

DEPARTMENT OF HUMAN SERVICES

NOTICE OF FINAL RULEMAKING

The Director of the Department of Human Services, pursuant to authority set forth in Mayor's Reorganization Plan No. 3 of 1986, sections 5a and 6 of the Day Care Policy Act of 1979, effective September 19, 1979 (D.C. Law 3-16; D.C. Official Code §§ 4-404.01 and 4-405), as amended by section 2(d) of the Day Care Policy Amendment Act of 1998, effective April 13, 1999 (D.C. Law 12-216; D.C. Official Code § 4-404.1) and section 3(c) of the District of Columbia Family Support Act Federal Conformity Amendment Act of 1990, effective March 6, 1991 (D.C. Law 8-202; D.C. Official Code § 4-405), and Mayor's Order 98-11, dated February 9, 1998, hereby gives notice of the adoption of the following amendments to section 309 of Chapter 3 of Title 29 of the *District of Columbia Municipal Regulations* (DCMR) entitled "Schedule of Parent Fees for District of Columbia Government Subsidized Child Care Services in Child Development Centers and Child Development Homes, and by Relative and In-Home Caregivers."

The emergency rules expired on January 29, 2006, and these proposed rules must be in place in order for the District to maintain compliance with the 2005 Federal Poverty Level guidelines.

No substantive changes have been made to the text of the rules, as published with the Notice of Emergency and Proposed Rulemaking in the *D.C. Register* on October 14, 2005, at 52 DCR 9194. These rules will be effective upon publication of this notice in the *Register*.

Title 29 DCMR, Chapter 3, section 309 is amended by deleting section 309 in its entirety and substituting the following new section 309 in its place:

**309 SCHEDULE OF PARENT FEES FOR DISTRICT OF COLUMBIA
GOVERNMENT SUBSIDIZED CHILD CARE SERVICES IN CHILD
DEVELOPMENT CENTERS AND CHILD DEVELOPMENT HOMES, AND
BY RELATIVE AND IN-HOME CAREGIVERS**

- 309.1 The sliding fee scale for parent fees is based on the annual Federal Poverty Level (FPL) guidelines, which are based on family size and income.
- 309.2 Families making new applications for subsidized child care with a gross income up to 250% of the FPL may be eligible for the child care subsidy program.
- 309.3 Families already receiving child care services and with a gross income up to 300% of the FPL may be eligible for continuation of services.
- 309.4 Families with a gross income at or below 50% of the FPL shall pay no fee.
- 309.5 Fees are based on either full-time or part-time child care services.

- 309.6 Fees shall only apply to the first two children in a family who are receiving subsidized child care. No additional fees will be charged for additional children.
- 309.7 The fee for the second child shall be 75% of the fee charged for the first child.
- 309.8 The parent shall pay parent fees directly to the provider.
- 309.9 The following fees, which are based on the 2005 FPL, shall be paid by a parent for child care services provided to the parent's child, when the District of Columbia supplements the payment for child care services during FY 2006:

| | | | | | | DAILY CO-PAY | | | |
|------------------------------|----------|----------|----------|----------|----------|------------------|---------|-----------|--------|
| | | | | | | CHILDREN IN CARE | | | |
| ANNUAL INCOME BY FAMILY SIZE | | | | | | FULL TIME | | PART TIME | |
| %FPL | 1 | 2 | 3 | 4 | 5 | First | Second | First | Second |
| 0-50% | \$4,785 | \$6,415 | \$8,047 | \$9,675 | \$11,080 | \$0 | \$0 | \$0 | \$0 |
| 51-60% | \$5,472 | \$7,698 | \$9,654 | \$11,610 | \$13,566 | \$0.57 | \$0.43 | \$0.29 | \$0.22 |
| 61-70% | \$6,699 | \$8,981 | \$11,263 | \$13,545 | \$15,827 | \$0.75 | \$0.57 | \$0.38 | \$0.29 |
| 71-80% | \$7,656 | \$10,264 | \$12,872 | \$15,480 | \$18,088 | \$1.01 | \$0.75 | \$0.51 | \$0.38 |
| 81-90% | \$8,613 | \$11,547 | \$14,481 | \$17,415 | \$20,349 | \$1.27 | \$0.95 | \$0.64 | \$0.48 |
| 91-100% | \$9,570 | \$12,830 | \$16,090 | \$19,350 | \$22,610 | \$1.62 | \$1.22 | \$0.81 | \$0.61 |
| 101-110% | \$10,527 | \$14,113 | \$17,699 | \$21,285 | \$24,871 | \$2.02 | \$1.51 | \$1.01 | \$0.76 |
| 111-120% | \$11,484 | \$15,396 | \$19,308 | \$23,220 | \$27,132 | \$2.45 | \$1.84 | \$1.23 | \$0.92 |
| 121-130% | \$12,441 | \$16,679 | \$20,917 | \$25,155 | \$29,393 | \$2.93 | \$2.20 | \$1.47 | \$1.10 |
| 131-140% | \$13,398 | \$17,962 | \$22,526 | \$27,090 | \$31,654 | \$3.46 | \$2.60 | \$1.73 | \$1.30 |
| 141-150% | \$14,355 | \$19,245 | \$24,135 | \$29,025 | \$33,915 | \$4.07 | \$3.05 | \$2.04 | \$1.53 |
| 151-160% | \$15,312 | \$20,528 | \$25,744 | \$30,960 | \$36,176 | \$4.73 | \$3.55 | \$2.37 | \$1.78 |
| 161-170% | \$16,269 | \$21,811 | \$27,353 | \$32,895 | \$38,437 | \$5.43 | \$4.08 | \$2.72 | \$2.04 |
| 171-180% | \$17,226 | \$23,094 | \$28,962 | \$34,830 | \$40,698 | \$6.19 | \$4.65 | \$3.10 | \$2.33 |
| 181-190% | \$18,183 | \$24,377 | \$30,571 | \$36,765 | \$42,959 | \$7.00 | \$5.25 | \$3.50 | \$2.63 |
| 191-200% | \$19,140 | \$25,660 | \$32,180 | \$38,700 | \$45,220 | \$7.91 | \$5.93 | \$3.96 | \$2.97 |
| 201-210% | \$20,097 | \$26,943 | \$33,789 | \$40,635 | \$47,481 | \$8.88 | \$6.66 | \$4.44 | \$3.33 |
| 211-220% | \$21,054 | \$28,226 | \$35,398 | \$42,570 | \$49,742 | \$9.90 | \$7.43 | \$4.95 | \$3.72 |
| 221-230% | \$22,011 | \$29,509 | \$37,007 | \$44,505 | \$52,003 | \$10.91 | \$8.19 | \$5.46 | \$4.10 |
| 231-240% | \$22,968 | \$30,792 | \$38,616 | \$46,440 | \$54,264 | \$11.97 | \$8.98 | \$5.99 | \$4.49 |
| 241-250% | \$23,925 | \$32,075 | \$40,225 | \$48,375 | \$56,525 | \$13.08 | \$9.81 | \$6.54 | \$4.91 |
| 251-260% | \$24,882 | \$33,358 | \$41,834 | \$50,310 | \$58,786 | \$14.24 | \$10.68 | \$7.12 | \$5.34 |
| 261-270% | \$25,839 | \$34,641 | \$43,443 | \$52,245 | \$61,047 | \$15.44 | \$11.58 | \$7.72 | \$5.79 |
| 271-280% | \$26,796 | \$35,924 | \$45,052 | \$54,180 | \$63,308 | \$16.78 | \$12.58 | \$8.39 | \$6.29 |
| 281-290% | \$27,753 | \$37,207 | \$46,661 | \$56,115 | \$65,569 | \$18.08 | \$13.56 | \$9.04 | \$6.78 |
| 291-300% | \$28,710 | \$38,490 | \$48,270 | \$58,050 | \$67,830 | \$19.44 | \$14.58 | \$9.72 | \$7.29 |

| | | | | | | DAILY CO-PAY | | | |
|------------------------------|----------|----------|----------|-----------|-----------|------------------|---------|-----------|--------|
| | | | | | | CHILDREN IN CARE | | | |
| ANNUAL INCOME BY FAMILY SIZE | | | | | | FULL TIME | | PART TIME | |
| %FPL | 6 | 7 | 8 | 9 | 10 | First | Second | First | Second |
| 0-50% | \$12,395 | \$14,565 | \$16,195 | \$17,825 | \$19,455 | \$0 | \$0 | \$0 | \$0 |
| 51-60% | \$15,522 | \$17,478 | \$19,434 | \$21,390 | \$23,346 | \$0.57 | \$0.43 | \$0.29 | \$0.22 |
| 61-70% | \$18,109 | \$20,391 | \$22,673 | \$24,955 | \$27,237 | \$0.75 | \$0.57 | \$0.38 | \$0.29 |
| 71-80% | \$20,696 | \$23,304 | \$25,912 | \$28,520 | \$31,112 | \$1.01 | \$0.75 | \$0.51 | \$0.38 |
| 81-90% | \$23,283 | \$26,217 | \$29,151 | \$32,085 | \$35,019 | \$1.27 | \$0.95 | \$0.64 | \$0.48 |
| 91-100% | \$25,870 | \$29,130 | \$32,390 | \$35,650 | \$38,910 | \$1.62 | \$1.22 | \$0.81 | \$0.61 |
| 101-110% | \$28,457 | \$32,043 | \$35,629 | \$39,215 | \$42,801 | \$2.02 | \$1.51 | \$1.01 | \$0.76 |
| 111-120% | \$31,044 | \$34,956 | \$38,868 | \$42,780 | \$46,692 | \$2.45 | \$1.84 | \$1.23 | \$0.92 |
| 121-130% | \$33,631 | \$37,869 | \$42,107 | \$46,345 | \$50,583 | \$2.93 | \$2.20 | \$1.47 | \$1.10 |
| 131-140% | \$36,218 | \$40,782 | \$45,346 | \$49,910 | \$54,474 | \$3.46 | \$2.60 | \$1.73 | \$1.30 |
| 141-150% | \$38,805 | \$43,695 | \$48,585 | \$53,475 | \$58,365 | \$4.07 | \$3.05 | \$2.04 | \$1.53 |
| 151-160% | \$41,392 | \$46,608 | \$51,824 | \$57,040 | \$62,256 | \$4.73 | \$3.55 | \$2.37 | \$1.78 |
| 161-170% | \$43,979 | \$49,521 | \$55,063 | \$60,605 | \$66,147 | \$5.43 | \$4.08 | \$2.72 | \$2.04 |
| 171-180% | \$46,566 | \$52,434 | \$58,302 | \$64,170 | \$70,038 | \$6.19 | \$4.65 | \$3.10 | \$2.33 |
| 181-190% | \$49,153 | \$55,347 | \$61,541 | \$67,735 | \$73,929 | \$7.00 | \$5.25 | \$3.50 | \$2.63 |
| 191-200% | \$51,740 | \$58,260 | \$64,780 | \$71,300 | \$77,820 | \$7.91 | \$5.93 | \$3.96 | \$2.97 |
| 201-210% | \$54,327 | \$61,173 | \$68,019 | \$74,865 | \$81,711 | \$8.88 | \$6.66 | \$4.44 | \$3.33 |
| 211-220% | \$56,914 | \$64,086 | \$71,258 | \$78,430 | \$85,602 | \$9.90 | \$7.43 | \$4.95 | \$3.72 |
| 221-230% | \$59,501 | \$66,999 | \$74,497 | \$81,995 | \$89,493 | \$10.91 | \$8.19 | \$5.46 | \$4.10 |
| 231-240% | \$62,088 | \$69,912 | \$77,736 | \$85,560 | \$93,384 | \$11.97 | \$8.98 | \$5.99 | \$4.49 |
| 241-250% | \$64,675 | \$72,825 | \$80,975 | \$89,125 | \$97,275 | \$13.08 | \$9.81 | \$6.54 | \$4.91 |
| 251-260% | \$67,262 | \$75,738 | \$84,214 | \$92,690 | \$101,166 | \$14.24 | \$10.68 | \$7.12 | \$5.34 |
| 261-270% | \$69,849 | \$78,651 | \$87,453 | \$96,255 | \$105,057 | \$15.44 | \$11.58 | \$7.72 | \$5.79 |
| 271-280% | \$72,436 | \$81,564 | \$90,692 | \$99,820 | \$108,948 | \$16.78 | \$12.58 | \$8.39 | \$6.29 |
| 281-290% | \$75,023 | \$84,477 | \$93,931 | \$103,385 | \$112,839 | \$18.08 | \$13.56 | \$9.04 | \$6.78 |
| 291-300% | \$77,610 | \$87,390 | \$97,170 | \$106,950 | \$116,730 | \$19.44 | \$14.58 | \$9.72 | \$7.29 |