



CHILDCARE AND PARENT SERVICES (CAPS) Georgia's Subsidy Program

CAPS Policy – Eligibility Requirements	No.: CAPS/00-6	Effective Date: 10/01/2016
		Revised: 05/15/2020
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LEGAL AUTHORITY: Federal Register: 45 Code of Federal Regulation (CFR) 98 and 99; Immigration and Naturalization Act (INA) 300 *et. seq.*

Cross Reference/See Also: CAPS Priority Groups Policy (CAPS/00-7)

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.

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, **parents**, and child care **providers** who receive subsidies administered by DECAL on behalf of parents.

6.3 Residency Requirement

6.3.1 For the purposes of CAPS, all parents 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.

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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
- Immigration court order
- Homeland Security documents

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, CAPS staff 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

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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
 - 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 parent 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 parent 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

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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.

Exemption Type	Description
Medical	<p>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.</p> <p>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.</p> <p>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.</p>
Religious	<p>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).</p> <p>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.</p>

Visit <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 parent 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

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- 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 parent must meet the state-approved activity requirements at the time of **application** and **redetermination**. The parent may participate in one, or a combination of, the activities listed in this section to meet the activity requirement.

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

6.8.1.2 Parents 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 parent 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 parent will remain eligible through the end of the eligibility period.

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

6.8.1.7 If there are two parents 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 parent. 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.

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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 [Employment 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 parents enrolled in middle or high school. If the parent 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. Parents 20 years of age or younger participating in a GED program have no additional work requirement.

B. Parents 21 years of age or older enrolled in a GED program must meet the 24-hour per week requirement. Parents 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 [Appendix 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 parent’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 **Parents** 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 **Parents** 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.

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POLICY REVISION HISTORY

Date	Description of Change
07/02/2018	Clarified language in section 6.8 regarding required verification documents and hour requirements; added associate degree programs as a state-approved activity; and 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.
10/01/2018	Revised the purpose statement to remove language related to funding restrictions.
05/15/2020	Added bachelor's degree programs as a state-approved activity.