

**Care 4 Kids Program**  
**Policy Transmittal**  
**Transmittal Number: C4K-POL-22-03**  
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Connecticut Office  
of Early Childhood

**To:** Sherri Sutera, Program Director  
Care 4 Kids Program

**From:** Julie Giaccone, CCDF Administrator  
Office of Early Childhood

**CC:** Distribution List

**Subject:** Requirements for Foster and Adopted Parents

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**Program Issue:** The Regulations of Connecticut State Agencies (RCSA) and the Child Care and Development Fund Federal Regulations (“Federal Regulations”) are in conflict with regard to eligibility for foster children who receive foster care payments from the Department of Children and Families (DCF) and children who are adopted from DCF. Whereas Connecticut’s Regulations direct that such children shall be considered a separate family unit for the purpose of determining eligibility, the Federal Regulations require states to have an established protective services category in order to treat a child as his/her own family unit. Connecticut does not have an established protective services category for such children. In the absence of an established protective services category, the Federal Regulations require that the foster/adoptive parent(s) be employed and/or attending a job training or educational program.

**Background:** 45 CFR § 98.20 (a)(3) states “To be eligible for services under § 98.50, a child shall, at the time of eligibility determination or redetermination (i) Reside with a parent or parents who are working or attending a job training or educational program or (ii) Receive, or need to receive, protective services, which may include specific population or vulnerable children as identified by the Lead Agency, and reside with a parent or parents other than the parent (s) described in paragraph (a)(3)(i) of this section.”

45 CFR 98.2 defines “Parent” as “a parent by blood, marriage or adoption and also means a legal guardian, or other person standing in loco parentis”.

RCSA § 17b-749-01(32) defines “parent” as “a person with whom the child resides who is either the child’s parent by blood, marriage, adoption or a spouse or former spouse of such individuals, a legal guardian, a caretaker relative under the cash assistance program or other person standing in loco parentis.”

RCSA § 17b-749-03(h) states “A separate family unit shall be established for children receiving foster care payments from the Connecticut Department of Children and Families. The foster parent and other household members shall not be included in the same family unit with the

foster child or children for purposes of determining income eligibility or benefits. The CCAP administrator shall establish a separate family unit if the foster parent requests assistance for another child in the household who is not a foster child.”

RCSA § 17b-749-03(i) states “A child who is adopted from Connecticut Department of Children and Families shall continue to be treated as his or her own family unit for twelve months following the date of the adoption. After twelve months following the date of adoption, the adoptive parent and other household members shall be included in the family unit.”

**Policy Directives:** Because Connecticut’s Regulations conflict with the Federal Regulations in that Connecticut does not have an established protective services category for foster and adoptive children, permitting Connecticut to treat such child as his/her own family unit, the Federal requirement that parents must be working, be in a job training or be in education program supersedes and controls over Connecticut’s Regulations pertaining to separate family units. Therefore, parents of foster children and adopted children shall be working, participating in a job training or be in an education program.

When determining eligibility for foster children and adopted children, C4K shall confirm that parents are working or participating in a job training or education program to be eligible for the C4K program.

JG:kd