td>
<td>Children 17 years of age or younger who are related to a parental authority as their biological child or through marriage shall be included in the family unit. Spouses are included in the family unit. Partners who have children in common shall be included in the family unit, regardless of marital status.</td>
</tr>
<tr>
<td>Adoptive Children</td>
<td>Children legally adopted are treated as biological children. Families must meet CAPS eligibility requirements for children in the family unit, including adoptive children.</td>
</tr>
<tr>
<td>Unmarried Parents</td>
<td>If a couple resides together and each has a child(ren) of their own and share no children in common (by blood, marriage or adoption), they are considered two separate family units.</td>
</tr>
<tr>
<td>Family Members Expected to Return</td>
<td>A family member who is away from the family residence for reasons of employment, education, training, or military deployment, and who returns regularly or is expected to return shall be considered a member in the family unit. This includes children who are part of a shared custody agreement in cases of separated or divorced parents.</td>
</tr>
<tr>
<td>Joint Custody</td>
<td>In situations where separated, divorced, or unmarried parents have joint physical custody of their child(ren), only one parent is required to be eligible to receive child care assistance. At the request of the custodial parent, care can continue at a different provider if within the state of GA with the non-custodial parent. If care is already being provided outside of Georgia in a bordering state, care can continue at the same provider. Care will not be authorized outside of Georgia for a different provider.</td>
</tr>
<tr>
<td>Multiple Family Households</td>
<td>In situations where adults, who are not spouses, reside together and who do not have a child in common, children in the household shall be considered part of the family unit with their parent.</td>
</tr>
</tbody>
</table>
| Multi-Generational Households             | A. Although more than two generations of a family may live in one household, they shall be considered as separate family units as long as the biological parent retains legal custody of the child.  
B. In situations where the parent retains legal custody, the grandparents shall not be counted as members of the same family unit with the parent and child.  
C. In situations where the legal custody of the child rests with the grandparents, the biological parent shall not be counted as a member of the family unit when residing in the same household.                                                                                                                                                                                                                                                                                                           |
| Minor Parents                             | For the purposes of CAPS eligibility, a person 17 years of age or younger and their child shall be considered their own family unit.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

POLICY REVISION HISTORY

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6 ELIGIBILITY REQUIREMENTS

6.1 Purpose
The purpose of this policy is to define non-financial eligibility requirements for CAPS and provide guidelines for verifying that these eligibility requirements are met. Families may also be required to meet income guidelines as prescribed in CAPS Income Calculations Policy (CAPS/00-8) and priority group eligibility as prescribed in CAPS Priority Groups (CAPS/00-07).

6.2 Scope
This policy applies to all employees of the Department of Early Care and Learning (DECAL) all parties responsible for the administration of the CAPS program, parental authorities, and child care providers who receive subsidies administered by DECAL on behalf of parental authorities.

6.3 Residency Requirement
6.3.1 For the purposes of CAPS, all parental authorities must be a resident of the State of Georgia.

6.3.2 Proof of residency may include one of the following:
- Current Georgia government issued driver’s license/identification (I.D.) card
- Current lease or mortgage statement
- Notarized statement from landlord or person with whom the applicant resides
- Children’s school records within current school year
- Voter registration card
- Motor vehicle registration card with residence address
- Wage stubs with residence address
- Work or school I.D. with residence address
- Current utility bill/statement
- Current property tax statement

6.4 Age Requirement
6.4.1 In order to apply for CAPS services, the child in need of care must be 12 years of age or younger at the time of eligibility determination, or 17 years of age or younger if the child has a qualifying disability or has a case plan requiring child care as part of court-ordered supervision.

6.4.2 Proof of age may include one of the following:
- Birth certificate
- Court records
- U.S. Passport
- State issued I.D.
- Hospital certificate of live birth
- Immigration card
- Social Security Administration records
6.4.3 Children 17 years of age or younger with a qualifying disability or a court order for supervision may receive child care subsidies as long as all other eligibility requirements are met.

6.4.4 When a child turns 13 (or 18 with qualifying disability or court order for supervision), care will continue through the end of the eligibility period. During the redetermination process, the case manager will close any active scholarships for the 13 (or 18) year old child and proceed with eligibility for the remaining children needing care.

6.5 Child’s Citizenship Requirement

6.5.1 A child who receives CAPS services must be a U.S. citizen or have established U.S. Citizenship and Immigration Services (USCIS) status as a lawfully admitted qualified alien.

6.5.2 For CAPS purposes, pursuant to the Immigration and Naturalization Act (INA), a child is a U.S. citizen if she or he meets one of the following:

- Born in one of the 50 states, the District of Columbia, Puerto Rico, Guam, the U.S. Virgin Islands, or any U.S. territory, unless born to a foreign diplomat
- Born abroad to two U.S. citizens and at least one of the parents lived in the U.S. prior to the child’s birth
- Born abroad in wedlock to one U.S. citizen and the individual was born on or after November 14, 1986, and the citizen’s parent lived at least five years in the U.S. before the individual was born, and at least two of those five years in the U.S. were after the citizen’s parent’s fourteenth birthday; or the individual was born before November 14, 1986, and the citizen’s parent lived at least ten years in the U.S. before the individual was born, and at least five of those ten years in the U.S. were after the citizen’s parent’s fourteenth birthday
- Born abroad out of wedlock to a U.S. citizen father and the father had previously been physically present in the U.S. or one of its outlying possessions for a continuous period of one year
- Born abroad out of wedlock to a U.S. citizen mother and the mother had previously been physically present in the U.S. or one of its outlying possessions for a continuous period of one year
- Has fulfilled the requirements and completed the process of naturalization

6.5.3 Information regarding citizenship and naturalization can be found in the following sections of the Immigration and Naturalization Act (INA) https://www.uscis.gov/ilink/docView/SLB/HTML/SLB/act.html: ACT 300 et. seq.

6.5.4 Beginning February 27, 2001, a foreign-born child, including a foreign-born adopted child, currently residing permanently in the U.S. automatically acquires U.S. citizenship if certain criteria are met. The criteria for automatically acquiring U.S. citizenship are as follows:

- The child must have at least one U.S. citizen parent (by birth or naturalization)
- The child must be 17 years of age or younger
- The child must be currently residing permanently in the U.S. in the legal and physical custody of the U.S. citizen parent
- The child must be a lawful permanent resident
- If adopted, the child must meet the requirements applicable to adopted children under immigration law

6.5.5 Acquiring citizenship automatically means that there is no need to apply for citizenship. A child, who was 17 years of age or younger and had already met all of the above requirements as of February 27, 2001, automatically acquired citizenship on that date. Children who did not meet all of the above requirements on that date will acquire citizenship automatically on the date the child meets all of the above requirements.

Refer to Appendix B for the SAVE Verification Process, which is an inter-governmental information service initiative which verifies the immigration status of benefit applicants. The SAVE verification process allows for verification of the child’s parent(s) thereby helping to determine if the child meets citizenship requirements.

6.5.6 CAPS can verify the citizenship for all children needing care using one of the following:
• Birth Certificate
• Certificate of Citizenship
• Naturalization Certificate
• Vital records
• Report of Birth from Abroad of a U.S. Citizen
• U.S. Citizen I.D. card
• Passport
• Consoler’s report of birth
• American Indian Card (first issued by USCIS in 1983)
• Court records of parentage, juvenile proceedings, or child support indicating place of birth
• Religious record of birth recorded in the U.S. or its territories within three months of birth
  o The document must show either the date of birth or the individual’s age at the time the record was made.
• Any document that establishes place of birth or U.S. citizenship, such as, records from Social Security Administration, Veterans Administration, local government agencies, hospitals, or clinic’s record of birth or parentage
• Early school records showing the date of admission to the school, the child’s date and place of birth, and the names and place of birth of the parents
• Census record showing the name, U.S. citizenship, or a U.S. place of birth and date of birth or age of the individual
• Adoption finalization papers showing the child’s name and place of birth in one of the 50 states, the District of Columbia, or a U.S. Territory.

6.5.7 If one of the above documents cannot be obtained, the following verification pertaining to the child’s parent may be accepted:
• Documents/records verifying a parent’s US citizenship status
• Evidence of civil service employment by the U.S. government before 06-01-76
• Northern Marianna Primary I.D. Card (issued prior to 1986 and to applicants born prior to 11-03-86 by Immigration and Naturalization Service)

6.5.8 If a parental authority cannot provide at least one of the documents listed above to prove U.S. citizenship or legal alien status of the child, the child is not eligible for CAPS subsidies. A non-immigrant or undocumented alien child is not eligible for CAPS subsidies.

6.5.9 If a parental authority reports that the child is not a U.S. citizen or a qualified alien, or refuses to provide required verification documents, the child will not be eligible to receive CAPS services.

6.5.10 If verification of the child’s citizenship is available from another state or federally recognized program, a copy of the automation/system screen indicating citizenship or alien status may be used and filed in the case record. If verification of the child’s citizenship was obtained from another state public agency, a fax/copy of the verification document may be accepted.

6.5.11 Families may receive up to an additional 90 calendar days to verify citizenship requirements. The 90 calendar days granted will not postpone the eligibility determination. However, if citizenship is not verified by the end of the 90-day period, the child for whom citizenship cannot be verified will be determined ineligible for ongoing child care assistance.

6.6 Child’s Immunization Requirement
6.6.1 Current immunizations are required for children to receive CAPS.
6.6.2 A Certificate of Immunization is not required to be present in the CAPS record for children enrolled in school settings, children receiving Temporary Assistance for Needy Families (TANF), or children receiving care in licensed child care providers since these requirements are already met based on school/licensing and TANF requirements.

6.6.3 A Certificate of Immunization is required to be kept in the CAPS case record for all non-school-aged children who are receiving care through an informal provider.

6.6.4 Families may receive up to an additional 90 calendar days to verify immunization requirements. The 90 calendar days granted will not postpone the eligibility determination. However, if immunization is not verified by the end of the 90-day period, the child for whom immunization cannot be verified will be determined ineligible for on-going child care assistance.

6.6.5 Exceptions to Immunizations

Through Georgia law, the Department of Public Health allows for two types of exemptions from the immunization requirements: medical and religious. Each child must have one of two items on file – either a valid Georgia Immunization Certificate (Form 3231) or a signed, notarized statement, which is called an affidavit of religious exemption.

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<tr>
<th>Exemption Type</th>
<th>Description</th>
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</table>
| **Medical**    | A. Medical exemptions are used only when a child has a medical condition that keeps him from being able to receive a specific vaccine(s), not all vaccines.  
B. A medical exemption must be marked on the Georgia Immunization Certificate (Form 3231). A letter from a physician, Advanced Practice Registered Nurse (APRN), or physician assistant (PA) attached to the certificate will not be accepted as a medical exemption. It must be marked on the certificate.  
C. A physician, APRN, or PA must re-evaluate the need for a medical exemption at least once each year and issue a new certificate of immunization at that time. The date of expiration on the section of the certificate marked "medical exemption" should be one year from the date of issue and never be longer than one year. |
| **Religious**  | A. For a child to be exempt from immunizations on religious grounds, the parent or guardian must furnish the school/child care facility with a notarized Affidavit of Religious Objection to Immunization (DPH Form 2208).  
B. The Affidavit of Religious Objection to Immunization form should be filed instead of the Georgia Immunization Certificate (Form 3231). The affidavit does not expire. |

Visit [http://dph.georgia.gov](http://dph.georgia.gov) for forms that were referenced in section 6.6.5 and more information about immunizations.

6.7 Proof of Identity

6.7.1 Proof of identity of the parental authority is required for CAPS eligibility.

6.7.2 Identity may be verified by using one of the sources listed below. This list is not all inclusive and other documents may be accepted/considered on a case by case basis.

- Federal or state issued identification card
- Military issued identification card
- Current school identification card
- U.S. Passport
- Medicare/Medicaid recipient card
- Social Security award letter
- Declaration of citizenship
- Naturalization Certificate
- Voter Registration Card
- Work or school Visa
6.8 State-Approved Activities

6.8.1 To be eligible for CAPS services, the parental authority must meet the state-approved activity requirements at the time of application and redetermination. The parental authority may participate in one, or a combination of, the activities listed in this section to meet the activity requirement.

6.8.1.1 Parental authorities enrolled in middle or high school and parental authorities 20 years of age or younger enrolled in a GED program have no additional work requirement.

6.8.1.2 Parental authorities 21 years of age or older who are not enrolled in middle or high school must participate in state-approved activities for an average of at least 24 hours per week. The 24-hour per week requirement may be met with employment, education, or a combination of employment and education.

6.8.1.3 Each credit hour (or hour of online or in-person coursework) for GED, vocational training, associate degree, and bachelor's degree programs equates to two hours of state-approved activity to account for study time. For example, six credit hours of education equates to 12 hours of state-approved activity.

6.8.1.4 To promote continuity of care, temporary changes in state-approved activity do not affect eligibility. This includes any reduction in work or education hours as long as the parental authority is still working or attending a training or educational program.

6.8.1.5 If the state-approved activity drops below the required hours outlined in this section during the eligibility period, the parental authority will remain eligible through the end of the eligibility period.

6.8.1.6 If there are two parental authorities in the family unit, each parental authority must meet the activity requirement and verification documents must be received for both parental authorities.

6.8.1.7 If there are two parental authorities in the family unit and one is disabled and cannot provide care for the child, care may be authorized based solely on the eligibility of the non-disabled parental authority. Verification of the disability is required. Acceptable forms of verification include a statement from a licensed medical personnel or documentation from a state or federal agency.

6.8.2 Employment – Participation in paid employment qualifies as a state-approved activity.

6.8.2.1 Employment includes the following:
- Work that yields a W-2, W-9, or 1099 (including self-employment)
- Work study when enrolled in vocational training, associate degree, or bachelor’s degree programs
- Other work performed for income not captured on a W2 including tips, commission, or cash-paying employment (including self-employment).

6.8.2.2 Volunteer work is only considered a state-approved activity for families who participate in required volunteer activities through Head Start and Early Head Start programs.

6.8.2.3 Acceptable verification of hours for employment includes pay stubs, a letter from the employer on business letterhead, CAPS Self-employment Report (Appendix CC), CAPS Form 809 – Income Verification (Appendix F), or employer wage records.

6.8.3 Education – Participation in middle or high school, General Equivalency Diploma (GED) programs, vocational training programs, associate degree programs, and bachelor’s degree programs qualifies as a state-approved activity, as described below.

6.8.3.1 Middle or High School – Enrollment in middle or high school qualifies as a state-approved activity. No additional work activity is required for parental authorities enrolled in middle or high school. If the parental authority is employed in addition to attending middle or high school, child care may be authorized to support both activities.
6.8.3.2 General Equivalency Diploma (GED) program – Participation in a GED program qualifies as a state-approved activity.

A. Parental authorities 20 years of age or younger participating in a GED program have no additional work requirement.
B. Parental authorities 21 years of age or older enrolled in a GED program must meet the 24-hour per week requirement. Parental authorities may supplement GED enrollment with other state-approved activities (such as employment) to meet the 24-hour requirement.

6.8.3.3 Vocational Training – Full- or part-time participation in vocational training programs (defined as educational programs that do not lead toward a college degree) qualifies as a state-approved activity. Vocational training may be completed through in-class instruction or online courses. Vocational training includes, but is not limited to, certificate and diploma programs and adult education (including English language) programs.

6.8.3.4 Associate or Bachelor’s Degree – Full- or part-time enrollment in associate or bachelor’s degree programs at HOPE eligible public and private institutions (see Attachment BB for a list of eligible institutions) qualifies as a state-approved activity. Associate and bachelor’s degree programs may be completed through in-class instruction or online courses.

6.8.3.5 For GED, vocational training, associate degree, and bachelor’s degree programs, each credit hour (or hour of online or in-person coursework) equates to two hours of state-approved activity to account for study time.

6.8.3.6 Written verification of enrollment from the educational institution and current class schedule or a completed Education Verification Form (Appendix DD) are acceptable verification of enrollment in education programs. The written verification must include, at a minimum:

- The parental authority’s name and enrollment date
- The name of the institution, contact person, and contact information (phone and email)
- If not included on the class schedule, the written statement must also include either the number of credit hours or the number of in-class or online hours per week.

6.8.4 Job Search – In limited situations, job search may be authorized as a state-approved activity.

6.8.4.1 Parental authorities who permanently lose their job or permanently stop attending state-approved training or education programs may be authorized for up to 13 weeks of job search. Refer to the CAPS Case Changes and Documentation Policy (CAPS/00-13).

6.8.4.2 Parental authorities who meet eligibility requirements for certain priority groups may be authorized with job search as their state-approved activity for the entire 12-month eligibility period. Refer to the CAPS Priority Groups Policy (CAPS/00-07).

6.8.4.3 No verification is required for job search when it is authorized as a state-approved activity.

POLICY REVISION HISTORY

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<tbody>
<tr>
<td>07/02/2018</td>
<td>Clarified language in section 6.8 regarding required verification documents and hour requirements; added associate degree programs as a state-approved activity; added job search, which is a state-approved activity in limited situations, to this section. Job search was previously only discussed in other sections of CAPS Policy.</td>
</tr>
<tr>
<td>10/01/2018</td>
<td>Revised the purpose statement to remove language related to funding restrictions.</td>
</tr>
<tr>
<td>05/15/2020</td>
<td>Added bachelor’s degree programs as a state-approved activity.</td>
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</tbody>
</table>

Cross Reference/See Also: CAPS Eligibility Requirements Policy (CAPS/00-6), CAPS Income Calculations Policy (CAPS/00-8), CAPS Annual Redetermination Policy (CAPS/00-14)

Note: Definitions of words or phrases in bold are located in Definitions and Acronyms. Only the first occurrence of the defined words or phrases are bolded.

### 7 PRIORITY GROUPS

#### 7.1 Purpose
The purpose of this policy is to establish guidelines for identifying priority groups and outlining exceptions to specified eligibility requirements, as applicable.

#### 7.2 Scope
This policy applies to all employees of the Department of Early Care and Learning (DECAL), all parties responsible for the administration of the CAPS program, parental authorities, and child care providers who receive subsidies administered by DECAL on behalf of parental authorities.

#### 7.3 Priority Groups Overview

7.3.1 The Childcare and Parent Services (CAPS) program uses an eligibility model based on priority groups. Priority groups may be widened, narrowed, added, or removed based on available funding. Applications submitted for initial eligibility will be denied if the family does not meet eligibility for a priority group, even if other eligibility requirements are met.

7.3.1.1 Applicants who are denied for not being in a priority group can appeal that decision only if they believe the determination was made in error.

7.3.1.2 Priority group status is only required at initial eligibility determination and is not required at annual redetermination.

7.3.1.3 The following is a list of the priority groups (in alphabetical order):

- Child Protective Services (CPS) and court-ordered supervision cases
- Children in Georgia Division of Family and Children Services (DFCS) custody
- Families experiencing domestic violence
- Families of children with disabilities
- Families of children enrolled in the lottery-funded Georgia’s Pre-K Program
- Families participating in or transitioning from TANF
- Families who have experienced a natural disaster
- Families who lack fixed, regular, and adequate housing
- Families with very low income as defined by CAPS
- Grandparents Raising Grandchildren (GRG)
- Minor parents
- Need to protect
7.4 Child Protective Services (CPS) and court-ordered supervision cases

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<th>Description</th>
<th>Program Requirements</th>
<th>Eligibility Requirements</th>
<th>Payment Authorization</th>
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</table>
| Children who receive a referral from Georgia Child Protective Services (CPS) for child care are considered a priority group for CAPS. This includes children with an active safety plan, an active family plan, or a court order requiring supervision for children 13 years of age or older. Children who need to receive protective services but are not formally involved with CPS may qualify for the Need to Protect priority group as prescribed in CAPS Policy 7.15. | • A referral from Georgia CPS is required.  
• In cases where a child has been placed in a caregiver’s home by DFCS, that placement will, for CAPS purposes, supersede any biological or legal relationships or family unit structure. | Parental authorities must:  
• Meet non-financial eligibility requirements (Georgia residency, child citizenship or qualified alien status, immunization, and identity) as prescribed in CAPS Eligibility Requirements Policy (CAPS/00-6).  
• Meet CAPS income guidelines as prescribed in the CAPS Income Calculations Policy (CAPS/00-8).  
• The state-approved activity requirement may be waived while the CPS case is open and through the 12-month eligibility period. | • CAPS may pay through the end of the eligibility period of the child’s 18th birthday if requested through court order for children in CPS cases. |

7.5 Children in Georgia Division of Family and Children Services (DFCS) custody

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<th>Eligibility Requirements</th>
<th>Payment Authorization</th>
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| Children in Georgia DFCS custody are considered a priority group.  
• There is no distinction in requirements based on where the child in DFCS custody is placed (e.g., relative, non-relative).  
• Each child will be counted as a family unit of one and will be considered as custodian and the recipient of services.  
• When there is a sibling group in DFCS custody, each child eligible for CAPS will have a separate CAPS case.  
• No family fee will be assessed for children in DFCS custody. | • A referral from DFCS Social Services stating need for child care services and verification that the child is in the custody of DFCS in Georgia are required.  
• Children who receive CAPS under this priority group who go home or to another permanent placement will continue to be eligible for CAPS for the remainder of the 12-month eligibility period so long as the family meets residency requirements and the family’s gross applicable income does not exceed 85% of the state median income. | • Verification of child citizenship or qualified alien status as prescribed in CAPS Eligibility Requirements Policy (CAPS/00-6).  
• Current immunization as prescribed in CAPS Eligibility Requirements Policy (CAPS/00-6).  
• Because children in this priority group are considered a family unit of one, foster parents are not required to meet income or activity requirements. | • CAPS will reimburse up to the child care provider’s published rate barring any discount or scholarship as applied to children not in DFCS custody.  
• CAPS will approve a negotiated rate for informal providers should their rate exceed the maximum reimbursement rate based on the chart located in Appendix C.  
• Refer to the CAPS Purchase of Child Care through Scholarships Policy (CAPS/00-10) for payment rates related to children in DFCS custody.  
• In addition to licensed or CAPS-eligible exempt programs, informal providers may be selected for children in DFCS custody, as prescribed in CAPS Participating Providers Policy (CAPS/00-11). |
### 7.6 Families experiencing domestic violence

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<th>Description</th>
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<th>90-day Grace Period</th>
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| Families experiencing domestic violence are considered a priority group. For the purpose of this policy, domestic violence includes any violent crime that is alleged by the applicant against any past or present spouses, persons who are parents of the same child, parents and children, stepparents and stepchildren, foster parents and foster children, or other persons living or formerly living in the same household. This shall also include emotional, psychological, physical, or sexual abuse as attested to by the applicant or formally documented by a referral agency, law enforcement, or a court of competent jurisdiction. | Parental authorities must:  
- Provide verification from the Georgia Department of Human Services, report to TANF, police report, court documents, proof of shelter residence, or other third-party documentation verifying the family has experienced domestic violence.  
- Meet non-financial eligibility requirements (Georgia residency, child citizenship or qualified alien status, immunization, and identity) as prescribed in CAPS Eligibility Requirements Policy (CAPS/00-6).  
- Meet CAPS income guidelines as prescribed in the CAPS Income Calculations Policy (CAPS/00-6).  
- Participate in employment, education, or job search and job search related activities, as prescribed in the CAPS Eligibility Requirements Policy (CAPS/00-6). Job search and job search related activities are state-approved activities at initial eligibility and for the initial 12-month eligibility period for this priority group. However, parental authorities must meet CAPS state-approved activity requirements as prescribed in CAPS Eligibility Requirements Policy (CAPS/00-6) at annual redetermination. | Families may receive up to 90 days from the date their application is processed to provide verification documentation. The grace period for providing verification will not postpone the eligibility determination. However, if verification documents are not received by the end of the 90-day grace period, the case will be determined ineligible for ongoing child care assistance.  
If verification is not immediately available, parental authorities must attest that all eligibility requirements are met.  
If verification of income is not immediately available, the family fee will be calculated based on the parental authority’s verbal attestation of income. |

### 7.7 Families of children with disabilities

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<th>Eligibility Requirements</th>
<th>Payment Authorization</th>
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| Families of children with a disability that impacts the child’s learning are considered a priority group. Disabilities that impact learning may include:  
- intellectual disabilities  
- hearing impairments (including deafness)  
- speech or language impairments  
- visual impairments (including blindness)  
- serious emotional disturbance  
- orthopedic impairments  
- autism  
- traumatic brain injury  
- specific learning disabilities  
- other health impairments that impact the child’s learning  
- significant delays in physical, cognitive, communication, social, emotional, or adaptive development | Acceptable verification may include any of the following:  
- Written diagnosis and statement of how the child’s learning is impacted from a licensed medical specialist  
- an Individualized Family Service Plan (Part C of IDEA)  
- an Individualized Education Program (Part B, section 619, of IDEA)  
- an Individual Accommodation Plan (Section 504) that indicates how the child’s learning is impacted  
- a Medicaid waiver for persons with disabilities (Katie Beckett, NOW, or COMP)  
- proof of Supplemental Security Income for a child who is blind or disabled | Parental authorities must:  
- Meet non-financial eligibility requirements (Georgia residency, child citizenship or qualified alien status, immunization, and identity) as prescribed in CAPS Eligibility Requirements Policy (CAPS/00-6).  
- Meet CAPS income guidelines as prescribed in the CAPS Income Calculations Policy (CAPS/00-8).  
- Meet CAPS state-approved activity requirements as prescribed in CAPS Eligibility Requirements Policy (CAPS/00-6). |  
- CAPS will reimburse up to the child care provider’s published rate, less the applicable CAPS family fee, for children with disabilities.  
- CAPS will approve a negotiated rate for informal providers should their rate exceed the maximum reimbursement rate based on the chart located in Appendix C.  
- Refer to the CAPS Purchase of Child Care through Scholarships Policy (CAPS/00-10) for payment rates related to children with disabilities.  
- CAPS funds may be used to support children with disabilities 17 years of age or younger at a licensed child care learning center or family child care learning home, a CAPS-eligible exempt program, or an |
### 7.8 Families of children enrolled in the lottery-funded Georgia’s Pre-K Program

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<thead>
<tr>
<th>Description</th>
<th>Program Requirements</th>
<th>Eligibility Requirements</th>
<th>Payment Authorization</th>
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</table>
| **Families of children enrolled in the lottery-funded Georgia’s Pre-K Program** are considered a priority group for CAPS. CAPS receives funds from Georgia’s Pre-K Program to provide before and after school care services to children who are enrolled in Georgia’s Pre-K. | The parental authority must complete the CAPS Georgia’s Pre-K Program Referral Form ([Appendix S](#)). | Parental authorities must:  
- Meet non-financial eligibility requirements (Georgia residency, child citizenship or qualified alien status, immunization, and identity) as prescribed in [CAPS Eligibility Requirements Policy (CAPS/00-6)](#).  
- Meet CAPS income guidelines as prescribed in [CAPS Income Calculations Policy (CAPS/00-8)](#).  
- Meet CAPS state-approved activity requirements as prescribed in [CAPS Eligibility Requirements Policy (CAPS/00-6)](#). | CAPS will only subsidize services for children enrolled in Georgia’s Pre-K for times when the Pre-K classroom is not in session, such as school holidays or before and after school care.  
CAPS will include all eligible children in the family unit who need child care when care is authorized for a child enrolled in Georgia’s Pre-K. |

### 7.9 Families participating in or transitioning from TANF

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<th>Description</th>
<th>Program Requirements</th>
<th>Eligibility Requirements</th>
<th>Payment Authorization</th>
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</table>
| Families participating in or transitioning from TANF who receive a referral from TANF for child care are considered a priority group. For this policy, families participating in TANF includes:  
- Families who have completed TANF orientation, been determined income-eligible for TANF, and have been referred for employment services; and | A referral from TANF ([Appendix FF](#)) and work plan are required.  
TANF and parental authorities are required to inform CAPS within 10 calendar days if the parental authority is no longer participating in employment or support services.  
Parental authorities who transition from TANF due to employment that is less than 24 hours per week will be considered to meet CAPS state-approved activity for the remainder of their eligibility period and at their next annual redetermination. However, at that time | Parental authorities must:  
- Meet non-financial eligibility requirements (Georgia residency, child citizenship or qualified alien status, immunization, and identity) as prescribed in [CAPS Eligibility Requirements Policy (CAPS/00-6)](#).  
- Meet CAPS income guidelines as prescribed in [CAPS Income Calculations Policy (CAPS/00-8)](#). | CAPS will only subsidize services for children enrolled in Georgia’s Pre-K for times when the Pre-K classroom is not in session, such as school holidays or before and after school care.  
CAPS will include all eligible children in the family unit who need child care when care is authorized for a child enrolled in Georgia’s Pre-K. |
7.10 **Families who have experienced a natural disaster**

<table>
<thead>
<tr>
<th>Description</th>
<th>Eligibility Requirements</th>
<th>90-day Grace Period</th>
</tr>
</thead>
</table>
| Families who have experienced and been negatively impacted by a federal or state declared natural disaster within the previous 24 months are considered a priority group. The family’s county of residence must have been identified by government officials as an area included in the state or federal disaster area. | Parental authorities must:  
- Provide verification of residency in the designated area during the time of the declared natural disaster. Designated areas for federal and state declared natural disasters can be verified by the Federal Emergency Management Agency at www.FEMA.gov/disasters.  
- Meet non-financial eligibility requirements (Georgia residency, child citizenship or qualified alien status, immunization, and identity) as prescribed in CAPS Eligibility Requirements Policy (CAPS/00-6).  
- Meet CAPS income guidelines as prescribed in CAPS Income Calculations Policy (CAPS/00-8).  
- Participate in employment, education, or job search and job search related activities, as prescribed in CAPS Eligibility Requirements Policy (CAPS/00-6). Job search and job search related activities are state-approved activities at initial eligibility and for the initial 12-month eligibility period for this priority group. However, parental authorities must meet CAPS state-approved activity requirements as prescribed in CAPS Eligibility Requirements Policy (CAPS/00-6) at annual redetermination. | Families may receive up to 90 days from the date their application is processed to provide verification documentation. The grace period for providing verification will not postpone the eligibility determination. However, if verification documents are not received by the end of the 90-day grace period, the case will be determined ineligible for ongoing child care assistance. If verification is not immediately available, parental authorities must attest that all eligibility requirements are met. If verification of income is not immediately available, the family fee will be calculated based on the parental authority’s verbal attestation of income. |
### 7.11 Families who lack fixed, regular, and adequate housing

<table>
<thead>
<tr>
<th>Description</th>
<th>Eligibility Requirements</th>
<th>90-day Grace Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>Families who meet the McKinney-Vento definition of homelessness are considered a priority group. The McKinney-Vento Act defines homeless children as &quot;individuals who lack a fixed, regular, and adequate nighttime residence.&quot; This includes:</td>
<td>Parental authorities must:</td>
<td>Families may receive up to 90 days from the date their application is processed to provide verification documentation. The grace period for providing verification will not postpone the eligibility determination. However, if verification documents are not received by the end of the 90-day grace period, the case will be determined ineligible for ongoing child care assistance. If verification is not immediately available, parental authorities must attest that all eligibility requirements are met. If verification of income is not immediately available, the family fee will be calculated based on the parental authority’s verbal attestation of income.</td>
</tr>
<tr>
<td>• Families sharing housing due to loss of housing, economic hardship, or a similar reason</td>
<td>• Meet non-financial eligibility requirements (Georgia residency, child citizenship or qualified alien status, immunization, and identity) as prescribed in CAPS Eligibility Requirements Policy (CAPS/00-6).</td>
<td></td>
</tr>
<tr>
<td>• Families living in motels, hotels, trailer parks, or campgrounds due to lack of alternative accommodations</td>
<td>• Residency can be verified with a letter from the homeowner or lease holder (does not need to be notarized), an emergency shelter, or an agency that provides homeless assistance programs in Georgia. This will also be used to verify homeless status. A written or verbal attestation from the parental authority that they lack a fixed, regular, and adequate nighttime residence may be accepted if no other documentation is available.</td>
<td></td>
</tr>
<tr>
<td>• Families living in emergency or transitional shelters</td>
<td>• Meet CAPS income guidelines as prescribed in the CAPS Income Calculations Policy (CAPS/00-8).</td>
<td></td>
</tr>
<tr>
<td>• Families whose primary nighttime residence is not ordinarily used as a regular sleeping accommodation (e.g., park benches)</td>
<td>• Participate in employment, education, or job search and job search related activities, as prescribed in the CAPS Eligibility Requirements Policy (CAPS/00-6).</td>
<td></td>
</tr>
<tr>
<td>• Families living in cars, parks, public spaces, abandoned buildings, substandard housing, or bus or train stations</td>
<td>• Families who lack fixed, regular, and adequate housing may be authorized with job search and job search related activities as state-approved activities for the entire 12-month eligibility period.</td>
<td></td>
</tr>
<tr>
<td>• Migratory children living in circumstances described in the above situations</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### 7.12 Families with very low income

<table>
<thead>
<tr>
<th>Description</th>
<th>Eligibility Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Families with no income or very low income as defined by CAPS are considered a priority group.</td>
<td>Parental authorities must:</td>
</tr>
<tr>
<td></td>
<td>• Meet non-financial eligibility requirements (Georgia residency, child citizenship or qualified alien status, immunization, and identity) as prescribed in CAPS Eligibility Requirements Policy (CAPS/00-6).</td>
</tr>
<tr>
<td></td>
<td>• Meet CAPS income guidelines as prescribed in the CAPS Income Calculations Policy (CAPS/00-8).</td>
</tr>
<tr>
<td></td>
<td>• Meet CAPS state-approved activity requirements as prescribed in CAPS Eligibility Requirements Policy (CAPS/00-6).</td>
</tr>
<tr>
<td></td>
<td>• The family’s gross applicable income must be at or below the very low income threshold defined in Appendix A.</td>
</tr>
</tbody>
</table>
### 7.13 Grandparents Raising Grandchildren (GRG)

<table>
<thead>
<tr>
<th>Description</th>
<th>Eligibility Requirements</th>
</tr>
</thead>
</table>
| Parental authorities participating in the Division of Family and Children Services’s (DFCS) Grandparents Raising Grandchildren (GRG) program are considered a priority group. DFCS GRG program requirements are available on the DFCS website. | - Parental authorities must:  
  - Provide verification of Georgia residency and identity.  
  - Provide verification of child citizenship or qualified alien status and current immunization.  
  - Meet CAPS income guidelines as prescribed in the CAPS Income Calculations Policy (CAPS/00-8).  
  - Provide verification of participation in the DFCS GRG program. |

**Note:** Because the DFCS GRG program is limited to those who meet an age or disability status, parental authorities participating in the DFCS GRG program are not required to meet CAPS state-approved activity requirements.

### 7.14 Minor parents

<table>
<thead>
<tr>
<th>Description</th>
<th>Eligibility Requirements</th>
</tr>
</thead>
</table>
| Minor parents (20 years of age or younger) are considered a priority group and may receive child care in support of education or work activities. | - At least one parental authority must be 20 years of age or younger.  
  - Parental authorities must:  
    - Meet non-financial eligibility requirements (Georgia residency, child citizenship or qualified alien status, immunization, and identity) as prescribed in CAPS Eligibility Requirements Policy (CAPS/00-6).  
    - Meet CAPS income guidelines as prescribed in CAPS Income Calculations Policy (CAPS/00-8).  
    - Meet CAPS state-approved activity requirements as prescribed in CAPS Eligibility Requirements Policy (CAPS/00-6). |

### 7.15 Need to Protect

<table>
<thead>
<tr>
<th>Description</th>
<th>Program Requirements</th>
<th>Eligibility Requirements</th>
</tr>
</thead>
</table>
| CAPS services may be provided for a child who needs to receive protective services but is not formally involved with Child Protective Services (CPS). CAPS Management approval is required to determine if a case qualifies for this priority group. Situations that may qualify for a need to protect include, but are not limited to:  
  - grandparents, relatives, and other caregivers (excluding biological or adoptive parents) who have taken over full-time care of a child (due to abuse, neglect, or abandonment) that is not in DFCS custody  
  - Families who had a substantiated CPS case that closed within the last 12 months  
  - Families of children involved in the Juvenile Justice system | Acceptable verification includes:  
  - A completed Statement of Guardianship (Appendix EE) is required for grandparents, relatives, and other caregivers raising children who are not in DFCS custody.  
  - Referral from a community service program.  
  - Copy of a case plan or verification from DFCS for families who had a substantiated CPS case that closed within the last 12 months.  
  - Other documentation verifying need to protect. | - Meet non-financial eligibility requirements (Georgia residency, child citizenship or qualified alien status, immunization, and identity) as prescribed in CAPS Eligibility Requirements Policy (CAPS/00-6).  
- Meet CAPS income guidelines as prescribed in CAPS Income Calculations Policy (CAPS/00-8).  
- Meet CAPS state-approved activity requirements as prescribed in CAPS Eligibility Requirements Policy (CAPS/00-6). |
PRIORITY GROUPS

No.: CAPS/00-7

Effective Date: 10/01/2016
Revised: 7/01/2019
Revision Effective: 7/01/2019

POLICY REVISION HISTORY

<table>
<thead>
<tr>
<th>Date</th>
<th>Description of Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>05/30/2018</td>
<td>Revised section 7.8 noting that the income threshold for the families with very low income priority group is defined in Appendix A. Previously, the income threshold was defined in CAPS policy.</td>
</tr>
<tr>
<td>07/02/2018</td>
<td>Revised language to reflect expanded definition of children with special needs and added attestations as acceptable verification for families experiencing domestic violence or homelessness. Clarified in sections 7.11 and 7.12 that job search and job search related activities may be approved at initial eligibility and for the entire 12-month eligibility period for those priority groups. Revised language in section 7.14.1.1 noting that eligible families’ gross applicable income cannot exceed 85% SMI.</td>
</tr>
<tr>
<td>10/01/2018</td>
<td>Revised language to clarify that appeal rights are afforded in certain situations; clarified that priority group is only required at initial application; established a new priority group for children in need of protective services who are not formally involved with CPS (this population was previously served under the CPS priority group); renamed the priority group for families experiencing homelessness to families who lack fixed, regular, and adequate housing; renamed the priority group for children with special needs to families of children with disabilities; renamed and simplified the priority group for families participating in or transitioning from TANF; added a 90-day grace period to submit verification documentation for families experiencing domestic violence, families who have experienced a natural disaster, and families who lack fixed, regular, and adequate housing; clarified that families experiencing domestic violence and families who have experienced a natural disaster must meet state-approved activity requirements at annual redetermination.</td>
</tr>
<tr>
<td>07/01/2019</td>
<td>Revised language to remove written or verbal attestations as acceptable verification of domestic violence and renamed the heading “Payment Authorization” to “90-Day Grace Period” in sections 7.6, 7.10, and 7.11 to more accurately reflect the policy guidance in those sections.</td>
</tr>
</tbody>
</table>

Cross Reference/See Also: CAPS Family Unit Policy (CAPS/00-5), CAPS Eligibility Requirements Policy (CAPS/00-6)

Note: Definitions of words or phrases in bold are located in Definitions and Acronyms. Only the first occurrence of the defined words or phrases are bolded.

8 INCOME CALCULATIONS

8.1 Purpose
Child care services are provided to families who meet eligibility criteria which include income guidelines. The purpose of this policy is to provide guidelines for (1) determining the types of applicable and non-applicable income, (2) obtaining validation of income, and (3) calculating household wages to ensure families meet the income requirements to participate in the Childcare and Parent Services (CAPS) program.

8.2 Scope
This policy applies to all employees of the Department of Early Care and Learning (DECAL) all parties responsible for the administration of the CAPS program, parental authorities, and child care providers who receive subsidies administered by DECAL on behalf of parental authorities.

8.3 Gross Income
The family’s gross applicable income must meet income guidelines to participate in the CAPS program.

8.3.1 When a family is initially approved for CAPS services, the gross applicable income of the family unit must be equal to or less than 50% of the current State Median Income (SMI) at the time of application.

8.3.2 During the eligibility period, if the family’s gross applicable income increases but remains at or below the maximum allowable federal limit of 85% SMI, the family will remain in the program with no impact to eligibility or family fee until redetermination.

8.3.3 At redetermination, if a family’s gross applicable income increases but remains at or below the maximum allowable federal limit of 85% SMI, the family will continue to be eligible for the program. The family fee will be calculated at redetermination based on the family’s most recent gross applicable income.

8.3.4 If at any point during the eligibility period the family’s gross applicable income exceeds 85% of the current SMI for a period of four or more consecutive weeks, the family is no longer eligible for CAPS. The family must be notified at least 14 calendar days prior to case closure, which is referred to as the adverse action period. Since this is a change in policy that affects entire populations, the closure of the CAPS case is not appealable. Refer to the CAPS Maximum Income Limits Chart (Appendix A).

8.3.5 Failure to provide verification of income for a family unit may result in a delay in processing or denial of the application.

8.4 Applicable Income
8.4.1 Income received by all adults in the family unit that is counted towards the maximum allowable income limit includes, but is not limited to:

- Wages or Salary – gross income of all the adults (those 18 years of age and older) in the family unit. Refer to the CAPS Family Unit Policy (CAPS/00-5) for more information about the family unit.
- Base pay for military personnel
- Net income from self-employment
- Unemployment Compensation
- Worker’s Compensation
• **Alimony** (regular and ongoing payments)
• Court-Ordered and Direct **Child support** Payments (when regular and ongoing payments are received)
• **Veteran's benefits**
• **Military allotments**
• **Capital gains**
• **Rental income** (regular and ongoing payments)
• **Dividends** (regular and ongoing payments)
• **Retirement/Pension**
• Commission
• Cash Bonuses
• **Regular or lump sum lottery payments**

**Note:** Gross income includes all income prior to any deductions, including but not limited to, taxes, insurance, retirement, pensions, garnishments, Social Security payments, etc.

8.4.2 **Temporary Assistance for Needy Families (TANF)** cash assistance, disability/survivors and SSI benefits received by the Social Security Administration, adoption supplements, Low Income Housing and Energy Assistance Program (LIHEAP), Census Bureau income, in-kind donations, tax refunds, cash gifts, Disaster Relief Assistance and relative care subsidy are not considered when determining eligibility. Documentation and verification of the actual amounts, however, may be maintained in the **case record** for reporting purposes.

8.4.3 Income from a child 17 years of age or younger is excluded.

8.5 **Disallowed Expenses for Self-Employment**

8.5.1 The following expenses should not be considered when determining eligibility for the CAPS program for parental authorities who are self-employed:
• Monies set aside for pensions and profit sharing plans
• Federal, state and local income taxes paid for employees
• Depreciation and depletion
• Net losses from previous years
• Mileage rate on vehicles and other travels costs
• Premiums paid for health/medical insurance
• Payments on the principal of the purchase price of income producing real estate and capital assets, equipment, machinery, and other durable goods
• Personal expenses paid out of business accounts

8.6 **Earned Income Verification**

8.6.1 The case manager will verify earned income (wages) with one or more of the following:
• Pay stubs or receipts for the most recent four weeks of earnings
• Most recent 1099 form
• Most recent W-2 Forms
• Employer’s wage records
• Quarterly income tax payment receipts to the IRS (for cash paying jobs or self-employment only)
• Annual income tax returns when presented in the January-March quarter (for cash paying jobs or self-employment only)
• Letter/statement from employer
o The letter/statement should be signed and dated on an employer letterhead and include contact information for the employer (phone number, title and relationship to employee), expected/current hire date, number of hours the employee is scheduled/works, and hourly rate of pay (and/or gross salary).

- Documentation from other state eligibility programs, if verification of income is within past six (6) months.
- Form C-809 or itemized statement completed by the employer
- Military Leave Earning Statement (LES) – this is the only acceptable form of verification for a member of the military
- CAPS Self-employment Report (Appendix CC)
- Business ledgers
- Business receipts
- Previous year tax form if submitting before April 15
- Current tax form if submitting after April 15

**Note:** The above list is not an all-inclusive list and families have the right to submit other forms of verification/documentation that must be credible to determine income eligibility. Income can also be verified using other eligibility program system sources whenever possible.

### 8.7 Unearned Income Verification

#### 8.7.1 The case manager will verify unearned income with one or more of the following:

- Check stubs
- Award letters
- **Social Security** records
- Worker’s compensation records
- Union records
- Unemployment insurance claim records
- Documentation from other state eligibility programs
- Child support system information
- Court documents

**Note:** The above list is not an all-inclusive list and families have the right to submit other credible forms of verification/documentation to determine income eligibility. Income can also be verified using other eligibility program system sources whenever possible.

### 8.8 Calculations

#### 8.8.1 Income will be calculated using the average amount received over the 12-month eligibility period.

#### 8.8.2 CAPS will review all income (earned and unearned) of adults in the family unit received within the most recent four weeks prior to determination. If income is received on a quarterly or annual basis, CAPS will review the most recent statement of earnings.

#### 8.8.3 Income received in a manner other than a monthly basis must be converted to a monthly income. The following guide will be used:

<table>
<thead>
<tr>
<th>How Often Paid</th>
<th>Calculation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Weekly</td>
<td>Multiply by 4.3333</td>
</tr>
<tr>
<td>Bi-weekly (every other week)</td>
<td>Multiply by 2.1666</td>
</tr>
<tr>
<td>Semi-monthly (twice a month)</td>
<td>Multiply the amount by 2</td>
</tr>
</tbody>
</table>
8.8.4 The monthly amount will then be converted to an annual amount by multiplying the monthly income by 12. Once calculated, the family’s gross applicable income is compared to the maximum allowable income chart (Appendix A).

8.8.5 The family meets the CAPS income eligibility requirements if the gross applicable income does not exceed the maximum income for the size of the family unit. If the family’s gross applicable income exceeds the maximum limit, the application may be denied.

8.8.6 The following table describes the differences between regular and irregular income:

<table>
<thead>
<tr>
<th>Type</th>
<th>Description</th>
<th>Calculating Income</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regular</td>
<td>A consistent pattern of pay for six consecutive months of earnings.</td>
<td>A. CAPS will review the most current four weeks of pay to determine if pattern of pay is consistent. If consistent, the average of the current four weeks can be used to determine regular income. If inconsistent, CAPS will review pay for the previous six months to determine consistency.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>B. If the most recent pay periods are not a representation of the parental authority’s normal earnings, an average pay calculation may be used to determine gross income. The case manager may use up to six months of pay to determine average pay.</td>
</tr>
<tr>
<td>Irregular</td>
<td>Periodic fluctuations where earnings may not reflect an accurate projected annual income when determining eligibility based upon the previous four weeks of income.</td>
<td>A. When the parental authority’s income varies too much for the employer to accurately project, the case manager should calculate the average of all the pay stubs from the past six months. This average would be used for the parental authority’s earnings.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>B. To obtain the average pay, add all earnings for the past six months and divide by the total number of weeks for which pay was earned to obtain average weekly pay.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>C. The monthly amount will then be converted to an annual amount by multiplying the monthly income by 12.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>D. Once calculated, the family’s gross income is compared to the maximum allowable income chart (Appendix A).</td>
</tr>
<tr>
<td></td>
<td></td>
<td>E. The family meets the CAPS income eligibility requirements if the income is less than or equal to the maximum income for the size of the family unit. If the family’s income exceeds the maximum limit, the application may be denied.</td>
</tr>
</tbody>
</table>

8.9 Declaration of Assets

8.9.1 As part of a family’s enrollment into the CAPS program, the parental authority must self-certify that the family unit assets do not exceed $1,000,000. When it has been identified that a family’s assets exceed $1,000,000, the case must be closed. Children in the custody of the Georgia Division of Family and Children Services (DFCS) are exempt from certifying that family assets do not exceed $1,000,000.

8.9.2 The certification must be maintained in the case record as a part of the application process. A copy of the Family Asset Form 602 can be found in Appendix Z.

8.9.3 If a family fails to complete the certification, the application will be denied. CAPS reserves the right to verify the validity of the self-certification of assets by the parental authority at any time through any legal means necessary.
POLICY REVISION HISTORY

<table>
<thead>
<tr>
<th>Date</th>
<th>Description of Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>03/26/2018</td>
<td>Removed reference to Graduated Phase-out and income limits in section 8.3.</td>
</tr>
<tr>
<td>07/02/2018</td>
<td>Revised to note that children in DFCS custody are exempt from certifying that assets do not exceed $1,000,000.</td>
</tr>
<tr>
<td>10/01/2019</td>
<td>Revised language to note that CAPS will provide 14 days’ notice of adverse actions.</td>
</tr>
</tbody>
</table>

Cross Reference/See Also: CAPS Application Process Policy (CAPS/00-4), CAPS Family Unit Policy (CAPS/00-5), CAPS Eligibility Requirements Policy (CAPS/00-6), CAPS Annual Redetermination Policy (CAPS/00-14)

Note: Definitions of words or phrases in bold are located in Definitions and Acronyms. Only the first occurrence of the defined words or phrases are bolded.

9 FAMILY FEES

9.1 Purpose
Families who are eligible for child care services may be required to pay a portion of the cost of child care through family assessed fees. The purpose of this policy is to provide guidelines for determining who must pay a family fee, how fees are assessed, and the special circumstances that may affect family fees.

9.2 Scope
This policy applies to all employees of the Department of Early Care and Learning (DECAL), all parties responsible for the administration of the Childcare and Parent Services (CAPS) program, parental authorities, and child care providers who receive subsidies administered by DECAL on behalf of parental authorities.

9.3 Family Fee Overview
9.3.1 The CAPS program assesses family fees to allow families to share in the cost of their child care expenses. Family fees are based on a percentage of a family’s annual gross applicable income. The assessed fee is a family fee for all children in care, not a fee for each child. It is paid by the parental authority directly to the child care provider.

9.3.2 Family fees are calculated at the time of initial eligibility, at redetermination, and when a change is reported to family size, income, or number of children in care. The fee may be reduced but will not increase during the 12-month eligibility period. Therefore, the parental authority is encouraged to report changes in the family’s income and number of people residing in the family unit. The fee can increase, however, at redetermination, depending on family size and income.

9.3.3 Effective July 30, 2018, a 15% discount to the family fee is applied to scholarships for child care at Quality Rated child care providers.

9.4 When Family Fees Are Assessed
9.4.1 Family fees are assessed for CAPS services:
- At initial application
- At redetermination
- When there is a change in the family size, the family’s income, or the number of children in care

9.4.2 Eligibility system functionality automatically assesses the family fee (refer to the Family Fee Assessment Chart – Appendix D).

9.4.3 If there are multiple children with child care scholarships in the family unit, the family fee will be evenly distributed among the scholarships.

9.5 When Family Fees Are Not Assessed
9.5.1 Family fees are not assessed for child care services when one of the following applies:
- Children who are in Georgia’s Division of Family and Children Services (DFCS) custody
- A parental authority who is 17 years of age or younger
9.6 Policy Related to CAPS Assessed Family Fees
The case manager must explain the following to the parental authority:

9.6.1 CAPS will pay the lesser amount between the CAPS maximum reimbursement rate, based on the child’s age, scholarship type, and the location where care is provided, and the provider’s published rate. CAPS will deduct the assessed family fee from the total weekly amount to be reimbursed.

9.6.2 The parental authority is responsible for paying the family fee to the child care provider as long as any child is receiving care through CAPS subsidies.

9.6.3 If the family fee exceeds the allowable state reimbursement rate for all children in care, the case manager will deny the application because the family’s responsibility exceeds the allowable benefit.

POLICY REVISION HISTORY

<table>
<thead>
<tr>
<th>Date</th>
<th>Description of Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>07/02/2018</td>
<td>Revised policy to note that if there are multiple children with child care scholarships, the family fee will be evenly distributed among the scholarships and added a 15% discount to the family fee for scholarships at Quality Rated child care providers effective July 30, 2018.</td>
</tr>
<tr>
<td>10/01/2018</td>
<td>Clarified language regarding when family fees are assessed and recalculated. Added that families with income below 10% of the poverty guidelines are not assessed a family fee. Removed TANF applicants and recipients from the list of those not assessed a family fee.</td>
</tr>
<tr>
<td>02/01/2019</td>
<td>Revised section 9.6.3 to reference to the allowable state reimbursement rate instead of the cost of care.</td>
</tr>
</tbody>
</table>
## 10 PURCHASE OF CHILD CARE THROUGH SCHOLARSHIPS

### 10.1 Purpose
Although Georgia’s subsidized child care program primarily uses scholarships to authorize child care services, the state may use other systems to administer subsidies such as contracts or grants with child care providers, including Quality Rated Subsidy Grants and Early Head Start – Child Care Partnerships. The purpose of this policy is to establish guidelines for authorizing child care subsidy funds through scholarships.

### 10.2 Scope
This policy applies to all employees of the Department of Early Care and Learning (DECAL), all parties responsible for the administration of the Childcare and Parent Services (CAPS) program, parental authorities, and child care providers who receive subsidies administered by DECAL on behalf of parental authorities.

### 10.3 Changes in Funding or Eligibility

#### 10.3.1 In the event that a program funded through a DECAL grant involving CAPS or other federal funds for the care of children terminates before the last day of any child’s approved 12-month eligibility period, that child may continue to receive CAPS services through the use of scholarships, for the remainder of that approved eligibility period, so long as CAPS funds are available.

#### 10.3.2 In the event that a child becomes ineligible to participate in such a grant funded program due to age restrictions during the approved 12-month eligibility period, that child may continue to receive CAPS services through the use of scholarships, for the remainder of that approved eligibility period, so long as CAPS funds are available.

### 10.4 Child Care Scholarships

#### 10.4.1 A CAPS scholarship will be issued for an individual child for a specific child care provider location.

- **10.4.1.1** The scholarship will not be transferrable to other children or to another facility, even if the facility is owned or operated by the same organization.
- **10.4.1.2** Scholarships are not transferrable if the provider moves from one location to another. In the cases of address changes, ownership changes, and facility name changes, new scholarships must be issued for the new location or owner.

#### 10.4.2 The scholarship must be created for each child based on the needs of the family and child.

- **10.4.2.1** A copy of the child care scholarship (notification of eligibility determination) will be provided to the parental authority and provider.
- **10.4.2.2** A scholarship should be issued for each type of care the family will need. Therefore, a child may have more than one scholarship based on the type of care authorized.
- **10.4.2.3** The existence of a scholarship does not give an automatic right for a provider to invoice or bill for a specific period. The child must be attending and signed-in and signed-out each day the child is present, at arrival and departure, by a parental authority or authorized representative.
10.4.3 The child care scholarship:
- Authorizes subsidies for eligible children
- Outlines terms and conditions of the child care arrangement
- Identifies the amount of subsidy paid to the child care provider by the CAPS program
- Identifies the amount that the parental authority is required to contribute to the cost of care (including the weekly family assessed fee and amount in excess of the state reimbursement rate based on the child care provider's charges)
- Identifies the type of child care authorized based on the child’s need for care
- Includes beginning and ending dates of care for which payment is authorized
- Covers basic information about the child care provider
- Identifies the parental authority and the child authorized to receive services

10.4.4 When a family is determined eligible for the CAPS program, a 12-month eligibility period begins. The child care scholarship authorizes the use of subsidies during the eligibility period. At the end of the 12-month eligibility period, the case manager will re-determine eligibility and issue new scholarships for ongoing services to eligible children.

Note: When a parental authority begins receiving services or initiates a change in providers and there is not a child care scholarship that authorizes subsidies with the new provider, the parental authority is responsible for the full cost of the child care. CAPS will not pay for services retroactively for any period prior to authorization.

10.5 Parental Choice
10.5.1 The parental authority selects the provider that best meets the needs of the family. The provider selected by the parental authority must be a DECAL approved provider.

10.5.2 When the parental authority is determined eligible for CAPS subsidies, the following topics are important for a parental authority to consider when selecting a child care provider:
- Health and safety standards
- Children’s social, emotional and developmental considerations
- School readiness
- Participation in the Georgia’s Quality Rated system (where available)
- Monitoring visits and complaint history
- Participation in the Child and Adult Care Food and Summer Food Service Programs
- Participation in the Georgia Lottery-funded Pre-K Program
- Out of pocket cost for the parental authority (additional fees, budgeting)
- Hours of operation
- Transportation

10.6 Types of Care Authorized by CAPS

<table>
<thead>
<tr>
<th>Type</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Full Time Care</td>
<td>A. Child care for three or more days within a service week, from Monday to Sunday.</td>
</tr>
<tr>
<td></td>
<td>B. Full time care is typically authorized and paid to cover a full week of services.</td>
</tr>
<tr>
<td></td>
<td>C. Full time care can be authorized for day or night time services provided.</td>
</tr>
<tr>
<td>Part Time Care</td>
<td>A. Child care for one or two days within a service week, from Monday to Sunday.</td>
</tr>
<tr>
<td></td>
<td>B. Part time care is typically authorized and paid based on a per day rate.</td>
</tr>
</tbody>
</table>
CAPS Policy – Purchase of Child Care Through Scholarships

No.: CAPS/00-10

<table>
<thead>
<tr>
<th>Type</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Before and/or After care</td>
<td>A. Child care that is authorized for services needed for school-aged children before and/or after the customary school day.</td>
</tr>
<tr>
<td></td>
<td>B. Care for before and/or after school is paid for school-aged children (including children in Georgia Pre-K and Head Start) and is based on rates for providing care for a full week of services before and/or after the school day.</td>
</tr>
</tbody>
</table>

10.7 Types of Scholarships Authorized by CAPS

<table>
<thead>
<tr>
<th>Type</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Day or Night Scholarship</td>
<td>Scholarships authorized for day or night, depending on the needs of the family. These scholarships will be listed as full-time care.</td>
</tr>
<tr>
<td>Before and After School Scholarship</td>
<td>Scholarships authorized for before and after school care for a school-aged child.</td>
</tr>
<tr>
<td>Variable Schedule Scholarship (VSS)</td>
<td>A. VSSs are authorized for school age children who attend the same child care provider throughout the school year including school holidays and summer breaks.</td>
</tr>
<tr>
<td></td>
<td>B. A VSS allows for payments to fluctuate between the before and after school rate while the child is in school, the full-time rate while the child is out of school for full-time service weeks, and part-time rates when care is needed for a full day, up to two days per week, during the school year to cover occasional days out of school such as teacher work days, inclement weather school closings, or holidays.</td>
</tr>
<tr>
<td>Occasional Care Scholarship</td>
<td>A. Scholarships authorized for children who need care sporadically throughout the eligibility period.</td>
</tr>
<tr>
<td></td>
<td>• For example, a school-aged child may not need routine before and after school care, but needs care for a full day (part time care) or a full week (full time care) for school holidays, winter/spring breaks, or teacher work days.</td>
</tr>
<tr>
<td></td>
<td>B. An occasional care scholarship can be issued in instances where child care is needed (based on a parental authority’s work schedule) one or two weekends per month.</td>
</tr>
<tr>
<td></td>
<td>C. Occasional care is not expected to be the traditionally scheduled care a child needs but as needed based on the child’s or parental authority’s need for services.</td>
</tr>
<tr>
<td></td>
<td>D. Occasional care scholarships can be full time or part time.</td>
</tr>
</tbody>
</table>

10.8 State Maximum Reimbursement Rates and Payment Rates

10.8.1 CAPS has established a state maximum rate to reimburse providers based upon the location where care is provided, the type of child care provider selected, the age of the child, and the type of care being provided. When multiple types of care are provided for the same child within the same service week (i.e., full time, part time, before and/or after), the maximum rate CAPS will reimburse to the provider is the state maximum rate for full time care.

10.8.2 CAPS will subsidize care based on the amount authorized on the scholarship. Any amount, other than a registration fee, in excess of what CAPS authorizes is the financial responsibility of the parental authority.

10.8.3 The following guidelines will be used for CAPS reimbursements:

10.8.3.1 For children in Georgia’s Division of Family and Children Services (DFCS) custody who have been determined eligible for CAPS, CAPS will reimburse up to the provider’s published rate. When multiple types of care are provided for the same child within the same service week (i.e., full time, part time, before and/or after), the maximum rate CAPS will reimburse to the provider is the provider’s published rate for full time care.

10.8.3.2 For children with qualifying disabilities, CAPS will reimburse up to the provider’s published rate. When multiple types of care are provided for the same child within the same service week (i.e., full time, part
time, before and/or after), the maximum rate CAPS will reimburse to the provider is the provider's published rate for full time care. The family may be assessed a fee based on the family's gross income. Refer to CAPS Family Fee Policy (CAPS/00-9) regarding when CAPS will assess family fees.

10.8.3.3 Changes to reimbursement rates related to a child’s age (e.g., rate changes at child’s first and third birthday) for the same type of care will occur at redetermination.

Note: Actual reimbursement rates can be found in Appendix C.

10.9 Lapse of the Child Care Scholarship

10.9.1 A child care scholarship must be used for child care within 30 calendar days of the creation of the scholarship. Should the child not attend the provider’s care after initial enrollment, the provider should report non-attendance to the State Provider Management Agent (SPMA).

10.9.2 If the child(ren) are not enrolled as outlined on the child care scholarship within the initial 30 calendar days of the scholarship issuance, the CAPS case may be closed and notification must be sent by the case manager to the parental authority and the child care provider.

10.10 Child Care Scholarship and Payment

10.10.1 Any amount charged by the child care provider above what is authorized to be paid on the child care scholarship will be the responsibility of the parental authority.

10.11 Payment Processing

10.11.1 Invoices containing unpaid service weeks 60 calendar days or older, from the date the invoice is submitted to the SPMA, must be approved by DECAL before the invoice is paid.

10.11.1.1 DECAL has 14 calendar days to respond to the request to process any invoices that are 60 days or older.

10.11.2 Providers who submit invoices containing unpaid services weeks older than 60 calendar days risk forfeiture of payment.

10.12 Direct Deposit

10.12.1 All child care providers must receive child care payments from CAPS through direct deposit. Any child care provider that does not participate in direct deposit will not receive its reimbursement and may not participate in the CAPS program.

10.12.2 The child care provider will complete and submit a direct deposit form during the enrollment process. The direct deposit form will be sent to the child care provider from the SPMA along with other compliance documents.

10.13 Tax Levy and Liens

10.13.1 When DECAL receives a tax levy and/or lien for a child care provider from the federal Internal Revenue Service (IRS), the State Department of Revenue, or other entities as allowed by law, the CAPS program will forward all monies from the child care provider’s reimbursements directly to the appropriate entity until the levy and/or lien has been satisfied or closed.

**POLICY REVISION HISTORY**

<table>
<thead>
<tr>
<th>Date</th>
<th>Description of Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>07/02/2018</td>
<td>Replaced all instances of the word certificate with scholarship in this section and throughout the Policy Manual.</td>
</tr>
<tr>
<td>02/01/2019</td>
<td>Revised section 10.8.3 to reference the provider’s published rate instead of the cost of care.</td>
</tr>
<tr>
<td>Date</td>
<td>Description of Change</td>
</tr>
<tr>
<td>------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>05/15/2020</td>
<td>Clarified that when multiple types of care are provided within the same service week (i.e., full time, part time, before and/or after), the maximum rate CAPS will reimburse to the provider is the state maximum rate for full time care or the provider’s published rate for full time care for children in DFCS custody and children with qualifying disabilities.</td>
</tr>
</tbody>
</table>
LEGAL AUTHORITY: 591-1-1-.02(m), 591-1-1-.46 (b), 591-1-1-.46 (b) 7; Federal Register: 45 Code of Federal Regulation (CFR) 98 and 99.

Cross Reference/See Also: CAPS Child Care Provider Rights and Responsibilities Policy (CAPS/00-12), CAPS Health and Safety Standards Policy (CAPS/00-15)

Note: Definitions of words or phrases in bold are located in Definitions and Acronyms. Only the first occurrence of the defined words or phrases are bolded.

11 PARTICIPATING PROVIDERS

11.1 Purpose
The purpose of this policy is to provide guidelines about the types of providers that receive subsidies through Childcare and Parent Services (CAPS).

11.2 Scope
This policy applies to all employees of the Department of Early Care and Learning (DECAL), all parties responsible for the administration of the CAPS program, parental authorities, and child care providers who receive subsidies administered by DECAL on behalf of parental authorities.

11.3 Provider Eligibility

11.3.1 At DECAL’s sole discretion, licensed child care programs, two categories of license-exempt programs (government owned and operated child care programs and day camps), and informal providers who meet requirements detailed in this policy manual are eligible to participate in CAPS. When a child care program is licensed by or receives a qualifying license exemption from DECAL, the program is automatically added to the CAPS provider management system as an eligible provider.

11.3.2 CAPS shall only use Child Care and Development Fund (CCDF) or other applicable funds to pay eligible providers for services. Such payment cannot be assigned or delegated to a third party for any reason except by an order of a court of proper jurisdiction.

11.3.3 All providers participating in CAPS must comply with health and safety standards as prescribed in CAPS Health and Safety Standards Policy (CAPS/00-15).

11.3.4 When there is a change of ownership, the new owner is eligible to receive CAPS payment the date they are issued their permit and/or temporary or continuing license. Effective that date, the previous owner is no longer eligible to provide care or receive payment.

11.4 Licensed Child Care Providers

11.4.1 The following categories of licensed providers are eligible to participate in the CAPS program. For current Child Care Learning Centers (CCLC) and Family Child Care Learning Homes (FCCLH) rules and regulations, visit http://www.decal.ga.gov/CCS/RulesAndRegulations.aspx.

11.4.1.1 Child Care Learning Centers (CCLC) – Any place operated by an individual or any business entity recognized under Georgia law wherein are received for pay for group care, for fewer than 24 hours per day without transfer of legal custody, seven or more children under 18 years of age and which is required to be licensed. Child Care Learning Center also includes any day care center previously licensed by the Department of Human Resources and transferred pursuant to Code Section 20-1A-1 et seq.

11.4.1.2 Family Child Care Learning Homes (FCCLH) – A private residence operated by any person who receives therein for pay for supervision and care fewer than 24 hours per day, without transfer of legal custody, at least three but not more than six children under 13 years of age who are not related to such persons and whose parents are not residents in the same private residence as the provider and which is required to be licensed; provided, however, that the total number of unrelated children cared for in such Home, for pay and not for pay, may not exceed six children under 13 years of age at one time, except that a provider may care for two additional children three years of age or older for two designated one hour periods daily upon approval by the Department.
11.5 License-exempt Child Care Providers

11.5.1 Providers with the following exemption types are eligible to participate in the CAPS program. For current exemption rules and regulations, visit http://www.decal.ga.gov/CCS/Exemptions.aspx.

11.5.1.1 Government owned and operated (Category 1) – As defined in Georgia Rules for Child Care Learning Centers, Rule 591-1-1-.46(b)1, programs which are owned and operated by any department or agency of state, county, or municipal government. This includes, but is not limited to, the customary school day, as defined in Georgia law, and before and/or after school programs in public schools operated by the public school system and staffed with school system employees and recreation programs operated by city or county parks and recreation departments and staffed with city or county employees.

11.5.1.2 Day camps (Category 7) – As defined in Georgia Rules for Child Care Learning Centers, Rule 591-1-1-.46(b)7, Day camp programs for children five years of age and older that are operated between school terms, whose primary purpose is to provide organized recreational, religious, or instructional activities. The day camp programs may operate during summer and other school breaks and shall operate for no more than 12 hours per day.

11.6 Informal Child Care Providers

11.6.1 Informal providers can only be used by a parental authority if one of the following criteria exists. Families who request to use an informal provider must verbally attest which of the following criteria apply.

- No other licensed care is available within a reasonable geographic area
- Care is during non-traditional hours when licensed care is not available
- The child in care meets the definition of children with disabilities
- The child's primary language is other than English and no licensed provider equipped for dual language families is available within a reasonable geographic area
- Families are impacted by transportation
- Parental choice as it relates to religious, race, and ethnic considerations
- Other considerations as identified by the family and approved by DECAL

11.6.2 Informal providers must be 21 years of age or older to receive payment through CAPS. Informal providers are not required to be licensed but must enroll with the CAPS program. The following types of informal providers may be eligible to participate in CAPS.

11.6.2.1 Relative informal providers include caregivers related to the child by blood, marriage, or adoption, such as an aunt, uncle, grandparent, great-grandparent, or adult sibling.

A. The relative must not be included in the family unit.
B. The relative informal child care arrangement may take place at the relative’s residence or in the child’s residence. However, adult siblings that are informal providers must live in a separate residence from the eligible children receiving subsidies.
C. If the relative cares for children for pay, the total number of children in care cannot exceed six. Of the children in care, no more than two can be unrelated for pay.
D. If the relative care is for more than six related children for pay (as described by Child Care Services licensing rules), they are required to obtain a license from DECAL.
E. For relative informal providers, a maximum of six children are allowed at the residence where care is provided.

11.6.2.2 Non-relative informal providers include individuals who are not related to the child by blood, marriage, or adoption.
A. The non-relative must provide care in their own residence and may not be a resident of the household of the children receiving care.

B. If the non-relative cares for more than two unrelated children for pay, they are required to obtain a license from DECAL.

C. Parental Authorities or adults acting in loco parentis are unable to receive subsidy payment for their own children.

11.6.2.3 As described by Child Care Services licensing rules, relative and non-relative informal providers who care for more than six related children or more than two unrelated children must obtain a license from DECAL. For more information, visit: [http://www.decal.ga.gov/CCS/StartingACenter.aspx](http://www.decal.ga.gov/CCS/StartingACenter.aspx)

### POLICY REVISION HISTORY

<table>
<thead>
<tr>
<th>Date</th>
<th>Description of Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>07/02/2018</td>
<td>Added requirement that informal providers be 21 years of age or older to receive payment through CAPS. This requirement was previously in the Informal Provider Agreement (Appendix I) but was not in CAPS Policy.</td>
</tr>
<tr>
<td>10/01/2018</td>
<td>Added requirement that Quality Rated eligible providers be star rated by December 31, 2020 to participate in the CAPS program. Clarified language regarding satisfactory records checks for informal providers.</td>
</tr>
<tr>
<td>02/01/2019</td>
<td>Added requirement that all providers participating in CAPS comply with CAPS Health and Safety Standards Policy (CAPS/00-15) and moved references to health and safety standards from this policy section to CAPS Health and Safety Standards Policy (CAPS/00-15).</td>
</tr>
<tr>
<td>05/15/2020</td>
<td>Added information related to eligible providers, changes of ownership, and the use of informal providers. Removed requirement that Quality Rated eligible providers be Quality Rated by December 31, 2020 to allow for an extension of the requirement’s implementation date.</td>
</tr>
</tbody>
</table>

Cross Reference/See Also: CAPS Purchase of Child Care through Scholarships Policy (CAPS/00-10), CAPS Participating Providers Policy (CAPS/00-11), CAPS Health and Safety Standards Policy (CAPS/00-15), CAPS Program Integrity Policy (CAPS/00-16), CAPS Administrative Hearings Policy (CAPS/00-18)

Note: Definitions of words or phrases in bold are located in Definitions and Acronyms. Only the first occurrence of the defined words or phrases are bolded.

12 CHILD CARE PROVIDER RIGHTS AND RESPONSIBILITIES

12.1 Purpose
This policy section describes the rights and responsibilities of child care providers and informal providers under the Childcare and Parent Services (CAPS) program rules and regulations.

12.2 Scope
This policy applies to all employees of the Department of Early Care and Learning (DECAL), all parties responsible for the administration of the CAPS program, parental authorities, and child care providers who receive subsidies administered by DECAL on behalf of parental authorities.

12.3 Child Care Provider Rights
12.3.1 Eligible Providers
12.3.1.1 At DECAL’s sole discretion, licensed child care programs, two categories of license-exempt programs (government owned and operated child care programs and day camps), and informal providers who meet requirements detailed in this policy manual are eligible to participate in CAPS.

12.3.1.2 CAPS shall only use Child Care and Development Fund (CCDF) or other applicable funds to pay eligible providers for services. Such payment cannot be assigned or delegated to a third party for any reason except by an order of a court of proper jurisdiction.

12.3.2 Participation Rights
Providers participating in the CAPS program have the right to:

12.3.2.1 Be treated fairly without regard to race, color, religion, sex or sexual orientation, marital status, national origin, ancestry, age, political beliefs, or disability.

12.3.2.2 Request and receive forms and notices in Spanish for providers who speak Spanish.

12.3.2.3 Have DECAL provide an interpreter for other non-English speaking individuals or persons with limited-English proficiency.

12.3.2.4 Request auxiliary aids or other accommodations for individuals with vision or hearing impairments.

12.3.2.5 Speak to a supervisor, if not satisfied with actions taken by CAPS staff.

12.3.3 Appeal Rights
12.3.3.1 Employees and prospective employees have the right to appeal the accuracy or completeness of the results of a criminal background check.

12.3.3.2 Providers receiving subsidies through the CAPS program have the right to appeal and receive a hearing regarding adverse actions that pertain to any financially related matters, excluding (1) future payments, (2) lack of funding availability, (3) Denial from participation in CAPS, (4) Dismissal from participation in CAPS, and (5) Disqualification from participation in CAPS.

12.3.3.3 Providers must request an appeal in writing by the deadline listed on the notice or within 14 calendar days from the date of the notice on an appealable or adverse action taken by DECAL. Requests for hearings must be submitted to the attention of:
12.3.3.4 Providers have the right to appeal to the U.S. Department of Health and Human Services Office for Civil Rights (HHS OCR) if they feel that the DECAL or the CAPS program has violated their civil rights. Refer to the CAPS Administrative Hearings Policy (CAPS/00-18) for additional information.

12.4 Child Care Provider Responsibilities

12.4.1 State and Federal Laws and Regulations

12.4.1.1 The provider shall comply with all applicable local, state and federal statutes, ordinances, regulations, and policies.

12.4.1.2 The provider is responsible for reviewing CAPS policies on a regular basis, as policies are subject to change. The provider must be knowledgeable of CAPS policies and any revisions to CAPS policy.

12.4.1.3 Licensed providers must comply with reporting requirements as prescribed in Child Care Services rules. License-exempt providers must comply with reporting requirements as prescribed in the Health and Safety Standards for License-exempt Providers Receiving Subsidy manual. Informal providers must comply with reporting requirements as prescribed in the Health and Safety Standards for Informal Providers Receiving Subsidy manual.

12.4.1.4 Providers shall comply with Title VI of the Civil Rights of Act of 1964 (exception: Family Day Care Learning Homes and informal providers); Section 504 of the Rehabilitation Act of 1973; and, if the provider is center-based or a family child care learning home, the provider shall comply with the Americans with Disabilities Act of 2010.

12.4.1.5 Providers must ensure that parental authorities have unlimited access to their children when children are in the care of the provider.

12.4.1.6 Federal law prohibits CAPS from reimbursing a child care provider who has had a serious injury as defined in Definitions and Acronyms.

12.4.2 Required Documents

12.4.2.1 Providers currently receiving or anticipating receipt of subsidies through CAPS must return required documents to the State Provider Management Agent (SPMA) by the date requested for initial enrollment and annual renewal.

12.4.2.2 At initial enrollment, payments will be withheld until these documents are received. If documents are not received within 30 calendar days, the provider may be dismissed from CAPS.

12.4.2.3 At annual renewal, payments will be suspended for 30 days beginning the date the records were due. Payments will be withheld for no more than 30 days, after which payments will be released to the provider and the provider will be dismissed from CAPS.

12.4.2.4 Licensed and exempt providers must submit current, accurate, authentic, and complete copies of the following documents at initial enrollment and annual renewal:

- Form W-9 for tax identification purposes
- Policies and procedures (published and available for review by DECAL and the public)
- Child care rates – Providers must submit a copy of child care rates to the SPMA. In addition, upon notice from CAPS, providers must enter their rates into DECAL KOALA, DECAL’s provider self-service website, at www.decalkoala.com.
- Child Care Provider Agreement
- Georgia’s Department of Early Care and Learning Assurance of Compliance with Federal Regulations Regarding Civil Rights Form 704 (required for child care learning centers only)
- Direct deposit form
12.4.2.5 **Informal providers** must submit current, accurate, authentic, and complete copies of the following documents at initial enrollment and annual renewal:

- **Valid proof of social security number and verification of identity**, such as photo ID, driver's license, or passport (only at initial enrollment or if information changes)
- **Enrollment packet** that includes:
  - Satisfactory criminal record check determination for all adults in the home 17 years of age or older must be issued prior to authorization of subsidy through CAPS. For additional information on the records check process and components, visit: [http://decal.ga.gov/CCS/CriminalRecordsCheck.aspx](http://decal.ga.gov/CCS/CriminalRecordsCheck.aspx).
  - **Note**: While all providers participating in CAPS are required to comply with DECAL’s Comprehensive Background Check Policy, as prescribed in [CAPS Health and Safety Standards Policy (CAPS/00-15)](http://decal.ga.gov/CCS/CriminalRecordsCheck.aspx), the SPMA provides additional support to informal providers in obtaining required criminal background checks.
  - Infant/Toddler CPR Certification certificate (must be current)
  - Informal Provider Enrollment Affidavit
  - Form W-9 for tax identification purposes
  - Child Care Provider Agreement
  - Direct deposit form

**Note**: Informal providers who leave and re-enroll in the CAPS program within six months of their withdrawal date may use the same criminal records check determination letters.

12.4.3 Cooperating with the SPMA and DECAL

12.4.3.1 DECAL contracts with a vendor, the **State Provider Management Agent (SPMA)**, to manage provider enrollment, financial reimbursement, compliance, overpayment recoupment, and technical support for child care providers participating in CAPS.

12.4.3.2 Providers participating in CAPS may also receive requests or information from DECAL staff. This includes, but is not limited to, staff in CAPS, Child Care Services, and Audits and Compliance.

12.4.3.3 Providers are required to ensure all submitted documents are accurate, authentic, and complete.

12.4.3.4 Providers must submit accurate and complete contact information, including email address, to the SPMA to be maintained in the provider profile. Each provider receiving subsidy through CAPS will have a provider profile maintained by the SPMA. The profile will contain contact and demographic information about the provider, in addition to compliance information. Failure of the provider to submit accurate and complete contact information on file with the SPMA shall not give rise to claim that they were not properly notified. The provider is required to notify DECAL of any changes in contact or demographic information within five business days. Failure to notify DECAL of any changes in contact or demographic information may result in dismissal from the CAPS program.

12.4.3.5 Failure to comply with any request by the SPMA or DECAL may result in dismissal from the CAPS program, as prescribed in [CAPS Health and Safety Policy (CAPS/00-15)](http://decal.ga.gov/CCS/CriminalRecordsCheck.aspx) and [CAPS Program Integrity Policy (CAPS/00-16)](http://decal.ga.gov/CCS/CriminalRecordsCheck.aspx).

12.4.4 Health and Safety Standards

12.4.4.1 Providers must comply with health and safety standards as prescribed in [CAPS Health and Safety Policy (CAPS/00-15)](http://decal.ga.gov/CCS/CriminalRecordsCheck.aspx).

12.4.4.2 Compliance with health and safety standards includes, but is not limited to, the following, as prescribed in [CAPS Health and Safety Standards Policy (CAPS/00-15)](http://decal.ga.gov/CCS/CriminalRecordsCheck.aspx).

A. All providers participating in CAPS must:

1. Comply with reporting requirements
12.4.5 Recordkeeping and Reviews

12.4.5.1 Documentation expected to be maintained by all providers includes, but is not limited to:

- **Arrival and departure records** (formerly referred to in CAPS policy as sign in/sign out logs)
- **Transportation records** (logs and agreements)
- Copies of child care license or letter of exemption
- Copies of Business License and Certificate of Occupancy
- Financial records or financial information (e.g., bank statements, copies of canceled checks)
- Current published policies and procedures
- Current published rate sheets
- Signed Civil Rights Act Compliance form
- Verification of SSN and FEIN/Tax ID Numbers
- Employment records
- Records supporting funding from other state or federal sources
- Child records (such as birth certificates, immunization forms, and registration information)
- Any and all information or records related to the operation of the provider

12.4.5.2 The documents listed above may be requested and reviewed during attendance verification assessments, compliance reviews, or investigations. Refer to CAPS Program Integrity Policy (CAPS/00-16) for more information on assessments, reviews, investigations, and sanctions.

12.4.5.3 The SPMA or DECAL may request documents in writing or in person for attendance verification assessments, compliance reviews, or investigations. Failure to submit documents when requested by DECAL shall result in a mandatory reclaim of funds.

A. The SPMA conducts attendance verification assessments of provider billing records. Providers are typically required to submit arrival and departure records and transportation records for a specified month as instructed in the review notification. The purpose of attendance verification assessments is to support provider compliance. Failure to provide records in a timely manner may result in a referral to DECAL's Audits and Compliance Division.

B. DECAL’s Audits and Compliance Division conducts risk-based compliance reviews and investigates referrals.

1. For compliance reviews, providers are typically required to submit arrival and departure records and transportation records for a specified three-month period within 15 calendar days from the date the notice was received. The review period may be widened at DECAL’s discretion. The purpose of compliance reviews is to identify and recoup improper payments; however, additional sanctions may also be imposed at the discretion of CAPS administration.

2. For investigations, DECAL may request records in person or in writing. The timeframe for which records are requested will vary based on dates specified in the referral. The review period may be widened at DECAL’s discretion.
(3) If records are requested in writing by DECAL, failure of the provider to submit the required documents in 15 calendar days from the date the notice was received shall cause an overpayment to be established for any period where documentation is not provided, and result in sanctions imposed by DECAL, including a mandatory reclaim of reimbursement for the overpayment periods that lack the supporting documentation, and may include dismissal or disqualification from CAPS and may jeopardize the provider’s ability to participate in other DECAL programs.

(4) If records are requested in person during an on-site review, the provider or any of their representatives must immediately make records available. If the provider’s designated program director cannot be present at the time of review, the director must select an alternate person to access the records in their absence. The absence of the director should not hinder or prevent a DECAL representative from conducting a review.

(5) Failure to provide requested documentation immediately upon request shall result in sanctions imposed by DECAL, including a mandatory reclaim of reimbursement for the overpayment periods that lack the supporting documentation, and may include dismissal or disqualification from CAPS and may jeopardize the provider’s ability to participate in other DECAL programs.

(6) Established overpayments will be sent to the SPMA to begin the recoupment process, which will reduce future payments to the provider. All overpayments must be satisfied within 24 months of establishment.

12.4.5.4 Provider records should be securely maintained on site where care is provided or at a suitable off-site location previously approved by DECAL that allows for convenient access and retrieval if immediate review is requested. DECAL shall have the authority to enter the premises to retrieve requested documents. The following section of the Child Care Provider Agreement shall be completed by the person legally responsible for the operation and management of the program:

The documents for: _________________________________________________________

(provider name)

will be maintained at: _______________________________________________________

(address, city, zip code where records will be stored)

12.4.5.5 If at any time any records pertaining to the CAPS program are relocated from the previously approved location, a notification must be submitted to DECAL for approval within five business days.

12.4.5.6 In the event of natural or man-made disasters (e.g., flooding, fire, hurricane, tornado, theft, acts of vandalism, etc.), the provider is responsible for providing third-party verification to substantiate the disaster. Verification may include police reports, insurance company claims, photos, or other proof that support the disaster and must also include detail of the property impacted. Claims related to man-made disasters must be made and filed within 30 calendar days of the incident. Claims related to natural disasters must be filed as soon as possible in accordance with insurance company regulations. In the event of provider electronic attendance tracking system functionality failure, the provider must still maintain records as prescribed in CAPS policy. The provider may utilize other automated or manual (paper) methods to maintain attendance verification until system functionality can be restored.

12.4.5.7 DECAL will not return documents submitted; therefore, it is imperative that copies of documentation are submitted and not the original documents.

12.4.5.8 DECAL is not responsible for packages lost or not delivered to the appropriate location or person; therefore, it is strongly recommended that packages submitted to DECAL via mail are adequately addressed to their intended recipient and are commercially tracked from posting to delivery (e.g., certified mail or return receipt delivery).

12.4.5.9 Arrival and departure records (formerly referred to in CAPS policy as sign in/sign out logs) and transportation records (if applicable) are the only acceptable source of evidence for providing care for all children subsidized through the CAPS program. The provider must maintain the original and accurate arrival and departure records and transportation records for a minimum of three years from the last date service is
12.4.5.10 Arrival and departure records must have the parental authority’s or authorized representative’s original or electronic signature obtained at arrival and departure each time the parental authority or authorized representative drops off and picks up the child.

A. If the parental authority is present at either arrival or departure, transportation records cannot be used to support children’s attendance for CAPS purposes.

B. If the parental authority is not present to sign at both arrival and departure, transportation records can be used to support children’s attendance, providing that:

   1. There is a valid transportation agreement, completed prior to providing transportation, on file with the provider signed by the parental authority giving authorization for transportation of the child to and/or from the provider (whether the transportation is provided by the provider itself or an outside entity contracted to provide transportation); and

   2. There is a passenger transportation checklist (formerly referred to in CAPS policy as a transportation log) that lists the children on the transportation schedule as well as signatures of the responsible party (e.g., bus driver, program administrator) for each day children are transported (whether the transportation is provided by the provider itself or an outside entity contracted to provide transportation).

   3. Transportation records must be accurate, current, and complete in accordance with licensing rules and regulations and immediately available for review upon request.

C. The provider is prohibited from signing arrival and departure records on behalf of the parental authority if the parental authority is present regardless of the fact the provider uses an electronic sign in and out system. DECAL reserves the right to investigate any circumstances where DECAL believes or has evidence that the provider is using staff members to circumvent arrival and departure record policy requirements. The investigation may lead to recoupment of funds or other sanctions as prescribed in CAPS policy.

D. If a provider chooses to use an electronic system, each parental authority must have their own unique electronic signature. The provider is required to have their own unique electronic signature that would allow DECAL or its representatives to discern parental authority sign in and out from that of the provider. The electronic system must record and display who signed the child in and out as well as when and how the child was signed in and out.

12.4.5.11 Providers are responsible for ensuring that documents provided to DECAL and its representatives are current, accurate, and complete. Failure to provide current, accurate, and complete documentation may be construed as submitting a false statement. DECAL will refer for criminal prosecution any provider who knowingly submits false documentation.

12.4.5.12 If it is determined through provider self-reporting, compliance reviews, or investigations that the provider failed to maintain arrival and departure records with the parental authority or authorized representative’s electronic signature, CAPS must recoup the amount of any child care subsidies paid for any portion of the review period for which the provider failed to maintain acceptable records. Further sanctions may be imposed, up to and including dismissal and disqualification from CAPS, which may also jeopardize the provider’s ability to participate in other DECAL programs.
12.4.5.13 If the SPMA determines during an attendance verification assessment that the provider does not maintain records in accordance with CAPS policy, the person legally responsible for the program and the person responsible for maintenance of records will be required to complete mandatory training. If the provider does not make improvements in record maintenance, the SPMA may submit a referral for investigation to DECAL’s Audits and Compliance Division.

12.4.6 Payments, Billings, and Refunds

12.4.6.1 As prescribed in CAPS Purchase of Child Care Through Scholarships Policy (CAPS/00-10), the provider understands and agrees that the total weekly amount it receives for CAPS services for each child in care (the CAPS family’s assessed fees plus the amount paid by the state for CAPS services) shall not exceed the provider’s published rate as outlined on the child care scholarship.

Note: The parental authority is responsible for payment of any charges that exceed any amount that CAPS has authorized for reimbursement. Possible charges include transportation costs, book fees, and field trip costs.

12.4.6.2 When CAPS subsidizes child care for a child in DFCS custody or a child with a qualifying disability, CAPS will reimburse up to the provider’s published rates on file with the SPMA.

12.4.6.3 CAPS will only pay up to the state’s maximum reimbursement rate (Appendix C) for children authorized in informal provider settings, except for children with disabilities and children in DFCS custody. For children with disabilities and children in DFCS custody who have been authorized for care in informal provider settings, CAPS will approve a negotiated rate for informal providers should their rate exceed the maximum reimbursement rate.

12.4.6.4 When multiple types of care are provided for the same child within the same service week (i.e., full time, part time, before and/or after), the maximum rate CAPS will reimburse to the provider is the state maximum rate for full time care or the provider’s published rate for full time care for children in DFCS custody and children with qualifying disabilities.

12.4.6.5 CAPS will not pay if the child did not attend at least one day during the service week as listed on the child care scholarship, except in instances where the provider is requesting payment to hold a slot (refer to section 12.4.9 below).

12.4.6.6 The provider may not bill, and CAPS will not pay, for any service periods during which the provider was not open for business for the purpose of providing child care services.

12.4.7 Reconsideration for Overpayments

12.4.7.1 When a provider receives a notice for the establishment of an overpayment from DECAL or its representatives, they may submit additional documentation to support their requests for payment.

12.4.7.2 DECAL will review the reconsideration request and supporting documentation in a timely manner. After this review, the Audits and Compliance Division will send the child care provider a Reconsideration Notice notifying the provider of any change in the amount of overpayment resulting from reconsideration.

12.4.7.3 Any request for reconsideration must be accompanied by supporting documentation.

A. Reconsideration shall only include requests for clarification/review of existing documents already submitted and shall only cover the time period and/or children previously reviewed.

B. Reconsideration shall not include the opportunity to submit new documentation that has been previously requested but not submitted unless authorized by DECAL in writing for unique circumstances.

12.4.7.4 If a signed repayment statement or a request to formally appeal the overpayment and request a fair hearing is not postmarked by the due date contained on the notice, DECAL or its representatives will close the investigation and forward the overpayment to the SPMA to begin the collection process. Recoupments will be established to allow overpayments to be repaid within 24 months. The SPMA is responsible for pursuing, collecting, tracking, and reporting overpayments identified by DECAL or its representative.
A fair hearing request must be submitted in writing by 5:00pm on the due date contained in the reconsideration notice to the attention of:

Chief Legal Officer - Georgia Department of Early Care and Learning
East Tower, Suite 754
2 Martin Luther King Jr. Drive
Atlanta, GA 30334

Holding Slots

There may be situations when a child cannot attend the child care program for an extended time frame.

A. CAPS may authorize payment to a provider to hold a slot for a maximum of two service weeks during the eligibility period when a child is absent from care.

B. The provider must be open for business in order to receive payment for holding slots and must include specific payment requirements for holding slots in its policy. This policy must be on file with the SPMA.

Child Care Rates

The provider shall charge the same rates to families/children subsidized by CAPS as it charges other consumers and shall provide documentation, upon request, to demonstrate compliance with this requirement.

The provider shall not bill CAPS and CAPS shall not pay for child care during any period of time when another federal or state program, such as Head Start or Georgia’s Pre-K Program, has paid for a child’s care for the same service period, unless DECAL authorizes the use of layered federal or state funding in writing.

A. CAPS may recoup any payments for subsidies issued when another federal or state program has covered the cost of child care if DECAL had not previously authorized the use of layered federal funding in writing.

Child care services are subsidized in full as part of the parental authority’s employment.

A. CAPS may recoup any payments for subsidies issued when it is discovered that an employer has covered the cost of child care.

Change in Provider Rates

If a provider changes its rates, a new provider rate sheet must be submitted to the SPMA, and, upon notice from CAPS, the new rates must be entered into DECAL KOALA, DECAL’s provider self-service website (www.decalkoala.com). CAPS will make adjustments to child care scholarships according to the new rates no later than 30 calendar days after rates have been provided.

Invoices

The provider shall submit invoices that accurately report information about attendance to the SPMA within 60 calendar days of providing services. Invoices not submitted within 60 calendar days of service will delay payments to the provider. Invoices submitted after 90 calendar days of services will not be processed for payment and will not be reimbursed.

Invoices that are determined to be inaccurate, misleading, or false shall be subject to recoupment, sanctions up to and including dismissal and disqualificiation from CAPS, or may be referred for investigation or prosecution.

Overpayments

The provider shall refund any overpayments assessed by DECAL or its representatives. Overpayments may include any amounts received in error as a result of the provider’s error or automation error.

The CAPS program may offset all future subsidy payments until the overpayment is paid in full or pursue any and all legal actions DECAL deems appropriate which are permissible under state and federal law to recover overpayments.
12.4.12.3 The provider shall assume responsibility for all billing to the CAPS program and is legally responsible for overpayments resulting from erroneous billing and inaccurate invoices. Providing billing passwords and identification access to others does not reduce accountability or repayment of any overpayments resulting from incorrect billing.

12.4.12.4 Payment disputes, questions, and concerns can be addressed through the SPMA. Providers must request an appeal in writing by the deadline listed on the notice or within 14 calendar days from the date of the notice on an appealable or adverse action taken by DECAL. Refer to the CAPS Administrative Hearings Policy (CAPS/00-18).

12.4.13 Adverse Actions

12.4.13.1 Adverse actions are penalties for noncompliance with CAPS policies and rules, including sanctions for program integrity violations and enforcement actions related to health and safety standards.

A. Suspension: Payments to a provider will be suspended for:

<table>
<thead>
<tr>
<th>Provider Action</th>
<th>DECAL Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Failure to submit W9, 704, provider agreement, and direct deposit form to the SPMA by the date requested.</td>
<td>Payments will be released to the provider once all documents are submitted to CAPS. Payments will be withheld for no more than 30 calendar days before the provider is dismissed from CAPS.</td>
</tr>
<tr>
<td>Failure to comply with mandatory health and safety training as prescribed in CAPS Health and Safety Standards Policy (CAPS/00-15)</td>
<td>Payments will be released to the provider once the mandatory training is completed. Payments will be withheld for no more than 30 calendar days before the provider is dismissed from CAPS.</td>
</tr>
<tr>
<td>Failure to complete licensing inspections (licensed providers) or monitoring visits (license-exempt and informal providers)</td>
<td>Payments will be released to the provider once the provider has cooperated with the required inspection. Payments will be withheld for no more than 30 calendar days before the provider is dismissed from CAPS.</td>
</tr>
</tbody>
</table>

B. Dismissal refers to the action taken to remove a child care provider from the CAPS program for failure to comply with DECAL policies or federal or state laws and regulations. Providers will be dismissed as follows:

1. Thirty-one (31) calendar days after DECAL suspends payments for (a) failure to submit a W9, 704, Child Care Provider Agreement, or direct deposit form, (b) failure to comply with mandatory training (provider may be reinstated once all required training is completed), or (c) failure to comply with monitoring checklist requirements (informal provider will have to begin the enrollment process again)

2. When their license has been revoked and all appeal rights have been exhausted

3. When their exemption status has been rescinded

4. When they fail to comply with an investigation and/or a repayment statement

5. When they knowingly or intentionally keep an employee on staff with an unsatisfactory record check or without a satisfactory record check when children are in care.

6. When they knowingly or intentionally keep a resident at the facility with an unsatisfactory record check or without a satisfactory record check.

C. Disqualification refers to a time-limited or permanent status that disallows child care providers from participating in CAPS for failure to comply with DECAL policies or federal or state laws and regulations. Providers may be disqualified due to the following:
(1) Debarment or removal from any other federal or state program (disqualification will span a period of seven years plus any period thereafter that funds are still outstanding)

(2) Failure to repay funds (disqualification will be lifted once the overpayment is paid in full)

(3) Violation of CAPS policy. The period for disqualification will be based on the severity of the violation of policy, after a DECAL review has been conducted.

(4) Fraud conviction by state court, federal court, and/or Attorney General's Office (disqualification will be permanent)

(5) Serious injury as defined in Definitions and Acronyms

12.4.14 Reinstatement

Under certain conditions, at DECAL’s discretion, providers who have been dismissed or disqualified for CAPS may be reinstated into the program. Providers may be reinstated as follows:

<table>
<thead>
<tr>
<th>Provider Action</th>
<th>DECAL Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Failure to submit W9, 704, Child Care Provider Agreement, or direct deposit form</td>
<td>Reinstatement may occur once all documents are submitted. If reinstatement does not occur within 30 calendars of being dismissed, the provider will have to begin the enrollment process again.</td>
</tr>
<tr>
<td>Failure to complete mandatory training requirements</td>
<td>Reinstatement may occur if the provider completes mandatory training requirements within 30 calendar days of the notification of dismissal. If training occurs after the 30 days, the provider will have to complete the enrollment process.</td>
</tr>
<tr>
<td>Revocation (cancellation) of license</td>
<td>Reinstatement may occur if license revocation has been rescinded per DECAL guidelines. Providers may have to submit verification of license reinstatement.</td>
</tr>
<tr>
<td>Exemption status revoked</td>
<td>Reinstatement may occur if exemption status has been reinstated per DECAL guidelines.</td>
</tr>
<tr>
<td>Monitoring Checklist</td>
<td>Reinstatement may occur when compliance of the monitoring checklist has been satisfied. If reinstatement does not occur within 30 calendar days of being dismissed, the provider will have to begin the enrollment process again.</td>
</tr>
<tr>
<td>Disqualified for unpaid overpayment</td>
<td>Reinstatement may occur one year from the date of dismissal once the overpayment is paid in full.</td>
</tr>
<tr>
<td>Debarment by other federal or state program</td>
<td>Reinstatement may occur when removed from debarment list.</td>
</tr>
</tbody>
</table>

12.4.15 Tax Identification Reporting

Providers are responsible for paying social security, federal, and state taxes. The SPMA will release tax form 1099’s each January detailing funds received for the previous calendar year for programs that are responsible for filing taxes.

12.4.16 Warranties, Representations and Covenants

12.4.16.1 To the extent allowed by law, the provider agrees to hold DECAL, CAPS, their employees, agents, contractors, and successors harmless from any overpayments resulting from any action performed by DECAL or its representatives or by the provider and its agents, employees, or subcontractors.

12.4.16.2 The provider shall not assert in any manner that DECAL or CAPS is its sponsoring agency.

12.4.16.3 The provider acknowledges and agrees to the terms and conditions as stated on DECAL and CAPS program compliance documents, notifications, invoices, websites, and child care scholarships.

12.4.16.4 The provider understands and agrees that its entity, employees, or agents are not the partner, employee, or agent of DECAL or its contractors and will not represent itself as a partner, employee, or agent working on behalf of DECAL.
12.4.16.5 The provider acknowledges and agrees that in accordance with 45 CFR 98.30(C)(6), child care scholarships shall be considered a benefit to the child for child care services and shall not be considered a grant or contract to the provider.

POLICY REVISION HISTORY

<table>
<thead>
<tr>
<th>Date</th>
<th>Description of Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>07/02/2018</td>
<td>Added requirement that providers ensure parental authorities have unlimited access to their children when children are in the care of the provider and added requirement that, upon notice from CAPS, providers enter their child care rates and any changes to their rates in DECAL KOALA, DECAL’s provider self-service website (<a href="http://www.decalkoala.com">www.decalkoala.com</a>).</td>
</tr>
<tr>
<td>10/01/2018</td>
<td>Added provider reporting requirement; added that federal law prohibits CAPS from reimbursing a child care provider who has had a serious injury (as defined as defined in Definitions and Acronyms); and added serious injuries to the list of circumstances that result in disqualification from CAPS. Added requirement that Quality Rated eligible providers be star rated by December 31, 2020 in order to continue to receive Child Care and Parent Services (CAPS) funding. Clarified that for children with disabilities and children in DFCS custody, CAPS will approve a negotiated rate for informal providers should their rate exceed the maximum reimbursement rate.</td>
</tr>
<tr>
<td>02/01/2019</td>
<td>Revised policy to align with the following revisions to other sections of CAPS policy. CAPS policy was reorganized on February 1, 2019, by replacing Improper Payments (CAPS/00-15) and Disqualifications and Sanctions (CAPS/00-16) policies with Health and Safety Standards (CAPS/00-15) and Program Integrity (CAPS/00-16) policies. The new Program Integrity Policy is composed primarily of relevant information that already existed in other sections of CAPS policy, as well as additional details relating to program integrity prevention, detection, and investigation processes that were already in practice within the CAPS program but were not outlined in CAPS policy. The new Health and Safety Policy is composed of relevant information that already existed in CAPS policy as well as additional details relating to health and safety monitoring and enforcement for license-exempt and informal providers.</td>
</tr>
<tr>
<td>07/01/2019</td>
<td>Revised language related to criminal backgrounds checks to clarify that keeping a staff or resident without a satisfactory record check will result in dismissal and disqualification from CAPS.</td>
</tr>
<tr>
<td>10/01/2019</td>
<td>Revised language related to electronic signature. Added that providers acknowledge and agree child care scholarships are a benefit to the child for child care services and not grants or contracts to the provider. Revised language noting that the appeal period is the deadline listed on the notice or within 14 calendar days from the date of the notice on an appealable or adverse action taken by DECAL.</td>
</tr>
<tr>
<td>05/15/2020</td>
<td>Added information related to eligible providers. Clarified that when multiple types of care are provided within the same service week (i.e., full time, part time, before and/or after), the maximum rate CAPS will reimburse to the provider is the state maximum rate for full time care or the provider’s published rate for full time care for children in DFCS custody and children with qualifying disabilities. Removed requirement that Quality Rated eligible providers be Quality Rated by December 31, 2020 to allow for an extension of the requirement’s implementation date.</td>
</tr>
</tbody>
</table>

Cross Reference/See Also: CAPS Family Unit Policy (CAPS/00-5), CAPS Eligibility Requirements Policy (CAPS/00-6), CAPS Income Calculations Policy (CAPS/00-8), CAPS Purchase of Child Care through Scholarships Policy (CAPS/00-10)

Note: Definitions of words or phrases in bold are located in Definitions and Acronyms. Only the first occurrence of the defined words or phrases are bolded.

13 CASE CHANGES AND DOCUMENTATION

13.1 Purpose
At the time of application and redetermination, parental authorities are notified of the importance of reporting changes in family circumstances or child care providers. The purpose of this policy is to provide guidelines on what changes should be reported to the Childcare and Parent Services (CAPS) program and provide details on situations that require case changes.

13.2 Scope
This policy applies to all employees of the Department of Early Care and Learning (DECAL), all parties responsible for the administration of the CAPS program, parental authorities, and child care providers who receive subsidies administered by DECAL on behalf of parental authorities.

13.3 Case Management Best Practices and Responsibilities
Case managers should provide the highest quality of customer service to both internal and external customers. All documentation required to verify changes in case status must be acquired, filed, and documented in the case record. Case managers must ensure that all data entered in CAPS systems are accurate and current.

13.4 Change in Family Circumstances
13.4.1 The CAPS case may be reviewed when there is a change in the family’s circumstances. Some changes, while not required to be reported, will result in an increased benefit for the family by reporting them.

13.4.2 The following is a list of changes that the parental authority may, but is not required to, report:

• Change in family’s income if gross applicable income remains at or below 85% of the current State Median Income (SMI)
• Child birth, adoption, or addition of a new child
• Marriage
• Change in state-approved activity that is temporary and the activity may resume

13.4.3 The following is a list of changes that the parental authority is required to report within 10 calendar days of becoming aware of the change:

• Change in family’s gross applicable income where the income is above 85% SMI for a minimum of four consecutive weeks
• Change in activity that is not temporary (e.g., loss of employment, graduation from school or training activity)
• Request for change in child care provider
• Any change in child care arrangements (including child care provider’s location, relationship of the provider and the child, cost, or need for care).
• There is no longer a need for CAPS services
• Family moves out of the state of Georgia
• Change in contact information (e.g., phone number, email address, mailing address)
13.5 Changing Child Care Providers

13.5.1 When choosing to change child care providers, the parental authority must notify the CAPS case manager. Scholarships with the previous child care provider must be expired and scholarships must be authorized and issued to the new provider.

13.5.1.1 Whenever possible, services at the new provider should start at the beginning of a new service week. If care at a new provider is needed any time after the service week has begun, payments should reflect authorization based on services provided. If a child attends more than one provider during the service week based on the change, payment can be authorized for both the old and new provider, as long as the child attended at least one day of service.

13.5.2 When a parental authority initiates a change in providers without notifying the case manager and there is not a child care scholarship that authorizes subsidies with the new provider, the parental authority is responsible for the full cost of the child care. CAPS will not pay for services retroactively for any period prior to authorization.

13.5.3 Registration fees for provider changes: The CAPS program will only pay one registration fee per calendar year per child per unique provider. CAPS does not pay registration fees for care authorized in informal provider settings.

Note: CAPS does not pay for other costs, including but not limited to, transportation, meals, activity fees, or book fees that are separate from the weekly rates established by the provider.

13.6 Non-temporary change in state-approved activity

13.6.1 CAPS parental authorities who permanently lose their employment or stop attending education/training programs 13 weeks or more prior to the end of their current eligibility period will be allowed job search as an approved activity for 13 weeks from the date the activity ended.

13.6.1.1 If the parental authority resumes participation in a state-approved activity at any level during the 13-week job search period, on-going child care can continue for the duration of the existing eligibility period.

13.6.1.2 If the parental authority does not resume participation in a state-approved activity at any level during the 13-week job search period, the case will close at the end of the 13-week job search period.

13.6.2 CAPS parental authorities who permanently lose their employment or stop attending education/training programs with 12 weeks or less remaining in their current eligibility period will remain eligible for on-going childcare through the end of their current eligibility period. At annual redetermination, the parental authority must meet applicable state-approved activity requirements.

13.7 Case Suspensions

The term suspension shall apply when a case is active but there are no active scholarships.

13.7.1 CAPS cases may be suspended for the following reasons:

<table>
<thead>
<tr>
<th>Suspension Reason</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Child not in Care</td>
<td>When a child will not be in care for an extended period of time, the case may be suspended.</td>
</tr>
<tr>
<td></td>
<td>A. Absenteeism of the child may include, vacation, extended illness, or other extenuating</td>
</tr>
<tr>
<td></td>
<td>circumstances.</td>
</tr>
<tr>
<td></td>
<td>B. Suspension for children not in care should not extend beyond three weeks per eligibility</td>
</tr>
<tr>
<td></td>
<td>period.</td>
</tr>
<tr>
<td>Parental Authority</td>
<td>Cases may be suspended at the request of the parental authority.</td>
</tr>
<tr>
<td>Request</td>
<td>A. Suspension by request should not extend beyond 12 weeks per eligibility period.</td>
</tr>
<tr>
<td></td>
<td>B. Reasons a parental authority may request a case suspension include, but are not limited to,</td>
</tr>
<tr>
<td></td>
<td>the following:</td>
</tr>
</tbody>
</table>
13.7.2 When the child care case is suspended, the case will remain open; however, CAPS will not make subsidy payments.

13.7.3 The parental authority must be informed and the child care provider notified that any charges during the time CAPS does not make subsidy payments are to be negotiated between the parental authority and the provider.

13.7.4 In the case of all suspensions, the parental authority must contact his/her CAPS case manager to have case reinstated.

13.8 Case Closures

13.8.1 There are instances where the CAPS case may be closed during the eligibility period. When the CAPS case is being closed, the case manager must notify the parental authority and the child care provider no later than 12 calendar days prior to the closure.

13.8.2 The following is a list of reasons for CAPS case closures:

- The family’s income exceeds 85% of the current SMI for a period of four or more consecutive weeks.
- There has been a program violation and the sanction is closure of the child care case.
- The parental authority voluntarily withdraws from the CAPS program.
- The parental authority abandons the CAPS program and cannot be reached using the most recently provided contact information. Abandonment occurs when it is confirmed that CAPS subsidies have not been used by the parental authority for authorized children, with no contact or previous notification of absence, for a period of at least 30 calendar days. CAPS will attempt to contact parental authorities through each communication channel available (phone, mail, and email) at least two times prior to closing their case for abandonment.
- The parental authority fails to respond to or honor the Child Care Claim and Repayment Statement, or the parental authority fails or refuses to cooperate with an investigation conducted by DECAL investigative staff.
- The family has moved out of the state of Georgia

13.9 Eligibility Case Records

13.9.1 The CAPS program will maintain ongoing records regarding the parental authority’s eligibility and participation in the program until the closure of the case and for a minimum of three years thereafter.

13.9.2 The case records will include all verification used to determine eligibility; as well as notes, written records, system records, forms, and documentation from the CAPS program regarding the parental authority’s participation in eligibility.

13.9.3 Cases where there is an active claim, on-going investigation, or outstanding hearing must be held until the claim has been satisfied, the investigation has been dispositioned, or the hearing process has been completed.

Refer to Appendix E for record keeping procedures for CAPS case files.
**Policy Revision History**

<table>
<thead>
<tr>
<th>Date</th>
<th>Description of Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>03/26/2018</td>
<td>Changed 50% SMI to 85% SMI in section 13.4, related to income changes PA is required to report.</td>
</tr>
<tr>
<td>07/02/2018</td>
<td>Added statement that CAPS will attempt to contact parental authorities at least two times prior to closing their case for abandonment.</td>
</tr>
<tr>
<td>10/19/2018</td>
<td>Removed a change in child’s citizenship status from the list of changes parental authorities are required to report.</td>
</tr>
<tr>
<td>07/01/2019</td>
<td>Revised language to clarify that CAPS will pay one registration fee per child per unique provider per calendar year. Revised language related to non-temporary changes in state-approved activity to limit job search as an allowed activity to parental authorities with more than 13 weeks remaining in their current eligibility period. Removed the 13-week suspension period that previously followed job search for non-temporary changes in state-approved activity.</td>
</tr>
</tbody>
</table>

Cross Reference/See Also: CAPS Eligibility Requirements Policy (CAPS/00-6)

**Note:** Definitions of words or phrases in bold are located in [Definitions and Acronyms](#). Only the first occurrence of the defined words or phrases are bolded.

## 14 ANNUAL REDETERMINATION

### 14.1 Purpose

Redetermination is the verification of continued eligibility for Childcare and Parent Services (CAPS). The purpose of this policy is to establish guidelines for the annual redetermination of continued eligibility.

### 14.2 Scope

This policy applies to all employees of the Department of Early Care and Learning (DECAL), all parties responsible for the administration of the CAPS program, parental authorities, and child care providers who receive subsidies administered by DECAL on behalf of parental authorities.

### 14.3 Policy Content and Guidelines

14.3.1 Redeterminations shall be processed in the same manner as applications. Parental authorities shall not be required to re-verify circumstances that have already been verified and are not questionable or subject to change (e.g., identity, citizenship, social security numbers).

14.3.2 CAPS eligibility shall be re-determined within 12 months of the last eligibility determination to ensure the parental authority remains eligible for services. Eligibility shall terminate at the end of the redetermination month unless the redetermination is completed and the family is determined eligible for on-going services.

14.3.3 Parental authorities and their child care provider shall be notified of the redetermination at least 45 calendar days prior to the family’s redetermination due date.

14.3.4 Each redetermination period involves the completion of a new application for services, supporting documents, and a follow-up interview with the parental authority.

14.3.5 Applications, statements, and supporting documents to determine continued eligibility may be provided by:

- Phone
- Mail
- Email
- Scan/upload imaged documents
- Fax
- In person

14.3.6 Interviews can be conducted via phone, email, or in person (if requested by the parental authority).

14.3.7 Redetermination documents submitted on or before the end of the current eligibility period shall be processed. If all required documents are not submitted on or before the end of the current eligibility period, the case may close. If a case is closed for failure to submit all required documents, families may reapply as a new applicant and must meet all applicable eligibility requirements for new applicants.

14.3.8 The entire redetermination of eligibility process must be completed before the current scholarships expire to prevent disruption of child care services. This includes receipt and review of all documents, interviews, and notifications of on-going services.
14.3.9 At redetermination, if a family’s gross applicable income increases but remains at or below the maximum allowable federal limit of 85% SMI, the family is eligible to remain in the program. The family fee will be calculated at redetermination based on the family’s current gross applicable income.

14.3.10 If a family is no longer eligible for services, the parental authority and child care provider must be properly notified of ineligibility within one day of the determination, providing 14 calendar days for adverse actions.

### POLICY REVISION HISTORY

<table>
<thead>
<tr>
<th>Date</th>
<th>Description of Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>03/26/2018</td>
<td>Removed reference to Graduated Phase-out in section 14.3.</td>
</tr>
<tr>
<td>07/01/2019</td>
<td>Revised language to note that a case will close if all required documents are not submitted on or before the end of the current eligibility period.</td>
</tr>
<tr>
<td>10/01/2019</td>
<td>Revised language to note that CAPS will provide 14 days’ notice of adverse actions.</td>
</tr>
</tbody>
</table>

Cross Reference/See Also: CAPS Participating Providers Policy (CAPS/00-11), CAPS Program Integrity Policy (CAPS/00-16), Rules and Regulations for Child Care Learning Homes and Family Child Care Learning Homes

Note: Definitions of words or phrases in bold are located in Definitions and Acronyms. Only the first occurrence of the defined words or phrases are bolded.

15 HEALTH AND SAFETY STANDARDS

15.1 Purpose
The purpose of this policy is to establish guidelines for protecting the health and safety of children who receive CAPS.

15.2 Scope
This policy applies to all employees of the Department of Early Care and Learning (DECAL), all parties responsible for the administration of the CAPS program, parental authorities, and child care providers who receive subsidies administered by DECAL on behalf of parental authorities.

15.3 Compliance Standards for all Providers Participating in CAPS

15.3.1 All providers participating in CAPS must comply with reporting requirements. Licensed providers must comply with reporting requirements as prescribed in Georgia child care licensing rules. License-exempt and informal providers must comply with reporting requirements as prescribed in the Health and Safety Standards for License-exempt Providers Receiving Subsidy manual and Health and Safety Standards for Informal Providers Receiving Subsidies manual.

15.3.2 All providers participating in CAPS must comply with DECAL’s Comprehensive Background Check policy.

15.3.2.1 The comprehensive records check must be processed by DECAL, and the comprehensive records check determination letter must be issued by DECAL. Any other fingerprint or records check, including those conducted by other state or federal agencies, will not satisfy the CAPS requirement.

15.3.2.2 All staff and residents of licensed, license-exempt, and informal providers participating in CAPS must meet DECAL’s background check requirements or they cannot be present in a child care program or reside at the location while children are present for care.

15.3.2.3 An individual must undergo an additional Comprehensive Records Check at least every five years or when that individual has not worked in the child care industry for six months or longer.

15.3.3 All providers participating in CAPS must maintain original and accurate arrival and departure records and transportation records (if applicable) for a minimum of three years from the last date service is provided. The primary purpose of arrival and departure records and transportation records is to account for each child in care and to protect the health and safety of children. For CAPS purposes, these records will also be used as evidence that care was provided. If there is an open investigation, providers are required to maintain records beyond the three-year period until the investigation is completed, as prescribed in CAPS Provider Rights and Responsibilities Policy (CAPS/00-12).

Note: Refer to DECAL’s website for sample arrival and departure records: http://decal.ga.gov/BftS/FormList.aspx?cat=Child%20Care%20Learning%20Center

15.3.3.1 Arrival and departure records must have the parental authority’s or authorized representative’s original or electronic signature obtained at arrival and departure each time the parental authority or authorized representative drops off and picks up the child.

A. If the parental authority is present at either arrival or departure, transportation records cannot be used to support children’s attendance for CAPS purposes.
B. If the parental authority is not present to sign at both arrival and departure, transportation records can be used to support children’s attendance, providing that:

1. There is a valid transportation agreement, completed prior to providing transportation, on file with the provider signed by the parental authority giving authorization for transportation of the child to and/or from the provider (whether the transportation is provided by the provider itself or an outside entity contracted to provide transportation); and

2. There is a passenger transportation checklist that lists the children on the transportation schedule as well as signatures of the party responsible for monitoring the checklists.

3. Transportation records must be accurate, current, and complete in accordance with licensing rules and regulations and immediately available for review upon request.

C. If a provider chooses to use an electronic system, each parental authority must have their own unique electronic signature. The provider is required to have their own unique electronic signature that would allow DECAL or its representatives to discern parental authority sign in and out from that of the provider. The electronic system must record and display who signed the child in and out as well as when and how the child was signed in and out.

15.4 Compliance Standards for Licensed Providers

15.4.1 Licensed providers must participate in training and technical assistance required by the CAPS program and must comply with all licensing requirements.

15.4.2 Rules and guidance for licensed programs can be found at http://decal.ga.gov/CCS/RulesAndRegulations.aspx.

15.5 Compliance Standards for License-exempt and Informal Providers

15.5.1 License-exempt providers (including all staff) and informal providers must comply with health and safety standards as defined by DECAL. For detailed information on health and safety standards, refer to the Health and Safety Standards for License-exempt Providers Receiving Subsidy manual and the Health and Safety Standards for Informal Providers Receiving Subsidy manual.

15.5.2 License-exempt and informal providers must provide care that meets state health and safety standards as reflected in the health and safety monitoring checklists.

15.5.3 Additionally, license-exempt and informal providers must have evidence of completing cardiopulmonary resuscitation (CPR) training for infants and toddlers, complete pre-service orientation, and complete 10 hours of training each calendar year thereafter.

15.5.3.1 Informal providers must provide evidence of completing CPR training prior to authorization of CAPS subsidy and complete pre-service orientation within the first three months of enrollment.

15.5.3.2 License-exempt providers must ensure all staff complete pre-service orientation and CPR training within the first three months of employment.

15.5.3.3 Pre-service orientation training for license-exempt and informal providers may be completed online or through instructor-led courses and must cover, at a minimum, the following topic areas:

- Prevention and control of infectious diseases (including immunizations)
- Prevention of sudden infant death syndrome (SIDS) and use of safe sleep practices
- Administration of medication consistent with standards for parental consent
- Prevention and response to emergencies due to food and allergic reactions
- Building and physical premises safety, including identification of and protection from hazards that can cause bodily injury
- Prevention of shaken baby syndrome, abusive head trauma, and child maltreatment
- Emergency preparedness and response planning for emergencies resulting from natural or man-made disasters
• Handling, storage, and disposal of hazardous materials
• Transportation safety for children
• Recognition and reporting of child abuse and neglect
• Nutrition and access to physical activity
• Promotion of child development

15.5.3.4 All license-exempt and informal provider supervisory and caregiver personnel, except independent contractors, Students-in-Training and volunteers, must complete ten clock hours of training which is task-focused in early childhood education or child development or subjects relating to job assignment and is offered by an accredited college, university or vocational program or other DECAL approved source.

15.5.3.5 DECAL approved training courses can be found at www.gapds.decal.ga.gov.

15.5.4 Compliance with health and safety standards will be verified during on-site monitoring visits by DECAL.

15.5.5 Rules and guidelines for all license-exempt providers can be found at http://www.decal.ga.gov/CCS/Exemptions.aspx.

15.6 Monitoring and Enforcement for Licensed Providers

15.6.1 Licensed programs will be subject to health and safety monitoring and enforcement in accordance with rules and regulations for Child Care Learning Centers and Family Child Care Learning Homes. Rules and guidelines for licensed programs can be found at http://decal.ga.gov/CCS/RulesAndRegulations.aspx.

15.6.2 CAPS may suspend payments to a licensed provider for failure to complete licensing inspections. Payments will be released to the provider once the provider has completed the required inspection. Payment will be withheld for no more than 30 calendar days before the provider is dismissed from CAPS. Providers dismissed for failure to complete licensing inspections may be eligible for reinstatement when requirements have been satisfied.

15.6.3 Licensed providers may be dismissed and disqualified from CAPS for the following reasons:

15.6.3.1 License revocation (once all appeal rights have been exhausted) – Providers may reenroll in CAPS if the revocation has been rescinded per DECAL licensing guidelines. Providers may have to submit verification of license reinstatement.

15.6.3.2 When they knowingly or intentionally keep an employee on staff with an unsatisfactory record check or without a satisfactory record check when children are in care.

15.6.3.3 When they knowingly or intentionally keep a resident at the facility with an unsatisfactory record check or without a satisfactory record check.

15.6.3.4 When there is a serious injury as defined in Definitions and Acronyms in accordance with federal regulations.

15.6.3.5 At the discretion of CAPS administration, providers may be dismissed or disqualified from CAPS for health and safety violations that are not explicitly defined in this policy.

15.7 Monitoring and Enforcement for License-exempt and Informal Providers

15.7.1 License-exempt and informal providers will receive a monitoring visit to evaluate compliance with health and safety standards between 90 and 120 days after enrollment in the CAPS program and once per federal fiscal year (October 1 through September 30) thereafter.

15.7.2 Providers have the right to refute any findings noted during a monitoring visit. The refutation process will be provided on the monitoring visit report.

15.7.3 Health and safety standards for license-exempt and informal providers will be enforced in an appropriate and progressive manner depending on the type, severity, and number of violations. Repeated findings of noncompliance may result in additional enforcement actions.

15.7.3.1 Health and safety enforcement actions issued by CAPS include the following:

A. Technical Assistance – Guidance, information, and resources provided by a consultant to help a provider meet DECAL’s health and safety standards.
B. Citation – A written notation of how a health and safety standard was violated that is issued in a monitoring visit report when it has been determined that a provider was out of compliance.

C. Plan of improvement – A verbal statement from the provider captured by DECAL staff during a monitoring visit indicating how and when a violation will be corrected.

D. Warning letter – A letter given to a provider regarding health and safety violations advising that corrective action is required, and further enforcement action may result.

E. Plan of corrective action – A written plan prepared by the authorized agent of the provider submitted to and approved by DECAL which states the procedures, methods, and time frames that will be used to correct the areas of noncompliance with health and safety standards.

F. Office conference – A meeting with a provider and DECAL staff to discuss violations and required corrective action that is documented in a letter.

G. Enforcement fine – A monetary penalty issued to a provider. If the provider files an appeal, the action is suspended until the appeal is resolved. Enforcement fines will be posted on the DECAL website 15 days after issued or, if appealed, when the appeal process is completed. Fines will typically be due within 30 days from the date issued. Extensions may be granted at DECAL’s discretion.

1. Fine level 1 – A monetary penalty of $299.
2. Fine level 2 – A monetary penalty of $499.
3. Per violation fine – A monetary penalty of $299 or $499 per violation, not to exceed $25,000 in total, assessed for each serious or repeated health and safety standard violation.

H. Dismissal – An action taken to remove a child care provider from the CAPS program for failure to comply with DECAL policies or federal or state laws and regulations.

I. Disqualification – A time-limited or permanent status that disallows a child care provider from participating in CAPS program for failure to comply with DECAL policies or federal or state laws and regulations.

15.7.3.2 In situations where an enforcement action requires follow-up by the provider (e.g., corrective action plan, fine payment), a due date will be imposed. Failure to comply by the due date will result in payment suspension for up to 30 days following the initial due date until requirements have been met. Payments will be withheld for no more than 30 days, after which the provider will be dismissed from CAPS. Providers who are dismissed from CAPS for this reason will be eligible for reinstatement once requirements are met.

15.7.3.3 A payment arrangement or alternate use agreement may be negotiated. For alternate use agreements, the provider will expend financial resources equal to the fine amount to address the violations that resulted in the enforcement fine in lieu of making a monetary payment to DECAL. If the purchases do not cover the full amount, the provider must pay the outstanding amount.

15.7.3.4 When a core health and safety standard violation is identified during a monitoring visit, the violation will be assigned a low (A), medium (B), high (C), or extreme (D) violation class based on risk or harm and assigned points in accordance with the Health and Safety Standards Reference Charts (Exempt Provider Monitoring Checklist and Reference Chart, Informal Provider Monitoring Checklist and Reference Chart). Non-core health and safety standards required by federal Child Care and Development Fund (CCDF) regulations will be assigned a low violation class.

15.7.3.5 Providers will fall into an enforcement action cell (A-I through D) based on the intersection of the highest violation class observed during that visit and total points accumulated on that visit, as shown in the following Compliance and Enforcement Chart.
### Compliance and Enforcement Chart

<table>
<thead>
<tr>
<th>Violation Class (A, B, C, D)</th>
<th>Points accumulated per monitoring visit</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>I 0-2 points</td>
</tr>
<tr>
<td>D (10 points per)</td>
<td></td>
</tr>
<tr>
<td>• Extreme Harm</td>
<td></td>
</tr>
<tr>
<td>• Inminent Danger</td>
<td></td>
</tr>
<tr>
<td>C (6 points per)</td>
<td></td>
</tr>
<tr>
<td>• High Risk</td>
<td></td>
</tr>
<tr>
<td>B (2 points per)</td>
<td></td>
</tr>
<tr>
<td>• Medium Risk</td>
<td></td>
</tr>
<tr>
<td>A (1 point per)</td>
<td></td>
</tr>
<tr>
<td>• Low Risk</td>
<td></td>
</tr>
<tr>
<td>• CCDF Non-core</td>
<td></td>
</tr>
</tbody>
</table>

#### 15.7.4 DECAL will impose prevention, intermediate, and dismissal enforcement actions in accordance with the following Enforcement Categories and Actions Chart. DECAL will consider mitigating and aggravating factors to determine which enforcement action or combination of actions are appropriate and will have sole discretion in making this determination.

### Enforcement Categories and Actions

<table>
<thead>
<tr>
<th>Prevention Action Category</th>
<th>Intermediate Action Category</th>
<th>Dismissal Action Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prevention 1 (P1)</td>
<td>Intermediate 1 (I1)</td>
<td>Dismissal (D)</td>
</tr>
<tr>
<td>Technical assistance</td>
<td>Plan of correction</td>
<td>Dismissal</td>
</tr>
<tr>
<td></td>
<td>Office conference</td>
<td>Disqualification</td>
</tr>
<tr>
<td>Prevention 2 (P2)</td>
<td>Intermediate 2 (I2)</td>
<td></td>
</tr>
<tr>
<td>Citation</td>
<td>Fine (level 1 or 2)</td>
<td></td>
</tr>
<tr>
<td>Plan of improvement</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prevention 3 (P3)</td>
<td>Intermediate 3 (I3)</td>
<td></td>
</tr>
<tr>
<td>Warning letter</td>
<td>Per violation fine (level 1 or 2)</td>
<td></td>
</tr>
</tbody>
</table>

#### 15.7.5 If an enforcement fine, dismissal, or disqualification are required based on the provider's Compliance and Enforcement Chart action cell, the enforcement actions recommended by the CCS consultant who conducted the visit will be reviewed by Child Care Services, CAPS, and the DECAL legal unit prior to issuance.

15.7.5.1 As prescribed in CAPS Administrative Hearings Policy(CAPS/00-18), child care providers receiving subsidies through the CAPS program have the right to appeal and receive a hearing regarding adverse actions that pertain to any financially related matters including fines but excluding (1) future payments, (2) participation in the CAPS program, or (3) lack of funding availability.

15.7.5.2 The child care provider must request an administrative hearing, as appropriate, in writing by the deadline listed on the notice or within 14 calendar days from the date of the notice on an appealable or adverse action taken by DECAL.

15.7.6 When any of the health and safety violations described below are identified, CAPS will not apply the Compliance and Enforcement Chart but will take enforcement actions as follows:
Health and Safety Violation | Enforcement Actions
--- | ---
Provider knowingly or intentionally keeps an employee on staff with an unsatisfactory record check or without a satisfactory record check when children are in care. | Provider will be disqualified from CAPS for a minimum of 12 months, after which they may be eligible for reinstatement at DECAL’s discretion.

Provider knowingly or intentionally keeps a resident at the facility with an unsatisfactory record check or without a satisfactory record check. | Provider will be disqualified from CAPS for a minimum of 12 months, after which they may be eligible for reinstatement at DECAL’s discretion.

There is a serious injury as defined in Definitions and Acronyms in accordance with federal regulations. | Provider will be disqualified from CAPS for a minimum of 12 months, after which they may request consideration for reenrollment.

Provider does not complete monitoring visit as confirmed by CAPS administration. | Failure to complete monitoring visits will result in payment suspension for up to 30 days. Payments will be released to the provider once the provider has completed the monitoring visit. Payment will be withheld for no more than 30 calendar days before the provider is dismissed from CAPS.

Providers dismissed for failure to cooperate with a monitoring visit will be disqualified until monitoring requirements are met.

Providers disqualified for failure to complete a monitoring visit may be eligible for reinstatement when monitoring visit requirements have been satisfied. If reinstatement does not occur within 30 calendar days of being dismissed, the provider will have to begin the enrollment process again.

Provider is noncompliant with health and safety standards in multiple years. | CAPS may impose additional enforcement actions, up to and including dismissal and disqualification from CAPS, as determined by CAPS administration in consultation with Child Care Services.

Provider’s exemption status is revoked. | Provider will be dismissed and disqualified from CAPS. Providers may reenroll in CAPS if the exemption status is reinstated per DECAL guidelines or if the provider becomes licensed.

15.7.7 At the discretion of DECAL administration, providers may be dismissed or disqualified for health and safety violations that are not explicitly defined in this policy.

POLICY REVISION HISTORY

<table>
<thead>
<tr>
<th>Date</th>
<th>Description of Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>10/01/2018</td>
<td>Added Serious Injury to the list of disqualifying circumstances.</td>
</tr>
<tr>
<td>02/01/2019</td>
<td>Reorganized policy by replacing Improper Payments (CAPS/00-15) and Disqualifications and Sanctions (CAPS/00-16) policies with Health and Safety Standards (CAPS/00-15) and Program Integrity (CAPS/00-16) policies. This new Health and Safety Standards Policy is composed primarily of relevant information that already existed in other sections of CAPS policy. In addition to centralizing existing policies, we added details relating to health and safety monitoring and enforcement for license-exempt and informal providers.</td>
</tr>
<tr>
<td>07/01/2019</td>
<td>Revised language related to criminal backgrounds checks to clarify that keeping a staff or resident without a satisfactory record check will result in dismissal and disqualification from CAPS.</td>
</tr>
<tr>
<td>Date</td>
<td>Description of Change</td>
</tr>
<tr>
<td>------------</td>
<td>---------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>10/01/2019</td>
<td>Revised language related to electronic signature. Revised language noting appeals must be requested by the deadline listed on the notice or within 14 calendar days from the date of the notice on an appealable or adverse action taken by DECAL.</td>
</tr>
</tbody>
</table>

Cross Reference/See Also: CAPS Parental Authority Rights and Responsibilities Policy (CAPS/00-3), CAPS Participating Providers Policy (CAPS/00-11), CAPS Child Care Provider Rights and Responsibilities Policy (CAPS/00-12)

Note: Definitions of words or phrases in bold are located in Definitions and Acronyms. Only the first occurrence of the defined words or phrases are bolded.

16 PROGRAM INTEGRITY

16.1 Purpose
The purpose of this policy is to establish guidelines for ensuring integrity and accountability of CAPS funds while maintaining continuity of services, through prevention, detection, investigation, sanction, and recoupment processes.

16.2 Scope
This policy applies to all employees of the Department of Early Care and Learning (DECAL), all parties responsible for the administration of the CAPS program, parental authorities, and child care providers who receive subsidies administered by DECAL on behalf of parental authorities.

16.3 CAPS
16.3.1 The CAPS program supports program integrity efforts through data sharing, training, eligibility verification standards, attendance verification standards, provider management, quality assurance reviews, and preemptive disqualification of certain individuals.

16.3.1.1 CAPS will cooperate with other programs and departments within DECAL and other agencies to share information when appropriate to reduce, detect, and prevent improper payments.

16.3.1.2 CAPS will provide training to child care providers, parental authorities, vendors, and staff to reduce and prevent improper payments.

16.3.1.3 CAPS will document and verify eligibility in accordance with CAPS Eligibility Requirements Policy (CAPS/00-6), CAPS Priority Groups Policy (CAPS/00-7), and CAPS Income Calculations Policy (CAPS/00-8) to ensure program dollars are going to eligible families for whom assistance is intended.

16.3.1.4 To ensure accountability of funds, CAPS requires all providers submit specified documents (e.g., Child Care Provider Agreement, W9, published rates) before receiving an initial CAPS payment and annually thereafter, as prescribed in CAPS Provider Rights and Responsibilities Policy (CAPS/00-12). The State Provider Management Agent (SPMA) ensures all CAPS providers comply with initial enrollment and annual renewal requirements.

16.3.1.5 CAPS requires that arrival and departure records and transportation records (if applicable) are maintained for three years as prescribed in CAPS Health and Safety Standards Policy (CAPS/00-15) to verify that authorized services were provided.

16.3.1.6 CAPS will conduct quality assurance reviews of eligibility determinations and utilize results to inform process improvements and identify training needs.

16.3.1.7 The SPMA will conduct attendance verification assessments of provider billing and utilize results to inform process improvements and identify training needs.

16.3.1.8 At DECAL’s sole discretion and not subject to review or appeal, responsible principals or individuals (as defined in 7 C.F.R. 226.2), providers, corporate partners, business entities, and officers may be dismissed and disqualified from CAPS and shall not be enrolled in, participate in, financially benefit from, or be involved in any aspect of CAPS when they are terminated or disqualified by the Office of Inspector General (OIG) with the U.S. Department of Health and Human Services, by the Child and Adult Care Food Program (CACFP), or by the Summer Food Service Program (SFSP). This includes anyone receiving CAPS funds who may have participated in the cause of the deficiency. For CACFP and SFSP, the disqualification will span seven years from the day of disqualification or until the entity is removed from the CACFP/SFSP disqualification list.
Individuals, providers, corporate partners, business entities, and officers of providers disqualified from CAPS shall not be enrolled in, participate in, financially benefit from, or be involved in any aspect of CAPS.

16.4 Parental Authorities

16.4.1 Parental authorities support program integrity efforts by complying with CAPS Parental Authority Rights and Responsibilities Policy (CAPS/00-3). Most notably, parental authorities are expected to provide accurate, current, and complete information, report certain changes, comply with investigations, and ensure their children are signed in and out of care each day.

16.4.2 CAPS will detect potential program integrity concerns related to child care cases during the eligibility determination process and through data matching and referrals.

16.4.2.1 As the first line of contact for families, CAPS staff are vital in the prevention, detection, and reporting of activities that appear to be in violation of CAPS policy. Staff should verify questionable or inconsistent information when reviewing the child care application and supporting documentation.

16.4.2.2 DECAL’s Audits and Compliance Division will periodically compare parental authorities’ reported income to Georgia Department of Labor data and other sources. Discrepancies may result in further investigation.

16.4.3 DECAL’s Audits and Compliance Division conducts investigations related to child care cases.

16.4.3.1 A parental authority’s child care case may be referred for investigation when conflicting information has been submitted, when information submitted appears to be altered or falsified, when there is an overpayment, or at the discretion of the CAPS program.

Requests for investigation should be submitted using Appendix V and sent to:

Georgia Department of Early Care and Learning  
Audits and Compliance Division  
2 Martin Luther King Jr. Drive SE  
Suite 754, East Tower  
Atlanta, GA 30334

16.4.3.2 All parties are required to fully cooperate with any investigations on behalf of CAPS, and failure to do so may result in sanctions.

16.4.3.3 Parental authorities must cooperate with any investigation by completing any required forms, responding to scheduled interview appointments, and by making requested records or information available.

16.4.4 DECAL may impose sanctions allowable under federal, state, or local law, regulation, or policy when a parental authority is found to be in noncompliance with CAPS policies.

16.4.4.1 The following chart details allowable sanctions for parental authorities.

<table>
<thead>
<tr>
<th>Parental Authority Program Integrity Noncompliance</th>
<th>Allowable Sanctions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parental authority provided inaccurate, outdated, or incomplete information or did not report a change that would have impacted eligibility.</td>
<td>If benefits were authorized for which the family was not eligible as the result of incomplete or incorrect information or failure to report a change, the child care case may be closed (if the family would not have been eligible), benefits will be appropriately adjusted for the remainder of the eligibility period (if applicable), and a claim will be established for the difference between benefits received and benefits for which they were eligible.</td>
</tr>
<tr>
<td>Parental Authority Program Integrity Noncompliance</td>
<td>Allowable Sanctions</td>
</tr>
<tr>
<td>--------------------------------------------------</td>
<td>---------------------</td>
</tr>
<tr>
<td>Parental authority did not cooperate with an investigation. Noncompliance occurs when CAPS administration has confirmed there have been at least two attempts to contact the parental authority through each available communication channel (phone, mail, and email).</td>
<td>Failure to cooperate with an investigation may result in the assessment of an overpayment for the review period and closure of the child care case. If a child care case is closed for failure to cooperate with an investigation, the parental authority will be disqualified from CAPS for three months, after which they may reapply. Limited exceptions to this disqualification may be granted through a waiver request for families participating in or transitioning from TANF and families with an active Child Protective Services case.</td>
</tr>
<tr>
<td>Parental authority did not respond to or honor the child care claim or repayment statement. Noncompliance occurs when an initial payment is not received within 60 calendar days of the date the repayment statement was signed or when subsequent payments are more than 30 calendar days past due.</td>
<td>Failure to respond to or honor the child care claim and repayment statement may result in closure of the child care case. If a child care case is closed for failure to respond to or honor a repayment statement, the parental authority will be disqualified from CAPS until the claim is paid in full, after which they may reapply. Limited exceptions to this disqualification may be requested through a waiver for families participating in or transitioning from TANF and families with an active CPS case.</td>
</tr>
<tr>
<td>Parental authority provided false information or documents related to their eligibility determination.</td>
<td>If falsified documents or information resulted in the authorization of benefits for which the family was not eligible, the child care case may be closed (if the family would not have been eligible), benefits will be appropriately adjusted for the remainder of the eligibility period (if applicable), and a claim will be established for the difference between benefits received and benefits for which they were eligible. Additional sanctions may be imposed, up to and including case closure or disqualification from CAPS, as determined by CAPS administration.</td>
</tr>
</tbody>
</table>

16.4.4.2 Categories of parental authority noncompliance include **client errors** and **program violations**.

A. Client errors are a result of unintentional submission or omission of documentation or information.
B. Program violations are the result of intentional noncompliance with CAPS policy and may be referred for further investigation. Program violations may be considered fraud if established by a court of jurisdiction.

16.4.4.3 If sanctions result in a reduction in child care benefits, such as an increased family fee or case closure due to inaccurate or incomplete information provided, the reduction in benefits will go into effect no sooner than 14 calendar days after the parental authority has been notified. This 12-day period is referred to as the **adverse action period**.

16.4.4.4 As prescribed in **CAPS Administrative Hearings Policy (CAPS/00-18)**, parental authorities receiving subsidized child care have a right to appeal and receive a hearing regarding any actions instituted by DECAL that impact a parental authority’s eligibility or require a reclaim of funds. Parental authorities must request an appeal in writing by the deadline listed on the notice or within 14 **calendar days** from the date of the notice on an appealable or adverse action taken by DECAL.

16.4.4.5 Findings of noncompliance that resulted in increased benefits may be pursued for recoupment and a claim may be established. Claims less than $600 may be processed by CAPS Adverse Actions and Claims. Claims $600 or more may be referred to DECAL’s Audits and Compliance Division for investigation.
16.5.4 DECAL reserves the right to enter into a hardship agreement with a parental authority whereby the recoupment rate may be reduced for a specific time frame. Hardship agreements are approved at the sole discretion of DECAL. Hardships include but are not limited to illness, job loss, unexpected expenses or loss of income due to the death of a family member, and unstable family situations involving child custody problems or Child Protective Services.

16.5 Child Care Providers

16.5.1 Child care providers support program integrity by complying with CAPS Provider Rights and Responsibilities Policy (CAPS/00-12). Most notably, providers are expected to bill only for services provided and supported by arrival and departure records and transportation records maintained as prescribed in CAPS Health and Safety Standards Policy (CAPS/00-15). In addition, providers are expected to comply with the initial enrollment and annual renewal processes as well as all assessments, reviews, and investigations.

16.5.2 CAPS will detect potential program integrity concerns related to child care providers through attendance verification assessments, risk-based compliance reviews, and referrals.

16.5.2.1 The State Provider Management Agent (SPMA) conducts attendance verification assessments of provider billing records. Providers are typically required to submit arrival and departure records and transportation records for a specified month as instructed in the review notification. The purpose of attendance verification assessments is to support provider compliance. Failure to provide records timely may result in a referral to DECAL’s Audits and Compliance Division.

16.5.2.2 DECAL’s Audits and Compliance Division conducts risk-based compliance reviews. Providers are typically required to submit arrival and departure records and transportation records for a specified three-month period within 15 calendar days from the date the notice was received. The review period may be widened at DECAL’s discretion. The purpose of compliance reviews is to identify and recoup improper payments; however, additional sanctions may also be imposed at the discretion of CAPS administration.

16.5.3 DECAL’s Audits and Compliance Division conducts investigations related to provider billing.

16.5.3.1 Child care providers may be referred for investigation when conflicting information has been submitted, when information submitted appears to be altered or falsified, when there is an overpayment, or at the discretion of the CAPS program.

Requests for investigations should be submitted using Appendix V and sent to:
Georgia Department of Early Care and Learning
Audits and Compliance Division
2 Martin Luther King Jr. Drive SE
Suite 754, East Tower
Atlanta, GA 30334

16.5.3.2 All parties are required to fully cooperate with any investigations on behalf of CAPS, and failure to do so may result in sanctions.

16.5.3.3 For investigations, providers are typically required to submit arrival and departure records and transportation records for a specified time period within 15 calendar days from the date the notice was issued. However, records may be requested during an on-site visit and, if so, must be made available immediately upon request as prescribed in CAPS Provider Rights and Responsibilities Policy (CAPS/00-12). The time period...
for which records are requested varies based on the dates specified in the referral. The review period may be widened at DECAL's discretion.

16.5.4 DECAL may impose sanctions allowable under federal, state, or local law, regulation, or policy when a provider is found to be in noncompliance with CAPS policies.

16.5.4.1 In addition to the sanctions below, DECAL may place providers in a probationary status which may include additional monitoring, a corrective action plan, training, technical assistance, or other actions taken by DECAL.

16.5.4.2 The following chart details allowable sanctions for child care provider program integrity noncompliance.

<table>
<thead>
<tr>
<th>Child Care Provider – Program Integrity Noncompliance Finding</th>
<th>Allowable Sanctions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provider did not submit W9, 704, Child Care Provider Agreement, and direct deposit form to the SPMA by the date requested.</td>
<td>Payments to the provider will be suspended. Payments will be released to the provider once all documents are submitted to the SPMA. Payments will be withheld for no more than 30 calendar days before the provider is dismissed from CAPS. Reinstatement will occur once all documents are submitted. If reinstatement does not occur within 30 calendar days of being dismissed, the provider will have to begin the enrollment process again.</td>
</tr>
<tr>
<td>It was determined during an attendance verification assessment that the provider did not maintain arrival and departure records and transportation records as prescribed in CAPS Health and Safety Standards Policy (CAPS/00-15).</td>
<td>The person legally responsible for the program and the person responsible for maintenance of records will be required to complete mandatory program training. If the provider does not make improvements in record maintenance, the provider will be referred to DECAL's Audits and Compliance Division for investigation and further sanctions may be imposed.</td>
</tr>
<tr>
<td>It was determined during a compliance review or investigation that the provider did not maintain arrival and departure records and transportation records as prescribed in CAPS Health and Safety Standards Policy (CAPS/00-15).</td>
<td>CAPS will recoup the amount of any child care subsidies paid during the period under review for which adequate documentation (i.e., arrival and departure records and transportation records) was not provided.</td>
</tr>
<tr>
<td>It was determined during an audit or investigation that the provider billed for the wrong type of care and received an overpayment as a result.</td>
<td>CAPS will recoup the difference between the amount of any child care subsidies paid and the amount of child care subsidy that should have been paid based on the correct type of care.</td>
</tr>
<tr>
<td>Provider did not submit requested records for a compliance review or investigation within 15 days if requested in writing or immediately if requested during an on-site review.</td>
<td>Failure of the provider to submit documents for a compliance review or investigation by the deadline will result in the establishment of an overpayment claim for any period where documentation is not provided. Additional sanctions may be imposed, up to and including dismissal and disqualification from CAPS, as determined by CAPS administration in consultation with DECAL’s Audits and Compliance Division.</td>
</tr>
<tr>
<td>Provider self-reports that they billed incorrectly.</td>
<td>If the error resulted in incorrect payment issuance, a claim will be established. Provider errors less than $600 may be processed by the SPMA. Provider errors $600 or more will be referred to DECAL’s Audits and Compliance Division for investigation.</td>
</tr>
</tbody>
</table>
### Child Care Provider – Program Integrity

#### Noncompliance Finding

<table>
<thead>
<tr>
<th>Allowable Sanctions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provider did not comply with a repayment statement.</td>
</tr>
<tr>
<td>Child care providers that fail to adhere to a repayment statement will be dismissed from the CAPS program and disqualified for a minimum of six months.</td>
</tr>
<tr>
<td>Child care providers that fail to adhere to the terms of the repayment statement cannot receive CAPS funding until all past due payments have been paid.</td>
</tr>
<tr>
<td>Provider submits false documents or failed to provide current, accurate, and complete documentation.</td>
</tr>
<tr>
<td>If the documents resulted in incorrect payment issuance, a claim will be established. Additional sanctions may be imposed up to and including dismissal and disqualification from CAPS. Providers dismissed for submitting false documents may be reviewed for reinstatement one year from the date of the dismissal, provided the claim has been paid in full.</td>
</tr>
<tr>
<td>Failure to provide current, accurate, and complete documentation may be construed as submitting a false statement. DECAL will refer for criminal prosecution any provider who knowingly submits false documentation.</td>
</tr>
<tr>
<td>Provider is debarred by or removed from other federal or state program.</td>
</tr>
<tr>
<td>At DECAL's sole discretion and not subject to review or appeal, responsible principals or individuals (as defined in 7 C.F.R. 226.2), providers, corporate partners, business entities, and officers may be dismissed and disqualified from CAPS until removed from the debarment or disqualification list.</td>
</tr>
<tr>
<td>Provider is convicted of fraud by a court of competent jurisdiction.</td>
</tr>
<tr>
<td>Individuals, providers, corporate partners, business entities, and officers are permanently disqualified from CAPS when there is substantiated fraud from a court of competent jurisdiction.</td>
</tr>
<tr>
<td>Provider failed to notify SPMA of any changes in contact or demographic information.</td>
</tr>
<tr>
<td>Failure to notify DECAL of any changes in contact or demographic information may result in dismissal from the CAPS program.</td>
</tr>
<tr>
<td>Provider billed CAPS for a period of time when another federal or state program, such as Head Start or Georgia's Pre-K Program, has paid for a child's care for the same service period, and provider did not have written authorization from DECAL for layered federal or state funding.</td>
</tr>
<tr>
<td>CAPS may recoup any payments for subsidies issued when another federal or state program has covered the cost of child care if the provider did not have written authorization from DECAL for layered federal funding.</td>
</tr>
<tr>
<td>Provider billed for child care during a period of time when child care services are subsidized in full as part of the parental authority's employment.</td>
</tr>
<tr>
<td>CAPS may recoup any payments for subsidies issued when it is discovered that an employer has covered the cost of child care.</td>
</tr>
</tbody>
</table>

16.5.4.3 Categories of child care provider noncompliance include **provider errors** and program violations.

A. Provider errors are a result of unintentional submission or omission of documentation or information.

1. Provider errors identified through provider self-reporting, compliance reviews, or investigations that resulted in incorrect payment issuance will be pursued for recoupment and a claim will be established.
2. Provider errors less than $600 may be processed by the SPMA. Provider errors $600 or more will be referred to DECAL’s Audits and Compliance Division for investigation.
B. Program violations are the result of intentional noncompliance with CAPS policy and may result in further investigation. At DECAL’s discretion, program violations may result in mandatory training, payment suspension, payment recoupment, dismissal, or disqualification.

1. Disqualification from CAPS may jeopardize the provider’s ability to participate in other DECAL programs.
2. Program violations may be considered fraud if established by a court of jurisdiction.

16.5.4.4 If DECAL actions result in a reclaim of funds, providers may request reconsideration or an administrative hearing. The provider must request reconsideration or an administrative hearing in writing within 14 calendar days from the date of the notice issued of the appealable action taken by DECAL.

A. When a provider receives a notice for the establishment of an overpayment from DECAL or its representatives, they may submit additional documentation to support their request for payment.

1. Any request for reconsideration must be accompanied by supporting documentation.
2. Reconsideration shall only include requests for clarification or review of existing documents already submitted and shall only cover the time period and children previously reviewed. Any request for reconsideration must be accompanied by supporting documentation.
3. Reconsideration shall not include the opportunity to submit new documentation that has been previously requested but not submitted unless authorized by DECAL in writing for unique circumstances.
4. DECAL will review the reconsideration request and supporting documentation in a timely manner. After this review, the Audits and Compliance Division will send the child care provider a Reconsideration Notice notifying the provider of any change in the amount of overpayment resulting from reconsideration.

B. As prescribed in CAPS Administrative Hearings Policy (CAPS/00-18), child care providers participating in CAPS have a right to request an appeal and receive a hearing regarding DECAL actions resulting in a reclaim of funds.

16.5.5 DECAL may pursue any and all legal or equitable remedies available to the CAPS program in accordance with applicable state and federal laws or regulations to collect claims in full. The SPMA is responsible for pursuing, collecting, tracking, and reporting overpayments identified by DECAL or its representative.

16.5.5.1 The provider shall refund any overpayments assessed by DECAL or its representatives.
16.5.5.2 DECAL has the right to enter into repayment agreements with child care providers to ensure that all claims are collected in full and within 24 months.
16.5.5.3 Providers may complete the Child Care Provider Repayment Statement to determine the amount and frequency of claim payments. The provider must adhere to all terms of the repayment statement.
16.5.5.4 Claims may be repaid through offsetting reimbursements, a lump sum, or, in limited situations, monthly installments. Offsetting reduces the CAPS reimbursement until the claim has been repaid in full and is only available for providers currently receiving subsidy. Information regarding payment arrangements for a lump sum or monthly installments can be found in CAPS Managing Program Integrity Procedure (CAPS/01-08).

16.6 Automation Errors, Administrative Errors, and Underpayments

16.6.1 The provider shall refund any overpayments assessed by DECAL or its representatives related to automation errors.
16.6.2 Administrative errors are a result of agency discrepancy where eligibility was determined incorrectly. In cases where the claim is completely based on an administrative error, the agency will not seek recoupment.
16.6.3 An underpayment exists when an improper payment is discovered where the parental authority or child care provider receives fewer services or less payment than she or he is entitled to receive. If benefits are underpaid due to an administrative error, the amount owed shall be paid within 30 calendar days from the date the error was discovered, unless more information is needed to calculate the correct payment or the parental authority or the child care provider has an outstanding overpayment.
16.6.3.1 Underpayments will first be used to offset any outstanding overpayment.

POLICY REVISION HISTORY

<table>
<thead>
<tr>
<th>Date</th>
<th>Description of Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>07/02/2018</td>
<td>Revised policy to indicate that DECAL will not seek recoupment for any claims based completely on administrative error. Previously, policy stated that DECAL would seek recoupment if the claim based completely on administrative error exceeded $600.</td>
</tr>
<tr>
<td>10/01/2018</td>
<td>Added <strong>Serious Injury</strong> to the list of disqualifying circumstances. <em>This is included in the CAPS Health and Safety Policy (CAPS/00-15)</em>.</td>
</tr>
<tr>
<td>02/01/2019</td>
<td>Reorganized policy by replacing Improper Payments (CAPS/00-15) and Disqualifications and Sanctions (CAPS/00-16) policies with Health and Safety Standards (CAPS/00-15) and Program Integrity (CAPS/00-16) policies. This new Program Integrity Policy is composed primarily of relevant information that already existed in other sections of CAPS policy. In addition to centralizing existing policies, we added details regarding prevention, detection, and investigation processes that were already in practice within the CAPS program but were not outlined in CAPS policy.</td>
</tr>
<tr>
<td>07/01/2019</td>
<td>Revised language to clarify CAPS policy regarding dismissal and disqualifications from CAPS due to termination or disqualification by the Office of Inspector General (OIG) with the U.S. Department of Health and Human Services, by the Child and Adult Care Food Program (CACFP), or by the Summer Food Service Program (SFSP).</td>
</tr>
<tr>
<td>10/1/2019</td>
<td>Added language noting that DECAL may place providers in a probationary status. Clarified that a case may close when a parental authority fails to respond to the child care claim or repayment statement. Revised language to reflect the appeal period is the deadline listed on the notice or within 14 calendar days from the date of the notice on an appealable or adverse action taken by DECAL.</td>
</tr>
</tbody>
</table>
17 GRIEVANCES

17.1 Purpose
A grievance is any complaint regarding program services, policies, or procedures offered through the Childcare and Parent Services (CAPS) program excluding those subject to an administrative hearing. Grievances are handled at the State Office level and reviewed by impartial members of CAPS leadership.

17.2 Scope
This policy applies to all employees of the Department of Early Care and Learning (DECAL), all parties responsible for the administration of the CAPS program, parental authorities, and child care providers who receive subsidies administered by DECAL on behalf of parental authorities.

17.3 Policy Content and Guidelines
17.3.1 Child care providers, informal providers and parental authorities have the right to file a grievance, which is different from the guarantee to an administrative hearing (refer to CAPS/00-18 Administrative Hearings Policy).

17.3.2 Grievances should include the following specific information:
- Contact information
- Provider name (if applicable)
- Circumstances involved in the grievance
- Other individuals with information concerning the grievance

17.3.3 Grievances should be forwarded via one of the following options:

<table>
<thead>
<tr>
<th>Email</th>
<th><a href="mailto:CAPS.adverseactions@decal.ga.gov">CAPS.adverseactions@decal.ga.gov</a></th>
</tr>
</thead>
<tbody>
<tr>
<td>Phone</td>
<td>1-833-4GACAPS (1-833-442-2277)</td>
</tr>
<tr>
<td>Mail</td>
<td>GA Department of Early Care and Learning CAPS – Adverse Actions and Claims Unit 2 Martin L. King Jr. Drive SE Suite 754, East Tower Atlanta, GA 30334</td>
</tr>
<tr>
<td>Fax</td>
<td>1-888-838-0051</td>
</tr>
</tbody>
</table>

17.3.4 Upon receipt of the grievance, DECAL staff will review and make contact as necessary with applicable parties within five business days to reach a resolution as quickly as possible.

POLICY REVISION HISTORY

<table>
<thead>
<tr>
<th>Date</th>
<th>Description of Change</th>
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</thead>
<tbody>
<tr>
<td>10/01/2019</td>
<td>Updated contact information.</td>
</tr>
</tbody>
</table>

Cross Reference/See Also: CAPS Parental Authority Rights and Responsibilities Policy (CAPS/00-3), CAPS Eligibility Requirements Policy (CAPS/00-6), CAPS Program Integrity Policy (CAPS/00-16), CAPS Child Care Providers Rights and Responsibilities (CAPS/00-12)

Note: Definitions of words or phrases in bold are located in Definitions and Acronyms. Only the first occurrence of the defined words or phrases are bolded.

18 ADMINISTRATIVE HEARINGS

18.1 Purpose
The purpose of this policy is the establish guidelines for administrative hearings when parental authorities or child care providers disagree with an adverse action taken by the Georgia Department of Early Care and Learning (DECAL).

18.2 Scope
This policy applies to all employees of the Department of Early Care and Learning (DECAL), all parties responsible for the administration of the CAPS program, parental authorities, and child care providers who receive subsidies administered by DECAL on behalf of parental authorities.

18.3 Right to an Administrative Hearing for Parental Authorities
18.3.1 Parental authorities receiving subsidized child care have a right to appeal and receive a hearing regarding any actions instituted by DECAL that impact a parental authority’s eligibility and/or any action that would require a reclaim of funds. Lack of funding availability is not appealable. It is important to note the following situations are not appealable:
  • Applications disposed as Unable to Process or Withdrawn
  • Selection of a child care provider that has been previously terminated by the CAPS program.
  • Dissatisfaction with care or services provided by the child care provider.
  • Statewide or local limitations on CAPS funding that results in a denial of CAPS services.
  • The natural expiration of a family’s eligibility period.
  • Any changes in federal or state law, regulations, or policies that affect entire populations.

18.3.2 If a parental authority appeals an adverse action that was imposed during the eligibility period, the parental authority may elect to continue receiving benefits at the current level until the appeal is resolved or until the end of the current eligibility period, whichever comes first. Funds paid when this option is exercised may be subject to reclaim.

18.3.3 If a parental authority appeals an adverse action imposed at annual redetermination, they may not elect to continue receiving benefits beyond the eligibility period preceding the annual redetermination.

18.3.4 The parental authority must request an administrative hearing, as appropriate, in writing within 14 calendar days from the date on the notice of adverse action.

18.3.5 Failure to request an administrative hearing by the deadline listed on the notice or within 14 calendar days from the date of the notice shall automatically affirm DECAL’s decision.

18.3.6 If the individual making a hearing request does not speak English and a bilingual staff person or interpreter is requested, DECAL must ensure that the appellant is afforded a translator at the hearing.

18.4 Right to an Administrative Hearing for Child Care Providers
18.4.1 Child care providers receiving CAPS services have the right to appeal and receive a hearing regarding DECAL actions resulting in a reclaim of funds. It is important to note that the following matters are not appealable:
  • Future payments
  • Lack of funding availability
### CAPS Policy – Administrative Hearings

<table>
<thead>
<tr>
<th>No.: CAPS/00-18</th>
<th>Effective Date: 10/01/2016</th>
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<tbody>
<tr>
<td></td>
<td>Revised: 05/15/2020</td>
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<tr>
<td></td>
<td>Revision Effective: 05/15/2020</td>
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</tbody>
</table>

- Denial from participation in CAPS
- Dismissal from participation in CAPS
- Disqualification from participation in CAPS

18.4.2 The child care provider may request a reconsideration or an administrative hearing related to a reclaim of funds, as appropriate, in writing within 14 calendar days from the date listed on the notice or within 14 calendar days from the date of the notice on an appealable or adverse action taken by DECAL.

18.4.3 Failure to request reconsideration or a hearing, as appropriate, by the deadline listed on the notice or within 14 calendar days from the date of the notice shall automatically affirm DECAL’s decision.

18.4.4 If the individual making a hearing request does not speak English and a bilingual staff person or interpreter is requested, DECAL must ensure that the appellant is afforded a translator at the hearing.

18.5 Notification

18.5.1 All parties will be notified of the hearing date and location by the Office of State Administrative Hearings (OSAH). Hearings for the CAPS program are conducted by OSAH.

18.6 Release of Information

18.6.1 For the purpose of the administrative hearing process, individuals shall have access to his or her eligibility case records as required by law. Child care providers will have access to their enrollment records previously submitted to the State Provider Management Agent (SPMA). All other record requests shall be obtained through the open records process.

18.6.2 When requested, records for review will be sent to the parental authority or the provider through U.S. mail or approved electronic means at DECAL’s discretion.

18.7 Pre-Hearing Conferences

18.7.1 Parental authorities and providers shall have the right to request a pre-hearing conference before proceeding to the actual administrative hearing. At no time shall an individual be discouraged from pursuing his or her right to an administrative hearing. A pre-hearing conference does not stay a hearing before OSAH.

18.7.2 If requested, the pre-hearing conference shall be scheduled at a time and place agreed to by all parties.

18.7.3 Parental authorities and child care providers may not refuse participation if a pre-hearing conferenced is required by DECAL. Failure to appear at pre-hearing conferences requested by DECAL may result in sanctions against the parental authority or child care provider.

18.7.4 Parental authorities and child care providers may have an authorized representative participate on his/her behalf.

18.7.5 Neither DECAL nor the parental authority or child care provider shall be bound to make an agreement during this pre-hearing.

18.7.6 If there is an agreement during the pre-hearing conference, the agreement must be documented and shall be required to be followed by all parties.
### CAPS Policy – Administrative Hearings

**No.: CAPS/00-18**

| Effective Date: | 10/01/2016 |
| Revised:        | 05/15/2020 |
| Revision Effective: | 05/15/2020 |

### POLICY REVISION HISTORY

<table>
<thead>
<tr>
<th>Date</th>
<th>Description of Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>10/01/2019</td>
<td>Added additional clarification related to matters that are not appealable. Revised language to note that when allowed, appeals must be requested by the deadline listed on the notice or within 14 calendar days from the date of the notice.</td>
</tr>
<tr>
<td>05/15/2020</td>
<td>Revised language to clarify non-appealable actions for parental authorities.</td>
</tr>
</tbody>
</table>
Note: Definitions of words or phrases in bold are located in Definitions and Acronyms. Only the first occurrence of the defined words or phrases are bolded.

19 AGENCY CONTACTS

DECAL – CAPS Unit
Staff in the Childcare and Parent Services (CAPS) Unit are available during normal business hours to resolve customer services matters for all CAPS constituents, including federal, state and local CAPS stakeholders. Consumers can contact CAPS at 1-833-4GACAPS (1-833-442-2277). For information on CAPS eligibility, policies, and related topics, visit www.CAPS.DECAL.ga.gov.

DECAL – Child Care Services (CCS)
The Child Care Services division of the Department of Early Care and Learning (DECAL) is responsible for licensing and regulation of child care programs statewide. If consumers have general licensing questions, concerns regarding a particular program’s compliance with licensing requirements or wish to make a complaint pertaining to health and safety regarding a specific program, contact CCS directly at 404-657-5662 or email CCS Complaint Intake at CCScomplaints@decal.ga.gov.

DECAL – Audits and Compliance
The DECAL Audits and Compliance Division is responsible for investigating allegations of improper payments and billing noncompliance for DECAL programs. Constituents who would like to report any instances of impropriety or misuse of state or federal funds by a parental authority or child care program can contact Audits and Compliance at 770-288-8958 or email CAPS.investigations@decal.ga.gov.

Department of Human Services (DHS) Personal Advocate Line
The DHS Personal Advocate line was established to assist customers with Georgia DHS related issues or locating the county/regional personnel who can provide additional assistance. Consumers can reach the Personal Advocate line at 1-800-869-1150.

Division of Family and Children Services (DFCS) Constituent Services
Constituents including federal, state and local stakeholders who have issues that arise with Georgia DFCS staff can contact the Constituent Services hotline. Calls are screened, assigned, and case information is forwarded to the designated County Director and Regional Director for response within five to seven business days. Constituents can call 404-651-6316 to reach the hotline.

Georgia Association of Child Care Resource and Referral Agencies (GACCRRA)
GACCRRA has a unique position to support the development of quality child care in Georgia. CCR&Rs provide a wide array of services to families such as assistance to parents in their search for quality child care, parent education classes, newsletters, and community resources. CCR&R services are also offered to child care providers including training, technical assistance, access to materials educational newsletters, advocacy, and more. For more information, visit www.gaccrra.org.

MAXIMUS
MAXIMUS is a vendor contracted by DECAL to assist child care providers with enrollment into the CAPS program, invoicing, payments, training, and CAPS program compliance. MAXIMUS is referred throughout the CAPS policy as the current State Provider Management Agent (SPMA). Child care providers who have questions regarding services offered can contact MAXIMUS directly at 1-877-755-6522 or https://max.gacaps.com/.
POLICY REVISION HISTORY

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## APPENDICES AND FORMS

<table>
<thead>
<tr>
<th>Appendix</th>
<th>Form Number</th>
<th>Form Name</th>
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<tbody>
<tr>
<td>Appendix A</td>
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