

## STATE OF VERMONT

## HUMAN SERVICES BOARD

In re ) Fair Hearing No. 14,275

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Appeal of )

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INTRODUCTION

The petitioner appeals a decision by the Department of Social and Rehabilitation Services (SRS) reducing the amount of the child care subsidy which she receives.

FINDINGS OF FACT

1. The petitioner is the mother of a three-year-old child who is cared for in a registered day care home and who is receiving a day care subsidy through the Child Care Services Division of SRS.
2. On March 25, 1996, the petitioner was notified that her subsidy had been reduced to \$3.93 per full day, \$2.28 per half day and \$1.44 per quarter day effective March 24, 1996.
3. The new subsidy was calculated based on the petitioner's gross income of \$1,647 per month (based on wages she earns and a child support payment of \$50 per week.) The accuracy of this amount is not disputed by the petitioner. The Department calculated that the level of income would result in a subsidy of 30% of the cost of the day care home which it calculated at \$13.10 per day, \$7.60 per half day and \$4.80 per quarter day. Those latter figures are used for children three and over. When her child was under three, the regulations allowed him to receive a larger day rate.
4. The petitioner contests the decision because she says she cannot afford to pay all of her day care which runs about \$300 per month. She presented evidence showing that her actual take home income is about \$912 per month and that her basic living expenses, including day care, total \$914 per month. She currently shares housing expenses with a friend but fears she may have to move back in with her parents if she cannot get more help with day care.

ORDER

The decision of the Department is affirmed.

### REASONS

The regulations adopted by the Child Care Services Division on November 1, 1990, provide a sliding rate schedule which fully subsidizes day care for two person families with a gross income of \$880 per month and partially subsidizes greater amounts. The schedule provides a 30% subsidy for two person families with gross income between \$1,616 and \$1,656. CCS Reg. 4035.

The regulations further specify that a child in non-protective services, in a registered family day care home and who is over the age of three is provided a payment rate of \$13.10 per day, \$7.60 per half day and \$4.80 per quarter day. CCS Reg. 4035. A thirty per cent subsidy of those figures yields a \$3.93 per day, \$2.28 per half day and \$1.44 per quarter day rate, exactly the amount calculated for the petitioner. It must be concluded, therefore, that the decision of the Department should be affirmed with regard to the amount of the day care subsidy.

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