

# ANNOUNCEMENT

## 21 #07



Pennsylvania Office of Child Development and Early Learning  
Bureau of Early Learning Policy and Professional Development

**Issue Date:** Sept. 21, 2021

**Effective Date:** Sept. 21, 2021

**End Date:** TBD

**Subject:** Change in Policy Regarding Eligibility for Owners/Operators of a Child Care Facility

**To:** All Regulated Child Care Providers; Early Learning Resource Centers (ELRCs); and The Office of Child Development and Early Learning (OCDEL) Early Learning Resource Center Program Representatives

**From:** Tracey Campanini  
Deputy Secretary, Office of Child Development & Early Learning

## PURPOSE

To announce a change in policy regarding Child Care Works (CCW) eligibility for parents/caretakers who are owners/operators of a child care facility.

## BACKGROUND

The current Subsidized Child Care Regulation 55 Pa. Code [§ 3041.16\(c\)](#). Subsidy limitations states:

(c ) If a parent or caretaker is the operator of a child day care center, group child day care home or family child day care home as specified in Chapter 3270, Chapter 3280 or Chapter 3290 (relating to child day care centers; group child day care homes; and family child day care homes) or is the operator of a home that is exempt from certification or registration under section 1070 of the Public Welfare Code (62 P. S. § 1070), and if space is available to enroll the parent's or caretaker's child at the facility operated by the parent or caretaker, that child is not eligible to receive subsidized child care.

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OCDEL is in the process of revising the subsidized child care regulations to come into compliance with Child Care and Development Fund reauthorization of the Child Care and Development Block Grant (CCDGB).

### DISCUSSION

Until the new subsidized child care regulations are published as final, OCDEL will use this policy announcement to change policy regarding CCW eligibility for parents/caretakers who are or become owners/operators of a child care facility. This will allow OCDEL to be in compliance with 45 C.F.R. § 98.21 Eligibility Determination Processes, if a parent/caretaker who is eligible for CCW becomes an owner/operator of a child care facility, as the family will remain eligible for their minimum 12-month eligibility period.

**Effective Sept. 21, 2021**, an owner/operator of a child care facility (child care center, group child care home or family child care center) who meets all other eligibility criteria for CCW, including income limits, may be eligible for CCW.

An eligible owner of a child care facility **must** enroll their child(ren) at a different facility. The child(ren) **cannot** be cared for at the same facility in which the parent/caretaker is the owner.

An eligible operator of a child care facility, for example a director of a child care center, can enroll their child(ren) at the same facility in which they are employed, but **cannot** directly care for their own child(ren).

### NEXT STEPS

1. Child care programs
  - a. Owners/Operators who meet all other eligibility requirements for CCW, including income limits, may be eligible CCW.
  - b. Direct any questions to your ELRC.
2. ELRCs
  - a. Review and share with appropriate staff.
  - b. Direct any question to your program representative.