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CHILD CARE

DATA AND MATERIALS

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UNITED STATES SENATE

Russell B. Long, Chairman



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FOREWORD

For many years, the Committee on Finance has been involved in issues relating to child care. The committee has been dealing with child care as a segment of the child welfare program under the Social Security Act since the original enactment of that act in 1935. Over the years, authorizations for child welfare funds have been increased in legislation acted on by the committee.

Since the early 1960's legislation handled by the Committee on Finance has placed an increased stress on child care services for the children of working mothers. This occurred in the public welfare amendments of 1962, in which child welfare funds were specifically earmarked for child care for working mothers. In the 1967 Social Security Amendments, the committee anticipated a substantial expansion of child care services as part of the new work incentive program. To further encourage expansion of child care services, the Federal matching share for child care services under the work incentive program was increased from 75 to 90 percent in legislation enacted in 1971.

The program of social services under the Social Security Act experienced a tremendous growth in the early 1970's. An estimated one-quarter of the Federal funds under that program are being used to provide child care services.

Tax legislation enacted in 1971 provided substantial tax relief to working mothers by enabling them to deduct the cost of child care needed to enable them to work. The amendment liberalizing this tax deduction originated in the Committee on Finance. The Tax Reform Act of 1976 expanded the tax relief provided to working mothers by providing that a portion of child care costs can be claimed as a credit against taxes due.

Today, child care provided under the Social Security Act and the tax credit for child care constitute the major Federal support for the care of children of working parents. Through its support of child welfare legislation and programs, the committee has shown its interest, too, in the quality of care which children receive.

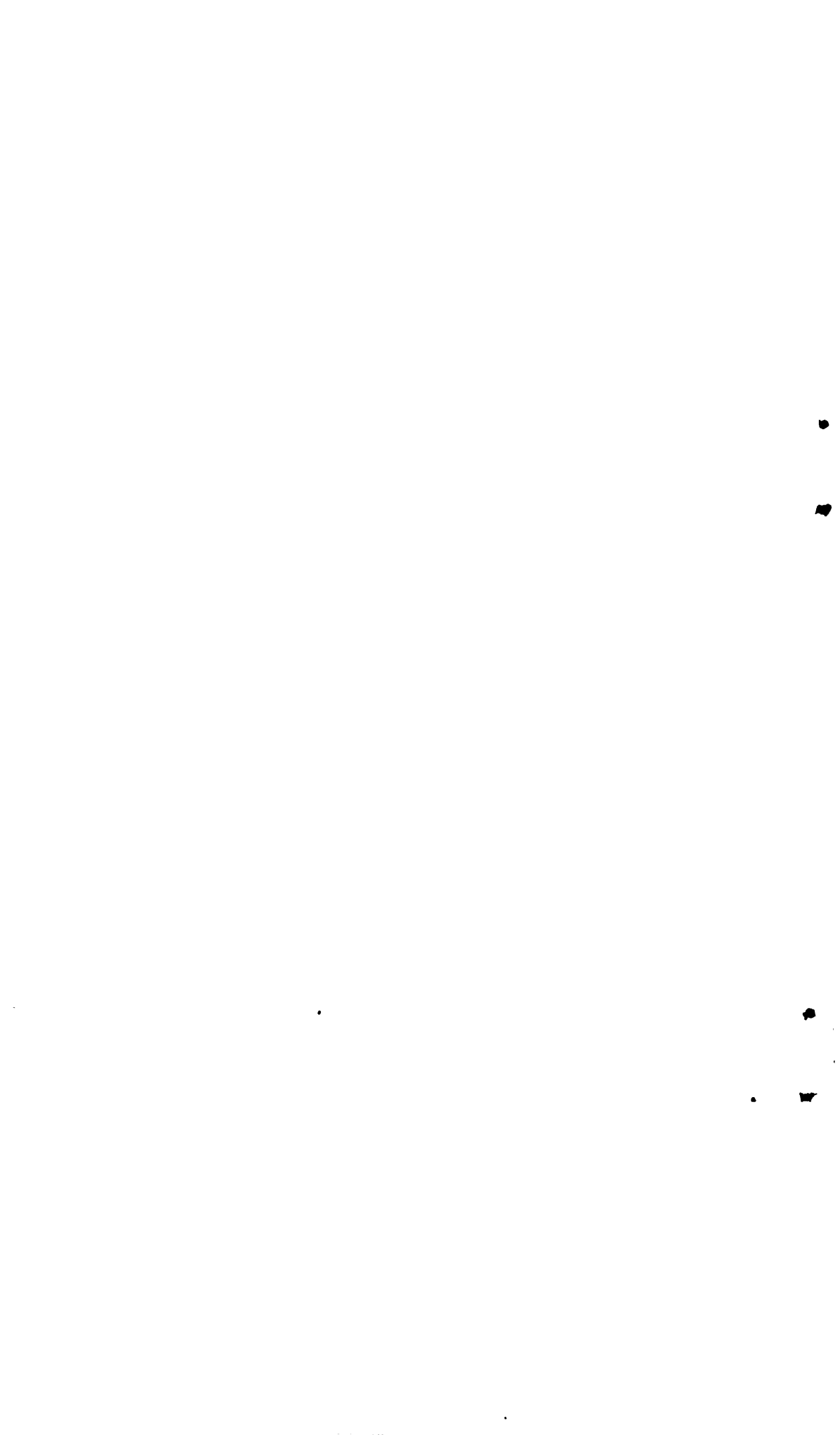
Despite widespread interest in child care, current information on child care is often not conveniently available to persons involved in child care research, planning, and operation. In 1971 the Committee on Finance published a document designed to fill the void by bringing together in one publication the most important current statistics, reports, statutory language, and regulations on child care.

That 1971 document was updated in a second edition published in 1974 and is being further updated by this third edition. I wish to express the gratitude of the Committee to Margaret Malone of the Congressional Research Service who is largely responsible for compiling and revising the current edition and who also significantly contributed to prior editions. It is my hope that persons interested in child care will find this third edition helpful and informative.

RUSSELL B. LONG, *Chairman.*

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NOTE

Because of the variety of the sources of information presented in this document, the reliability of the data may vary considerably among the different tables. Even where the reliability of statistics on child care has left something to be desired, they have been included where no other information is available.

(xiii)

CHILD CARE

Children of Working Mothers ¹

The care of children while their parents are working has been a subject of increasing concern in recent years. One basic reason for this is the growth in the number of children whose mothers are in the labor force, and the expectation that labor force participation of mothers of both preschool and school-age children will continue to rise.

Number of children.—In March 1976 there were 61,697,000 children under age 18 in the United States, a decrease of about 6 percent since 1970. Of these, 17,639,000 were under age 6 (a decrease of 10 percent since 1970), and 44,058,000 were age 6 to 17 (a decrease of 5 percent). There were 28,378,000 children age 6 to 13, for whom full-time care would not be necessary, but who might require after-school or summer programs, depending upon parents' work schedules.

Tables 1, 4,
pp. 34, 35,
38, 39.

Children of mothers in the labor force.—Many children of working mothers are likely to need some form of child care. There were 28,159,000 children under age 18 in March 1976 whose mothers were in the labor force. Of these, 6,439,000 were under age 6, and 13,458,000 were age 6 to 13. The number of children under age 6 with working mothers has grown steadily in recent years, increasing from 4.5 million children in 1965. Between 1975 and 1976, however, there was a slight drop, from 6,512,000 to 6,439,000. Despite the small numerical decrease, the percentage of children under age 6 whose mothers are in the labor force has continued to rise, from 28.5 percent in 1970 to 35.9 percent in 1975, and to 36.5 percent in 1976.

Tables 1-4,
pp. 34-39.

The number of children age 6 to 17 with mothers in the labor force has been rising without break. In 1965 there were 12.8 million. This increased to 19,954,000 in 1970, to 21,081,000 in 1975, and to 21,720,000 in 1976. A total of 49.3 percent of children age 6 to 17 had mothers in the labor force in March 1976, compared to 43.2 percent in 1970. In 1976 the percentage

Tables 1, 2, 4,
pp. 34-38,
38, 39.

¹ Preliminary data relating to the labor force status of mothers and the number of children of working mothers for March 1977 became available after this publication was prepared for printing. Tables showing March 1977 figures are presented in Appendix G.

for children age 6 to 13 was 47.4, and for children age 14 to 17 it was 52.7.

Table 1, pp.
34, 35.

The increase in the percentage of children under 18 whose mothers are in the labor force holds true both for husband-wife families and for female-headed families. In March 1970 the percentage of children in husband-wife families with mothers in the labor force was 37.6; by 1976 the percentage had increased to 44.3. Children in female-headed families are more likely to have working mothers; the percentage of children in this situation increased from 53.2 in 1970 to 56.3 in 1976.

Black children in husband-wife families are more likely to have mothers in the labor force than either white children or children of Spanish origin. The percentage of black children in a husband-wife family with a mother in the labor force was 57.2 in March 1976, compared with 43.0 percent of white children and 38.9 percent of children of Spanish origin. However, white children in female-headed families are more likely to have mothers in the labor force than black or Spanish origin children. A total of 60.8 percent of white children in female-headed families had mothers in the labor force. This compared to 48.4 percent for black children and 37.7 percent for children of Spanish origin.

Table 5,
p. 40.

In evaluating the significance of these labor force participation figures, it should be remembered that the Department of Labor counts an individual as in the labor force not only if he is employed, but also if he is unemployed and looking for work. Thus the children referred to above had mothers who in March 1976 were either working full time, working part time, or not working but seeking employment.

Labor Department data show that young children are more likely to have a mother who is in the labor force but is unemployed than older children. In March 1976 13.1 percent of children under age 6 had mothers who met this definition. The figure dropped to 8.5 percent of children age 6 to 13, and to 6.5 percent for children age 14 to 17. This would seem to indicate that the presence of young children and their need for care does pose a significant employment barrier for mothers. In addition, children in female-headed families are much more likely to have a mother who is in the labor force but is unemployed than children in husband-wife families. Twenty percent of children under age 6 in female-headed families had mothers

Table 4,
pp. 33, 39.

who were in the labor force but were unemployed in March 1976. This compared with 11.8 percent of children in husband-wife families.

Increase in number of working mothers.—Labor force participation of mothers has increased dramatically in recent years. The labor force participation rate of mothers (who have ever been married) with children under 18 increased from 22 percent in 1950, to 42 percent in 1970, and to 49 percent in 1976. Although mothers with school-age children are more likely to be in the labor force than mothers with younger children, both groups have shown large increases. The participation of mothers with children age 6 to 17 increased from 46 percent in 1964 to 56 percent in 1976. Even more striking, the participation rate of mothers with children under age 6 climbed from 25 percent in 1964 to 40 percent in 1976.

Table 6,
p. 41.

The actual number, as well as the rate, of mothers participating in the labor force has also been growing rapidly. In March 1966, for example, 9.9 million mothers (who have ever been married) with children under 18 were in the labor force. In 1969 this number had grown to 11.6 million. In 1971 the number was 12.2 million, and in March 1976 the total was 14.6 million.

Table 7,
p. 42.

Age of children as a factor.—In general, the labor force participation rate for mothers increases as their children get older. In March 1976 the labor force participation rate for all mothers (both ever married and never married) was 33.8 percent for mothers with children under age 3, 47.4 percent for mothers with children age 3 to 5, 55.7 percent for mothers with children age 6 to 13, and 57.3 percent for mothers with children age 14 to 17. However, over the last decade and a half the labor force participation rate has increased much more rapidly for mothers of young children than of older children. The rate for married women, husband present, who had children under 3 more than doubled between 1960 and 1976. The rate for those with children age 6 to 17 increased by only 37.7 percent.

Tables 8-11,
pp. 43-48.

Unemployment rate.—Although the labor force participation rate increases with the age of the mother's children, the unemployment rate moves in the opposite direction. Thus, mothers with children under 3 in March 1976 had an unemployment rate of 15.4 percent. This decreased to 10.2 percent for mothers with children age 3 to 5, to 7.1 percent for mothers with children age 6 to 13, and 5.2 percent for mothers with children age 14 to 17. Mothers with husbands present in the household have a lower unemployment rate than female-

Table 9,
p. 44.

headed families. Mothers with young children who are heads of households have particularly high unemployment rates.

Family size as a factor.—There is reason to believe that, at least in the near future, the number of working mothers will continue to increase. One factor in this is the trend toward smaller families. The average size of families in the United States has been declining.

This is true for both husband-wife families and female-headed families, regardless of whether the mother is in the labor force. Husband-wife families in which the mother is in the labor force averaged 1.97 children in March 1976, down from 2.15 in 1970. Female-headed families averaged 1.86 children, down from 2.06 in 1970. Husband-wife families in which the mother is not in the labor force also showed a decrease in average number of children, from 2.37 in 1970 to 2.13 in 1976. Female-headed families in which the mother is in the labor force showed a decrease from 2.63 to 2.32.

Table 12,
p. 50.

That the trend toward smaller families may continue is indicated by a 1975 Census survey of expectations regarding future births and total lifetime fertility. Nearly 70 percent of wives 18 to 24 years old expected to have either 1 or 2 children, compared with 36 percent of wives 35 to 39 years old. At the same time the expected rate of childlessness shows little variation according to the age of the wife. It is the two-child family which is increasingly popular.

Table 13,
p. 52.

With fewer children, and the childbearing and childrearing years thereby shortened, it can be assumed that more and more mothers will consider the possibility of becoming more or less permanently attached to the work force. At the present time a large percentage of mothers, and of working women in general, work less than full time and less than full year. For example, of mothers (husband present) who had work experience in 1975, 62.4 percent worked at full-time jobs, but only 33.6 percent worked full time, full year.

Table 14,
p. 53.

Education and labor force attachment.—Labor force participation generally increases with the level of education attained. For example, of all women 16 years of age and over in the population who had completed less than 8 years of schooling, less than 1 out of 4 was in the labor force in 1976. But more than half of those who had completed high school were in the labor force. For those who had 4 or more years of college the percentage was 65.4.

The same relationship between education and participation

in labor force exists for mothers as it does for women without children. Thirty-three percent of mothers with children under age 6 and with less than 4 years of high school were in the labor force in March 1976. This increased to 37 percent for those mothers with 4 years of high school. Forty-five percent of mothers with preschool children who had 4 years or more of college were in the labor force. For mothers of school-age children the percentages were higher: 44 percent of those with less than 4 years of high school, 55 percent of those with 4 years of high school, and 67 percent of those with 4 or more years of college were in the labor force in March 1976.

Table 15,
p. 55.

The rise in educational attainment of women could therefore be expected to lead toward a higher labor force participation rate for all women, including mothers. A higher level of education generally increases earning capacity, which is particularly important to working mothers, whose costs of working, including child care, may be relatively high.

The following figures illustrate the trend toward greater educational attainment by women. In 1975, more than three-fifths of all women 25 years or over had completed at least a high school education. Less than one-half had achieved this level in 1962. About 22 percent of women in this age group had completed some college in 1975, compared to 16 percent in 1962.

Female heads of families.—Mothers who are the heads of families have a higher labor force participation rate than mothers in husband-wife families. In March 1976 there were 4,621,000 female-headed families with children under 18, of which 2,850,000, or about 62 percent, had a mother in the labor force. This contrasts with the approximately 46 percent of husband-wife families in which the mother was in the labor force. In addition, the actual number of female-headed families with children has been growing rapidly. In March 1970 there were 2,924,000 families with children under 18 which had a female family head. In March 1976 the number had risen to 4,621,000 such families, or an increase of about 58 percent.

Tables 12, 16,
pp. 50, 56.

At the same time that the number of female-headed families with children has been growing, the number of husband-wife families with children has been decreasing. In March 1970, there were 25,547,000 such husband-wife families; by March 1976, this number had fallen to 25,110,000. As a result of these two trends of more female-headed families and fewer husband-wife families, the proportion of female-headed families has in-

Table 16,
p. 56.

creased from 10.3 percent of all families with children in 1970 to 15.5 percent in 1976.

Economic motivation.—Most mothers who are heads of families must work (or choose the alternative of going on welfare) in order to support themselves and their children. The motivation to work of mothers in families in which the father is present and earning is less obvious, although the income derived is certainly an important factor in most cases. Interestingly, however, the labor force participation rates of these mothers vary very little over a wide range of husband's annual earnings, from \$3,000 to \$10,000. Within this range, the rates vary between 48.6 to 51.8 percent according to husband's earnings. Only when the husband's earnings exceed \$10,000 does the rate drop significantly, to 44.0 percent. Labor force participation rates of married mothers decrease considerably, however, as the husband's income reaches higher levels. Only 37 percent of mothers with children age 6 to 17 whose husbands had incomes above \$25,000 were in the labor force in March 1976. The percentage for mothers with children under age 6 whose husbands had similarly high earnings was only 19.

Tables 17, 18,
pp. 56, 57.

There is a strong relationship between the mother's labor force status and the family's income. Among white children in two-parent families, median family income in 1975 was \$17,588 when the mother was in the labor force and only \$14,796 when she was not. For black children the figures were \$14,461 and \$8,912. For children of Spanish origin they were \$13,686 and \$9,849.

Table 19,
p. 58.

The differences are also significant for children in female-headed families. Among white children in female-headed families the median family income was \$7,778 if the mother was in the labor force, and only \$3,975 if she was not. For black children the numbers were \$5,752 and \$3,764; for children of Spanish origin they were \$6,049 and \$4,306.

For all children, both in female-headed families and in husband-wife families, the median family income increases as the age of the children increases. The highest median family income (\$20,203) is reported for children age 14 to 17 who had both an employed mother and an employed father.

Table 20,
p. 60.

Welfare mothers.—There has been continuing interest in the question of the employability of mothers receiving Aid to Families with Dependent Children (AFDC), and of the need of their children for child care services. According to the Depart-

ment of Health, Education, and Welfare's May 1975 AFDC survey, there were about 8.1 million children in AFDC families, 79.2 percent of whom were under age 14, and 34.6 percent under age 6. This age distribution of AFDC children is not markedly different from 1971 when 80.1 percent of recipient children were under age 14 and 34.2 percent were under age 6.

Table 21,
p. 62.

There has, however, been a significant change in the size of AFDC families between 1971 and 1975. The average family size has declined from 2.8 children per family in 1971 to 2.4 children per family in 1975. The percentage of AFDC families with only one child has increased from 29.7 to 37.9 percent, while the percentage with 3 or more children has declined from 45.8 to 36.1 percent. Thus, by 1975, one- or two-children families, for whom child care services might be considered less difficult to arrange, accounted for 63.9 percent of all AFDC families. This change in family size reflects the fact that AFDC mothers are younger and are having children at a younger age.

Table 22,
p. 63.

According to a survey of AFDC recipients completed in 1973, which provides the latest data available, more than a third of all AFDC families include a child under age 3. Another 23 percent have a child age 3 to 5, making a total of 6 out of every 10 AFDC families with at least one pre-school age child.

Table 23,
p. 64.

According to AFDC survey data, the percent of AFDC mothers working part or full time increased from 13.9 percent in 1971 to 16.1 percent in 1973. This trend did not continue between 1973 and 1975. In 1975 the percentage of mothers working part or full time was identical to the percentage two years earlier, 16.1 percent. However, the percentage of those working full time has shown continuous growth. Survey data show that 8.3 percent of mothers worked full time in 1971, compared with 9.8 percent in 1973 and 10.4 percent in 1975.

Table 24,
p. 65.

In May 1975, in addition to the 16.1 percent of mothers who were employed, there were 9 percent who were actively seeking work and 1 percent awaiting recall from layoff. Thus, 26.1 percent of AFDC mothers were in the labor force. This compares with 48.8 percent of all mothers with children under 18 who were in the labor force in March 1976.

The percentage of AFDC mothers who work varies greatly from State to State. For example, in Missouri 35.2 percent of AFDC mothers were working in May 1975 (27.4 percent full-time) while in Ohio 5.4 percent were working (2.6 percent full-time).

Table 24,
p. 65.

Child Care Arrangements Today

Data from child care surveys.—Recent surveys confirm earlier findings that most children in need of child care receive it in their own home, most often by the child's own parent. According to data compiled by the Bureau of the Census in October 1974 and February 1975, 84.2 percent of children age 3 to 13 whose mothers are in the labor force are cared for in their own home (63.6 percent by their own parent). For children age 3 to 6 the percentage is 68; for children age 7 to 13 it is 91.3. However, the percentages drop in the case of children whose mothers are employed full time. Only 55.1 percent of children age 3 to 6 whose mothers are fully employed are cared for in their own home, and 88.3 percent of children age 7 to 13.

About 12 percent of children age 3 to 13 whose mothers are in the labor force are cared for in someone else's home, according to the Census data. The percentage is higher for children age 3 to 6 with mothers in the labor force, 26.2 percent of whom are cared for in someone else's home. The percentage for children age 7 to 13 is 6. A higher percentage of children whose mothers are employed full time are cared for in someone else's home. About 36 percent of children age 3 to 6 with fully employed mothers are cared for in someone else's home. About 9 percent of older children who are with fully employed mothers receive care in another's home.

Care in a day care center accounts for only a small proportion of the care received by children of mothers in the labor force, even by those whose mothers are employed full time. According to the Census survey, 3.7 percent of children age 3 to 6 whose mothers are in the labor force are in day care centers, and 6 percent of children age 3 to 6 whose mothers are employed full time receive care in centers. Very few older children are in day care centers.

Census data also show that there is very little difference in the type of child care arrangements for children age 3, 4, or 5. However, by the time a child is age 6 (and therefore attending school) there is somewhat greater reliance by a working mother on care in the child's own home, nearly all of which is provided by a relative. The children who are most likely to be in a day care center are those age 5 and 6 whose mothers are employed full time.

Enrollment of a child in school affects the kind of care which is provided. Census analysis indicates that enrollment in school may enable the mother to both work and care for her child.

Table 25,
p. 68.

Table 26,
p. 71.

Table 27,
p. 74.

Among children age 3 to 6 whose mothers are in the labor force, 63.5 percent of those enrolled in nursery school and 56.3 percent of those attending kindergarten or elementary school are usually cared for by their mother during out-of-school hours, compared with 43.5 percent of those not enrolled.

More than 9 out of 10 children age 7 to 13 whose mothers are in the labor force are cared for in their own home. Most of these children—66.1 percent—are cared for by a parent. An additional 9.5 percent are cared for by another relative. A significant percentage of these children care for themselves—11.9 percent of children who have both parents in the home, and 18.9 percent of children whose mothers are separated, divorced, or widowed. Most of the children who are reported as caring for themselves are in grade 7 or above.

Tables 28-30,
pp. 77-84.

The amount of money which a family has available to it seems to have relatively little effect on the type of care which school-age children receive. Relatives other than the parent are somewhat less likely to be the care provider as family income increases, but the percentage differences are small.

Table 31,
p. 85.

Patterns of child care usage are also analyzed in a study prepared by Unco, Inc., under contract with the Department of Health, Education, and Welfare. The Unco study, *National Childcare Consumer Study: 1975*, was based on a national survey of households with children 13 and under. In volume II of the study the authors note that "The subject of care within the household structure—by spouse, by siblings, self-care—and ancillary care through the school system is only of passing interest in this 'consumer' study, and these arrangements are not considered to be a 'method of care' throughout the remainder of our analysis." The study enumerates nine principal forms of "external arrangements." According to the study, just under two-thirds of all households with children under 14 use some external form of care.

Respondents to the survey were asked to select a "main method" from among the child care arrangements which they used. About 43 percent of the users of external arrangements named care in the child's own home by a relative (not the spouse or the child's sibling) or a non-relative as the "main method" of care used. About 44 percent named care in another home by a relative or non-relative as the "main method." Only 13 percent named other forms of external arrangements: day care center, nursery school or pre-school, cooperative program, before or after school program, and Headstart. The table below shows the distribution of the principal forms of care:

MAIN METHOD OF CARE USED

(Users of external arrangements only)

Type of care	Projected house- holds ¹	Percent of users	Percent of all house- holds
1. In own home by relative (not spouse or child's brother or sister).....	3,418	22.5	14.0
2. In own home by nonrela- tive.....	3,176	20.9	13.0
3. In other home by relative.	4,136	27.2	17.0
4. In other home by non- relative.....	2,513	16.5	10.3
5. In nursery school or pre- school.....	874	5.8	3.6
6. In a day care center.....	550	3.6	2.3
7. In a cooperative program or babysitting coopera- tive.....	139	.9	0.6
8. Before or after school activities program (not regular school hours)...	308	2.0	1.3
9. Head Start.....	71	.5	.3
Total users.....	15,185	100.0	.....
Households.....	24,390	.....	100.0

¹ Reported in thousands.

Source: National Childcare Consumer Study: 1975; vol. II. Current Patterns of Childcare Use in the United States, table IV-2.

The report notes, however, that most children receive child care at very insubstantial rates. Just under 12 percent of all children under age 14 use full-time equivalent care, defined as 30 or more hours per week.

The study finds that "the amount of care children receive is highly correlative with the survey respondent's employment status." It also finds that care by relatives, whether in or outside the child's home, is more prevalent among children with parents who are not employed. Forms of care involving non-relatives outside the child's home (including other home by non-relative, nursery school, day care center and before and after school care) are all used more frequently by employed mothers.

Major findings of the National Childcare Consumer Study appear in Appendix A.

Table 32.
p. 37.

Federally subsidized child care.—Child care which is directly subsidized by the Federal Government, in contrast to care purchased privately, appears to be primarily in the form of care in child care centers. A study conducted by Pacific Consultants for the Department of Health, Education, and Welfare (Child Day Care Management Study, August 1976) found that the “vast majority” of Federal child care dollars were expended for center care in 21 of the States for which they were able to collect information. Expenditures for center care and family day care were roughly equivalent in 5 States, family day care was the most heavily subsidized form of care in 4 States, and in-home care was dominant in 2 States.

Table 33,
p. 90.

Licensed centers and homes.—It is clear from available statistics that most child care is not provided in licensed facilities. However, the supply of licensed care has been increasing rapidly in recent years.

Data collected from the States by the National Center for Social Statistics in the Department of Health, Education, and Welfare, supplemented by data collected by the staff of the Committee on Finance, show that in 1975, the latest year for which there are statistics, there were 115,900 licensed day care centers and family day care homes, with a capacity to care for 1,559,600 children. In 1967, 8 years earlier, the States reported 34,700 licensed centers and homes with a capacity to care for 475,200 children.

Tables 34, 35,
pp. 93, 94.

The reported capacity of licensed child care centers approximately doubled between 1970 and 1975. Capacity in March 1970 was reported to be 625,800, increasing to 1,224,400 in 1975. Between 1970 and 1975 the reported capacity of family day care homes increased by 126 percent, from 148,200 in 1970 to 335,200 in 1975.

Recent data is available from only a limited number of States to show under what auspices licensed facilities are being operated. However, statistics for March 1972 show that in that year independent (proprietary) centers accounted for about 44 percent of the capacity of all licensed centers. Voluntary (private non-profit) centers accounted for another 40 percent. Public (operated by a unit of State or local government, such as a department of welfare, health, or education) accounted for 10 percent. The remaining 6 percent was not accounted for. On the basis of 1975 data compiled by HEW for some States it is apparent that there is considerable variance among States according to type of provider. Georgia, for example, reported nearly all of the licensed center care in that State to be provided in proprietary centers. In contrast, the majority of li-

Table 36,
p. 98.

censed center care in Illinois is reportedly provided in centers operated under the auspices of private voluntary organizations. The capacity of public centers represents a substantial portion of total center capacity in only very few reporting States.

Table 37,
p. 100.

Nearly three-fourths of the capacity of licensed day care homes was accounted for by proprietary homes in 1972. Public homes accounted for 16 percent of the capacity, voluntary homes for 8 percent, and the rest was unaccounted for. Most of the States that reported in 1975 indicated that nearly all of the care in licensed homes was in proprietary homes.

Other preschool programs.—Part of the problem in trying to determine the existing supply of child care is the lack of uniformity in defining what constitutes child care. Definitions often exclude nursery schools or similarly designated programs even though they may in fact be providing what might be considered child care under another name. However, because preschool or nursery school programs and enrollment have been growing at a rapid rate and cover much of the same age population as child care programs, it seems important to examine what has been happening in this area, too.

Table 38,
p. 102.

According to a report on preprimary enrollment for October 1975, published by the National Center for Education Statistics in HEW, the enrollment rate of children 3 to 5 years old in preprimary programs increased from 33.0 percent in 1968 to 48.7 percent in 1975. This represented 4,955,000 children enrolled in public or private programs in 1975. These programs are defined as excluding care with no educational component.

Table 38,
p. 102.

The report shows that there is a correlation between enrollment in preprimary programs and family income. Children in families earning \$10,000 or more a year had an enrollment rate of 53.7 percent. For families with lower incomes, rates ranged from a low of 39.1 percent among families earning \$3,000-\$4,999 to a high of 44.0 percent for families earning \$7,500 to \$9,999.

Table 39,
p. 106.

There is also a strong correlation between enrollment in preprimary programs and the level of education attained by the head of household. A surprisingly large number of children age 3 to 5, about 1.1 million in 1975, were in families where the household head had completed 8 or fewer years of school. This represents about 11 percent of all children in the United States in that age group. Only 11.5 percent of the 3-year-olds in households where the head had this low level of education

were enrolled in preprimary programs, compared with 42.0 percent of those who were in households where the head had completed 4 or more years of college. The differences in enrollment are not so great for 5-year-olds, where public kindergartens account for the enrollment of about three-fourths or more of the children, regardless of the education of the household head.

There is also a relationship between enrollment and occupation of the household head. A total of 60.2 percent of children in families whose head of household has a white collar job are enrolled in preprimary programs, compared with 32.2 percent of those in farm families. Children in metropolitan areas are more likely to be enrolled than are children in nonmetropolitan areas. In all of these categories there are substantial differences in enrollment between children in white families and those of other races, with white children having higher enrollment rates in some instances, and children of other races having higher rates in others.

Table 38,
p. 102.

The percentage of children enrolled is highest for the 5-year-olds, most of whom are in public kindergartens; the preprimary enrollment rate for this age group was 81.3 percent in 1975, compared with 40.5 percent for 4-year-olds and 21.5 percent for 3-year-olds. Overall, 65.6 percent of the children in preprimary programs were in public programs. However, the majority of 3- and 4-year-olds are in private programs, while the majority of 5-year-olds are in public programs. Between 1972 and 1975 private programs for 3- and 4-year-olds showed a greater increase than did public programs.

Table 40,
p. 108.

Preprimary enrollment does not vary as greatly by region of the country as it did in former years. The HEW statistics show enrollment of 50.3 percent of the children age 3 to 5 in the Northeast, 47.1 percent in the north central States, 47.0 percent in the South, and 51.9 percent in the West.

Table 41,
p. 109.

Table 42,
p. 110.

The HEW report also shows that most of the children enrolled in preprimary programs attend for only part of the day, a factor which would be of concern to mothers working full time. However, there has been an increase in the proportion of children attending full-day sessions, from 17.4 percent in 1971 to 26.1 percent in 1975. Full-day attendance was most frequent at the 3-year level with 38.0 percent of the children who were enrolled in preprimary programs attending programs in both the morning and afternoon. At the kindergarten level 21.9 percent of the children attended on a full-day basis.

Table 43,
p. 111.

Table 44,
p. 112.

In 1974 the Education Commission of the States conducted a survey of the States to update a study in 1972 of State activities relating to preprimary education. The Commission's findings showed 14 States which mandate school districts to offer kindergarten classes to all who want them. One additional State was to require local districts to provide kindergarten beginning in 1976. Only two States had no State legislation either mandating or permitting kindergarten. A total of 46 States provided some form of State aid to kindergartens, and 11 provided some form of support for prekindergarten programs.

The Cost of Child Care

Cost of care to the consumer.—The cost of child care to the consumer varies greatly depending on the kind of care provided, the nature of the care-giver, the age of the child, geographic location, and other variables. According to the National Childcare Consumer Study, a significant proportion of care is provided free or in return for in-kind compensation. For households using 10 or more hours of child care per week, 8.1 percent reported that they paid no compensation, 25.1 percent reported that the compensation was in the form of "only favors," and 41.9 percent compensated by means of cash payments only. Twenty-five percent compensated through both cash and "favors."

Nonetheless, the amount of money being paid by consumers for child care is considerable. According to the Consumer Study, in 1975 consumers paid a total of \$6.3 billion for child care services on an annual basis. This figure includes payment for all types of care, including casual babysitting as well as more formal arrangements. One-third (33.8 percent) of the money paid went for care in the child's own home, two-fifths (39 percent) went for care provided in another home, 16.5 percent went for care in a nursery school, 8.7 percent for care in a day care center, 0.3 percent for care in cooperative programs, and 1.6 percent for before and after school programs.

Overall, the study shows that households which purchase care average \$14.73 per week in costs. This, however, is considerably below the mean cost for households in which the mother is employed full time (30 hours and more). For this group the mean cost per week is \$23.29. The mean cost per week to mothers who are employed 30 hours or more ranges from a low of \$16.24 for care in the child's home by a non-relative, to \$24.31 for care in a nursery school.

Table 45,
p. 114.

Only about one in ten of households which pay for child care spend as much as \$35 or more a week. The median of what respondents to the survey gave as the maximum they would be able to spend for care was \$24 a week. Even among households in which the mother works full time only 28 percent indicated that they would be willing to spend as much as \$30 or more a week for child care, and only 8.8 percent said that they would (or could) spend more than \$40 a week.

Costs under Federal programs.—A number of attempts have been made in recent years to measure what the cost of care (particularly center care) actually is in various parts of the United States and what it might be under any new or expanded Federal program.

The results have been confusing. Figures have ranged from several hundred dollars annually to several thousand. In measuring what the costs should be, there is wide disagreement concerning the standards to be used. But even in measuring the cost of care which is actually being provided there have been basic problems in definitions. A "full day" might be 6 hours in one study, or 10 in another. Services and goods which are volunteered may be given a dollar value in one study, but not counted at all in another. Startup costs may be ignored, or counted in a way which inflates average costs.

There is very little information available on a national basis on the cost of different kinds of care provided to individuals under Federal programs. Data provided for the State social services (title XX) plans show that States expect to spend an average of about \$1,000 for each child care client in fiscal year 1977. This figure, however, includes many different kinds of care provided both on a fully subsidized and partially subsidized basis.

Table 46,
p. 116.

Under the Work Incentive program, in which mothers frequently look for their own child care and then seek reimbursement, the average unit cost per child year nationwide in 1977 was \$672. About 60 percent of the care was on a full time basis.

Studies of costs.—One of the early analyses of costs was developed in the Department of Health, Education, and Welfare in 1967, and involved a presentation of child care costs based on three different levels of quality: minimum (defined as "the level essential to maintaining the health and safety of the child, but with relatively little attention to his developmental needs"); acceptable (defined as including "a basic program of developmental activities as well as providing minimum custodial care"); and desirable (defined as including "the

full range of general specialized developmental activities suitable to individualized development").

For full-day care in a child care center, the cost per child in this study is estimated at \$1,245 (minimum), \$1,862 (acceptable), and \$2,320 (desirable). Care in a family day care home, primarily for infants under age 3, is estimated at \$1,423 (minimum), \$2,032 (acceptable), and \$2,372 (desirable). For schoolage children the cost of before and after school and summer care is estimated at \$310 (minimum) and \$653 (acceptable and desirable). An examination of the budgets on which these figures are based shows that most of the difference is accounted for by amount of staff time, which depends on the number of children per staff member. The analysis points out that costs vary in different areas of the country.

The Westinghouse Learning Corporation, under contract with the Office of Economic Opportunity, made a study in 1970 aimed at describing what actually exists and is being used for full-day care. A survey was made of 289 centers, 577 parent users, and an area probability sample of 134 day care homes and 1,812 families which were potential users of child care. The survey showed a cost of \$324 a year for what was defined as custodial care, \$540 a year for educational care, and \$1,368 for developmental care. (See analysis in Appendix C.)

In 1972 the Inner City Fund, under contract with the Office of Child Development, prepared a study of costs of child care designed to meet a new set of standards then being considered to replace the 1968 Federal Interagency Day Care Requirements. These standards, which were never promulgated, varied from the earlier standards in the area of child-staff ratio, in general allowing more children per staff member.

Using data from this study, Vivian Lewis, in a paper entitled "Day Care: Needs, Costs, Benefits, Alternatives" (U.S. Congress, Subcommittee on Fiscal Policy, Studies in Public Welfare, Paper No. 7, 1973), calculated that "the mean annual costs of center day care per child (in the 31 largest U.S. cities) dictated by the 1972 standards amount to \$1,544 for children aged 3 to 4½ years and \$1,311 for children aged 4½ to 6."

The Child Welfare League presented testimony to the Congress in 1975 in which it stated that the League "conservatively" estimated the 1975 cost to be \$2,600 a year for full-day (10-12 hours), full-year (250 days) care for preschool children. It gave the cost of before and after school care and care during holidays and vacations of school-age children as \$1,300 a year.

In a recent study of child care centers in Seattle and Denver ("Cost of Compliance to Federal Day Care Standards in Seattle and Denver," March 1976) the Stanford Research Institute points out differences in cost of center care by auspices of provider. For example, in Seattle the total annual cost per enrolled child was \$501 in a for-profit private center, \$789 in a nonprofit private center, and \$1,960 in a nonprofit public center. The same kind of range of costs also prevailed in Denver. The author of the paper states that the discrepancy between the public and private cost per child is due to three factors: "a much higher average hourly pay received by public center employees, a somewhat higher average number of hours worked per week by public center employees, and a lower average ratio of children to staff in public centers. For example, the first two factors made the average annual estimated pay for public center employees almost two and one-half times that of the private for profit centers paid staff."

Analysts of child care costs generally agree that staffing costs make up 70 to 80 percent of the cost of center care. In "An Assessment of Barriers to Compliance with the Federal Inter-agency Day Care Requirements in Region V," prepared by Unco, Inc. under contract with the Department of Health, Education, and Welfare, it is stated that most States in that region estimate that 80 percent of total costs are attributable to staffing. That study includes an analysis by Hennepin County, Minnesota of the contracted day care rates for 1976. The rates for facilities meeting Federal staffing ratios required by title XX of the Social Security Act are significantly higher than those for facilities which operate under a waiver that Minnesota has held for facilities serving fewer than five Federally subsidized children. For care meeting the Federal staffing requirements the average cost is \$9.31 per day for full day preschool care, compared with \$6.30 in facilities not meeting the Federal requirements. The difference is far greater for full day care for infants and toddlers: \$12.09 in facilities meeting the Federal requirements, \$6.14 in those that do not.

The issue of fee schedules.—The argument over whether Federal child care programs should require parents who are able to contribute to the cost of care to do so has been a continuing one. However, the idea of a fee schedule has gradually become more widely acceptable, and provision for a schedule has been included in a number of legislative proposals involving an expansion of child care services.

Table 50,
p. 196.

Under title XX States are required to charge fees for services, including child care, which are provided to families with incomes between 80 and 115 percent of the State's median family income, adjusted for family size. The statute requires that fees must be "reasonably related to income." In addition, the statute provides that States may charge fees for services to families below the 80 percent level, including families receiving Aid to Families with Dependent Children, so long as the fee is consistent with requirements prescribed by the Secretary of Health, Education, and Welfare. An analysis of State plans for fiscal year 1977 by HEW shows that 31 States intended to charge fees for day care services in that year. Most of these States (27) intended to impose fees for families below the 80 percent median income level.

Federal Involvement in Child Care

Background.—So far as current Federal programs to assist child care are concerned, the major source of operational funds continues to be programs financed under the Social Security Act. In 1962, amendments to the Act authorized Federal funds to be matched by the States in providing day care services. In 1968, 1971, 1974 and 1976 there were additional amendments designed to expand and improve the quality of child care services.

Through the years the Congress has enacted a wide range of other legislation relating to child care, including the Economic Opportunity Act which authorizes funds for the Head Start program, amendments to the School Lunch Act which authorize the new Child Care Food program, the Handicapped Children Act, the Comprehensive Employment and Training Act, the Housing and Community Development Act, and others. A major source of indirect Federal funding for child care is the Internal Revenue Code, which, as amended in 1976, provides tax credits for families with child care costs which are related to employment or education.

Table 46,
p. 116.

Estimates of the total amount of money being spent for child care vary because expenditure data for some programs are incomplete or do not exist. However, a general estimate of the amount of money being spent by the Federal government for child care, broadly defined, would be approximately \$2.5 billion in 1977. The major Federal programs providing support for child care, and the amounts of money involved, are outlined below.

Social services (title XX of the Social Security Act).—Legislation in 1962 amended title IV-A of the Social Security

Act to increase Federal matching to the States from 50 to 75 percent for social services, including child care, provided to actual, former, and potential recipients of Aid to Families with Dependent Children. The Social Security Amendments of 1967 broadened the conditions under which this authority could be used to purchase child care services from sources other than the welfare agency itself. In early years use by the States of this provision was uneven. In the period 1970-1972 the demand by some States for Federal matching funds for these purposes began to grow very rapidly, and Congress in 1972 placed a \$2.5 billion annual limit on Federal expenditures for all social services, with funds allocated among the States on the basis of population. This provision is still in effect.

Tables 47-51,
pp. 110-
128.

In 1974 the Congress amended the Social Security Act by repealing the provisions for social services in titles IV and VI and creating a new social services program under title XX. Under the title XX program States receive 75 percent Federal matching funds for services, including child care, which they provide to families who meet income eligibility criteria. Federal matching is available only for services to families with incomes which do not exceed 115 percent of the State's median family income, adjusted for family size. Federal funding for child care and all other social services provided under title XX is subject to the annual limit of \$2.5 billion.

Tables 48, 50,
pp. 120,
128.

As the result of difficulties some States were having in meeting the child care standards required under title XX the Congress enacted legislation in 1976 which provided an additional \$40 million for child care services in the calendar quarter ending September 30, 1976 and \$200 million for such services in fiscal year 1977. There is no requirement for State matching of the additional 1977 funds.¹

Table 51,
p. 128.

An analysis of fiscal year 1977 State social service plans by HEW indicates that about \$750 million will be spent for child care under title XX in that year. This represents a slight decrease from 1976. However, the analysis is based on plans which were developed before the Congress enacted legislation providing the additional \$200 million for child care for 1977. The final expenditure for child care may turn out to be somewhat higher. The State plans show that about 24 percent of total expenditures under title XX will go for child care.

Table 49,
p. 122.

Estimates for expenditures for child care in earlier years are:

¹ Legislation continuing these funding provisions through fiscal year 1978 was signed by the President Nov. 12, 1977. (P.L. 95-171.)

Year	Child care expenditures	Child care as percent of total expenditures
1971.....	\$269,619	16.4
1972.....	432,884	15.6
1973.....	381,384	18.5
1974.....	517,104	24.8
1975.....	614,968	24.8
1976.....	759,180	25.2

The kind of care provided under title XX varies widely among the States, and even within a State. Depending on circumstances, a child may be receiving what are generally considered child development services in a center, or the child may be in a family day care home. The care may be provided directly by the welfare agency, but more often is purchased from another provider of care or provided under contract with another agency.

Title XX establishes standards for care provided with social services funds. The standards are essentially the same as those provided in the 1968 Federal Interagency Day Care Requirements, with certain modifications relating to child-staff ratios and education requirements. The title XX child-staff ratio requirements for children under 6 have been suspended until October 1, 1978. Under the law the Secretary of Health, Education, and Welfare must conduct a study of the appropriateness of the title XX standards and report to the Congress by April 1, 1978. Subsequent to that report, he is authorized to promulgate revised child care standards.

Child care as a work expense (title IV, part A, of the Social Security Act).—Under the Aid to Families with Dependent Children (AFDC) program, States must deduct the cost of child care as a work expense in determining income for welfare purposes. Thus, if a mother must purchase child care in order to take employment, the amount she pays is deducted from her income in determining whether she is eligible for some amount of welfare supplementation. For example, a mother may earn \$300 a month, but pay \$100 for child care. For welfare eligibility and payment purposes, she would be considered to have an income of \$200; if her State's payment standard exceeded \$200, she would be eligible for at least a partial subsidy of the cost of the child care.

The Department of Health, Education, and Welfare estimates that in fiscal year 1977, 144,900 children are to be provided care through the use of the work expense provision. The cost to the Federal government is estimated at \$84.4 million, or \$582 per child. This compares with an estimated 1970 Federal cost of \$57 million and \$189 per child (for 302,645 child care years), and a 1974 cost of \$85 million and \$425 per child (for 200,000 child care years).

Table 47,
p. 110.

Work incentive program (title IV, part C, of the Social Security Act).—The Social Security Act requires AFDC mothers with no children below age 6 to register for manpower services, training and employment under the Work Incentive (WIN) program. Mothers with younger children may volunteer for these services. These WIN manpower programs are administered by the Department of Labor. The States are required to provide child care services to all enrollees who need such services, and are entitled to receive 90 percent Federal matching funds for WIN child care services. Under WIN regulations, the full cost of child care may be covered for a period of up to 90 days. After that time, the mother may be eligible for child care services under other provisions of the Social Security Act.

Despite major amendments to the Work Incentive program enacted by the Congress in December 1971, child care services under the program have not undergone great expansion. Federal expenditures for WIN child care were \$45 million in 1973. They rose to \$57.4 million in 1975, but decreased to an estimated \$51.1 million in 1976. The estimate for 1977 is \$57.1 million. A total of 83,800 years of child care were estimated to be provided in 1976, and 85,000 are estimated to be provided in 1977. According to data for the period October–December 1975, 59 percent of the children receiving WIN child care were receiving care full-time. Only 16 percent of the children were in day care centers, with the rest receiving in-home care, or care in family or group day care homes. The average Federal unit cost for WIN child care is estimated at \$672 in 1977.

Tables 46, 47,
52, pp. 116,
110, 130.

Child welfare services (title IV, part B, of the Social Security Act).—Although the Child Welfare Services authorization is for \$266 million in 1977, the amount appropriated is \$56.5 million, up from \$52.5 million in 1976. These Federal matching funds are allotted among the States on the basis of the child population and per capita income, and may be used by the States for a variety of child welfare services (including child care) for all children in the State, regardless of income. Most

Table 46,
p. 115.

of the Federal money is used for foster care. However, a small amount, estimated at \$4.7 million, is reportedly to be used to provide child care to 19,000 children in 1977.

Tables 46, 53,
PP. 116,
131.

Headstart.—Headstart, originally administered by the Office of Economic Opportunity, is now under the Office of Child Development in the Department of Health, Education, and Welfare. Federal funding is provided for up to 80 percent of the cost of Headstart programs. Grants may be made to local community action agencies, which administer the majority of Headstart programs, or to other public or nonprofit agencies. Federal law requires that 10 percent of the children being served by Headstart be children with handicaps. Ninety percent of the enrollees must be from poor families.

It is estimated that in fiscal year 1977 a total of \$447,000,000 in Federal funds will be spent to serve 349,000 children in a variety of Headstart programs, including full year, summer, handicapped, and parent-child centers programs.

Training of Personnel.—Although no one Federal program has placed primary emphasis on training personnel for child care, a number of Federal programs have provided some support for this kind of training.

The Social Security Act (Section 426) authorizes grants to institutions of higher learning to train people to work in the field of child welfare, including child care. In addition, funds are authorized under title XX for the training of personnel in the provision of child care services.

The Labor Department's manpower programs have offered training in several occupational areas related to child care services. Such training has been possible under the Work Incentive program and the Comprehensive Employment and Training Act.

The Office of Child Development has been funding a training program aimed at developing a new level of child care personnel, called the Child Development Associate. Grants have been awarded for projects operated by educational institutions and other organizations which had developed programs emphasizing experience, rather than academic training of enrollees. It is hoped that the program will result in a system of credentialing for graduates of this type of child care training. The Headstart program under the Office of Child Development also provides for training of child care personnel.

Education Programs.—Funds for programs which may serve young children are authorized under various provisions of the Elementary and Secondary Education Act. Amendments add-

ed by the Education of All Handicapped Children Act of 1975 establish the goal of providing free public education to all handicapped children age 3 to 21 by September 1, 1980. Beginning in 1978 the Act provides for State entitlement to funds based on the number of handicapped children enrolled in a free public education institution multiplied by a percentage of the average per pupil expenditures starting at 5 percent for 1978 and increasing to 70 percent in 1982. For 1976 and 1977 entitlement is based on the number of handicapped children in the State. If appropriations are insufficient to meet the full entitlements of the States for these programs there is provision for the ratable reduction of each State's share. The 1975 Act also provides for incentive grants to States for the education of preschool handicapped children age 3 to 5.

Other early childhood education programs include assistance to local education agencies for programs for educationally deprived children and programs for migrants, grants to States for innovative services and programs serving high concentrations of low-income families, grants to State and local education agencies for special projects for gifted and talented children, and grants to local education agencies or institutions of higher education for bilingual education programs.

According to estimates by the Department of Health, Education, and Welfare in 1977 about \$172 million will be spent in behalf of 679,000 children for education services defined as related to child care.

Table 46,
p. 116.

Child Nutrition Programs.—Amendments to the National School Lunch Act during the 94th Congress included a provision to create a new Child Care Food Program to replace prior programs which terminated June 30, 1975. The new program, like the old, provides meals for children in institutions which operate year-round. However, under the new program the definition of eligible institution was expanded to include any nonresidential (as opposed to residential) public or private nonprofit organization. Thus all licensed nonprofit day care programs are now eligible for the school lunch and school breakfast programs. This includes family day care homes which are under the sponsorship of a nonprofit organization. The new law provides that reimbursement rates and commodity donation rates will be set at the same level as those in the school lunch and breakfast programs; nonfood assistance also is made available to eligible child care programs. The Department of Agriculture estimates that a total of nearly a quarter of a million meals were served under this program in 1976.

Tables 46, 54,
pp. 116,
151.

Estimated expenditures for 1977 are \$120 million and 580,000 children are to be served.

Children in child care arrangements may also participate in the Summer Food Service Program. Under this provision of the National School Lunch Act the Federal government provides grants to State educational agencies to provide cash assistance to nonprofit summer food service programs for children in institutions which must be non-residential public or private, nonprofit, or private nonprofit summer camps.

Other Federal programs relating to child care.—There is a wide range of additional Federal legislation and of Federal programs which relate to child care services, training and facilities. Table 46 lists most of these and indicates the amount of Federal expenditure. Following is a brief description of some of these programs.

Table 46,
p. 115.

In the area of health programs, the Migrant Health Act of 1962 authorizes health services for migrant children in child care centers; the Indian Sanitation Facilities Act authorizes funds for services related to child care; and the National Institute of Child Health and Human Development has authority to conduct research in the area of child care and child mental health.

The Department of the Interior operates Indian child welfare and education programs aimed at serving preschool children. Estimates for 1977 show that about \$3.4 million will be spent for kindergarten and parent-child development programs for 2,700 children.

Child care services have been provided when necessary as supportive services under various programs administered by the Department of Labor. Under the Comprehensive Employment and Training Act, States and localities may elect to use funds for child care services.

In the past Model Cities and Neighborhood Facilities programs provided funds for child care. These programs have been replaced under the Housing and Community Development Act of 1974. Title I of this act (Community Development) provides for Federal funding of public services, specifically including child care, in community development programs. The Department of Housing and Urban Development has estimated that for 1977 about 85,000 children will be served at a cost of about \$43 million.

Profitmaking child care centers are able to qualify for loans under the Small Business Act. Estimates indicate spending by

the Small Business Administration of about \$2 million a year for child care purposes.

The Appalachian Regional Commission provides grants for comprehensive day care services and other child care related services estimated to amount to \$9.3 million and to serve 46,800 children in 1977.

Various research and demonstration projects are also authorized under Federal legislation, in addition to the above-mentioned authorization for projects under the National Institute of Child Health and Development. Section 426 of the Social Security Act authorizes grants to public or other non-profit agencies and organizations engaged in research in child welfare activities, including child care. These are administered by the Office of Child Development. The Office of Education also makes grants to private and public agencies for research and demonstration projects relating to early childhood education.

Tax provisions relating to child care.—Amendments to the Internal Revenue Code in the 94th Congress repealed the provision in prior law for a tax deduction for the costs of care of children of working parents, replacing it with a nonrefundable tax credit. Taxpayers with qualified child care expenses may claim a credit against their tax for 20 percent of the expenses incurred. The credit applies to yearly expenses up to a maximum of \$2,000 for one dependent and \$4,000 for two or more, regardless of whether the care is provided in or outside of the child's home. Thus the maximum credit against tax liability is \$400 for one dependent and \$800 for two or more.

Tables 49, 55,
pp. 115,
137.

The credit may be claimed for care provided children through age 14. It extends to married couples in which the husband and wife work full-time, and also to those in which one or both work part-time. The eligible expenses are limited to the amount of earnings of the spouse earning the smaller amount, or in the case of a single person, to his or her earnings. The credit is also available to married couples where one is a full-time student and the other spouse works. The new law also specifies circumstances under which divorced, separated and deserted parents may claim the credit. The 1976 amendments allow credit for child care expenses paid to relatives who are not dependents of the taxpayer even if they are members of the taxpayer's household, provided that the relative's earnings are subject to social security tax.

The child care tax credit is applicable for years beginning with 1976 and it is estimated that the number of returns benefiting from the provision will be nearly 4 million, applying to

about 7 million children in 1977. The reduction in tax liability is estimated to amount to \$756 million.

There are also tax provisions relating to child care programs operated by businesses. Businesses may claim as tax deductions expenses considered to be "ordinary and necessary," which may include amounts paid or accrued by a business for recreational, welfare, or similar benefits, designed to attract employees and promote greater efficiency among their employees. An amendment to the Internal Revenue Act in 1971, which expired in 1976 but was extended for another five years under the Tax Reduction and Simplification Act of 1977, allows businesses a more rapid writeoff (amortization over a period of 60 months) of capital expenditures for acquiring, constructing, reconstructing or rehabilitating child care facilities. The effect of this provision is not known exactly, but is estimated to be quite small.

Standards and Licensing

Prior to 1968 there were no Federal standards for child care services provided under Federal legislation. The Children's Bureau did include among its activities, however, efforts to promote State and local licensing of day care facilities. The Public Welfare Amendments of 1962, in amending the Social Security Act to make specific provision for Federal funds for day care, required that funds be used for care in facilities licensed or approved by the State.

Federal interagency day care requirements.—In 1967, however, a provision was included in the Economic Opportunity Act of 1967 which stated:

The Director [of the Office of Economic Opportunity] and the Secretary of Health, Education, and Welfare shall take all necessary steps to coordinate programs under their jurisdictions which provide day care, with a view to establishing, insofar as possible, a common set of program standards and regulations, and mechanisms for coordination at the State and local level.

This legislation resulted in the creation in the spring of 1968 of a Federal Panel on Early Childhood, which developed and promulgated the Federal Interagency Day Care Requirements of 1968, which were to be effective for all programs administered by the Office of Economic Opportunity, the Department of Health, Education, and Welfare, and the Department of Labor.

The Economic Opportunity Amendments in 1972 added to this provision the following requirement:

Such standards shall be no less comprehensive than the Federal Interagency Day Care Requirements as approved by the Department of Health, Education, and Welfare, the Office of Economic Opportunity, and the Department of Labor on September 23, 1968.

An effort was made by the Department of Health, Education, and Welfare in the early 1970's to develop and issue a new set of Federal requirements. However, because of disagreements over their content, they were never issued.

When Congress enacted the Social Services Amendments of 1974 it included a requirement that no Federal funding be provided for child care under the social services (title XX) program unless such care met the 1968 Federal Interagency Day Care Requirements, as modified by title XX. The amendments also required that any care provided under the child welfare and Work Incentive programs must meet the same requirements. Modifications of the 1968 requirements related to child-staff ratios for school-age children and to educational requirements.

The absolute prohibition against the use of title XX funds for child care not meeting the specified requirements prompted a number of States to raise the issue of the child-staff ratios mandated by the law. The ratios required for pre-school children, it was argued, were too stringent. Under title XX child-staff ratios for pre-school children are as follows:

<i>Age of child</i>	<i>Maximum number of children per staff member</i>
Under 6 weeks.....	1 (required by regulation)
6 weeks to 3 years.....	4 (required by regulation).
3 to 4 years.....	5 (required by law).
4 to 6 years.....	7 (required by law).

In 1976 the Congress enacted Public Law 94-401 which suspended the child-staff ratios for young children and made several other modifications related to staffing of child care facilities. The suspension is effective until October 1, 1977. As indicated earlier, the Congress also authorized an additional \$200 million to be used by the States to assist them in meeting the child care requirements.¹

¹ The staffing and funding provisions of P.L. 94-401 were extended to Oct. 1, 1978 by P.L. 95-171, signed Nov. 12, 1977.

The Social Services Amendments of 1974, as amended by Public Law 95-59, also require the Secretary of HEW to submit to the Congress by April 1, 1978 an evaluation of the appropriateness of the requirements imposed by title XX, together with any recommendations he may have for modifying them. No earlier than 90 days after the submission of the report, the Secretary may, by regulation, make such modifications of the title XX requirements as he determines to be appropriate.

The problems which have been encountered in the States in complying with the Federal Interagency Day Care Requirements are described in a report prepared for the Department of Health, Education, and Welfare by Unco, Inc. in 1976. The report, entitled "An Assessment of Barriers to Compliance with the Federal Interagency Day Care Requirements in Region V," also discusses the background of the requirements and analyzes some of their effects. The summary chapter of the report is included in the appendix.

Appendix B,
p. 107.

Licensing.—The role of the Federal Government in the licensing area has generally been advisory, with some matching funds made available to the States for licensing functions. States have been able to receive Federal financial assistance for this purpose under title IV and title XX of the Social Security Act. Although nearly everyone would agree that licensing requirements are necessary, there has been some concern about the nature and effect of various State licensing requirements. The Auerbach Corporation issued a report on the Work Incentive program in 1970 in which it stated that "the greatest stated problem [concerning physical facilities for child care] is in meeting the various local ordinances which, according to some staffs, are prohibitive. Some examples are: windows no more than 'x' feet from the floor, sanitation facilities for children, appropriately scaled, sprinkler systems, fireproof construction, etc."

Concern with this kind of problem, and also for the inadequacy of requirements in some States, led to the undertaking in 1970 by the Department of Health, Education, and Welfare and the Office of Economic Opportunity of a project to develop model day care licensing and regulatory material for use by the States in developing licensing statutes and regulatory codes. The process and the results were controversial, but HEW did publish in 1973 new "Guides for Day Care Licensing." The guides have been criticized as advocating an inadequate level of care and as being too detailed; they have been praised as providing usable guides and adequate and reasonable standards which the States can adapt to their own conditions.

A detailed and up-to-date summary of State licensing requirements and of the HEW "Guides" is provided in tables 56-60. Requirements relate both to staffing and to physical facilities.

Tables 56-60,
pp. 138-
176.

In recent years there has been considerable activity on the part of States to increase their licensing and monitoring activities and to review and revise their requirements. The Office of Child Development has provided small grants to States to assist them in revision efforts.

In their analysis of State licensing procedures the authors of the previously mentioned "Child Day Care Management Study" (August 1976) found that "Standards have been developed for day care centers in every one of the 50 States and standards for group day care homes and for family day care homes have been developed, in virtually every State that uses these forms of care. On the other hand, the development of standards for in-home care is a relatively recent phenomena; 20 States report the existence of in-home standards. For the most part, standards for centers and homes have been updated within the past few years: only ten States are still using center or home standards which were developed in 1968 or earlier, whereas 16 States have revised either, or both, in the last year or so. An additional 14 States were in the process of updating their standards at the time of the site visit." The authors note further, however, that "it is important to recognize that the identified presence of a standard does not speak to either the adequacy or specificity of that standard." That kind of analysis was not part of the management study.

The management study included an analysis of State activities related to the monitoring of day care facilities. The findings were summarized and are quoted in full as follows:

For centers:

26 of the States may be characterized as engaging in a comprehensive monitoring effort, including:

24 States which report that they monitor 100 percent of all sanctioned centers;

1 State (California) which indicated that one of its two involved agencies monitors 100 percent of all centers (and, since this agency carries most of the responsibility, it is being included here); and

1 State which reports that it monitors 90 percent of all centers.

8 of the States fall into an intermediate position, with the percentages of all sanctioned facilities monitored ranging

from 37 to 70 percent, and/or 100 percent of all those serving FFP-eligibles.

- 6 States (Hawaii, Kentucky, Louisiana, Mississippi, New Jersey, and New Mexico) report that they regularly monitor only contracted centers, but all report that they monitor 100 percent of these. These reports have varying significance deriving from the fact that some States use contracted centers heavily (for example, in Hawaii, 64 percent of all day care expenditures are made through 13 purchase of service contracts), whereas in others, they comprise a very small proportion of the total number of licensed centers for example in Louisiana, it was estimated that the contracted centers comprise about 3 percent of the total). The monitoring effort of these States may, therefore, be characterized as ranging from intermediate to minimal.
- 6 States were unable to estimate the percentage monitored statewide; based on the partial reports received from some local jurisdictions, however, these "unknowns" would seem to range from fairly high to virtually none, in terms of the extent of monitoring performed.
- 5 States engage in very little monitoring (that is, less than 20 percent of all sanctioned centers). These are in addition to those in the previous two categories whose efforts could be characterized as minimal.

Drawing on the last three categories (that is, States that monitor only contracted centers where these comprise a small portion of the whole, States that are unable to estimate the proportion of all centers monitored and where even local estimates suggest that the percentage is small, and the five states that monitor fewer than 20 percent of all centers), *we would estimate that the number of States engaged in center monitoring to a very minimal extent is 12-14.*

For homes:

- 21 States monitor extensively (with "extensively" defined as 80-100 percent of all sanctioned homes).
- 11 States fall into an intermediate position (monitoring at least 80 percent of all homes serving FFP children and/or 25 percent of all sanctioned homes).
- 12 States are unable to estimate the percentage of homes monitored (and we lack sufficient information to make a characterization on a statewide basis).
- 7 States engage in minimal or no monitoring of homes.

While the extent of home monitoring is somewhat less than that for centers, there is a parallel pattern and *States which*

engage in comprehensive monitoring of centers also tend to engage in comprehensive monitoring of homes.

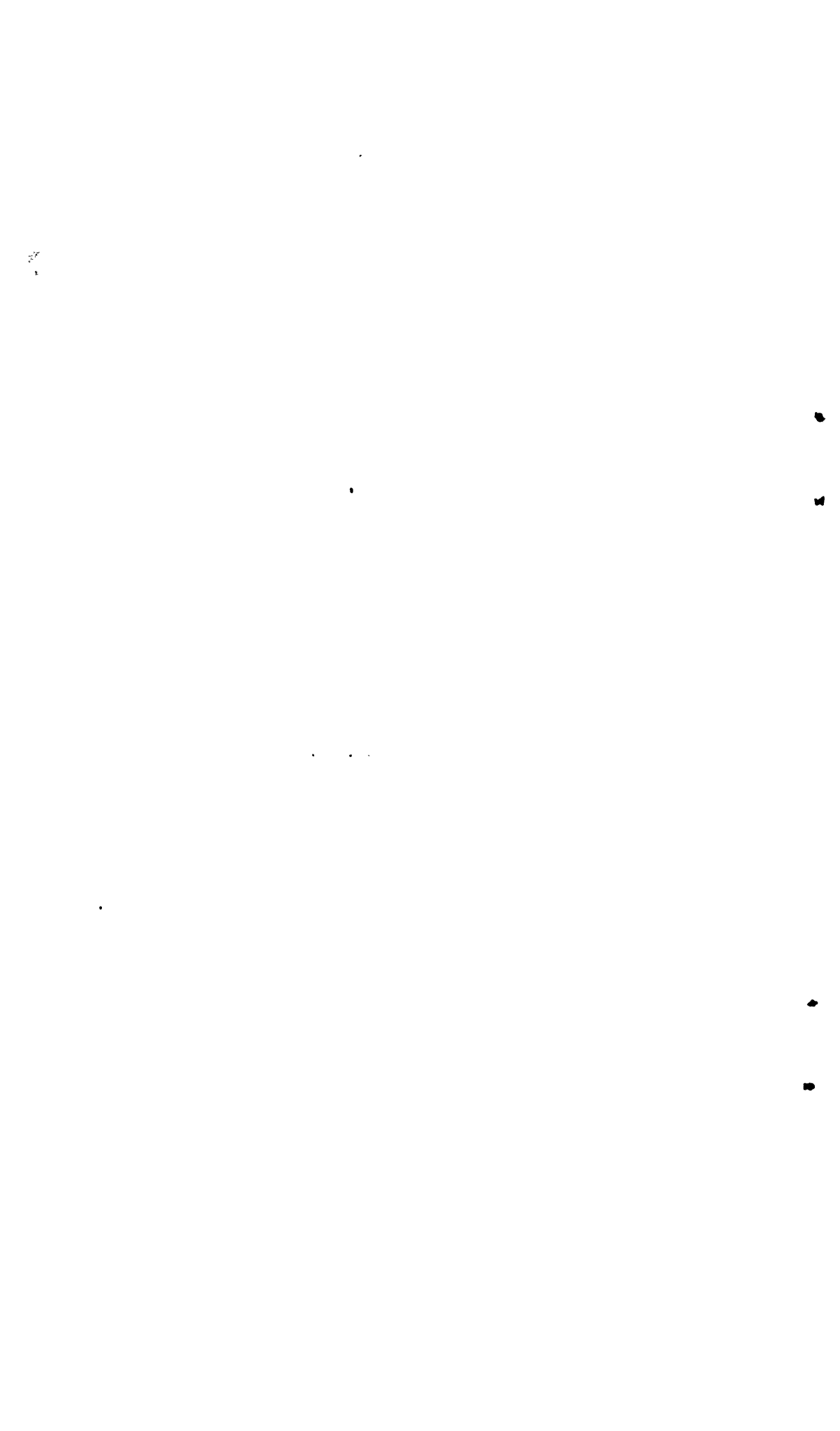
The time spent in monitoring centers (per monitoring effort) varies widely, with a range from ½ hour to 64 hours (the latter being a matter of monitoring contracted centers, which comprise 3 percent of all centers in the State); the average is six hours for those able to provide an estimate.

The time spent monitoring homes ranges from ½ hour to 5½ hours, with an average of 2 hours per monitoring effort.

The extent of coverage (in terms of percent monitored and time spent) must be viewed in conjunction with the frequency of monitoring in order to gain a true picture of the overall monitoring effort. This information is summarized below:

Frequency of monitoring	Number of States reporting	
	Centers	Homes
Monthly.....	4	3
Bimonthly.....	1	.....
Quarterly.....	14	15
Semiannually.....	10	8
Annually.....	18	15
Irregularly/no data.....	9	11
None.....		3

Note: These figures total more than 51 because several States reported variable frequencies used by different agencies or worker categories.



TABLES

TABLE 1.—NUMBER OF CHILDREN UNDER 18 YEARS OLD, BY AGE, TYPE OF FAMILY, LABOR FORCE STATUS OF MOTHER, AND RACE, MARCH 1970 AND MARCH 1976

[Numbers in thousands]

Item	Age of children, 1970			Age of children, 1976		
	Under 18 years	Under 6 years	6 to 17 years	Under 18 years	Under 6 years	6 to 17 years
Total children ¹	65,755	19,606	46,149	61,697	17,639	44,058
Mother in labor force	25,544	5,590	19,954	28,159	6,439	21,720
Mother not in labor force	39,550	13,923	25,627	32,828	11,120	21,708
Husband-wife families	58,399	17,920	40,479	51,586	15,332	36,255
Mother in labor force	21,982	4,947	17,035	22,868	5,380	17,488
Mother not in labor force	36,417	12,973	23,444	28,718	9,952	18,767
Female family head ²	6,695	1,593	5,102	9,401	2,227	7,173
Mother in labor force	3,562	643	2,919	5,291	1,059	4,232
Mother not in labor force	3,133	950	2,183	4,110	1,168	2,942
Other male family head ²	661	93	568	710	80	630
White children, total	56,903	16,940	39,963	52,447	15,016	37,431
Mother in labor force	21,194	4,459	16,735	23,367	5,192	18,175
Mother not in labor force	35,244	12,424	22,820	28,490	9,761	18,728

Husband-wife families.....	52,336	15,975	36,361	45,972	13,634	32,338
Mother in labor force.....	18,865	4,083	14,782	19,789	4,532	15,257
Mother not in labor force.....	33,471	11,892	21,579	26,183	9,102	17,081
Female family head ¹	4,102	908	3,194	5,885	1,320	4,565
Mother in labor force.....	2,329	376	1,953	3,579	660	2,918
Mother not in labor force.....	1,773	532	1,241	2,307	660	1,647
Other male family head ²	465	57	408	590	62	527
Black children, total.....	8,054	2,381	5,673	8,098	2,215	5,883
Mother in labor force.....	4,015	1,031	2,984	4,270	1,102	3,169
Mother not in labor force.....	3,849	1,315	2,534	3,727	1,101	2,626
Husband-wife families.....	5,335	1,683	3,652	4,570	1,322	3,248
Mother in labor force.....	2,810	775	2,035	2,613	719	1,895
Mother not in labor force.....	2,525	908	1,617	1,956	603	1,353
Female family head ¹	2,529	663	1,866	3,428	880	2,547
Mother in labor force.....	1,205	256	949	1,657	383	1,274
Mother not in labor force.....	1,324	407	917	1,770	497	1,273
Other male family head.....	190	35	155	102	13	88

¹ Children are defined as "own" children of the family head and include never married sons and daughters, step-children, and adopted children. Excluded are other related children such as grandchildren, nieces, nephews, and cousins, and unrelated children.

² Widowed, divorced, separated, and single family heads.

Note: Because of rounding, sums of individual items may not equal totals.

Source: Department of Labor.

TABLE 2.—NUMBER OF CHILDREN WITH MOTHERS IN THE LABOR FORCE, BY AGE, 1965-1976

[in millions]

	1965	1970	1973	1975	1976
Total, children under age 18.....	17.3	25.5	26.2	27.7	28.2
Under age 6.....	4.5	5.6	6.0	6.5	6.4
Age 6 to 17.....	12.8	19.9	20.2	21.1	21.7

Source: Derived from statistics published by the Department of Labor.

TABLE 3.—CHILDREN UNDER AGE 6 WITH MOTHERS IN THE LABOR FORCE, 1970-1976

	1970	1972	1973	1975	1976
Total children under age 6.....	19,606,000	19,235,000	19,145,000	18,134,000	17,639,000
With mother in labor force.....	5,590,000	5,607,000	5,952,000	6,512,000	6,439,000
Percent of children under age 6 with mother in the labor force.....	28.5	29.1	31.1	35.9	36.5

Source: Derived from statistics published by the Department of Labor.

TABLE 4.—NUMBER OF OWN CHILDREN UNDER 18 YEARS OLD, BY AGE, TYPE OF FAMILY, AND EMPLOYMENT STATUS OF PARENTS, MARCH 1976

[Numbers in thousands]

Item	Children under 18 years				
	Total	Under 6 years	Children 6 to 17 years		
			Total	6 to 13 years	14 to 17 years
Total children¹	61,697	17,639	44,058	28,378	15,680
Mother in labor force	28,159	6,439	21,720	13,458	8,262
Employed	25,628	5,593	20,035	12,311	7,724
Unemployed	2,531	846	1,685	1,147	538
Mother not in labor force	32,828	11,120	21,708	14,637	7,071
Husband-wife families	51,586	15,332	36,265	23,389	12,865
Mother in labor force	22,868	5,380	17,488	10,719	6,769
Employed	21,049	4,746	16,303	9,916	6,387
Unemployed	1,819	634	1,185	802	383
Mother not in labor force	28,718	9,952	18,767	12,670	6,096
Father employed	45,576	13,419	32,156	20,753	11,403
Mother in labor force	20,412	4,736	15,676	9,590	6,086
Employed	18,956	4,230	14,726	8,943	5,783
Unemployed	1,457	507	950	647	303
Mother not in labor force	25,163	8,683	16,481	11,164	5,317

Father in Armed Forces.....	1,092	493	599	447	152
Mother in labor force.....	429	144	285	209	76
Employed.....	378	113	265	192	73
Unemployed.....	51	30	20	17	3
Mother not in labor force.....	663	349	314	238	75
Father unemployed.....	2,486	942	1,544	1,090	455
Mother in labor force.....	1,133	369	764	536	228
Employed.....	902	281	621	439	181
Unemployed.....	231	88	143	96	47
Mother not in labor force.....	1,353	573	781	554	227
Father not in labor force.....	2,433	478	1,955	1,099	856
Mother in labor force.....	894	130	763	384	379
Employed.....	813	121	692	342	350
Unemployed.....	81	10	71	42	29
Mother not in labor force.....	1,539	347	1,192	714	477
Families headed by women ¹	9,401	2,227	7,173	4,706	2,468
Mother in labor force.....	5,291	1,059	4,232	2,739	1,498
Employed.....	4,579	847	3,732	2,394	1,338
Unemployed.....	712	212	500	345	155
Mother not in labor force.....	4,110	1,168	2,942	1,967	975
Other families headed by men ²	710	80	630	283	347

¹ Children are defined as "own" children of the family head and include never married sons and daughters, step children, and adopted children. Excluded are their related children such as grandchildren, nieces, nephews and cousins, and unrelated children.

² Widowed, divorced, separated, and never married family heads.
Note: Because of rounding, sums of individual items may not equal totals.

Source: Department of Labor.

TABLE 5.—NUMBER OF OWN CHILDREN UNDER 18 YEARS OLD, BY AGE, TYPE OF FAMILY, LABOR FORCE STATUS OF MOTHER, RACE, AND SPANISH ORIGIN, MARCH 1976

[Numbers in thousands]

Item	Husband-wife families			Families headed by women		
	White	Black	Spanish origin	White	Black	Spanish origin
Children under 18 years.....	45,972	4,570	3,670	5,885	3,427	921
Mother in labor force..	19,789	2,613	1,429	3,579	1,657	347
Mother not in labor force..	26,183	1,956	2,242	2,307	1,770	573
Children under 6 years.....	13,634	1,322	1,323	1,320	880	261
Mother in labor force..	4,532	719	451	660	383	76
Mother not in labor force..	9,102	603	872	660	497	185
Children 6 to 13 years.....	20,834	2,104	1,673	2,956	1,708	450
Mother in labor force..	19,285	1,098	680	1,854	857	177
Mother not in labor force..	11,549	876	993	1,102	851	274
Children 14 to 17 years.....	11,504	1,144	675	1,610	838	209
Mother in labor force..	5,971	667	298	1,065	417	94
Mother not in labor force..	5,533	477	377	545	422	115

Source: Department of Labor.

**TABLE 6.—LABOR FORCE PARTICIPATION RATES OF MOTHERS,
SELECTED YEARS ¹**

[In percent]

	All mothers	Mothers with children under 6 years	Mothers with children 6 to 17 years only
Percentage of mothers participating in the labor force:			
1950.....	22	14	33
1960.....	30	20	43
1964.....	34	25	46
1967.....	38	29	49
1970.....	42	32	52
1973.....	44	34	53
1974.....	43	37	54
1975.....	47	39	55
1976.....	49	40	56

¹ Data apply only to ever-married women.

Source: Department of Labor.

**TABLE 7.—NUMBER OF MOTHERS¹ PARTICIPATING IN THE LABOR FORCE, BY AGE OF CHILDREN,
1966–1976**
[In millions]

	1966	1969	1971	1972	1973	1974	1975	1976
Mothers in the labor force with children under 18.....	9.9	11.6	12.2	12.7	13.0	13.6	14.2	14.6
Mothers in the labor force with children under 6.....	3.8	4.2	4.3	4.4	4.8	5.1	5.4	5.4

¹ Includes only mothers who have ever been married.

Source: Derived from statistics published by the Department of Labor.

TABLE 8.—LABOR FORCE PARTICIPATION RATES¹ OF MARRIED WOMEN, HUSBAND PRESENT, BY PRESENCE AND AGE OF CHILDREN, MARCH 1960 TO 1976

Year	With children under 18 years						
	All wives	No children under 18 years	Under 6 years				
			Total	6 to 17 years only	Total	3 to 5 years; none under 3 years	Under 3 years
1960.....	30.5	34.7	27.6	39.0	18.6	25.1	15.3
1961.....	32.7	37.3	29.6	41.7	20.0	25.5	17.0
1962.....	32.7	36.1	30.3	41.8	21.3	27.2	18.2
1963.....	33.7	37.4	31.2	41.5	22.5	28.5	19.4
1964.....	34.4	37.8	32.0	43.0	22.7	26.7	20.5
1965.....	34.7	38.3	32.2	42.7	23.3	29.2	20.0
1966.....	35.4	38.4	33.2	43.7	24.2	29.1	21.2
1967.....	36.8	38.9	35.3	45.0	26.5	31.7	23.3
1968.....	38.3	40.1	36.9	46.9	27.6	34.0	23.4
1969.....	39.6	41.0	38.6	48.6	28.5	34.7	24.2
1970.....	40.8	42.2	39.7	49.2	30.3	37.0	25.8
1971.....	40.8	42.1	39.7	49.4	29.6	36.1	25.7
1972.....	41.5	42.7	40.5	50.2	30.1	36.1	26.9
1973.....	42.2	42.8	41.7	50.1	32.7	38.3	29.4
1974.....	43.0	43.0	43.1	51.2	34.4	39.2	31.1
1975.....	44.4	43.9	44.8	52.3	36.6	42.0	32.5
1976.....	45.0	43.8	46.1	53.7	37.4	44.1	32.4

¹ Labor force as percent of population.

Source: Department of Labor.

TABLE 9.—LABOR FORCE STATUS OF WOMEN 16 YEARS AND OVER, BY MARITAL STATUS AND PRESENCE AND AGE OF YOUNGEST CHILD, MARCH 1976

[Numbers in thousands]

Labor force status	Total	No children under 18 years	With children under 18 years						
			Total	6 to 17 years		Under 6 years			
				Total	14 to 17 years	6 to 13 years	Total	3 to 5 years	Under 3 years
Women, 16 years and over, total.	80,834	50,265	30,568	16,618	4,831	11,787	13,952	6,170	7,781
In labor force.....	37,817	22,923	14,895	9,339	2,767	6,571	5,556	2,926	2,631
Labor force participation rate ¹	46.8	45.6	48.7	56.2	57.3	55.7	39.8	47.4	33.8
Unemployment rate ²	8.5	8.3	8.8	6.5	5.2	7.1	12.6	10.2	15.4
Never married, total.....	15,409	14,756	653	184	29	155	470	180	290
In labor force.....	9,083	8,786	297	99	18	81	198	99	99
Labor force participation rate ¹	58.9	59.5	45.4	53.8	(^o)	52.4	42.1	55.1	34.1
Unemployment rate ²	11.7	11.4	20.0	11.7	(^o)	11.3	24.1	22.3	25.9
Married, husband present, total.	47,852	22,490	25,361	13,543	3,984	9,559	11,819	5,044	6,774
In labor force.....	21,554	9,860	11,693	7,270	2,194	5,076	4,424	2,227	2,197
Labor force participation rate ¹	45.0	43.8	46.1	53.7	55.1	53.1	37.4	44.1	32.4
Unemployment rate ²	7.1	6.2	7.9	5.9	4.7	6.4	11.2	8.7	13.8

Married, husband absent, total.	3,145	1,410	1,735	862	198	664	873	412	461
In labor force.....	1,801	821	980	527	119	408	452	248	205
Labor force participation rate ¹	57.3	58.2	56.5	61.2	60.2	61.5	51.8	60.1	44.3
Unemployment rate ²	13.7	9.7	17.1	13.1	11.3	13.6	21.9	19.1	25.3
Widowed, total.....	10,020	9,315	705	612	289	323	93	55	38
In labor force.....	2,233	1,880	354	318	164	154	36	23	13
Labor force participation rate ¹	22.3	20.2	50.2	51.9	56.6	47.6	39.0	(³)	(³)
Unemployment rate ²	6.1	5.5	9.5	9.0	9.4	8.6	(³)	(³)	(³)
Divorced, total.....	4,408	2,294	2,114	1,417	331	1,086	697	479	218
In labor force.....	3,146	1,576	1,571	1,125	272	852	446	329	117
Labor force participation rate ¹	71.4	68.7	74.3	79.3	82.2	78.5	64.1	68.7	53.8
Unemployment rate ²	7.5	6.8	8.1	6.6	3.4	7.6	12.1	10.1	17.9

¹ Labor force as percent of civilian population.

² Unemployment as percent of civilian labor force.

³ Rate not shown where base is less than 75,000.

Source: Department of Labor.

TABLE 10.—MOTHERS IN THE LABOR FORCE, BY MARITAL STATUS AND AGE OF CHILDREN,
MARCH 1973, 1975, 1976 ¹

[Mothers 16 years of age and over]

	Number in labor force			Percent in labor force		
	1973	1975	1976	1973	1975	1976
Mothers with children under 18 years.....	13,017,000	14,167,000	14,598,000	44.1	47.4	48.8
Married, husband present.....	10,714,000	11,425,000	11,693,000	41.7	44.8	46.1
Widowed, divorced, or separated.....	2,303,000	2,742,000	2,905,000	59.7	62.4	63.8
Mothers with children 6 to 17 years only.....	8,253,000	8,779,000	9,240,000	52.8	54.8	56.2
Married, husband present.....	6,658,000	6,988,000	7,270,000	50.1	52.3	53.7
Widowed, divorced, or separated.....	1,595,000	1,792,000	1,970,000	68.3	67.1	68.1

Mothers with children under 6 years ¹	4,764,000	5,388,000	5,358,000	34.2	38.9	39.7
Married, husband present.....	4,056,000	4,438,000	4,424,000	32.7	36.6	37.4
Widowed, divorced, or separated.....	708,000	951,000	934,000	46.6	55.2	56.2
Mothers with children 3 to 5 years (none under 3) ²	2,192,000	2,741,000	2,827,000	40.6	44.7	47.2
Married, husband present.....	1,779,000	2,185,000	2,227,000	38.3	42.0	44.1
Widowed, divorced, or separated.....	413,000	556,000	600,000	54.8	59.8	63.4
Mothers with children under 3 years ¹	2,572,000	2,647,000	2,532,000	30.2	34.3	33.8
Married, husband present.....	2,277,000	2,253,000	2,197,000	29.4	32.5	32.4
Widowed, divorced, or separated.....	295,000	395,000	335,000	38.5	49.8	46.7

¹ Includes only mothers who have ever been married.

² May also have older children.

Source: Department of Labor.

TABLE 11.—LABOR FORCE STATUS OF WOMEN WHO HAVE EVER BEEN MARRIED, BY PRESENCE AND AGE OF CHILDREN, MARCH 1973 AND MARCH 1976

[Women 16 years of age and over]

Race and presence and age of children	1973			1976		
	Population	Labor force		Population	Labor force	
		Number	As a percent of women in population		Number	As a percent of women in population
WOMEN OF ALL RACES						
Total.....	62,971,000	26,165,000	41.6	65,425,000	28,734,000	43.9
Mothers with children under 18 years.....	29,533,000	13,017,000	44.1	29,915,000	14,598,000	48.8
With children 6 to 17 years only..	15,619,000	8,253,000	52.8	16,434,000	9,240,000	56.2
With children under 6 years ¹	13,914,000	4,764,000	34.2	13,482,000	5,358,000	39.7
With no children under 3 years ¹	5,401,000	2,192,000	40.6	5,990,000	2,827,000	47.2
With children under 3 years ¹ ..	8,513,000	2,572,000	30.2	7,491,000	2,532,000	33.8

Women without children under 18 years.....	33,438,000	13,148,000	39.3	35,509,000	14,137,000	39.8
WOMEN OF MINORITY RACE						
Total.....	6,807,000	3,374,000	49.6	7,236,000	3,689,000	51.0
Mothers with children under 18 years.....	3,481,000	1,915,000	55.0	3,709,000	2,154,000	58.1
With children 6 to 17 years only..	1,748,000	1,073,000	61.4	1,939,000	1,210,000	62.4
With children under 6 years ¹	1,733,000	842,000	48.6	1,770,000	944,000	53.3
Women without children under 18 years.....	3,326,000	1,459,000	43.9	3,527,000	1,535,000	43.5

¹ May also have older children.

Source: Department of Labor.

TABLE 12.—NUMBER OF FAMILIES AND AVERAGE NUMBER OF OWN CHILDREN UNDER 18 YEARS OLD, BY TYPE OF FAMILY, LABOR FORCE STATUS OF MOTHER, AND RACE, MARCH 1970 AND MARCH 1976

Item	1970		1976	
	Number of families with children under 18 years old (thousands)	Average number of children per family ¹	Number of families with children under 18 years old (thousands)	Average number of children per family ¹
ALL FAMILIES				
Husband-wife families.....	25,547	2.29	25,110	2.05
Mother in labor force.....	10,210	2.15	11,606	1.97
Mother not in labor force.....	15,337	2.37	13,504	2.13
Female family head.....	2,924	2.29	4,621	2.03
Mother in labor force.....	1,731	2.06	2,850	1.86
Mother not in labor force.....	1,193	2.63	1,771	2.32

WHITE

Husband-wife families.....	28,285	2.25	22,714	2.02
Mother in labor force.....	8,970	2.10	10,189	1.94
Mother not in labor force.....	14,315	2.34	12,526	2.09
Female family head.....	1,994	2.05	3,135	1.88
Mother in labor force.....	1,237	1.88	2,046	1.75
Mother not in labor force.....	757	2.34	1,089	2.12

BLACK

Husband-wife families.....	2,001	2.67	1,963	2.33
Mother in labor force.....	1,120	2.51	1,207	2.16
Mother not in labor force.....	881	2.87	757	2.58
Female family head.....	912	2.77	1,435	2.39
Mother in labor force.....	485	2.48	773	2.14
Mother not in labor force.....	427	3.10	662	2.67

¹ Children are defined as "own" children of the family head and include never-married sons and daughters, stepchildren, and adopted children. Excluded are other related children such as grandchildren, nieces, nephews, and cousins, and unrelated children.

Note: Because of rounding, sums of individual items may not equal totals.

Source: Department of Labor.

TABLE 13.—DISTRIBUTION BY NUMBER OF LIFETIME BIRTHS EXPECTED, FOR REPORTING WIVES 18- TO 39-YEARS-OLD, BY AGE: JUNE 1975

[Civilian noninstitutional population]

Age of wife	Percent by number of lifetime births expected					
	None	1	2	3	4	5 or more
18 to 24 years.....	4.1	11.2	58.2	19.4	4.9	2.1
25 to 29 years.....	4.9	11.7	50.4	23.3	6.8	3.0
30 to 34 years.....	5.2	9.8	38.3	26.8	11.6	8.2
35 to 39 years.....	4.2	9.3	26.4	27.6	16.1	16.4

Source: Bureau of the Census.

TABLE 14.—WORK EXPERIENCE IN 1975 ¹ OF MARRIED WOMEN, HUSBAND PRESENT, BY PRESENCE AND AGE OF CHILDREN, AND RACE, MARCH 1976

Presence and age of children and race	With work experience		Percent distribution of wives with work experience							
	Number (thousands)	Percent of civilian noninstitutional population	Total	Worked at full-time jobs ²			Worked at part-time jobs ³			
				Total	50 to 52 weeks	27 to 49 weeks	1 to 26 weeks	Total	27 weeks or more	1 to 26 weeks
All wives, total.....	24,737	51.7	100.0	67.3	41.4	12.9	13.0	32.7	21.1	11.6
With children under 18 years.....	13,618	53.7	100.0	62.4	33.6	13.3	15.5	37.6	23.0	14.6
Under 6 years.....	5,560	47.0	100.0	64.0	25.3	15.9	22.8	36.0	18.1	18.0
3 to 5 years, none under 3.....	2,558	50.7	100.0	61.2	31.3	13.0	17.0	38.8	21.6	17.1
Under 3 years.....	3,003	44.3	100.0	66.3	20.2	18.4	27.7	33.7	15.1	18.6
6 to 17 years only.....	8,058	59.5	100.0	61.4	39.4	11.5	10.5	38.6	26.3	12.3
No children under 18 years.....	11,118	49.4	100.0	73.3	50.9	12.4	10.0	26.7	18.8	7.9
White, total.....	22,296	51.0	100.0	66.4	40.8	12.7	12.9	33.6	21.6	12.0

TABLE 14.—WORK EXPERIENCE IN 1975¹ OF MARRIED WOMEN, HUSBAND PRESENT, BY PRESENCE AND AGE OF CHILDREN, AND RACE, MARCH 1976—Continued

Presence and age of children and race	With work experience		Percent distribution of wives with work experience							
	Number (thousands)	Percent of civilian noninstitutional population	Worked at full-time jobs ²					Worked at part-time jobs ³		
			Total	Total	50 to 52 weeks	27 to 49 weeks	1 to 26 weeks	Total	27 weeks or more	1 to 26 weeks
With children under 18 years.....	12,087	52.8	100.0	60.4	32.2	12.9	15.3	39.6	24.2	15.4
Under 6 years.....	4,832	45.9	100.0	61.7	23.6	15.4	22.8	38.3	19.1	19.2
3 to 5 years, none under 3.....	2,232	49.7	100.0	58.6	29.3	12.4	16.9	41.4	23.0	18.4
Under 3 years.....	2,600	43.0	100.0	64.4	18.7	17.9	27.8	35.6	15.8	19.8
6 to 17 years only.....	7,255	58.7	100.0	59.5	37.9	11.2	10.4	40.5	27.6	12.9
No children under 18 years.....	10,209	49.0	100.0	73.6	51.0	12.6	10.0	26.4	18.4	8.0
Black, total.....	2,014	60.0	100.0	74.9	47.0	14.3	13.6	25.1	17.1	8.1
With children under 18 years.....	1,271	64.5	100.0	79.3	46.2	17.0	16.1	20.7	12.6	8.1
Under 6 years.....	584	59.5	100.0	79.4	37.9	19.1	22.4	20.6	11.2	9.4
3 to 5 years, none under 3.....	270	61.7	100.0	80.6	45.7	17.3	17.6	19.4	10.9	8.5
Under 3 years.....	314	57.8	100.0	78.3	31.2	20.6	26.5	21.7	11.5	10.2
6 to 17 years only.....	687	69.4	100.0	79.2	53.3	15.1	10.7	20.8	13.8	7.1
No children under 18 years.....	743	53.7	100.0	67.4	48.4	9.7	9.3	32.6	24.7	7.9

¹ Worked at some time during the year.

² Worked 35 hours or more a week during a majority of the weeks worked.

³ Worked less than 35 hours a week during a majority of the weeks worked.

Source: Department of Labor.

TABLE 15.—NUMBER OF MARRIED WOMEN WITH MINOR CHILDREN IN THE POPULATION AND IN THE LABOR FORCE, BY YEARS OF SCHOOL COMPLETED, MARCH 1976

	With children under 6 years	With children 6 to 17 years only
Women in the labor force:		
Less than 4 years of high school..	886,000	1,638,000
4 years of high school.....	2,121,000	3,749,000
1 to 3 years of college.....	725,000	1,005,000
4 years or more of college.....	691,000	878,000
Total.....	4,423,000	7,270,000
Percent of women participating in the labor force:		
Less than 4 years of high school..	33	44
4 years of high school.....	37	55
1 to 3 years of college.....	40	57
4 years or more of college.....	45	67
All women participating in the labor force.....	37	54

Source: Department of Labor.

TABLE 16.—FAMILIES WITH CHILDREN: HUSBAND-WIFE FAMILIES AND FEMALE-HEADED FAMILIES, 1960-76 ¹

	1960	1965	1970	1975	1976	Percentage change 1970-76
Husband-wife families.....	23,333,000	24,346,000	25,547,000	25,236,000	25,110,000	-1.7
Female-headed families.....	2,097,000	2,479,000	2,924,000	4,400,000	4,621,000	+58.0

¹ Data for 1970, 1975 and 1976 are not strictly comparable with data for 1960 and 1965 because of the introduction of 1970 census data. Families covered by the table are only those which include 1 or more of the parent's own children.

Source: Based on data published by the Department of Labor.

TABLE 17.—LABOR FORCE PARTICIPATION RATES AND PERCENT DISTRIBUTION OF MOTHERS (HUSBAND PRESENT), BY INCOME OF HUSBAND IN 1975 AND AGES OF CHILDREN, MARCH 1976

[Mothers 16 years of age and over]

Income of husband	Labor force participation rates of mothers with children			Percent distribution of mothers in the labor force with children		
	Under 18 years	6 to 17 years only	Under 6 years ¹	Under 18 years	6 to 17 years only	Under 6 years ¹
Number.....				11,693,000	7,270,000	4,424,000
Percent.....	46.1	53.7	37.4	100.0	100.0	100.0
Under \$3,000.....	50.7	56.5	44.0	5.1	4.9	5.4
\$3,000 to \$4,999.....	48.6	54.3	43.6	5.7	4.8	7.2
\$5,000 to \$6,999.....	48.5	58.3	40.8	8.5	7.3	10.5
\$7,000 to \$9,999.....	51.8	60.2	45.0	17.4	14.5	22.1
\$10,000 and over.....	44.0	51.8	33.3	63.3	68.4	54.7

¹ May also have older children.

Source: Department of Labor.

TABLE 18.—LABOR FORCE STATUS OF MARRIED WOMEN, HUSBAND PRESENT, BY PRESENCE AND AGE OF OWN CHILDREN, YEARS OF SCHOOL COMPLETED, AND HUSBAND'S INCOME, MARCH 1976

[Numbers in thousands]

Years of school completed	No own children under 18 years				With own children 6 to 17 years only				With own children under 6 years			
	Under \$10,000	\$10,000 to \$14,999	\$15,000 to \$24,999	\$25,000 and over	Under \$10,000	\$10,000 to \$14,999	\$15,000 to \$24,999	\$25,000 and over	Under \$10,000	\$10,000 to \$14,999	\$15,000 to \$24,999	\$25,000 and over
POPULATION												
Total.....	12,013	5,093	4,051	1,334	3,940	3,933	4,170	1,496	4,593	3,705	2,847	675
16 years and over.....	773	605	652	321	183	231	491	408	262	447	583	243
13 to 15 years.....	1,208	687	640	290	286	452	655	378	523	555	560	195
12 years only.....	4,177	2,344	2,015	606	1,651	2,149	2,354	621	2,092	2,024	1,428	212
0 to 11 years.....	5,855	1,457	744	117	1,820	1,101	670	89	1,716	679	276	25
LABOR FORCE												
Total.....	4,717	2,725	1,955	459	2,295	2,271	2,149	553	2,006	1,484	807	128
16 years and over.....	525	446	461	146	141	183	350	204	174	247	214	57
13 to 15 years.....	658	429	343	79	202	302	372	127	258	254	184	30
12 years only.....	2,056	1,303	906	208	1,068	1,307	1,167	207	956	768	361	36
0 to 11 years.....	1,478	547	245	26	884	479	260	15	618	215	48	5
LABOR FORCE PARTICIPATION RATE												
Total.....	39.3	53.6	48.3	34.4	58.2	57.7	51.5	37.0	43.7	40.1	28.3	19.0
16 years and over.....	67.9	73.7	70.7	45.5	77.0	79.2	71.3	50.0	66.4	55.3	36.7	23.5
13 to 15 years.....	54.5	62.4	53.6	27.2	70.6	66.8	56.8	33.6	49.3	45.8	32.9	15.4
12 years only.....	49.2	55.6	45.0	34.3	64.7	60.8	49.6	33.3	45.7	37.9	25.3	17.0
0 to 11 years.....	25.2	37.5	32.9	22.2	48.6	43.5	38.8	16.9	36.0	31.7	17.4	(1)

¹ Rate not shown where base is less than 75,000.

Source: Department of Labor.

TABLE 19.—NUMBER OF OWN CHILDREN UNDER 18 YEARS OLD, MEDIAN FAMILY INCOME IN 1975, BY AGE, TYPE OF FAMILY, LABOR FORCE STATUS OF MOTHER, RACE, AND SPANISH ORIGIN, MARCH 1976

Item	Husband-wife families			Families headed by women ¹		
	White	Black	Spanish origin	White	Black	Spanish origin
NUMBERS IN THOUSANDS, MARCH 1976						
Children under 18 years ²	45,972	4,570	3,670	5,885	3,427	921
Mother in labor force.....	19,789	2,613	1,429	3,579	1,657	347
Mother not in labor force.....	26,183	1,956	2,242	2,307	1,770	573
Children under 6 years.....	13,634	1,322	1,323	1,320	880	261
Mother in labor force.....	4,532	719	451	660	383	76
Mother not in labor force.....	9,102	603	872	660	497	185
Children 6 to 13 years.....	20,834	2,104	1,673	2,956	1,708	450
Mother in labor force.....	9,285	1,227	680	1,854	857	177
Mother not in labor force.....	11,549	876	993	1,102	851	274
Children 14 to 17 years.....	11,504	1,144	675	1,610	838	209
Mother in labor force.....	5,971	667	298	1,065	417	94
Mother not in labor force.....	5,533	477	377	545	422	115

MEDIAN FAMILY INCOME, 1975

[IN DOLLARS]

Children under 18 years ²	16,080	11,873	11,356	5,967	4,569	4,730
Mother in labor force.....	17,588	14,461	13,686	7,778	5,752	6,049
Mother not in labor force.....	14,796	8,912	9,849	3,975	3,764	4,306
Children under 6 years.....	13,678	11,056	9,957	4,014	3,914	3,941
Mother in labor force.....	14,477	13,323	11,808	5,340	4,946	4,787
Mother not in labor force.....	13,290	8,630	8,910	3,154	3,542	3,523
Children 6 to 13 years.....	16,496	11,858	11,837	6,164	4,775	4,875
Mother in labor force.....	17,804	14,570	13,991	7,786	5,815	6,214
Mother not in labor force.....	15,268	8,917	10,399	4,111	5,915	4,529
Children 14 to 17 years.....	18,623	13,131	13,213	7,873	4,949	5,677
Mother in labor force.....	19,779	15,781	16,073	9,478	6,426	6,904
Mother not in labor force.....	17,224	10,028	10,603	5,162	4,055	4,747

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¹ Widowed, divorced, separated, and never married family heads.

² Children are defined as "own" children of the family head and include never married sons and daughters, stepchildren, and adopted children. Excluded are other related children such as grand-

children, nieces, nephews, and cousins, and unrelated children.

Note: Because of rounding, sums of individual items may not equal totals.

Source: Department of Labor.

TABLE 20.—NUMBER OF OWN CHILDREN UNDER 18 YEARS OLD, MEDIAN FAMILY INCOME IN 1975, TYPE OF FAMILY, EMPLOYMENT STATUS OF PARENTS, AND AGE OF CHILDREN, MARCH 1976

[Number of children in thousands]

	Children under 18 years		Children under 6 years		Children 6 to 17 years					
	Number	Median family income in 1975	Number	Median family income in 1975	Total		6 to 13 years		14 to 17 years	
					Number	Median family income in 1975	Number	Median family income in 1975	Number	Median family income in 1975
Total children ¹	61,697	\$14,020	17,639	\$12,333	44,058	\$14,871	28,378	\$14,164	15,680	\$16,252
Mother in labor force.....	28,159	15,268	6,439	12,852	21,720	16,132	13,458	15,305	8,262	17,501
Employed.....	25,628	15,753	5,593	13,476	20,035	16,497	12,311	15,712	7,724	17,793
Unemployed.....	2,531	10,688	846	9,140	1,685	11,572	1,147	10,967	538	13,094
Mother not in labor force.....	32,828	13,011	11,120	12,034	21,708	13,690	14,637	13,152	7,071	14,842
Husband-wife families.....	51,586	15,652	15,332	13,433	36,255	16,752	23,389	16,044	12,865	18,105
Mother in labor force.....	22,868	17,225	5,380	14,317	17,488	18,149	10,719	17,452	6,769	19,346
Employed.....	21,049	17,553	4,746	14,794	16,303	18,387	9,916	17,709	6,387	19,550
Unemployed.....	1,819	13,314	634	10,925	1,185	14,810	802	14,126	383	16,399
Mother not in labor force.....	28,718	14,327	9,952	12,942	18,767	15,245	12,670	14,673	6,096	16,556
Father employed.....	45,576	16,473	13,419	14,124	32,156	17,527	20,753	16,830	11,403	18,904
Mother in labor force.....	20,412	17,879	4,736	14,960	15,676	18,777	9,590	18,074	6,086	20,025
Employed.....	18,956	18,138	4,230	15,412	14,726	18,966	8,943	18,271	5,783	20,203
Unemployed.....	1,457	14,444	507	11,719	950	16,016	647	15,310	303	17,409
Mother not in labor force.....	25,163	15,181	8,683	13,681	16,481	16,201	11,164	15,607	5,317	17,524

Father in Armed Force.....	1,092	11,739	493	9,204	599	14,016	447	12,677	152	18,135
Mother in labor force.....	429	13,551	144	11,732	285	14,574	209	13,727	76	17,669
Employed.....	378	14,018	113	12,659	265	14,665	192	13,936	73	(³)
Unemployed.....	51	(³)	30	(³)	20	(³)	17	(³)	3	(³)
Mother not in labor force.....	663	10,365	349	8,642	314	12,738	238	8,943	75	18,778
Father unemployed.....	2,486	10,307	942	8,678	1,544	11,113	1,090	10,501	455	12,611
Mother in labor force.....	1,133	11,399	369	9,634	764	12,166	536	11,353	228	13,669
Employed.....	902	11,991	281	10,478	621	12,466	439	11,730	181	14,037
Unemployed.....	231	9,840	88	7,676	143	11,161	96	10,089	47	(³)
Mother not in labor force.....	1,353	9,530	573	7,954	781	10,466	554	9,934	227	11,699
Father not in labor force.....	2,433	8,132	478	6,658	1,955	8,351	1,099	7,698	856	8,943
Mother in labor force.....	894	10,620	130	9,398	763	10,885	384	10,485	379	11,448
Employed.....	813	10,975	121	9,518	692	11,259	342	10,939	350	11,674
Unemployed.....	81	9,137	10	(³)	71	(³)	42	(³)	29	(³)
Mother not in labor force.....	1,539	6,529	347	6,057	1,192	6,679	714	6,169	477	7,588
Families headed by women ²	9,401	5,320	2,227	3,972	7,173	5,923	4,706	5,532	2,468	6,817
Mother in labor force.....	5,291	7,094	1,059	5,244	4,232	7,621	2,739	7,101	1,493	8,620
Employed.....	4,579	7,604	847	5,801	3,732	8,054	2,394	7,545	1,338	9,071
Unemployed.....	712	4,392	212	3,592	500	4,700	345	4,709	155	4,679
Mother not in labor force.....	4,110	3,877	1,168	3,318	2,942	4,218	1,967	4,032	975	4,647
Other families headed by men ² ..	710	11,501	80	10,882	630	11,562	283	10,940	347	12,233

¹ Children are defined as "own" children of the family head and include never married sons and daughters, step-children, and adopted children. Excluded are other related children such as grandchildren, nieces, nephews, and cousins, and unrelated children.

² Medians not shown where base is less than 75,000.

³ Widowed, divorced, separated, and never married family heads.

Note: Because of rounding, sums of individual items may not equal totals.

Source: Department of Labor.

TABLE 21.—CHILDREN RECEIVING AID TO FAMILIES WITH DEPENDENT CHILDREN (AFDC), BY AGE, 1971, 1973, AND 1975

Age group	1971		1973		1975	
	Number	Percent	Number	Percent	Number	Percent
All ages.....	7,014,700	100.0	7,724,938	100.0	¹ 8,120,732	¹ 100.0
Unborn.....	53,400	0.8	44,022	0.6	53,441	0.7
Under 3.....	1,122,500	16.0	1,284,477	16.6	1,286,131	15.8
3 to 5.....	1,224,100	17.4	1,356,669	17.6	1,466,210	18.1
6 to 11.....	2,467,700	35.2	2,681,578	34.7	2,742,371	33.8
12 to 13.....	750,800	10.7	832,042	10.8	878,071	10.8
14 to 15.....	676,400	9.6	750,054	9.7	803,530	9.9
16 to 20.....	719,800	10.3	776,095	10.0	826,938	10.2

¹ Includes 64,040 (0.8 percent) whose age is unknown.

Source: Department of Health, Education, and Welfare.

TABLE 22.—AFDC FAMILIES, BY NUMBER OF CHILDREN RECEIVING AID, 1971, 1973, AND 1975

Number of children	1971		1973		1975	
	Number of families	Percent	Number of families	Percent	Number of families	Percent
1 or more.....	2,523,900	100.0	2,989,891	100.0	3,419,671	100.0
1.....	749,200	29.7	1,010,715	33.8	1,295,483	37.9
2.....	617,800	24.5	761,359	25.5	887,805	26.0
3 or more.....	1,156,900	45.8	1,217,807	40.7	1,236,383	36.1
3.....	453,400	18.0	488,031	16.3	550,948	16.1
4.....	299,700	11.9	327,884	11.0	336,139	9.8
5.....	176,300	7.0	185,630	6.2	176,610	5.2
6 or more.....	227,500	9.0	216,262	7.2	172,686	5.0
Average number of children per family..	2.8		2.6		2.4	

Source: Department of Health, Education, and Welfare.

TABLE 23.—FAMILIES RECEIVING AID TO FAMILIES WITH DEPENDENT CHILDREN, BY AGE GROUP OF YOUNGEST CHILD IN FAMILY, 1973

Age group	Number of families	Percent of families
Youngest child under age 3.....	1,111,337	37
Youngest child age 3-5.....	680,865	23
Youngest child age 6-11.....	771,222	26
Youngest child age 12 or over.....	426,467	14
Total, all families.....	2,989,891	100

Source: Department of Health, Education, and Welfare.

TABLE 24.—AFDC FAMILIES WITH MOTHER IN HOME, BY MOTHER'S EMPLOYMENT STATUS, 1975, FOR HEW REGIONS AND SELECTED STATES

Specified HEW region or State	Total of such families	Not employed							
		Employed and usually works		Incapacitated for employment	Needed in home full time as homemaker	In school or training	Other status		
		Full time	Part time				Awaiting recall from layoff	Actively seeking work	Not actively seeking work
Total number.....	¹ 3,114,153	324,989	178,895	228,492	1,238,355	99,302	31,108	281,106	687,217
Percent.....	100	10.4	5.7	7.3	39.8	3.2	1.0	9.0	22.1
HEW region:²									
I.....	195,114	8.8	9.0	5.3	43.4	2.4	0.5	8.2	21.6
II.....	494,393	8.0	3.9	9.9	46.4	3.3	.9	4.8	21.0
III.....	322,718	10.3	4.2	9.5	43.0	4.0	.8	5.7	20.2
IV.....	455,041	12.4	7.7	7.3	31.0	3.1	1.8	13.8	22.0
V.....	680,287	9.8	4.8	5.0	43.5	2.7	1.2	8.7	22.3
VI.....	238,378	7.2	6.9	7.7	36.6	3.7	.6	11.3	25.3
VII.....	132,722	22.5	8.3	3.3	28.5	3.2	1.5	7.8	23.8
VIII.....	60,823	10.1	8.9	3.7	36.2	2.8	.3	6.4	30.8
IX.....	450,947	11.0	5.2	9.6	37.4	3.0	.5	12.0	20.4
X.....	83,730	11.0	5.7	3.7	38.8	6.0	.7	6.6	26.3

See footnotes at end of table.

TABLE 24.—AFDC FAMILIES WITH MOTHER IN HOME, BY MOTHER'S EMPLOYMENT STATUS, 1975, FOR HEW REGIONS AND SELECTED STATES—Continued

Specified HEW region or State	Total of such families	Not employed							
		Employed and usually works		Incapacitated for employment	Needed in home full time as homemaker	In school or training	Other status		
		Full time	Part time				Awaiting recall from layoff	Actively seeking work	Not actively seeking work
State:									
Arizona.....	18,525	5.4	4.9	9.6	37.3	2.5	.4	10.8	26.6
California.....	413,885	11.4	5.1	9.6	37.4	3.1	.5	12.3	19.7
Colorado.....	30,790	9.4	6.2	2.8	35.8	2.9	.6	5.8	35.2
Florida.....	70,031	11.3	11.6	5.3	25.8	3.7	1.9	12.1	27.2
Georgia.....	99,064	18.6	8.1	6.8	35.3	3.0	1.4	15.8	10.0
Illinois.....	200,070	10.3	3.5	6.7	44.0	3.9	1.1	11.0	15.8
Iowa.....	24,818	17.4	7.8	3.3	28.7	3.8	1.1	5.2	31.5
Kansas.....	19,326	14.6	7.9	6.1	41.2	3.4	1.0	7.9	17.1
Indiana.....	47,378	18.8	6.9	6.0	26.9	3.6	1.8	11.1	23.4
Louisiana.....	61,200	3.7	8.7	8.5	37.9	1.9	.6	18.3	19.2
Kentucky.....	49,672	7.4	4.0	4.6	43.0	4.1	.8	10.4	25.3
Maine.....	22,644	19.4	11.2	4.3	35.9	.5	.4	6.6	21.0
Massachusetts.....	107,103	8.9	9.4	5.7	41.2	3.6	.7	8.2	21.5
Minnesota.....	41,669	14.2	13.2	4.6	43.2	2.9	.7	8.7	12.6
Michigan.....	176,054	9.9	5.0	3.0	40.5	1.7	1.6	10.0	27.4

Mississippi.....	47,336	20.6	8.0	7.2	22.8	2.0	2.2	10.5	25.0
Missouri.....	78,387	27.4	7.8	3.0	25.6	2.1	1.9	8.8	22.0
New Jersey.....	122,503	11.5	5.4	3.7	30.2	3.0	.9	7.4	35.8
North Carolina.....	50,048	7.3	6.0	8.9	33.6	2.0	2.3	21.0	18.6
New York.....	331,394	7.4	3.7	11.5	50.3	3.7	1.0	4.1	16.8
North Dakota.....	4,047	18.1	12.1	3.9	29.9	3.9	.4	5.1	26.4
Ohio.....	164,337	2.6	2.8	4.9	52.4	1.9	.9	5.4	27.7
Pennsylvania.....	162,151	8.0	3.3	10.3	54.2	3.8	.9	6.4	12.3
South Carolina.....	36,775	5.7	5.1	12.3	27.4	3.9	3.1	15.3	27.0
Tennessee.....	59,820	11.6	6.5	7.3	30.3	2.8	2.7	8.7	28.3
Texas.....	102,885	5.1	6.0	6.2	37.8	4.8	.4	10.3	29.1
Virginia.....	47,988	8.9	6.6	5.9	31.2	5.8	1.6	6.5	32.5
West Virginia.....	19,681	5.2	2.5	12.2	40.9	2.4	.7	8.2	26.0
Puerto Rico.....	39,836	2.3	1.8	16.1	64.1	.6	.3	2.8	10.1
Residual States.....	465,036	12.0	7.0	6.7	36.3	3.5	.6	7.1	24.9

¹ Included 44,689 families in which the mother's employment status could not be determined.

² Regions are—I (Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont); II (New York, Puerto Rico, Virgin Islands); III (Delaware, Maryland, Pennsylvania, Virginia, West Virginia); IV (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, Tennessee); V (Illinois, Indiana, Michigan, Ohio, Wisconsin); VI (Arkansas, Louisiana, New

Mexico, Oklahoma, Texas); VII (Iowa, Kansas, Missouri, Nebraska); VIII (Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming); IX (Arizona, California, Hawaii, Nevada, Guam); X (Alaska, Idaho, Oregon, Washington).

Source: Department of Health, Education, and Welfare.

TABLE 25.—ARRANGEMENTS MADE FOR THE DAYTIME CARE OF CHILDREN 3 TO 13 YEARS OLD, BY AGE OF CHILD, LABOR FORCE STATUS, AND MARITAL STATUS OF MOTHER: OCTOBER 1974 AND FEBRUARY 1975

[Numbers in thousands. Civilian noninstitutional population]

Age of child and labor force status and marital status of mother	Total	Care in own home			Care in someone else's home		Day care center	Other	Not reported	
		Child's parent	Child cares for self	Other relative	Non-relative	Relative				Non-relative
Children 3 to 13 years old ¹	40,765	32,810	1,828	2,069	575	1,174	1,276	326	95	612
3 to 6 years old.....	13,758	11,136	20	484	182	695	838	219	.....	184
7 to 13 years old.....	27,007	21,674	1,808	1,585	393	479	438	107	95	428
Mother in labor force.....	17,555	11,168	1,620	1,528	466	965	1,187	284	72	264
3 to 6 years old.....	5,308	3,078	20	360	150	598	793	198	.....	109
7 to 13 years old.....	12,247	8,090	1,600	1,168	316	367	394	86	72	155
Mother employed.....	16,046	9,797	1,595	1,504	458	932	1,165	279	72	247
3 to 6 years old.....	4,658	2,514	20	346	147	570	772	193	.....	98
7 to 13 years old.....	11,388	7,283	1,575	1,158	311	362	393	86	72	149
Mother employed full time.....	10,323	5,168	1,331	1,273	369	756	940	247	61	178
3 to 6 years old.....	2,917	1,208	20	262	117	443	613	174	.....	80
7 to 13 years old.....	7,406	3,960	1,311	1,011	252	313	327	73	61	98

Mother not in labor force.....	22,498	21,214	159	450	72	171	53	26	29	321
3 to 6 years old.....	8,255	7,929		107	14	84	31	10	9	69
7 to 13 years old.....	14,243	13,285	159	343	58	87	22	16	20	252
Marital status of mother ¹.....	40,765	32,810	1,828	2,069	575	1,174	1,276	326	95	612
Married, husband present.....	33,467	27,909	1,315	1,337	398	835	948	211	56	459
Separated, divorced, or widowed.....	5,960	4,036	441	571	131	253	277	103	33	115
Never married.....	625	435	24	70	8	49	16	8	2	11

PERCENT DISTRIBUTION

Children 3 to 13 years old ¹	100	80.5	4.5	5.1	1.4	2.9	3.1	.8	.2	1.5
3 to 6 years old.....	100	80.9	.1	3.5	1.3	5.1	6.1	1.6		1.3
7 to 13 years old.....	100	80.3	6.7	5.9	1.5	1.8	1.6	.4	.4	1.6
Mother in labor force.....	100	63.6	9.2	8.7	2.7	5.5	6.8	1.6	.4	1.5
3 to 6 years old.....	100	58.0	.4	6.8	2.8	11.3	14.9	3.7		2.1
7 to 13 years old.....	100	66.1	13.1	9.5	2.6	3.0	3.2	.7	.6	1.3
Mother employed.....	100	61.1	9.9	9.4	2.9	5.8	7.3	1.7	.4	1.5
3 to 6 years old.....	100	54.0	.4	7.4	3.2	12.2	16.6	4.1		2.1
7 to 13 years old.....	100	64.0	13.8	10.2	2.7	3.2	3.5	.8	.6	1.3
Mother employed full time.....	100	50.1	12.9	12.3	3.6	7.3	9.1	2.4	.6	1.7
3 to 6 years old.....	100	41.4	.7	9.0	4.0	15.2	21.0	6.0		2.7
7 to 13 years old.....	100	53.5	17.7	13.7	3.4	4.2	4.4	1.0	.8	1.3

See footnotes at end of table.

TABLE 25.—ARRANGEMENTS MADE FOR THE DAYTIME CARE OF CHILDREN 3 TO 13 YEARS OLD, BY AGE OF CHILD, LABOR FORCE STATUS, AND MARITAL STATUS OF MOTHER: OCTOBER 1974 AND FEBRUARY 1975—Continued

[Numbers in thousands. Civilian noninstitutional population]

Age of child and labor force status and marital status of mother	Total	Care in own home				Care in someone else's home		Day care center	Other	Not reported
		Child's parent	Child cares for self	Other relative	Non-relative	Relative	Non-relative			
Mother not in labor force.....	100	94.3	.7	2.0	.3	.8	.2	.1	.1	1.4
3 to 6 years old.....	100	96.1		1.3	.2	1.0	.4	.1	.1	.8
7 to 13 years old.....	100	93.3	1.1	2.4	.4	.6	.2	.1	.1	1.8
Marital status of mother ¹	100	80.5	4.5	5.1	1.4	2.9	3.1	.8	.2	1.5
Married, husband present.....	100	83.4	3.9	4.0	1.2	2.5	2.8	.6	.2	1.4
Separated, divorced, or widowed.....	100	67.7	7.4	9.6	2.2	4.2	4.6	1.7	.6	1.2
Never married.....	100	69.6	3.8	11.2	1.3	7.8	2.6	1.3	.3	1.8

.. Represents zero or rounds to zero.

¹ Includes children with no mother present, not shown separately.

Note: Data for children 3 to 6 years old obtained from February 1975

Current Population Survey; data for children 7 to 13 years old obtained from October 1974 Current Population Survey.

Source: Bureau of the Census.

TABLE 26.—ARRANGEMENTS MADE FOR THE DAYTIME CARE OF CHILDREN 3 TO 6 YEARS OLD BY AGE OF CHILD AND LABOR FORCE STATUS OF MOTHER: FEBRUARY 1975

[Numbers in thousands; civilian noninstitutional population]

Age of child and labor force status of mother	Total number ¹	Percent distribution							
		Care in own home				Care in someone else's home		Day care center	Not reported
		Child's mother	Child's father	Other relative	Non-relative	Relative	Non-relative		
Children 3 years old ²	3,357	78.0	2.6	3.4	1.3	5.2	6.7	1.4	1.4
Mother in labor force.....	1,323	51.2	6.1	6.8	2.6	11.0	16.5	3.2	2.4
Employed full time.....	740	34.7	8.2	8.1	3.8	14.6	23.4	4.2	2.6
Employed part time.....	396	67.4	4.8	5.3	1.5	7.6	10.1	2.3	1.3
Unemployed.....	186	82.3	.5	4.8	.....	3.2	2.7	1.6	4.3
Mother not in labor force.....	1,994	96.0	.2	1.2	.1	1.3	.3	.3	.7
In school.....	15	(³)	(³)	(³)	(³)	(³)	(³)	(³)	(³)
Keeping house.....	1,936	96.4	.....	1.1	.1	1.3	.2	.3	.7
Other.....	43	(³)	(³)	(³)	(³)	(³)	(³)	(³)	(³)

See footnotes at end of table.

TABLE 26.—ARRANGEMENTS MADE FOR THE DAYTIME CARE OF CHILDREN 3 TO 6 YEARS OLD BY AGE OF CHILD AND LABOR FORCE STATUS OF MOTHER: FEBRUARY 1975—Continued

[Numbers in thousands; civilian noninstitutional population]

Age of child and labor force status of mother	Total number ¹	Percent distribution							
		Care in own home				Care in someone else's home		Day care center	Not reported
		Child's mother	Child's father	Other relative	Non-relative	Relative	Non-relative		
Children 4 years old ²	3,541	76.4	3.4	3.1	1.4	5.9	6.5	1.7	1.5
Mother in labor force.....	1,357	46.9	7.9	6.0	3.4	14.1	16.0	3.6	1.8
Employed full time.....	811	31.3	8.9	7.6	4.4	18.5	21.2	5.4	2.3
Employed part time.....	411	65.7	7.1	3.9	2.4	9.0	9.7	1.2	1.2
Unemployed.....	134	83.6	4.5	3.7	.....	3.0	3.7	.....	1.5
Mother not in labor force.....	2,134	95.7	.2	1.2	.1	.7	.4	.4	1.2
In school.....	25	(³)	(³)	(³)	(³)	(³)	(³)	(³)	(³)
Keeping house.....	2,052	96.6	.2	1.1	.1	.3	.3	.1	1.2
Other.....	57	(³)	(³)	(³)	(³)	(³)	(³)	(³)	(³)
Children 5 years old ²	3,455	77.3	2.2	3.4	1.3	5.2	6.9	1.9	1.5

Mother in labor force.....	1,318	50.1	4.9	6.4	2.5	11.8	16.9	4.7	2.4
Employed full time.....	713	31.3	6.7	9.4	3.1	15.8	21.6	8.0	3.5
Employed part time.....	462	69.7	2.8	3.9	1.7	7.1	13.0	.6	1.1
Unemployed.....	143	81.1	2.1	.....	2.1	7.0	6.3	.7	.7
Mother not in labor force.....	2,088	95.1	.5	1.5	.2	1.1	.4	.3	1.0
In school.....	28	(³)	(³)	(³)	(³)	(³)	(³)	(³)	(³)
Keeping house.....	2,000	96.3	.2	1.4	.1	.9	.3	.2	.9
Other.....	60	(³)	(³)	(³)	(³)	(³)	(³)	(³)	(³)
Children 6 years old ²	3,406	80.5	3.3	4.1	1.3	3.9	4.3	1.3	.9
Mother in labor force.....	1,310	57.6	7.4	7.9	2.8	8.2	10.2	3.4	1.6
Employed full time.....	653	33.1	11.8	11.2	4.6	10.9	17.5	6.6	2.8
Employed part time.....	472	78.2	3.6	6.1	1.5	5.9	4.0	.2	.4
Unemployed.....	184	91.8	1.6	1.1	.....	3.3	1.1	1.1	.5
Mother not in labor force.....	2,039	96.3	.2	1.3	.2	1.1	.35
In school.....	24	(³)	(³)	(³)	(³)	(³)	(³)	(³)	(³)
Keeping house.....	1,977	96.9	.1	1.3	.1	.9	.35
Other.....	37	(³)	(³)	(³)	(³)	(³)	(³)	(³)	(³)

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¹ Includes the small number of children who care for themselves, not shown separately.

² Includes children with no mother present, not shown separately.

³ Base less than 75,000.

Note: .. Represents zero or rounds to zero. Percents are based on totals including children who care for themselves not shown separately, and therefore do not add to 100.0 percent.

Source: Bureau of the Census.

TABLE 27.—ARRANGEMENTS MADE FOR THE DAYTIME CARE OF CHILDREN 3 TO 6 YEARS OLD BY AGE AND PREPRIMARY SCHOOL ENROLLMENT OF CHILD, AND LABOR FORCE STATUS OF MOTHER: FEBRUARY 1975

[Numbers in thousands; civilian noninstitutional population]

Age and preprimary enrollment of child, and labor force status of mother	Total number ¹	Percent distribution							
		Care in own home				Care in someone else's home		Day care center	Not reported
		Child's mother	Child's father	Other relative	Non-relative	Relative	Non-relative		
Children 3 to 6 years old ² .	13,758	78.0	2.9	3.5	1.3	5.1	6.1	1.6	1.3
Enrolled in nursery school.....	1,839	78.8	3.4	4.0	1.4	5.1	3.3	2.9	1.1
Public.....	635	75.0	3.9	5.5	.5	7.7	3.8	1.7	1.3
Private.....	1,204	80.7	3.1	3.1	1.9	3.7	3.0	3.5	1.0
Enrolled in kindergarten or elementary school.....	5,442	80.1	2.9	3.6	1.3	4.0	5.2	1.9	.7
Not enrolled.....	6,372	77.1	2.8	3.4	1.3	6.0	7.8	1.6	.6

Mother in labor force.....	5,308	51.4	6.6	6.8	2.8	11.3	14.9	3.7	2.1	
Enrolled in nursery school.....	871	63.5	5.5	5.6	2.3	9.4	6.4	5.6	1.5	
Public.....	298	57.0	6.7	7.7	.3	14.1	7.4	3.4	2.0	
Private.....	573	66.7	4.9	4.2	3.3	7.2	5.9	6.8	1.2	
Enrolled in kindergarten or elementary school.....	2,100	56.3	6.2	7.0	2.6	8.8	12.6	4.7	1.2	
Not enrolled.....	2,284	43.5	7.4	7.3	3.4	14.5	20.7	2.2	1.1	
Children 3 years old ²	3,357	78.0	2.6	3.4	1.3	5.2	6.7	1.4	1.4	
Enrolled in school.....	503	83.1	2.2	3.4	1.6	4.0	1.4	3.2	1.0	31
Mother in labor force.....	1,323	51.2	6.1	6.8	2.6	11.0	16.5	3.2	2.4	
Enrolled.....	259	72.6	4.2	4.6	1.9	6.9	2.3	5.4	1.2	
Children 4 years old ²	3,541	76.4	3.4	3.1	1.4	5.9	6.5	1.7	1.5	
Enrolled in school.....	1,067	78.9	3.8	2.8	1.2	5.2	3.4	3.5	.7	
Mother in labor force.....	1,357	46.9	7.9	6.0	3.4	14.1	16.0	3.6	1.8	
Enrolled.....	475	61.5	5.7	4.0	2.3	10.9	7.2	7.2	1.1	

See footnotes at end of table.

TABLE 27.—ARRANGEMENTS MADE FOR THE DAYTIME CARE OF CHILDREN 3 TO 6 YEARS OLD BY AGE AND PREPRIMARY SCHOOL ENROLLMENT OF CHILD, AND LABOR FORCE STATUS OF MOTHER: FEBRUARY 1975—Continued

[Numbers in thousands; civilian noninstitutional population]

Age and preprimary enrollment of child, and labor force status of mother	Total number ¹	Care in own home				Care in someone else's home		Day care center	Not reported
		Child's mother	Child's father	Other relative	Non-relative	Relative	Non-relative		
Children 5 years old ²	3,455	77.3	2.2	3.4	1.3	5.2	6.9	1.9	1.5
Enrolled in school.....	2,463	78.2	2.2	3.7	1.4	4.7	6.5	2.4	.9
Mother in labor force.....	1,318	50.1	4.9	6.4	2.5	11.8	16.9	4.7	2.4
Enrolled.....	976	53.3	4.6	6.8	2.7	10.1	15.4	5.6	1.3
Children 6 years old ²	3,406	80.5	3.3	4.1	1.3	3.9	4.3	1.3	.9
Enrolled in school.....	3,248	80.8	1.1	4.0	1.2	3.7	4.3	1.3	.7
Mother in labor force.....	1,310	57.6	7.4	7.9	2.8	8.2	17.9	3.4	1.6
Enrolled.....	1,263	58.3	7.5	7.7	2.7	7.8	10.4	3.4	1.3

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¹ Includes the small number of children who care for themselves, not shown separately.

² Includes children with no mother present, not shown separately.
Source: Bureau of the Census.

TABLE 28.—ARRANGEMENTS MADE FOR THE DAYTIME CARE OF CHILDREN 7 TO 13 YEARS OLD BY RACE AND LABOR FORCE STATUS OF MOTHER: OCTOBER 1974

[Numbers in thousands; civilian noninstitutional population]

Race of child and labor force status of mother	Total number	Percent distribution										
		Care in own home				Care in someone else's home				Day care center	Other	Not reported
		Parent	Child cares for self	Other relative	Non-relative	Relative	Nonrelative					
							Total	Paid				
ALL RACES												
Children 7 to 13 years old ¹	27,007	80.3	6.7	5.9	1.5	1.8	1.6	1.4	0.4	0.4	1.6	
Mother in labor force..	12,247	66.1	13.1	9.5	2.6	3.0	3.2	2.8	.7	.6	1.3	
Employed full time..	7,406	53.5	17.7	13.7	3.4	4.2	4.4	4.0	1.0	.8	1.3	
Employed part time.....	3,982	83.5	6.6	3.7	1.5	1.2	1.7	1.2	.3	.3	1.3	
Unemployed.....	859	93.8	2.9	1.2	.5	.7	.2	.....	.....	.....	.7
Mother not in labor force.....	14,243	93.3	1.1	2.4	.4	.6	.2	.1	.1	.1	1.8	
In school.....	214	69.9	9.9	5.8	5.1	1.9	4.7	3.7	.7	.7	1.2	
Keeping house.....	13,620	94.1	.9	2.2	.3	.5	.1	.1	.1	.1	1.8	
Other.....	409	79.3	4.3	8.2	3.1	2.6	.....	.....	.3	.....	2.2

See footnotes at end of table.

TABLE 28.—ARRANGEMENTS MADE FOR THE DAYTIME CARE OF CHILDREN 7 TO 13 YEARS OLD BY RACE AND LABOR FORCE STATUS OF MOTHER: OCTOBER 1974—Continued

[Numbers in thousands; civilian noninstitutional population]

Race of child and labor force status of mother	Total number	Percent distribution									
		Care in own home				Care in someone else's home					
		Parent	Child cares for self	Other relative	Non-relative	Relative	Nonrelative		Day care center	Other	Not reported
							Total	Paid			
WHITE											
Children 7 to 13 years old ¹	22,734	81.4	6.3	5.1	1.5	1.7	1.7	1.5	.4	.4	1.6
Mother in labor force...	10,096	67.6	12.5	8.3	2.6	2.8	3.5	3.1	.8	.6	1.3
Employed full time...	5,966	54.7	17.4	12.1	3.5	4.1	4.8	4.4	1.1	.9	1.4
Employed part time.....	3,482	84.6	6.1	3.3	1.6	1.1	1.9	1.4	.3	.1	1.2
Unemployed.....	648	95.7	2.4	.5	.7	.2	.3	.....	.....	.....	.2
Mother not in labor force.....	12,250	93.6	1.0	2.0	.5	.6	.2	.1	.1	.2	1.8
In school.....	180	69.4	9.6	5.5	6.1	1.6	5.6	4.5	.8	.8	.9
Keeping house.....	11,770	94.3	.8	1.8	.3	.5	.1	.1	.1	.2	1.8
Other.....	300	80.0	3.5	8.8	3.8	3.5	.....	.....	.5	.....	.....

BLACK

Children 7 to 13 years old ¹	3,847	74.5	7.9	10.3	1.5	2.6	1.0	.9	.3	.4	1.5
Mother in labor force...	1,944	59.4	13.7	15.5	2.5	4.3	2.0	1.8	.5	.6	1.4 ^d
Employed full time..	1,293	49.3	16.7	20.6	3.3	5.3	2.9	2.6	.5	.3	1.0
Employed part time.....	443	75.2	9.4	6.9	1.2	2.4	.2	.3	.6	1.8	2.2
Unemployed.....	208	88.8	4.4	2.5	.....	2.1	.....	.....	.....	.....	2.2
Mother not in labor force.....	1,781	91.1	1.7	4.7	.1	.6	.1	.....	.1	.....	1.7
In school.....	27	(²)	(²)	(²)	(²)	(²)	(²)	(²)	(²)	(²)	(²)
Keeping house.....	1,657	92.0	1.3	4.8	.....	.5	.....	.....	.1	.....	1.2
Other.....	97	77.7	7.3	4.4	1.4	.....	.....	.....	.....	.....	9.3

¹ Includes children with no mother present, not shown separately.
² Base less than 75,000.

Note: .. Represents zero or rounds to zero.
 Source: Bureau of the Census.

TABLE 29.—ARRANGEMENTS MADE FOR THE DAYTIME CARE OF CHILDREN 7 TO 13 YEARS OLD, BY RACE, MARITAL STATUS, AND LABOR FORCE STATUS OF MOTHER: OCTOBER 1974

[Numbers in thousands; civilian noninstitutional population]

Race, marital status and labor force status of mother	Total number	Percent distribution										
		Care in own home				Care in someone else's home				Day care center	Other	Not reported
		Parent	Child cares for self	Other relative	Non-relative	Relative	Nonrelative					
						Total	Paid					
ALL RACES												
Children 7 to 13 years old ¹	27,007	80.3	6.7	5.9	1.5	1.8	1.6	1.4	0.4	0.4	1.6	
Marital status of mother:												
Married, husband present.....	22,344	83.3	5.8	4.6	1.3	1.5	1.4	1.2	.4	.3	1.5	
Separated, divorced, or widowed.....	3,815	66.4	11.5	11.4	2.3	2.7	2.7	2.5	.4	.9	1.7	
Never married.....	331	66.4	7.3	13.9	1.3	4.4	1.9	1.9	1.0	.7	3.2	

Mother in labor force...	12,247	66.1	13.1	9.5	2.6	3.0	3.2	2.8	.7	.6	1.3
Married, husband present.....	9,928	69.9	11.9	8.0	2.3	2.7	2.9	2.5	.7	.4	1.2
Separated, divorced, or widowed.....	2,164	49.7	18.9	15.5	3.9	4.0	4.8	4.4	.7	1.3	1.3
Never married.....	156	47.5	7.4	25.8	2.8	7.1	4.1	4.1	.8	1.5	3.0

WHITE

Total ¹	22,734	81.4	6.3	5.1	1.5	1.7	1.7	1.5	.4	.4	1.6
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Marital status of mother:

Married, husband present.....	19,918	83.9	5.4	4.3	1.3	1.5	1.4	1.2	.4	.3	1.6
Separated, divorced, or widowed.....	2,371	64.8	13.0	9.9	2.8	2.5	3.9	3.6	.6	1.0	1.2
Never married.....	57	(²)	(²)	(²)	(²)	(²)	(²)	(²)	(²)	(²)	(²)

See footnotes at end of table.

TABLE 29. ARRANGEMENTS MADE FOR THE DAYTIME CARE OF CHILDREN 7 TO 13 YEARS OLD, BY RACE, MARITAL STATUS, AND LABOR FORCE STATUS OF MOTHER: OCTOBER 1974—Continued

[Numbers in thousands; civilian noninstitutional population]

Race, marital status and labor force status of mother	Total number	Percent distribution										
		Care in own home				Care in someone else's home						
		Parent	Child cares for self	Other relative	Non-relative	Relative	Nonrelative		Day care center	Other	Not reported	
						Total	Paid					
Mother in labor force..	10,096	67.6	12.5	8.3	2.6	2.8	3.5	3.1	.8	.6	1.3	83
Married, husband present.....	8,612	70.6	11.3	7.6	2.4	2.7	3.0	2.6	.7	.5	1.3	
Separated, divorced, or widowed.....	1,450	50.1	20.2	12.5	4.3	3.5	6.3	5.9	.9	1.2	1.0	
Never married.....	34	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	
BLACK												
Total ¹	3,847	74.5	7.9	10.3	1.5	2.6	1.0	.9	.3	.4	1.5	

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Marital status of
mother:

Married, husband present.....	2,068	79.7	7.5	7.2	1.2	2.2	1.2	1.1	.37
Separated, divorced, or widowed.....	1,389	68.8	8.8	14.0	1.6	2.6	.8	.6	.2 .7	2.6
Never married.....	268	65.3	7.3	15.9	1.0	4.8	1.2	1.2	.7 .9	2.7
Mother in labor force..	1,944	59.4	13.7	15.5	2.5	4.3	2.0	1.8	.5 .6	1.4
Married, husband present.....	1,127	67.4	13.2	10.0	2.2	3.4	2.1	2.1	.6	1.0
Separated, divorced, or widowed.....	696	49.4	15.5	21.9	3.0	5.1	1.6	1.2	.4 1.4	1.7
Never married.....	121	42.7	8.2	30.4	2.3	7.9	2.7	2.7	1.9	3.8

¹ Includes children with no mother present, not shown separately.² Base less than 75,000.

Note: . . Represents zero or rounds to zero.

Source: Bureau of the Census.

TABLE 30.—ARRANGEMENTS MADE FOR THE DAYTIME CARE OF CHILDREN 7 TO 13 YEARS OLD, BY SCHOOL ENROLLMENT OF THE CHILD: OCTOBER 1974

[Numbers in thousands; civilian noninstitutional population]

School enrollment of child	Total	Care in own home				Care in someone else's home			Day care center	Other	Not reported
		Parent	Child cares for self	Other relative	Non-relative	Relative	Non-relative				
Children, 7 to 13 years old.....	27,007	21,674	1,808	1,585	393	479	438	107	95	428	
Total enrolled.....	26,969	21,669	1,808	1,585	393	479	438	107	95	394	
Grade 1.....	411	340	13	20	6	8	11	4	.....	8
Grade 2.....	3,259	2,570	61	197	78	99	154	39	10	51	
Grade 3.....	3,589	2,869	90	245	82	76	104	33	22	67	
Grade 4.....	3,706	3,030	163	220	67	70	67	14	13	62	
Grade 5.....	4,062	3,352	218	263	42	75	41	9	13	49	
Grade 6.....	4,102	3,286	336	250	53	71	33	5	16	52	
Grade 7.....	4,110	3,315	406	236	36	41	12	3	6	56	
Grade 8.....	3,183	2,496	449	127	23	34	9	.....	12	34
Grade 9 or higher.....	407	303	71	156	5	2	1	8	
Enrolled in special school.....	138	107	10	3	6	4	6	

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Source: Bureau of the Census.

TABLE 31.—ARRANGEMENTS MADE FOR THE DAYTIME CARE OF CHILDREN 7 TO 13 YEARS OLD BY FAMILY INCOME: OCTOBER 1974

[Numbers in thousands; civilian noninstitutional population]

Family income	Total	Care in own home				Care in someone else's home				Day care center	Other	Not reported
		Parent	Child cares for self	Other relative	Non-relative	Relative	Nonrelative					
							Total	Paid				
Children 7 to 13 years old..	27,007	21,674	1,808	1,585	393	479	438	381	107	95	428	∞
Less than \$5,000....	3,636	2,924	164	294	42	95	35	34	8	26	47	
\$5,000 to \$6,999...	1,296	994	98	88	20	25	35	25	7	5	23	
\$7,000 to \$9,999...	4,776	3,891	291	290	43	99	65	57	15	11	71	
\$10,000 to \$14,999.....	7,532	6,173	492	347	101	145	147	135	20	13	94	
\$15,000 to \$19,999.....	3,914	3,132	296	227	58	43	67	58	23	17	52	
\$20,000 to \$24,999.....	1,957	1,549	151	100	52	19	19	16	22	7	37	
\$25,000 or more....	1,789	1,487	121	48	46	12	27	25	7	6	35	
Income not reported.	2,108	1,524	196	190	31	42	42	30	6	9	68	

TABLE 31.—ARRANGEMENTS MADE FOR THE DAYTIME CARE OF CHILDREN 7 TO 13 YEARS OLD, BY FAMILY INCOME: OCTOBER 1974—Continued

[Numbers in thousands; civilian noninstitutional population]

Family income	Total	Care in own home				Care in someone else's home				Day care center	Other	Not reported
		Parent	Child cares for self	Other relative	Non-relative	Relative	Nonrelative					
							Total	Paid				
PERCENT DISTRIBUTION												
Children 7 to 13 years old.	100	80.3	6.7	5.9	1.5	1.8	1.6	1.4	.4	.4	1.6	
Less than \$5,000....	100	80.4	4.5	8.1	1.2	2.6	1.0	.9	.2	.7	1.3	
\$5,000 to \$6,999...	100	76.7	7.5	6.8	1.6	1.9	2.7	2.0	.5	.4	1.8	
\$7,000 to \$9,999...	100	81.5	6.1	6.1	.9	2.1	1.4	1.2	.3	.2	1.5	
\$10,000 to \$14,999.....	100	82.0	6.5	4.6	1.3	1.9	2.0	1.8	.3	.2	1.3	
\$15,000 to \$19,999.....	100	80.0	7.6	5.8	1.5	1.1	1.7	1.5	.6	.4	1.3	
\$20,000 to \$24,999.....	100	79.2	7.7	5.1	2.6	1.0	1.0	.8	1.1	.4	1.9	
\$25,000 or more....	100	83.1	6.8	2.7	2.6	.7	1.5	1.4	.4	.3	1.9	
Income not reported.	100	72.3	9.3	9.0	1.5	2.0	2.0	1.7	.3	.4	3.2	

Source: Bureau of the Census.

TABLE 32.—CHILDREN USING AT LEAST 1 HOUR PER WEEK OF CARE BY METHOD AND BY MOTHER'S MARITAL/EMPLOYMENT STATUS, BASED ON NATIONAL SURVEY OF CHILD CARE CONSUMERS BY UNCO, INC.

[Thousands of children including multiple methods]

Type of care ¹	Married				Not married				Total	
	Employed		Not employed		Employed		Not employed		Projected children	Percent of base
	Projected children	Percent of base	Projected children	Percent of base	Projected children	Percent of base	Projected children	Percent of base		
Own home by relative:										
Number.....	1,921	15.3	5,800	21.7	762	22.3	938	18.3	9,420	19.7
Percent.....	20.4	.....	61.6	.....	8.1	.....	10.0	.....	100	.....
Own home by nonrelative:										
Number.....	2,530	20.2	5,960	22.3	704	20.6	465	9.1	9,655	20.3
Percent.....	26.2	.....	61.7	.....	7.3	.....	4.8	.....	100	.....
Other home by relative:										
Number.....	2,709	21.6	6,893	25.8	860	25.1	855	16.7	11,318	23.6
Percent.....	23.9	.....	60.9	.....	7.6	.....	7.6	.....	100	.....
Other home by nonrelative:										
Number.....	2,907	23.2	2,980	11.2	786	23.0	386	7.5	7,058	14.7
Percent.....	41.2	.....	42.2	.....	11.1	.....	5.4	.....	100	.....

See footnotes at end of table.

TABLE 32.—CHILDREN USING AT LEAST 1 HOUR PER WEEK OF CARE BY METHOD AND BY MOTHER'S MARITAL/EMPLOYMENT STATUS, BASED ON NATIONAL SURVEY OF CHILD CARE CONSUMERS BY UNCO, INC.—Continued

[Thousands of children including multiple methods]

Type of care ¹	Married				Not married				Total	
	Employed		Not employed		Employed		Not employed		Projected children	Percent of base
	Projected children	Percent of base	Projected children	Percent of base	Projected children	Percent of base	Projected children	Percent of base		
Nursery or preschool:										
Number.....	608	4.8	990	3.7	194	5.6	128	2.5	1,921	4.0
Percent.....	31.7	.....	51.5	.....	10.1	.....	6.7	.....	100	.....
Day care center:										
Number.....	391	3.1	206	.8	265	7.8	89	1.7	950	2.0
Percent.....	41.1	.....	21.7	.....	27.8	.....	9.4	.....	100	.....
Cooperative program:										
Number.....	73	.5	445	1.7	16	.5	4	.1	538	1.1
Percent.....	13.6	.....	82.7	.....	3.0	.....	.7	.....	100	.....
Before/after school program:										
Number.....	455	3.6	863	3.2	185	5.4	78	1.5	1,581	3.3
Percent.....	28.8	54.6	11.7	4.9	100

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Head Start:										
Number.....	7	.1	59	.2	12	.4	42	.8	121	.3
Percent.....	6.1	48.6	10.0	35.2	100
All methods:										
Number.....	7,703	61.4	13,872	52.0	2,522	73.8	2,193	42.8	26,291	55.0
Percent.....	29.3	.....	52.8	.....	9.6	.....	8.3	.....	100	.....
Base number of children in United States:										
Number.....	12,543	.....	26,695	.....	3,417	.....	5,125	.....	47,780	100
Percent.....	26.3	.....	55.9	.....	7.2	.....	10.7	.....	100	.....

¹ The types of care represent the nine methods of care which were identified in the consumer survey as the "main methods of care used" by those respondents who used "external" child care arrangements for children age 13 and under. External arrangements exclude care by spouse, siblings, self-care and care through the school system.

Source: National Childcare Consumer Study: 1975, vol. II. Current Patterns of Child Care Use in the United States, table IV-3. Prepared by Unco, Inc. for the Office of Child Development, Department of Health, Education, and Welfare.

TABLE 33.—EXPENDITURES FOR CHILD CARE UNDER FEDERALLY AIDED PROGRAMS: BY PROVIDER TYPE
(FISCAL YEAR 1974-75)

[Dollars in millions]

	Centers	Group day care homes	Family day care homes	In-home care	Total
Total.....	\$278.12	\$4.325	\$38.2	\$30.02	\$657.34
Alabama.....	7.7	NA	1.0	.1	8.8
Alaska.....	NA	NA	NA	NA	(¹)
Arizona.....	3.2	NA	.94	.04	4.2
Arkansas.....	NA	NA	NA	NA	2.9
California.....	96.6	.6		4.1	101.3
Colorado.....	NA	NA	NA	NA	7.1
Connecticut.....	5.1	NA	4.3	NA	9.4
District of Columbia.....	NA	NA	NA	NA	9.8
Delaware.....	3.2	.4	.03	.01	3.7
Florida.....	10.7	NA	.2	NA	² 12.1
Georgia.....	13.4	NA	.83	.82	15.1
Hawaii.....	NA	NA	NA	NA	2.9
Idaho.....	NA	NA	NA	NA	.28
Illinois.....	NA	NA	NA	NA	42.2
Indiana.....	2.6	NA	.5	NA	3.1
Iowa.....	NA	NA	NA	NA	(¹)
Kansas.....	.8	NA	.9	1.8	3.5

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Kentucky.....	2.3	NA	NA	(1)	2.3
Louisiana.....	(1)	NA	.3	NA	(1)
Maine.....	1.6	.08	.04	.1	2.7
Maryland.....	6.3	NA	1.6	.9	8.8
Massachusetts.....	17.6	NA	5.3	(1)	*23.1
Michigan.....	10.0	(1)	5.0	15.0	30.0
Minnesota.....	NA	NA	NA	NA	(1)
Mississippi.....	2.7	NA	.02	.06	2.8
Missouri.....	5.5	.2	1.7	.7	8.1
Montana.....	NA	NA	NA	NA	1.1
Nebraska.....	2.0	NA	2.4	.3	4.7
Nevada.....	NA	NA	NA	NA	*.20
New Hampshire.....	NA	NA	NA	NA	2.2
New Jersey.....	27.2	NA	4.0	NA	39.6
New Mexico.....	2.0	.09	.2	.4	2.7
New York.....	NA	NA	NA	NA	143.0
North Carolina.....	NA	NA	NA	NA	9.6
North Dakota.....	.17	.011	.25	.19	.62
Ohio.....	NA	NA	NA	NA	12.5
Oklahoma.....	7.0	NA	.8	.05	7.9
Oregon.....	9.7	.004	1.8	.05	11.5
Pennsylvania.....	NA	NA	NA	NA	53.9
Rhode Island.....	.7	NA	.5	.1	1.8
South Carolina.....	6.0	.1	.4	.1	6.6
South Dakota.....	.21	.02	.64	.1	1.0
Tennessee.....	10.9	(1)	.5	.2	11.7
Texas.....	17.37	.....	.17	2.5	20.0
Utah.....	.7	NA	.9	NA	1.6
Vermont.....	1.44	0.2	.75	(1)	2.2

See footnotes at end of table.

**TABLE 33.—EXPENDITURES FOR CHILD CARE UNDER FEDERALLY AIDED PROGRAMS: BY PROVIDER TYPE
(FISCAL YEAR 1974-75)—Continued**

[Dollars in millions]

	Centers	Group day care homes	Family day care homes	In-home care	Total
Virginia	NA	NA	NA	NA	8.4
Washington	3.0	2.8	1.6	7.4
West Virginia5	NA	2.3	.8	3.6
Wisconsin	NA	NA	NA	NA	(¹)
Wyoming	NA	NA	NA	NA	.4

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¹ Unknown.

² The discrepancy between the total and the sum of the expenditures by provider type results from additional funds which could not be allocated by provider type.

Source: Child Day Care Management Study, prepared by Pacific Consultants for the Department of Health, Education, and Welfare, 1976, vol. I, p. 150.

TABLE 34.—NUMBER AND CAPACITY OF LICENSED OR APPROVED DAY CARE CENTERS AND FAMILY DAY CARE HOMES, 1967-75

	March 1967	March 1968	March 1969	March 1970	March 1971	March 1972	March 1975 ¹
Number of centers and homes:							
Day care centers.....	10,400	11,700	13,600	16,700	18,400	20,319	28,962
Family day care homes.	24,300	27,400	32,700	40,700	55,400	60,967	86,977
Total.....	34,700	39,100	46,300	57,400	73,800	81,286	115,939
Capacity of centers and homes:							
Day care centers.....	393,300	437,800	517,900	625,800	719,200	805,361	1,224,448
Family day care homes.	81,900	97,200	120,400	148,200	192,500	215,841	335,181
Total.....	475,200	535,000	638,300	774,000	911,700	1,021,202	1,559,629

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¹ The figures for March 1975 are approximate and are presented here to serve only as rough indicators of numbers and capacity of licensed or approved centers and homes. The basic source is a table compiled by the National Center for Social Statistics, Depart-

ment of Health, Education, and Welfare, which included figures reported by 35 jurisdictions for March 1975. Data for nonreporting States was acquired by telephone by committee staff in November 1976 and is current as of that time. See footnotes for table 35.

TABLE 35.—NUMBER AND CAPACITY OF LICENSED OR APPROVED DAY CARE CENTERS AND FAMILY DAY CARE HOMES, BY STATE

State	Day care centers		Day care homes	
	Number	Capacity	Number	Capacity
Total, United States.....	28,962	1,224,448	86,977	335,181
Alabama.....	723	28,740	1,618	¹ 8,090
Alaska.....	² 80	.....	² 276	² 924
Arizona.....	² 467	² 29,554	² 947	² 3,788
Arkansas.....	² 600	² 12,600	² 950	² 2,400
California.....	² 3,394	² 150,549	² 314	² 1,455
Colorado.....	² 294	² 18,567	² 2,883	² 14,062
Connecticut.....	819	32,529	2,377	6,233
Delaware.....	² 113	² 5,600	² 260	² 1,300
District of Columbia.....	² 68	² 340	² 90	² 450
Florida.....	665	31,607	439	1,906

Georgia.....	1,518	75,900	121	365
Hawaii.....	203	10,530	178	759
Idaho.....	² 154	³ 770	² 374	² 1,496
Illinois.....	2,047	86,346	5,780	22,369
Indiana.....	321	14,431	1,316	4,706
Iowa.....	252	9,327	1,268	5,072
Kansas.....	259	7,527	2,817	11,268
Kentucky.....	² 625	² 26,729	² 20	² 240
Louisiana.....	725	29,676	507	1,000
Maine.....	56	2,229	227	1,311
Maryland.....	616	24,005	2,921	¹ 9,886
Massachusetts.....	² 1,457	52,251	² 2,000	² 6,000
Michigan.....	² 1,446	² 67,983	² 9,157	² 31,804
Minnesota.....	236	8,725	3,863	14,457
Mississippi.....	59	2,154	2	10
Missouri.....	453	15,746	1,620	8,546
Montana.....	² 45	² 1,350	² 875	² 2,150
Nebraska.....	110	4,394	287	1,463
Nevada.....	196	4,530	464	2,025
New Hampshire.....	97	3,756	485	1,941

See footnotes at end of table.

TABLE 35.—NUMBER AND CAPACITY OF LICENSED OR APPROVED DAY CARE CENTERS AND FAMILY DAY CARE HOMES, BY STATE—Continued

State	Day care centers		Day care homes	
	Number	Capacity	Number	Capacity
New Jersey.....	587	26,127	3,438	7,651
New Mexico.....	224	8,397	650	1,931
New York ⁴	³ 1,200	³ 85,000	³ 3,600	³ 16,000
North Carolina ⁴	304	10,874	87	423
North Dakota.....	² 55	.....	³ 1,250	³ 10,000
Ohio ¹	837	40,088	12,320	49,280
Oklahoma.....	574	23,397	1,018	4,320
Oregon.....	392	15,991	2,948	³ 8,000
Pennsylvania.....	³ 814	³ 30,393	³ 1,975	³ 8,300
Puerto Rico.....	173	4,155	163	674
Rhode Island.....	² 41	⁴ 766	² 481	⁴ 1,244
South Carolina.....	503	26,830	241	2,904
South Dakota.....	34	1,294	1,342	5,231
Tennessee.....	1,015	44,534	298	2,457
Texas.....	2,593	134,099	1,935	9,591

Utah.....	74	3,685	925	3,757
Vermont.....	² 83	² 2,366	² 287	² 1,428
Virgin Islands.....	13	265	1	8
Virginia.....	² 497	² 30,088	² 222	² 1,400
Washington.....	352	15,715	7,506	26,820
West Virginia.....	91	3,130	1,600	4,800
Wisconsin ⁵	357	9,337		
Wyoming.....	51	1,722	² 254	² 1,486

¹ Estimated 1975 data.

² 1976 data.

³ Estimated 1976 data.

⁴ Data incomplete.

⁵ Family day care homes not licensed in Wisconsin.

Source: Based on an incomplete table compiled by the Department of Health, Education, and Welfare for March 1975. Committee staff assembled the data for States indicated by footnotes 2 and 3 through telephone interviews in the fall of 1976. HEW had no data from these States. See footnote for table 34.

TABLE 36.—LICENSED OR APPROVED DAY CARE CENTERS, BY AUSPICES, BY STATE,¹ MARCH 1975

State	Total		Public		Voluntary		Independent	
	Number	Capacity	Number	Capacity	Number	Capacity	Number	Capacity
Alabama.....	723	28,740	51	2,168	349	14,602	323	11,970
Connecticut.....	819	32,529	7	201	495	20,318	317	12,010
Florida.....	665	31,607	65	4,387	106	7,694	494	19,526
Georgia.....	1,518	75,900	.....	.....	76	3,800	1,442	72,100
Hawaii.....	203	10,530	.....	.....	158	7,312	45	3,218
Illinois.....	2,047	86,346	23	1,022	1,367	59,828	657	25,496
Indiana.....	321	14,431	39	1,564	142	5,674	140	7,193
Iowa.....	252	9,327	2	100	180	7,014	70	2,213
Kansas.....	259	7,527	.....	.....	74	2,911	185	4,616
Louisiana.....	725	29,676	110	5,625	132	8,401	483	15,650
Maine.....	56	2,229	28	1,096	7	360	21	773
Maryland.....	616	24,005	29	1,490	.....	.....	587	* 22,515
Minnesota.....	236	8,725	11	328	105	3,713	120	4,684
Mississippi.....	59	2,154	35	1,152	22	944	2	58
Missouri.....	453	15,746	132	5,684	321	10,062
Nebraska.....	110	4,394	9	211	32	1,361	69	2,822
Nevada.....	196	4,530	43	2,112	153	2,418

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New Hampshire.....	97	3,756	27	763	30	1,694	40	1,299
New Jersey.....	587	26,127	117	6,210	470	19,917
New Mexico.....	224	8,397	19	728	55	2,193	150	5,476
North Carolina ⁴	304	10,874	37	1,336	257	9,228	10	310
Ohio ²	837	40,088	25	912	423	19,527	389	19,649
Oklahoma.....	574	23,397	42	1,617	146	9,698	386	12,082
Oregon.....	392	15,991	28	1,404	147	6,674	217	7,913
Puerto Rico.....	173	4,155	37	1,326	27	995	109	1,834
South Carolina.....	503	26,830	108	11,490	23	1,382	372	13,958
South Dakota.....	34	1,294	(³)	(³)	18	834	16	460
Tennessee.....	1,015	44,534	(³)	(³)	(³)	(³)	(³)	(³)
Texas.....	2,593	134,099	.....	.....	983	61,256	1,610	72,843
Utah.....	74	3,685	3	350	.....	.....	71	3,335
Virgin Islands.....	13	265	8	195	.....	.....	5	70
Washington ⁵	352	15,715	.....	.....	194	9,208	158	6,507
West Virginia.....	91	3,130	.....	.....	64	2,272	27	858
Wisconsin.....	357	9,337	1	12	197	5,406	159	3,919
Wyoming.....	51	1,722	5	212	7	220	59	1,290

¹ National data not shown due to failure of 19 States to report.

² Estimated.

³ Data not reported.

⁴ Data incomplete.

⁵ Data reported for May 31, 1975.

Note: .. Represents 0 or no positive entry.

Source: National Center for Social Statistics, Department of Health, Education, and Welfare.

TABLE 37.—LICENSED OR APPROVED FAMILY DAY CARE HOMES, BY AUSPICES, BY STATE, MARCH 1975¹

State	Total		Public		Voluntary		Independent	
	Number	Capacity	Number	Capacity	Number	Capacity	Number	Capacity
Alabama.....	1,618	² 8,090					1,618	² 8,090
Connecticut.....	2,377	6,233			110	283	2,262	5,950
Florida.....	439	1,906	97	451	1	5	341	1,450
Georgia.....	121	365	121	365				
Hawaii.....	178	759					178	759
Illinois.....	5,780	22,369	110	426	50	194	5,620	21,749
Indiana.....	1,316	4,706	503	1,623	40	167	773	2,916
Iowa.....	1,268	5,072					1,268	5,072
Kansas.....	2,817	11,268					2,817	11,268
Louisiana.....	507	1,000	507	1,000				
Maine.....	227	1,311	32	156			195	1,155
Maryland.....	2,921	² 9,886	258	² 880			2,663	² 9,006
Minnesota.....	3,863	14,457	(³)	(³)	1	1	3,862	14,456
Mississippi.....	2	10	2	10				
Missouri.....	1,620	8,546					1,620	8,546

Nebraska.....	287	1,463	.....	41	172	246	1,291
Nevada.....	464	2,025	.....	.....	.....	464	2,023
New Hampshire.....	485	1,941	.....	.....	.....	485	1,941
New Jersey.....	3,438	7,651	3,438	7,651	.....	.....	.....
New Mexico.....	650	1,931	650	1,931	.....	.....	.....
North Carolina ⁴	87	423	.....	87	423	.....	.....
Ohio ²	12,320	49,280	12,320	49,280	.....	.....	.....
Oklahoma.....	1,018	4,320	.....	.....	.....	1,018	4,320
Oregon.....	2,948	8,267	.....	285	778	2,663	7,489
Puerto Rico.....	163	674	.....	.....	.....	163	674
South Carolina.....	241	2,904	2	9	.....	239	2,895
South Dakota.....	1,342	5,231	(³)	(³)	(³)	(³)	1,342	5,231
Tennessee.....	298	2,457	(³)	(³)	(³)	(³)	(³)	(³)
Texas.....	1,935	9,591	1	3	292	1,338	1,642	8,250
Utah.....	925	3,757	.....	.....	.....	925	3,757
Virgin Islands.....	1	8	.....	1	8	.....	.....
Washington ⁵	7,506	26,820	.....	(³)	(³)	7,506	26,820
West Virginia.....	1,600	4,800	1,600	4,800	.....	.....	.....
Wisconsin.....	(⁶)	(⁶)	(⁶)	(⁶)	(⁶)	(⁶)	(⁶)	
Wyoming.....	82	409	.....	.....	.....	82	409

¹ National data not shown due to failure of 19 States to report.
² Estimated.
³ Data not reported.
⁴ Data incomplete.
⁵ Data reported for May 31, 1975.

⁶ Family day care homes are not licensed in Wisconsin.
Note: .. Represents 0 or no positive entry.
Source: National Center for Social Statistics, Department of Health, Education, and Welfare.

TABLE 38.—HISTORICAL SUMMARY OF POPULATION AND PREPRIMARY ENROLLMENT OF CHILDREN 3 TO 5 YEARS OLD, BY LEVEL OF FAMILY INCOME, OCCUPATION OF HEAD OF HOUSEHOLD, METROPOLITAN STATUS, AND RACE, 1968-75

[Numbers in thousands]

Characteristics	1968			1972			1975		
	Population	Enrolled		Population	Enrolled		Population	Enrolled	
		Number	Percent		Number	Percent		Number	Percent
Total, 3 to 5 years.....	11,905	3,928	33.0	10,166	4,231	41.6	10,185	4,955	48.7
White.....	9,968	3,310	33.2	8,560	3,542	41.4	8,441	4,106	48.6
Other races.....	1,937	618	31.9	1,606	689	42.9	1,744	849	48.7
Family income:									
Less than \$3,000.....	1,150	269	23.4	841	285	33.9	607	246	40.5
White.....	577	123	21.3	472	148	31.4	300	106	35.4
Other races.....	573	146	25.5	369	137	37.1	308	140	45.4
\$3,000 to \$4,999.....	1,858	480	25.8	1,229	410	33.4	947	370	39.1
White.....	1,321	304	23.0	877	274	31.2	622	246	39.6
Other races.....	537	176	32.8	352	136	38.8	325	124	38.0

\$5,000 to \$7,499.....	2,938	835	28.4	1,691	580	34.3	1,350	556	41.2
White.....	2,567	717	27.9	1,407	447	31.8	991	391	39.5
Other races.....	371	118	31.8	284	134	47.0	359	164	45.8
\$7,500 and over.....	5,266	2,121	40.3	5,827	2,704	46.4	6,627	3,449	52.0
White.....	4,917	1,975	40.2	5,287	2,455	46.4	5,990	3,093	51.6
Other races.....	349	146	41.8	540	250	46.3	636	356	56.0
Occupation of household head:									
White collar.....	4,123	1,700	41.2	3,414	1,772	51.9	3,455	2,080	60.2
White.....	3,867	1,577	40.8	3,186	1,654	51.9	3,148	1,883	59.8
Other races.....	256	123	48.0	229	118	51.5	307	197	64.2
Manual/service.....	5,866	1,682	28.7	4,764	1,697	35.6	4,473	1,922	43.0
White.....	4,788	1,347	28.1	3,979	1,376	34.6	3,766	1,594	42.3
Other races.....	1,078	335	31.1	784	321	40.9	707	328	46.4
Farm.....	467	101	21.6	343	98	28.7	286	92	32.0
White.....	380	92	24.2	307	89	29.0	261	81	31.0
Other races.....	87	9	10.3	36	9	25.8	25	11	44.7
Unemployed-NILF*.....	1,153	345	29.9	1,320	507	38.4	1,626	703	43.2

See footnotes at end of table.

TABLE 38.—HISTORICAL SUMMARY OF POPULATION AND PREPRIMARY ENROLLMENT OF CHILDREN 3 TO 5 YEARS OLD, BY LEVEL OF FAMILY INCOME, OCCUPATION OF HEAD OF HOUSEHOLD, METROPOLITAN STATUS, AND RACE, 1968-75—Continued

[Numbers in thousands]

Characteristics	1968			1972			1975		
	Enrolled			Enrolled			Enrolled		
	Population	Number	Percent	Population	Number	Percent	Population	Number	Percent
White.....	690	208	30.1	805	286	35.6	1,006	425	42.3
Other races.....	463	137	29.6	516	221	42.8	620	278	44.3
Residence:									
Metropolitan, central.....	3,392	1,246	36.7	3,029	1,324	43.7	3,052	1,522	49.9
White.....	2,356	842	35.7	2,103	906	43.1	2,022	1,003	49.6
Other races.....	1,036	404	39.0	926	418	45.1	1,030	518	50.3

Metropolitan, other.....	4,242	1,562	36.8	3,830	1,784	46.6	3,830	2,072	54.1
White.....	3,954	1,462	37.0	3,539	1,637	46.3	3,465	1,867	53.9
Other races.....	288	100	34.7	291	147	50.5	365	205	56.2
Nonmetropolitan.....	4,266	1,120	26.3	3,307	1,123	34.0	3,302	1,362	41.2
White.....	3,655	1,006	27.5	2,917	999	34.2	2,954	1,236	41.8
Other races.....	611	114	18.7	390	124	31.9	349	126	36.0

* Not in labor force.

Note: Details may not add to totals because of rounding.

Source: National Center for Education Statistics, Department of Health, Education, and Welfare.

TABLE 39.—POPULATION AND PREPRIMARY ENROLLMENT OF CHILDREN 3 TO 5 YEARS OLD, BY YEARS OF SCHOOL COMPLETED BY HEAD OF HOUSEHOLD, AGE, AND RACE, OCTOBER 1975

[Numbers in thousands]

Age and race ¹	Population 3 to 5 years old and preprimary enrollment, by years of schooling completed by household head											
	Elementary, 0-8 years		High school, 1-3 years		High school, 4 years		College, 1-3 years		College, 4 years or more		No head of household	
	Popu- lation	En- rolled	Popu- lation	En- rolled	Popu- lation	En- rolled	Popu- lation	En- rolled	Popu- lation	En- rolled	Popu- lation	En- rolled
Total 3-5 years..	1,098	436	1,652	682	3,780	1,695	1,526	817	1,784	1,166	344	158
White.....	798	301	1,191	474	3,213	1,419	1,354	727	1,625	1,061	260	123
Other races..	300	134	461	208	567	277	172	90	159	105	85	35
(Black).....	(274)	(128)	(433)	(193)	(525)	(252)	(145)	(74)	(85)	(53)	(59)	(32)
3 years.....	365	42	513	62	1,170	198	459	122	547	230	124	29
White.....	257	20	369	37	993	159	411	113	497	203	90	20
Other races..	108	22	144	26	177	40	48	9	50	27	33	8
(Black).....	(96)	(22)	(139)	(24)	(168)	(36)	(45)	(9)	(19)	(9)	(25)	(8)
4 years.....	346	109	548	148	1,330	449	548	253	603	399	124	60
White.....	241	67	387	89	1,147	365	481	213	551	364	92	47
Other races..	105	42	160	59	183	84	66	40	52	35	32	13
(Black).....	(97)	(42)	(148)	(54)	(163)	(72)	(56)	(35)	(32)	(23)	(19)	(9)
5 years.....	387	285	591	471	1,280	1,048	520	442	634	538	97	70

White.....	300	215	435	348	1,073	895	462	402	576	494	77	56
Other races..	87	71	156	123	207	153	58	40	57	43	19	14
(Black).....	(81)	(64)	(146)	(115)	(194)	(144)	(44)	(30)	(34)	(21)	(15)	(14)

Enrolled as percent of population

Total 3-5 years..	39.7	41.3	44.9	53.5	65.4	46.0
White.....	37.8	39.8	44.2	53.7	65.3	47.5
Other races..	44.8	45.2	48.8	52.2	66.0	41.5
(Black).....	46.8	(44.5)	(47.9)	(51.2)	(62.8)	(53.1)
3 years.....	11.5	12.2	17.0	26.6	42.0	23.3
White.....	7.7	9.9	16.0	27.4	40.8	22.5
Other races..	20.6	17.9	22.4	19.3	53.7	25.4
(Black).....	(23.1)	(17.2)	(21.2)	(20.6)	(50.5)	(33.7)
4 years.....	31.4	27.1	33.8	46.3	66.2	48.3
White.....	27.9	23.0	31.8	44.2	66.1	51.2
Other races..	39.6	36.9	45.8	61.0	67.3	39.9
(Black).....	(43.1)	(36.6)	(44.1)	(63.1)	(71.7)	(47.6)
5 years.....	73.7	79.7	81.8	85.0	84.8	72.1
White.....	71.6	80.0	83.4	87.0	85.8	72.2
Other races..	80.9	78.8	73.9	69.1	75.4	71.5
(Black).....	(79.4)	(78.4)	(74.3)	(67.3)	(61.1)	(91.9)

¹ Numbers shown for "black" are also included in "other races."
 Note: Details may not add to totals because of rounding.

Source: National Center for Education Statistics, Department of Health, Education, and Welfare.

TABLE 40.—PREPRIMARY SCHOOL ENROLLMENT OF CHILDREN 3 TO 5 YEARS OLD, BY CONTROL OF PROGRAM, AGE, AND RACE: OCTOBER 1975

[Numbers in thousands]

Age and race ¹	Total enrolled						
	Total	Total		Public		Private	
		Number	Percent	Number	Percent	Number	Percent
Total 3-5 years.....	10,185	4,955	48.7	3,253	31.9	1,703	16.7
White.....	8,441	4,106	48.6	2,598	30.8	1,505	17.9
Other races.....	1,744	849	48.7	655	37.5	194	11.1
(Black).....	(1,521)	(732)	(48.1)	(585)	(38.5)	(147)	(9.6)
3 years.....	3,177	683	21.5	191	6.0	492	15.5
White.....	2,617	551	21.1	119	4.6	432	16.5
Other races.....	560	132	23.6	71	12.7	61	10.9
(Black).....	(491)	(109)	(22.1)	(66)	(13.5)	(42)	(8.6)
4 years.....	3,499	1,418	40.5	645	18.4	773	22.1
White.....	2,900	1,146	39.5	453	15.6	693	23.9
Other races.....	598	273	45.6	193	32.2	80	13.4
(Black).....	(515)	(235)	(45.7)	(172)	(33.4)	(63)	(12.3)
5 years.....	3,509	2,854	81.3	2,417	68.9	437	12.5
White.....	2,923	2,409	82.4	2,026	69.3	384	13.1
Other races.....	586	445	75.8	391	66.7	54	9.1
(Black).....	(514)	(387)	(75.3)	(346)	(67.4)	(41)	(7.9)

¹ Numbers shown for "black" are also included in "other races."

Note: Details may not add to totals because of rounding.

Source: National Center for Education Statistics, Department of Health, Education, and Welfare.

TABLE 41.—PERCENT OF CHILDREN 3 TO 5 YEARS OLD WHO ARE ENROLLED IN PREPRIMARY SCHOOL PROGRAMS, BY CONTROL OF PROGRAM, AGE, AND RACE: OCTOBER 1972–OCTOBER 1975

Age and race ¹	Total		Public		Private	
	1972	1975	1972	1975	1972	1975
Total 3–5 years.....	41.6	48.7	28.2	31.9	13.4	16.7
White.....	41.4	48.6	27.1	30.8	14.3	17.9
Other races.....	42.9	48.7	34.4	37.5	8.5	11.1
(Black).....	43.0	(48.1)	34.8	(38.5)	8.1	(9.6)
3 years.....	15.5	21.5	4.4	6.0	11.2	15.5
White.....	15.0	21.1	3.0	4.6	12.0	16.5
Other races.....	18.6	23.6	11.6	12.7	7.0	10.9
(Black).....	19.8	(22.1)	12.7	(13.5)	7.1	(8.6)
4 years.....	33.5	40.5	15.9	18.4	17.6	22.1
White.....	32.9	39.5	14.1	15.6	18.7	23.9
Other races.....	37.0	45.6	25.4	32.2	11.6	13.4
(Black).....	37.1	(45.7)	26.5	(33.4)	10.5	(12.3)
5 years.....	76.1	81.3	64.7	68.9	11.4	12.5
White.....	76.7	82.4	64.4	69.3	12.3	13.1
Other races.....	73.2	75.8	66.1	66.7	7.1	9.1
(Black).....	71.8	(75.3)	64.9	(67.4)	6.8	(7.9)

¹ Numbers shown for "black" are also included in "other races."
 Note: Details may not add to totals because of rounding.

Source: National Center for Education Statistics, Department of Health, Education, and Welfare.

TABLE 42.—PREPRIMARY SCHOOL ENROLLMENT OF CHILDREN 3 TO 5 YEARS OLD, BY REGION, AGE, AND RACE: OCTOBER 1975

[Numbers in thousands]

Age and race ¹	Northeast			North Central			South			West		
	Enrolled			Enrolled			Enrolled			Enrolled		
	Total	Number	Percent	Total	Number	Percent	Total	Number	Percent	Total	Number	Percent
Total 3-5 years...	2,213	1,114	50.3	2,720	1,280	47.1	3,346	1,573	47.0	1,906	989	51.9
White.....	1,940	981	50.6	2,343	1,107	47.3	2,534	1,185	46.8	1,625	834	51.3
Other races....	273	133	48.7	377	173	45.8	813	388	47.7	281	155	55.3
(Black).....	(246)	(124)	(50.6)	(356)	(162)	(45.5)	(774)	(370)	(47.8)	(144)	(75)	(51.9)
3 years.....	732	158	21.6	798	136	17.1	1,096	251	22.9	552	138	25.1
White.....	640	143	22.3	632	121	17.7	820	174	21.2	475	113	23.9
Other races....	92	16	16.8	116	15	13.1	276	77	27.8	77	25	32.5
(Black).....	(78)	(12)	(14.9)	(113)	(14)	(12.1)	(270)	(77)	(28.4)	(30)	(7)	(22.9)
4 years.....	739	342	46.3	975	340	34.8	1,102	442	40.1	683	294	43.1
White.....	645	288	44.7	851	292	34.3	823	320	38.9	581	246	42.3
Other races....	93	54	57.7	124	48	38.7	279	123	43.9	102	48	47.2
(Black).....	(82)	(50)	(61.0)	(111)	(42)	(37.6)	(259)	(116)	(45.0)	(64)	(27)	(42.9)
5 years.....	742	613	82.6	947	804	84.9	1,149	880	76.6	671	557	83.0
White.....	654	550	84.0	810	695	85.8	891	691	77.6	568	474	83.4
Other races....	88	64	72.3	137	110	79.7	258	189	73.2	102	82	80.4
(Black).....	(86)	(63)	(72.9)	(132)	(107)	(80.6)	(245)	(177)	(72.3)	(51)	(41)	(80.5)

¹ Numbers shown for "black" are also included in "other races."

Note: Details may not add to totals because of rounding.

Source: National Center for Education Statistics, Department of Health, Education, and Welfare.

**TABLE 43.—PREPRIMARY SCHOOL ENROLLMENT OF CHILDREN
3 TO 5 YEARS OLD IN FULL-DAY AND PART-DAY ATTEND-
ANCE, BY LEVEL, AGE, AND RACE, OCTOBER 1975**

[Numbers in thousands]

Age and race ¹	Preprimary enrollment			
	Full day		Part day	
	Number	Percent	Number	Percent
Total 3 to 5 years.....	1,295	26.1	3,660	73.9
White.....	897	21.6	3,209	78.2
Other races.....	398	46.9	451	53.1
(Black) ¹	(358)	(48.9)	(374)	(51.1)
3 years.....	260	38.0	423	62.0
White.....	171	31.1	380	68.9
Other races.....	89	67.1	43	32.9
(Black) ¹	(81)	(74.8)	(27)	(25.2)
4 years.....	411	28.9	1,008	71.1
White.....	258	22.5	888	77.5
Other races.....	152	55.9	120	44.1
(Black) ¹	(135)	(57.4)	(100)	(42.6)
5 years.....	625	21.9	2,229	78.1
White.....	468	19.4	1,942	80.6
Other races.....	157	35.4	287	64.6
(Black) ¹	(141)	(36.5)	(246)	(63.5)

¹Numbers for "black" are also included in "other races."

Note: Details may not add to totals because of rounding.

Source: National Center for Education Statistics, Department of Health, Education, and Welfare.

TABLE 44.—STATE ACTIVITIES RELATING TO PREPRIMARY EDUCATION (BASED ON SURVEYS BY THE EDUCATION COMMISSION OF THE STATES)¹

Mandate school districts to offer kindergarten ²	Have no State legislation permitting or mandating kindergarten	Provide some form of State aid to kindergarten	Provide some form of State aid for prekindergarten programs ³
Arizona California Connecticut Florida Illinois Maine Maryland Massachusetts Minnesota Ohio Oklahoma Rhode Island Virginia West Virginia Wisconsin	Mississippi Idaho	Alabama Alaska Arizona Arkansas California Colorado Connecticut Delaware Florida Georgia Hawaii Illinois Indiana Iowa Kansas Kentucky Louisiana Maine Maryland Massachusetts Michigan	California Georgia Maine Massachusetts Missouri Pennsylvania South Carolina Tennessee Vermont Washington West Virginia

Minnesota
Missouri
Nebraska
Nevada
New Hampshire
New Jersey
New Mexico
New York
North Carolina
Ohio
Oklahoma
Oregon
Pennsylvania
Rhode Island
South Carolina
South Dakota
Tennessee
Texas
Utah
Vermont
Virginia
Washington
West Virginia
Wisconsin
Wyoming

¹ State listings were developed from information included in a publication of the Education Commission of the States entitled "Early Childhood Programs: A State Survey 1974-75" and additional information provided by the Commission.

² Although Colorado does not mandate that kindergarten be offered, schools must offer it in order to be accredited.

³ Aid for prekindergarten programs is generally very limited, according to the survey.

TABLE 45.—MEAN COSTS OF CHILD CARE PER WEEK BY MOTHER'S LEVEL OF EMPLOYMENT, BASED ON NATIONAL SURVEY OF CHILD CARE CONSUMERS BY UNCO, INC.

Method	All paying households	Hours worked per week			
		0	1 to 9	10 to 29	30 and up
Child's home:					
By relative.....	\$10.52	\$5.67	(\$6.36)	(\$6.72)	\$16.35
By nonrelative.....	7.78	4.85	(5.09)	(9.11)	16.24
Other home:					
By relative.....	14.24	8.37	(4.24)	14.63	17.00
By nonrelative.....	16.07	9.56	5.67	12.03	20.71
Nursery school.....	14.60	9.22	10.08	11.98	24.31
Day care center.....	19.56	12.07	(20.00)	12.28	22.49
All methods ¹	14.73	7.82	9.91	13.93	23.29

¹ Includes other methods having insufficient observations.

Note: Figures in parentheses are suspect due to excessive standard error.

Source: National Childcare Consumer Study: 1975, vol. II. Current Patterns of Childcare Use in the United States, table VIII-8, prepared by Unco, Inc. for the Office of Child Development, Department of Health, Education, and Welfare.

TABLE 46.—DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE ESTIMATE OF NATIONAL CHILD CARE FUNDING, FISCAL YEARS 1975-77—FEDERAL CHILD CARE EXPENDITURES¹

Agency/program	Federal obligations (millions)			Children served ² (thousands)			Federal cost per child (dollars) ³			Matching State/local contributions (millions)		
	Fiscal year 1975	Fiscal year 1976	Fiscal year 1977	Fiscal year 1975	Fiscal year 1976	Fiscal year 1977	Fiscal year 1975	Fiscal year 1976	Fiscal year 1977	Fiscal year 1975	Fiscal year 1976	Fiscal year 1977
I. Department of Agriculture: Child Care Food Service program.....	\$42.3	\$75.4	\$120.0	452.0	460.0	580.0	\$94	\$164	\$207	(⁴)	(⁴)	(⁴)
II. Appalachian Regional Commission.....	12.8	12.3	9.3	61.7	58.6	46.8	207	209	197	6.9	7.8	(⁴)
III. Community Services Administration: Community action agency program.....	2.5	2.5	2.5	(⁴)	(⁴)	(⁴)	(⁴)	(⁴)	(⁴)	.6	.9	1.2
IV. Department of Health, Education, and Welfare:												
SSA, title IV-A, social services.....	487.0			525.8			926			162.4		
SSA, title XX, social services.....		611.8	808.6		1,026.1	798.6		596	1,013		203.9	269.5
SSA, title IV-A, work expense allowance (child care).....	72.6	75.4	84.4	136.0	145.0	144.9	534	520	582	59.4	61.4	71.6
SSA, title IV-A, WIN.....	57.4	51.1	57.1	79.1	83.8	85.0	726	770	672	5.7	5.1	5.7
SSA, title IV-B, child welfare.....	2.0	4.7	4.7	19.0	19.0	19.0	105	247	247	42.0	62.6	62.6
Head Start.....	412.8	427.1	447.6	349.0	349.0	349.0	1,183	1,224	1,283	82.6	85.4	89.5
ESEA, title I-A, pre-school and kindergarten programs..	120.0	128.0	136.0	367.0	367.0	367.0	327	349	371	(⁴)	(⁴)	(⁴)
ESEA, title I-A (supplement), migrants.	10.1	10.6	14.4	37.7	37.7	37.7	268	283	382	(⁴)	(⁴)	(⁴)
ESEA, title VI-B, education for the handicapped State grant program.....	7.0	7.0	7.7	260.0	260.0	260.0	27	27	30	(⁴)	(⁴)	(⁴)

See footnotes at end of table.

TABLE 46.—DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE ESTIMATE OF NATIONAL CHILD CARE FUNDING, FISCAL YEARS 1975-77—FEDERAL CHILD CARE EXPENDITURES ¹—Continued.

Agency/program	Federal obligations (millions)			Children served ² (thousands)			Federal cost per child (dollars) ³			Matching State/local contributions (millions)		
	Fiscal year 1975	Fiscal year 1976	Fiscal year 1977	Fiscal year 1975	Fiscal year 1976	Fiscal year 1977	Fiscal year 1975	Fiscal year 1976	Fiscal year 1977	Fiscal year 1975	Fiscal year 1976	Fiscal year 1977
ESEA, title VI-C, early education for the handicapped..	11.2	14.0	14.0	8.3	14.0	14.0	1,350	1,000	1,000	1.1	1.4	1.4
HEW, total.....	(1,180.1)	(1,329.7)	(1,574.5)	(1,781.9)	(2,301.6)	(2,075.2)	(662)	(578)	(759)	(353.2)	(419.8)	(500.3)
V. Department of Housing and Urban Development: Community development block grant entitlement program.....	27.4	37.8	42.7	54.8	75.6	85.4	500	500	500	(⁴)	(⁴)	(⁴)
VI. Department of Interior, Bureau of Indian Affairs:												
Kindergarten program.....	2.3	2.5	2.7	2.5	2.4	2.4	935	1,056	1,125	(⁴)	(⁴)	(⁴)
Parent-child development program..	.5	.7	.7	.2	.2	.3	2,634	2,462	2,222	(⁴)	(⁴)	(⁴)
BIA, total.....	(2.8)	(3.2)	(3.4)	(2.7)	(2.6)	(2.7)	(1,056)	(1,203)	(1,244)			
VII. Department of Labor												
VIII. Small Business Administration.....	2.2	2.0	(⁴)	(⁴)	(⁴)	(⁴)	(⁴)	(⁴)	(⁴)	(⁴)	(⁴)	(⁴)
IX. Department of Treasury.....	225.0	261.0	756.0	(⁴)	(⁴)	7,000.0	(⁴)	(⁴)	108	(⁴)	(⁴)	(⁴)
Total, Federal expenditure.....	1,495.1	1,723.9	2,508.4	2,353.1	2,898.4	9,567.3	635	596	262	360.7	428.5	501.5

¹ Expenditures for the following are excluded even though some may provide full- or part-day child care: (a) Grants for training educational and/or day care personnel; (b) research and development funds; (c) administrative grants; (d) health program funds for children; (e) summer programs for teenagers; (f) programs for teenagers before and after school (Neighborhood Youth Corps, Department of Interior recreation programs); (g) grants to school systems for postkindergarten children; (h) parent training and home intervention programs (e.g., Department of Agriculture extension programs for improved family living).

² Numbers of children served are estimated in various ways and include

unidentifiable combinations of full- and part-day time care as well as full- and part-year variations.

³ Federal cost per child is an average computed by dividing number of children into obligations. Total average cost is underestimated due to lack of recipient data for several major programs.

⁴ Not required.

⁵ Not available.

⁶ All DOL programs included in the 1974 edition of this table have been incorporated into the Comprehensive Employment and Training Act, a special revenue sharing program. Specific program expenditures for child care services were not identifiable. See following page for assumptions.

SOURCES AND ASSUMPTIONS OF FEDERAL CHILD CARE EXPENDITURES

Department of Agriculture

Program staff estimates.—The Child Care Food programs authorized under Section 17 of the National School Lunch Act provide food service for children in non-residential institutions providing child care. Institutions defined under the Act include day care centers, settlement houses, recreation centers, family day care programs, Head Start centers, Home-start programs and institutions for handicapped children.

Appalachian Regional Commission

ARC program staff.—Estimates assume approximately half of ACR Child Development program outlays are in comprehensive day care services. This ratio is reflected in both number of children served and state matching contributions. These estimates are conservative in that services to teenage parents and other adult recipients include day care for their children but this component cannot be isolated from total service allocations.

Community Service Administration

CSA program staff.—Estimates based on projections from 1975 CAP survey. CSA was formerly the Office of Economic Opportunity. Matching state funds include other non-Federal support.

Department of Health, Education, and Welfare

SSA, Title IV-A, Social Services.—HEW budget office: Estimates based on extrapolations from 1972 data. Program replaced by Title XX in FY 1976.

SSA, Title XX, Social Services.—HEW budget office: Program replaces Title IV-A, Social Services. Estimates taken directly from State Comprehensive Annual Service Plans developed prior to the program year and do not reflect actual expenditures. Figures slightly overestimate both dollars and children in nine states which combine child and adult day care. Estimates exclude one state for which data was not available.

SSA, Title IV-A, Work Expense Allowance (Child Care).—HEW budget office: Estimates derived from SRS-NCSS 1975 AFDC Characteristics Study, SRS OA-25 report for February and August, 1976 from States, and U.S. Budget for 1977 (HEW). Child estimates are presented in child care years and reflect cost of care for one child over one year, assuming hypothetical combination of full and part time care.

SSA, Title IV-A, WIN.—WIN budget: Child estimates are presented in child care years.

SSA, Title IV-B, Child Welfare.—HEW budget office: Estimates based on CWS-2 state budget estimates. Estimates assume stable number of children served: accurate child data were not available.

Head Start.—HEW budget office: Figures include full year, summer, handicapped, and parent-child centers programs.

ESEA, Title I-A, Preschool and Kindergarten Programs.—ESEA-I program staff: Estimates based on End of Year State Performance Reports, 1975, showing K and preK programs funded at 8 percent of total allocations. This program is thought to serve predominately kindergarten children although actual percentages were unavailable.

ESEA, Title I Migrants, State Agency Program.—Migrant program staff: Estimates are based on Migrant Student Record Transfer System, August 1976, report showing preschool children comprise 11 percent of total recipients. This assumption is reflected in budget estimates.

ESEA, Title VI-B, Education for the Handicapped, State Grant Program.—ESEA program staff: Estimates based on End of Year Performance Report, 1975. Children aged 0-5 represent 22 percent of all children served. Funding estimates represent 22 percent of total appropriations, assume same unit cost for serving children of all ages.

ESEA, Title VI-C, Early Education for the Handicapped.—ESEA VI programs budget staff: Estimates include 170 demonstration projects providing direct services to 14,000 children. State implementation grants and technical assistance are excluded. Other OE programs for the handicapped served an undetermined number of preschool children.

Department of Housing and Urban Development

HUD program staff.—Funding estimates based on sample of budgets of cities receiving entitlement funds in 1975 and 1976. The figures presented represent less than 2 percent of the total budget for entitlement funds. Child estimates are based on an earlier HUD survey showing a unit cost of \$500 per child.

Department of Interior: Bureau of Indian Affairs

BIA program staff.—Two other programs reported in 1974 were deleted: the Johnson-O'Mally Program increased in scope during FY 76 to include children aged 3 through grade 12. However, estimates for the preschool component were not available. The Indian Child Welfare Program provides for the protection and care of dependent, neglected and handicapped children. According to BIA staff this assistance is primarily provided through foster care and institutions, very little day care is included.

Small Business Administration

SBA staff.—Includes loans to child care centers, day care centers, nursery schools, preschools, Head Start centers.

Department of Treasury: Internal Revenue Service

IRS staff.—Estimates assume 90 percent of total day care deduction is for child care.

(Table 46 and all explanatory material were prepared by the Department of Health, Education, and Welfare.)

TABLE 47.—CHILD CARE FUNDED UNDER PART A OF TITLE IV AND TITLE XX OF THE SOCIAL SECURITY ACT, FISCAL YEARS 1970-77

[Dollars in thousands]

Program	Child care years	Total cost	Federal share
Fiscal year 1970, total . . .	443,472	\$211,084	\$144,013
Work incentive program.	57,500	24,591	18,443
AFDC social services . . .	83,327	91,160	68,370
AFDC income disregard.	302,645	95,333	57,200
Fiscal year 1972, total . . .	768,341	531,242	378,392
Work incentive program.	91,700	49,333	37,000
AFDC social services . . .	291,290	348,306	261,230
AFDC income disregard.	385,351	133,603	80,162
Fiscal year 1974, total . . .	801,136	\$810,665	\$594,249
Work incentive program.	75,350	50,000	45,000
AFDC social services . . .	525,786	618,998	464,249
AFDC income disregard.	200,000	141,667	85,000
Fiscal year 1975, total . . .	740,900	844,500	617,000
Work incentive program.	79,100	63,100	57,400
AFDC social services . . .	525,800	649,400	487,000
AFDC income disregard.	136,000	132,000	72,600
Fiscal year 1976, total . . .	1,254,900	1,008,700	738,300
Work incentive program.	83,800	56,200	51,100
Title XX social services.	1,026,100	815,700	611,800
AFDC income disregard.	145,000	136,800	75,400
Fiscal year 1977, total . . .	1,028,500	1,296,900	950,100
Work incentive program.	85,000	62,800	57,100
Title XX social services.	798,600	1,078,100	808,600
AFDC income disregard.	144,900	156,000	84,400

Note: Figures shown for AFDC and title XX social services do not relate to children of AFDC mothers with training and employment under the work incentive program. Figures shown for the AFDC income disregard relate to children of employed AFDC mothers whose care is financed in part by disregard of earned income for child care costs. This in effect raises the amount of the welfare payment the mother would be eligible for and Federal sharing would be reflected in the cash assistance funds rather than social services funds. Some duplication in child care years exists between social services and AFDC income disregard due to some women receiving child care supplementation from both sources.

Source: Data provided by the Department of Health, Education, and Welfare.

TABLE 48.—ESTIMATED FEDERAL SHARE OF STATE EXPENDITURES FOR SOCIAL SERVICES FOR FISCAL YEAR 1977

[In millions]

State	Full allocation under \$2,500,000,000 limit ¹	Amount to be used by State ²
Total	\$2,500.000	\$2,368.568
Alabama	42.300	36.335
Alaska	3.975	3.975
Arizona	25.450	10.470
Arkansas	24.375	18.787
California	247.250	247.250
Colorado	29.525	29.525
Connecticut	36.525	36.525
Delaware	6.775	6.775
District of Columbia	8.550	8.550
Florida	95.675	95.675
Georgia	57.725	57.725
Guam .....		.553
Hawaii	10.025	10.025
Idaho	9.450	9.450
Illinois	131.650	131.650
Indiana	63.025	38.284
Iowa	33.775	33.775
Kansas	26.850	21.536
Kentucky	39.700	39.700
Louisiana	44.525	44.525
Maine	12.375	12.375
Maryland	48.425	48.425
Massachusetts	68.600	68.600
Michigan	107.575	107.575
Minnesota	46.325	46.325
Mississippi	27.475	7.732
Missouri	56.500	30.942
Montana	8.700	8.700
Nebraska	18.250	18.250
Nevada	6.775	3.356
New Hampshire	9.550	9.550
New Jersey	86.700	86.700
New Mexico	13.275	13.275
New York	214.200	214.200
North Carolina	63.425	52.175

See footnotes at end of table.

TABLE 48.—ESTIMATED FEDERAL SHARE OF STATE EXPENDITURES FOR SOCIAL SERVICES FOR FISCAL YEAR 1977—Con.

[In millions]

State	Full allocation under \$2,500,000,000 limit ¹	Amount to be used by State ¹
North Dakota.....	\$7.525	\$5.669
Ohio.....	126.975	126.975
Oklahoma.....	32.050	32.050
Oregon.....	26.800	26.800
Pennsylvania.....	139.975	139.975
Puerto Rico.....		18.282
Rhode Island.....	11.075	11.075
South Carolina.....	32.925	32.925
South Dakota.....	8.075	8.075
Tennessee.....	48.825	39.774
Texas.....	142.500	142.500
Utah.....	13.875	13.875
Vermont.....	5.550	5.550
Virgin Islands.....		.533
Virginia.....	58.050	39.746
Washington.....	41.100	41.100
West Virginia.....	21.175	16.144
Wisconsin.....	54.000	54.000
Wyoming.....	4.250	4.250

¹ The State allocations are determined annually on a population basis. In fiscal year 1977 an additional \$200 million is available, also on a population basis, under Public Law 94-401. See table 51.

² HEW has estimated, for budget purposes, that in fiscal year 1977 the States have underestimated their use of reimbursable funds by \$31,432,000, which brings their budget request to \$2,400,000,000.

Source: U.S. Department of Health, Education, and Welfare.

TABLE 49.—DAY CARE FOR CHILDREN UNDER TITLE XX OF THE SOCIAL SECURITY ACT, AS ESTIMATED IN STATE PLANS FOR FISCAL YEAR 1977 (INCLUDES FEDERAL AND STATE EXPENDITURES)—Continued

State	Number of children	Expenditures for day care	Expenditures for all title XX programs	Day care expenditures as percentage of total expenditures
Alabama.....	14,127	\$15,727,326	\$56,219,896	28.0
Alaska.....	664	858,000	5,299,900	16.2
Arizona.....	10,114	8,912,248	32,411,119	27.5
Arkansas.....	7,390	6,421,542	32,150,166	20.0
California.....	54,233	109,869,706	407,395,431	27.0
Colorado.....	17,726	10,706,951	39,191,700	27.3
Connecticut ¹				
Delaware.....	2,200	4,633,855	9,021,498	51.4
District of Columbia.....	4,163	3,170,900	14,709,500	21.6
Florida.....	12,660	18,786,517	125,625,549	15.0

Georgia.....	21,019	20,278,344	79,633,239	25.5
Hawaii.....	2,773	4,000,025	13,558,327	29.5
Idaho.....	882	121,826	12,630,000	1.0
Illinois.....	102,286	54,792,000	188,662,743	29.0
Indiana.....	2,516	6,201,055	40,796,661	15.2
Iowa.....	29,147	3,819,812	45,627,645	8.4
Kansas ¹				
Kentucky.....	2,300	3,345,937	53,473,582	6.3
Louisiana.....	25,103	12,694,873	58,905,539	21.6
Maine.....	2,286	2,524,701	16,220,833	15.6
Maryland.....	10,386	13,958,389	64,505,690	21.6
Massachusetts.....	19,625	24,443,910	117,031,336	20.9
Michigan.....	² 17,264	32,894,239	143,340,269	23.0
Minnesota.....	11,671	6,535,218	61,720,224	10.6
Mississippi ¹				

See footnotes at end of table.

TABLE 49.—DAY CARE FOR CHILDREN UNDER TITLE XX OF THE SOCIAL SECURITY ACT, AS ESTIMATED IN STATE PLANS FOR FISCAL YEAR 1977 (INCLUDES FEDERAL AND STATE EXPENDITURES)—Continued

State	Number of children	Expenditures for day care	Expenditures for all title XX programs	Day care expenditures as percentage of total expenditures
Missouri.....	12,645	\$11,730,536	\$75,442,978	15.6
Montana.....	³ 1,262	³ 1,641,709	11,270,000	14.6
Nebraska.....	² 6,680	9,060,142	24,333,333	37.2
Nevada.....	3,679	286,775	8,741,596	3.3
New Hampshire ¹				
New Jersey.....	61,609	39,335,662	115,019,825	34.2
New Mexico.....	3,532	3,433,359	17,298,160	19.9
New York.....	68,108	129,720,524	285,600,000	45.4
North Carolina.....	12,000	16,741,510	82,362,493	20.3
North Dakota.....	294	152,670	10,000,000	1.5
Ohio.....	42,745	19,111,623	169,397,133	11.3
Oklahoma ¹				
Oregon ¹				
Pennsylvania.....	22,793	66,659,375	206,691,000	32.3
Rhode Island.....	6,388	1,819,904	16,394,312	11.1

South Carolina.....	4,884	9,449,841	43,544,277	21.7
South Dakota.....	⁴ 2,281	1,327,019	11,359,811	11.7
Tennessee ¹				
Texas.....	41,540	33,596,024	187,545,708	17.9
Utah.....	5,342	3,221,507	18,500,100	17.4
Vermont.....	1,646	2,266,707	7,919,319	28.6
Virginia.....	16,179	12,959,083	78,734,459	16.5
Washington.....	13,051	9,251,057	54,590,029	17.0
West Virginia.....	² 5,946	5,366,159	28,907,521	18.6
Wisconsin ¹				
Wyoming.....	3,420	984,620	5,588,105	17.6
Total.....	⁵ 674,388	⁶ 742,813,180	3,077,371,006	24.1

¹ State plan does not identify day care for children as a separate component.

² Monthly data.

³ Includes children in day care under the work incentive program.

⁴ Data is for families.

⁵ Total excludes estimates for States identified in footnotes 1, 2, and 4.

⁶ Total excludes estimates for States identified in footnote 1.

Note: When States define day care for children with special needs as a separate service, estimates for clients served and expenditures are excluded from the totals. Special needs include blindness, mental retardation, developmental disabilities, emotional and behavioral problems, physical handicaps, etc.

Source: Department of Health, Education, and Welfare.

TABLE 50.—FEDERAL INCOME LIMITS ON ELIGIBILITY FOR SOCIAL SERVICES (FISCAL 1977—FAMILY OF 4)¹

State	Maximum income level for services	
	If no fee is charged ² (80 percent of median income)	If a fee is charged (115 percent of median income)
Alabama.....	\$10,244	\$14,726
Alaska.....	³ 14,747	22,273
Arizona.....	12,184	17,515
Arkansas.....	9,512	13,674
California.....	12,745	18,321
Colorado.....	12,503	17,973
Connecticut.....	13,181	18,947
Delaware.....	12,185	17,516
District of Columbia.....	12,074	17,357
Florida.....	11,830	17,006
Georgia.....	10,933	15,716
Hawaii.....	13,655	19,629
Idaho.....	11,260	16,186
Illinois.....	13,080	18,803
Indiana.....	11,582	16,650
Iowa.....	11,497	16,527
Kansas.....	11,516	16,554
Kentucky.....	10,011	14,391
Louisiana.....	10,080	14,490
Maine.....	10,042	14,435
Maryland.....	13,320	19,148
Massachusetts.....	12,504	17,975
Michigan.....	12,939	18,600
Minnesota.....	12,634	18,161
Mississippi.....	9,250	13,296
Missouri.....	11,016	15,836
Montana.....	10,949	15,739
Nebraska.....	10,691	15,369
Nevada.....	12,286	17,661
New Hampshire.....	11,189	16,084
New Jersey.....	13,382	19,236
New Mexico.....	9,714	13,694
New York.....	12,135	17,444
North Carolina.....	10,546	15,160
North Dakota.....	12,004	17,256

See footnotes at end of table.

TABLE 50.—FEDERAL INCOME LIMITS ON ELIGIBILITY FOR SOCIAL SERVICES (FISCAL 1977—FAMILY OF 4)¹—Continued

State	Maximum income level for services	
	If no fee is charged (80 percent of median income)	If a fee is charged (115 percent of median income)
Ohio.....	\$12,097	\$17,389
Oklahoma.....	10,116	14,542
Oregon.....	12,010	17,265
Pennsylvania.....	11,591	16,662
Rhode Island.....	11,523	16,565
South Carolina.....	10,444	15,013
South Dakota.....	10,259	14,748
Tennessee.....	10,230	14,706
Texas.....	11,139	16,013
Utah.....	11,202	16,103
Vermont.....	10,516	15,117
Virginia.....	12,104	17,400
Washington.....	12,321	17,711
West Virginia.....	10,055	14,454
Wisconsin.....	12,318	17,708
Wyoming.....	11,866	17,058

¹ The median income levels are adjusted each year by HEW using data supplied by the Census Bureau. The national median income level was raised from \$13,801 for fiscal 1976 to \$14,747 for fiscal 1977.

² States may impose fees subject to HEW regulation but need not. About half the States do so.

³ 100 percent of national median income. The income limit for services without a fee is 100 percent of the national median income where that amount is lower than 80 percent of State median income (80 percent of Alaska State median income is \$15,494).

Source: U.S. Department of Health, Education, and Welfare.

TABLE 51.—STATE ALLOCATIONS FOR CHILD CARE UNDER PUBLIC LAW 94-401, AMENDMENT TO TITLE XX OF THE SOCIAL SECURITY ACT

State	July 1- Sept. 30, 1976	Fiscal year 1977
Total	\$40,000,000	\$200,000,000
Alabama	676,000	3,384,000
Alaska	64,000	318,000
Arizona	392,000	2,038,000
Arkansas	388,000	1,950,000
California	3,928,000	19,780,000
Colorado	464,000	2,362,000
Connecticut	588,000	2,922,000
Delaware	108,000	542,000
District of Columbia	144,000	684,000
Florida	1,484,000	7,654,000
Georgia	912,000	4,618,000
Hawaii	160,000	802,000
Idaho	148,000	756,000
Illinois	2,140,000	10,532,000
Indiana	1,012,000	5,042,000
Iowa	552,000	2,702,000
Kansas	436,000	2,148,000
Kentucky	636,000	3,176,000
Louisiana	716,000	3,562,000
Maine	196,000	990,000
Maryland	776,000	3,874,000
Massachusetts	1,108,000	5,488,000
Michigan	1,724,000	8,606,000
Minnesota	744,000	3,706,000
Mississippi	436,000	2,198,000
Missouri	908,000	4,520,000
Montana	138,000	696,000
Nebraska	292,000	1,460,000
Nevada	104,000	542,000
New Hampshire	152,000	784,000
New Jersey	1,404,000	6,936,000
New Mexico	212,000	1,062,000
New York	3,480,000	17,136,000
North Carolina	1,004,000	5,074,000
North Dakota	120,000	602,000

TABLE 51.—STATE ALLOCATIONS FOR CHILD CARE UNDER
PUBLIC LAW 94-401, AMENDMENT TO TITLE XX OF THE
SOCIAL SECURITY ACT—Continued

State	July 1- Sept. 30, 1976	Fiscal year 1977
Ohio.....	\$2,044,000	\$10,158,000
Oklahoma.....	508,000	2,564,000
Oregon.....	424,000	2,144,000
Pennsylvania.....	2,268,000	11,198,000
Rhode Island.....	184,000	886,000
South Carolina.....	520,000	2,634,000
South Dakota.....	132,000	646,000
Tennessee.....	788,000	3,906,000
Texas.....	2,248,000	11,400,000
Utah.....	220,000	1,110,000
Vermont.....	88,000	444,000
Virginia.....	916,000	4,644,000
Washington.....	652,000	3,288,000
West Virginia.....	344,000	1,694,000
Wisconsin.....	872,000	4,320,000
Wyoming.....	68,000	340,000

TABLE 52.—NUMBER OF CHILDREN RECEIVING CHILD CARE UNDER THE SOCIAL SERVICES, CHILD WELFARE AND WORK INCENTIVE PROGRAMS, BY CATEGORY OF RECIPIENT, OCTOBER–DECEMBER 1975

Type of child care	AFDC training and job related ¹	Other AFDC	Income ² eligible	Medicaid ³	SSI ⁴	WIN ⁵	CWS ⁶	Unrede-terminated
In-home day care:								
Full time.....	83,324	8,828	5,605	1,921	126	20,480	5,549	2,277
Part time.....	20,255	5,441	1,669	707	317	16,207	175	659
Family day care home:								
Full time.....	43,645	9,404	13,001	513	12	19,846	2,628	4,253
Part time.....	22,971	3,928	4,699	236	11	14,542	647	421
Group day care home:								
Full time.....	3,030	383	2,174	4,373	103	757	322	428
Part time.....	1,142	137	377	33	1	421	119	59
Day care center:								
Full time.....	104,450	28,445	58,326	1,535	872	9,469	3,218	36,695
Part time.....	19,714	12,028	24,384	340	236	4,571	467	17,206
Total.....	298,531	68,594	110,235	9,658	1,678	86,293	13,125	61,998

¹ Recipients who are included in the AFDC financial assistance grant, who are not registrants of the work incentive program, but who are receiving one or more services which are training and job related.

² An individual who receives social services on the basis of income only and who is not an AFDC recipient, SSI recipient, or an individual whose income and resources are taken into account in determining the amount of assistance, and who is not eligible for Medicaid.

³ An individual receiving social services on the basis of income and eligibility for medical assistance in accordance with the approved State plan under title XIX and who is not an AFDC recipient, SSI recipient, or an individual whose income and resources are taken into account in determining the amount of assistance.

⁴ Any individual who receives monthly cash payments from the Social Security Administration under the supplemental security income program.

⁵ An individual receiving services under the work incentive program.

⁶ A recipient of services under the child welfare services program, title IV-B.

Source: "Social Services U.S.A., October–December 1975," National Center for Social Statistics, Department of Health, Education, and Welfare.

TABLE 53.—ALLOCATIONS FOR HEAD START PROGRAMS, BY STATE, FISCAL YEAR 1976 (ESTIMATED)

State	Full year and summer	Parent child centers	Indians and migrants	Total
Alabama.....	\$11,633,911			\$11,633,911
Alaska.....	1,339,677	\$205,105	\$30,000	1,574,782
Arizona.....	2,481,526		4,222,000	6,703,526
Arkansas.....	5,883,929			5,883,929
California.....	28,177,260	426,828	453,000	29,057,088
Colorado.....	5,268,804	227,263	214,000	5,710,067
Connecticut.....	2,459,049			2,459,049
Delaware.....	1,118,680			1,118,680
District of Columbia.....	3,006,115	238,633	708,000	3,952,748
Florida.....	13,666,750	180,000	796,000	14,642,750
Georgia.....	7,870,258	458,723	81,000	8,409,981
Guam.....	177,733			177,733
Hawaii.....	1,965,923	208,534		2,174,457
Idaho.....	1,455,180		316,000	1,771,180
Illinois.....	16,342,605	434,089	218,000	16,994,694
Indiana.....	6,450,709			6,450,709
Iowa.....	3,578,684			3,578,684
Kansas.....	3,569,264			3,569,264
Kentucky.....	10,581,510	458,065		11,039,575
Louisiana.....	10,010,805			10,010,805

TABLE 53.—ALLOCATIONS FOR HEAD START PROGRAMS, BY STATE, FISCAL YEAR 1976
(ESTIMATED)—Continued

State	Full year and summer	Parent child centers	Indians and migrants	Total
Maine.....	\$2,016,527			\$2,016,527
Maryland.....	4,477,770	\$204,286		4,682,056
Massachusetts.....	7,972,905	224,629		8,197,534
Michigan.....	8,841,768	207,615		9,049,383
Minnesota.....	4,508,781	228,483	\$637,000	5,374,264
Mississippi.....	37,873,967		170,000	38,043,967
Missouri.....	9,526,167	224,595		9,750,762
Montana.....	1,414,624		997,000	2,411,624
Nebraska.....	1,984,037	218,718	44,000	2,246,755
Nevada.....	609,007		189,000	798,007
New Hampshire.....	1,037,240			1,037,240
New Jersey.....	10,531,373	195,895		10,727,268
New Mexico.....	2,958,256		1,310,000	4,268,256
New York.....	26,971,381	213,926		27,185,307
North Carolina.....	11,495,315		156,000	11,651,315
North Dakota.....	530,014		864,000	1,394,014
Ohio.....	12,588,518	424,125		13,012,643
Oklahoma.....	6,777,406			6,777,406
Oregon.....	2,074,244	190,898	375,000	2,640,142
Pennsylvania.....	12,235,874	220,984		12,456,858

Puerto Rico.....	15,640,954			15,640,954
Rhode Island.....	1,170,274			1,170,274
South Carolina.....	7,003,308			7,003,308
South Dakota.....	752,923	213,191	1,036,000	2,002,114
Tennessee.....	9,305,617	373,161		9,678,778
Texas.....	18,134,227	213,477	2,097,000	20,444,704
Utah.....	1,569,899		414,000	1,983,899
Vermont.....	949,699	208,165		1,157,864
Virgin Islands.....	922,963			922,963
Virginia.....	6,533,029			6,533,029
Washington.....	4,746,143	213,256	277,000	5,236,399
West Virginia.....	5,099,059	234,811		5,333,870
Wisconsin.....	4,800,109	230,705	312,000	5,342,814
Wyoming.....	765,783		98,000	863,782
American Samoa.....	117,694			117,694
Trust territories.....	582,081			582,081
Total.....	381,577,308	7,078,160	16,014,000	404,649,468

Source: Department of Health, Education, and Welfare.

TABLE 54.—PARTICIPANTS AND EXPENDITURES UNDER THE CHILD CARE FOOD PROGRAM, BY STATE, FISCAL YEAR 1976 (ESTIMATED)

State	Sites ¹	Participation ¹	Total meals	Free or reduced meals	Federal reimbursement	Cost per meal
Alabama.....	302	13,220	9,014,683	8,806,903	\$3,235,914	\$0.36
Alaska.....	57	1,569	817,244	320,254	204,028	.25
Arizona.....	190	5,011	2,428,050	2,137,316	814,367	.34
Arkansas.....	166	5,143	3,239,810	2,739,191	889,525	.27
California.....	864	27,367	12,745,396	11,770,218	4,068,726	.32
Colorado.....	162	8,954	2,338,683	1,973,686	721,556	.31
Connecticut.....	16	487	1,260,174	1,157,845	347,336	.28
Delaware.....	52	1,701	1,156,748	1,070,036	395,945	.34
District of Columbia.....	79	2,584	1,850,811	1,502,627	491,219	.27
Florida.....	636	22,560	11,222,415	10,307,225	3,767,152	.34
Georgia.....	412	15,621	10,296,904	7,919,948	3,035,190	.29
Hawaii.....	79	2,886	1,420,331	776,986	358,502	.25
Idaho.....	58	907	428,896	364,822	140,288	.33
Illinois.....	450	21,608	6,855,934	5,862,614	1,993,133	.29
Indiana.....	350	12,343	7,904,883	6,191,689	2,290,431	.29
Iowa.....	216	5,699	2,978,871	1,369,830	658,268	.22
Kansas.....	134	4,176	2,073,306	1,543,383	559,472	.27
Kentucky.....	323	9,700	5,681,263	4,978,109	1,706,477	.30
Louisiana.....	279	10,643	5,463,226	5,011,590	1,832,716	.34
Maine.....	84	1,767	806,335	757,608	290,271	.36

Maryland.....	180	5,676	4,094,672	3,203,784	1,191,196	.29
Massachusetts.....	266	12,781	5,590,477	5,251,627	1,920,926	.34
Michigan.....	257	9,146	4,953,379	3,132,862	1,340,847	.27
Minnesota.....	241	5,292	1,683,147	1,167,854	422,539	.25
Mississippi.....	460	27,545	14,077,931	13,496,324	5,224,203	.37
Missouri.....	391	13,843	6,227,223	5,316,960	2,134,150	.34
Montana.....	68	2,012	853,003	730,596	278,967	.33
Nebraska.....	87	2,146	1,033,673	831,940	321,012	.31
Nevada.....	30	1,200	699,865	508,744	190,485	.27
New Hampshire.....	82	2,167	857,498	593,256	255,070	.30
New Jersey.....	295	13,934	6,873,008	5,061,103	1,910,064	.28
New Mexico.....	140	5,342	2,462,974	2,321,383	752,059	.31
New York.....	672	39,614	21,301,342	17,152,328	6,204,283	.29
North Carolina.....	589	15,328	10,015,853	9,161,689	3,251,245	.32
North Dakota.....	26	969	502,569	427,188	151,991	.30
Ohio.....	441	16,808	6,942,985	5,564,515	2,162,272	.31
Oklahoma.....	319	9,886	5,305,945	5,259,911	1,886,144	.36
Oregon.....	155	4,633	2,412,207	1,212,076	687,840	.29
Pennsylvania.....	1,069	21,025	11,896,070	10,542,827	3,682,967	.31
Rhode Island.....	35	1,440	827,107	704,353	252,234	.30

See footnotes at end of table.

TABLE 54.—PARTICIPANTS AND EXPENDITURES UNDER THE CHILD CARE FOOD PROGRAM, BY STATE, FISCAL YEAR 1976 (ESTIMATED)—Continued

State	Sites ¹	Participation ¹	Total meals	Free or reduced meals	Federal reimbursement	Cost per meal
South Carolina.....	256	9,620	6,582,593	4,680,763	\$2,208,236	\$.34
South Dakota.....	52	1,838	791,797	791,797	249,623	.32
Tennessee.....	379	12,803	7,094,430	4,977,842	2,224,645	.31
Texas.....	516	24,205	14,114,702	11,254,243	4,011,944	.28
Trust Territory.....	32	984	359,102	359,102	173,290	.48
Utah.....	28	971	484,110	441,185	150,880	.31
Vermont.....	58	1,205	594,452	513,962	176,243	.30
Virginia.....	219	7,933	5,165,573	3,562,659	1,469,053	.28
Virgin Islands.....	27	641	203,755	203,755	83,366	.41
Washington.....	177	6,038	3,358,574	1,671,424	988,728	.29
West Virginia.....	148	3,116	1,523,964	1,228,902	401,732	.26
Wisconsin.....	222	8,430	3,484,350	2,443,902	1,085,809	.31
Wyoming.....	39	629	421,178	299,966	111,368	.26
Total.....	12,865	463,146	242,773,471	200,632,702	75,355,927	.31

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¹ Participation of institutions and children is based on the month in which a peak number of children participated on a national basis (April 1976).

Source: Department of Agriculture.

TABLE 55.—NUMBER OF TAXABLE RETURNS AND AMOUNT OF DEDUCTION UNDER THE FEDERAL INDIVIDUAL INCOME TAX PROVISIONS FOR A DEDUCTION FOR THE CARE OF DEPENDENT CHILDREN, DISABLED DEPENDENTS, AND DISABLED SPOUSES

[By adjusted gross income class, calendar years 1954, 1960, 1966, 1970, 1972, and 1973]

Adjusted gross income class (thousands)	1954 ¹		1960 ¹		1966 ²		1970 ²		1972 ²		1973 ²	
	Number of taxable returns	Amount of deduction (thousands)	Number of taxable returns	Amount of deduction (thousands)	Number of taxable returns	Amount of deduction (thousands)	Number of taxable returns	Amount of deduction (thousands)	Number of taxable returns	Amount of deduction (thousands)	Number of taxable returns	Amount of deduction (thousands)
0 to \$3.....	36,036	\$12,279	28,043	\$10,646	8,755	\$3,392	7,727	\$2,125	235	\$54	0	0
\$3 to \$5.....	135,491	40,915	128,416	46,773	72,483	37,723	109,952	39,642	26,396	16,082	33,455	\$24,143
\$5 to \$7.....	40,580	12,995	54,845	21,200	100,025	55,759	169,951	75,967	92,568	70,792	126,923	66,593
\$7 to \$10.....	16,068	5,688	23,993	9,746	32,333	15,869	107,367	49,925	339,307	213,025	297,340	192,761
\$10 to \$15.....	2,016	929	7,315	3,199	14,453	7,452	91,625	32,711	621,657	425,615	708,013	479,063
\$15 to \$20.....	373	208	645	285	2,815	1,220	32,680	6,822	386,343	286,170	515,437	378,389
\$20 to \$50.....	469	225	813	417	1,763	1,362	20,196	3,582	54,633	35,702	89,158	56,468
\$50 to \$100.....	33	18	68	44	145	85	1,500	391	175	63	433	273
\$100 or more.....	11	7	17	12	30	27	217	75	12	4	55	276
Total.....	231,077	73,264	244,155	92,322	232,802	122,889	541,215	211,240	1,521,306	1,047,507	1,770,814	1,197,746

¹ Under the provisions of the Internal Revenue Code of 1954.

² Under the provisions of the Revenue Act of 1964.

³ Under the provisions of the Revenue Act of 1971.

Source: Compiled by the Staff of the Joint Committee on Internal Revenue Taxation from *Statistics of Income, Individual Income Tax Returns, 1954, 1960, 1966, 1970, and 1972*, September 5, 1974. Updated by committee staff for 1973 from data provided by the Internal Revenue Service.

TABLE 56.—LICENSING OF CHILD CARE CENTERS OFFERING GROUP CARE UNDER STATE LICENSING REGULATIONS

State and department responsible for licensing	Child care centers licensed			Exemptions from State licensing requirements	Political subdivisions with separate child care center licensing requirements
	If number of children exceeds—	If age of children is—			
		Be- tween—	And—		
Alabama: Pensions and security	6	*3	21	Kindergartens, nursery schools, other daytime programs operated by public elementary systems, secondary school units or institutions of higher learning, or operated as part of private school and receive children under school age for 4 hrs a day or less, or which operate no more than 4 hrs a day and receive children under school age; shopping center connected facilities (that meet local and State fire and health requirements) operating over 4 hrs a day which provide care to transient children of parents occupied on premises; centers on Federal premises; special activities programs for school age children which meet local and State fire and health requirements) conducted by civic, charitable or governmental organizations.	
Alaska: Health and social services . . .	10	*6	(?)	Public or private educational facilities registered with the Department of Education as providing legally authorized educational and related functions; pre-elementary schools, for children aged 3 through 5, certified by the Department of Education; care provided only to relatives in an occupied residence; care provided to 4 or less children unrelated to the caregiver in an occupied residence.	Greater Anchorage Borough.

Arizona: Health services.....	4	(?)	14	Homes of parents or blood relatives; religious organizations conducting child care services in conjunction with religious services, public schools; programs in private or parochial schools which may be attended in substitution for public schools; other than care provided beyond regular public school hours to children not regularly enrolled in kindergarten through 12th grade; facilities providing care that is primarily supervised training in a specific subject (e.g., music, art, dancing, religion, etc.).	
Arkansas: Human services.....	(?)	2½	(?)	Religious instruction schools or classes; noncustodial educational facilities; public school kindergartens; churches or businesses operating short period care services or shopping; arrangements for care of 6 or less children of not more than 4 families at the same time; facilities operated by religious organizations as of July 1, 1969, whose boards certify facility compliance with State or local fire, safety and health standards and substantial compliance with published State child care facility standards.	
California: Health.....	10	2	18	Relatives by blood or affinity within the 2d degree; guardians, uncompensated occasional care or regular care of not more than 3 hrs per day to children from 1 family by parental friends, facilities under license jurisdiction of another State agency.	
Colorado: Social services.....	5 12	5 2½	16	Religious instruction schools or classes; hospitals and maternity homes licensed by State health department; church and shopping center operated facilities providing short period service while parents attending services or patronizing business; juvenile courts; occasional child care; kindergartens in elementary schools.	Denver.

See footnotes at end of table.

TABLE 56.—LICENSING OF CHILD CARE CENTERS OFFERING GROUP CARE UNDER STATE LICENSING REGULATIONS—Continued

State and department responsible for licensing	Child care centers licensed			Exemptions from State licensing requirements	Political subdivisions with separate child care center licensing requirements
	If number of children exceeds—	If age of children is— Be- And— tween—			
Connecticut: Health.....	4	*4	(?)	Public and private school facilities; teacher training labs for accredited institutions of higher education; after-school or vacation recreation facilities; informal in-own-home care by relatives or neighbors.	
Delaware: Health and social services..	11	(?)	18	State owned and controlled institutions; maternity wards of general hospitals.	
District of Columbia: Human Resources.	5	(1)	15	Occasional babysitting for children of 1 family in the babysitter's home; informal parent-supervised neighborhood play groups; care in places of worship during religious services; centers providing only before or after school programs; public or private elementary or secondary schools engaged in legally required educational and related functions; relatives by blood, marriage or adoption.	
Florida: ⁷ Health and rehabilitative services.	5	(?)	18	Public and nonpublic schools in compliance with compulsory school attendance law; full-time summer camps; summer day camps; vacation Bible schools; Sunday schools; sabbath schools; religious services; nurseries or other programs conducted during religious or church services for the convenience of those attending services; child care facilities which meet local health, safety and sanitation requirements and which are part of church or parochial schools accredited by, or member of, an organization which requires compliance with its standards for health, safety, and sanitation; child care facilities in counties and cities with State or local child care licensing programs.	Alachua, Brevard, Broward, Charlotte, Clay, Escambia, Gadsden, Highlands, Lake, Lee, Leon, Manatee, Marion, Okaloosa, Palm Beach, Pinellas, Polk, Sarasota, and Volusia Counties.

Georgia: Human resources.....	6	(²)	18	Child welfare agencies and facilities (where children and youth are detained) operated by State, county, or municipal government.	Gwinnett County.
Hawaii: Social services and housing . .	5	2	(²)	Primarily educational, social, or athletic facilities; occasional care by friends, relatives, or neighbors.	
Idaho: Environmental and community services.	4	(²)	18	Occasional or irregular care of neighbor's, friend's or relative's children by person not ordinarily engaged in child care.	Boise, Pocatello.
Illinois: Children and family services.	8	(²)	18	Kindergartens, nursery schools, etc., operated by school systems or institutions of higher learning; shopping center day care services; day care centers on Federal Government premises, other special activities programs conducted by charitable and governmental organizations.	Chicago, Danville, and East St. Louis.
Indiana: Public welfare.....	(²)	*6	(²)	State institutions maintained and operated by State; schools and bona fide educational institutions.	
Iowa: Social services.....	6	*2	18	Instructional programs administered by approved public or nonpublic school systems; church-related instructional programs of not more than 1 day per week; short-term classes held between school terms.	
Kansas: Health and environment....	5	*2	16	State institutions operated and maintained by the State; Mother's Day Out, and other programs meeting 3 hours or less per week.	
Kentucky: Human resources.....	*3	(²)	18	Facilities operated by religious organizations while religious services are being conducted; kindergartens or nursery schools having educational instruction as their primary function.	
Louisiana: Health and human resources.	4	(²)	17	Facilities under direct State management; Louisiana Masonic Home for Children at Alexandria.	
Maine: Health and welfare.....	12	2½	16	Nursery schools; solely educational or recreational summer camps; formal public or private kindergartens, elementary or secondary schools approved by the commissioner of educational and cultural services.	Portland, Lewiston.

See footnotes at end of table.

TABLE 56.—LICENSING OF CHILD CARE CENTERS OFFERING GROUP CARE UNDER STATE LICENSING REGULATIONS—Continued

State and department responsible for licensing	Child care centers licensed			Exemptions from State licensing requirements	Political subdivisions with separate child care center licensing requirements
	If number of children exceeds—	If age of children is—			
		Be-tween—	And—		
Maryland: Health and mental hygiene.	4	1 ^o 2	16	Facilities operated by boards of education.....	Baltimore City and County, Montgomery and Prince Georges Counties.
Massachusetts: Office for children...	(2)	† ^o 1	11 7	Public school systems; private school systems whose services are not primarily limited to kindergarten, nursery or preschool services; Sunday schools conducted by religious institutions; facilities operated by religious organizations where children are cared for while parents are attending religious services; informal arrangements among neighbors or relatives; occasional child care.	
Michigan: Social services.....	6	* 2	(2)	Sunday schools conducted by religious institutions; short term care facilities operated by religious organizations while parents attend services.	
Minnesota: Public welfare.....	5	* 6	13	Care by relatives; care for cumulative total of less than 30 days in any 12-month period; schools under general supervision of State or local education agencies; facilities under direct control and supervision of State agencies or local education agencies; care of no more than 3 hours per day while relatives in same building or can be present in same building within 30 minutes; facilities adjudged primarily educational (except those regulations affecting child health and safety).	
Mississippi: Health.....	5	(1)	6	Facilities operating as kindergartens, nursery schools or Head Starts in conjunction with public, private or parochial elementary and/or secondary school systems whose primary purpose is a structured school readiness program.	

Missouri: Social services.....	14	* 2	17 Facilities operated by a school system; facilities operated by a business establishment for customer convenience; graded boarding schools, nursery schools, summer camps, hospitals, sanitariums or homes conducted primarily to provide education, recreation, medical treatment, or nursing or convalescent care for children; well-known religious orders; institutions or agencies maintained or operated by State, city or county; relatives by blood, marriage or adoption; guardians or legal custodians; free occasional care (not exceeding 90 consecutive days) by parental friends.	Kansas City, St. Louis.
Montana: Social and rehabilitation services	6	2	14 Primarily educational group facilities; care by relatives or legal guardians.	
Nebraska: Public welfare.....	7	* 6	16 Casual care at irregular intervals.....	
Nevada: Human resources.....	12	*12 6	18 Homes of natural parents or guardians; foster homes; maternity homes; homes of relatives within the 3d degree of consanguinity or affinity; child care facilities in counties or incorporated cities with established child care licensing agency and ordinance requiring licensure; facilities operated and maintained by U.S. Government.	Clark and Washoe Counties, Henderson, Las Vegas, North Las Vegas, Reno, and Sparks.
New Hampshire: Health and welfare . .	12	13 3	18 Kindergartens, nursery schools or other daytime programs operated by public or private elementary or secondary schools or institutions of higher learning; facilities operated in connection with shopping centers, ski areas, bowling alleys, Sunday schools or similar facilities while parents on premises or in the immediate vicinity; organized periodic special activities programs conducted by civic, charitable and governmental organizations.	Concord.

See footnotes at end of table.

TABLE 56.—LICENSING OF CHILD CARE CENTERS OFFERING GROUP CARE UNDER STATE LICENSING REGULATIONS—Continued

State and department responsible for licensing	Child care centers licensed			Exemptions from State licensing requirements	Political subdivisions with separate child care center licensing requirements
	If number of children exceeds—	If age of children is— Be- tween— And—			
New Jersey: Human services.....	5	2	5	State board of children's guardians of the department of human services; aid societies of properly organized and accredited church or fraternal societies organized for relief of members; certain children's agencies subject to visitation or supervision by the department of human services, except in the conduct of philanthropic day nurseries; public agencies operated by counties, cities, municipalities or school districts.	
New Mexico: Health and social services.	4	(?)	(?)	Federally operated facilities; public schools; private schools (other than for retarded or disturbed children) operated primarily for educational purposes for children who have reached legal or compulsory school age; nurseries in churches for children of parents attending services.	
New York: Social services.....	6	*6	8 15	Day camps; kindergartens or nurseries operated by schools providing elementary or secondary education, or voluntarily registered with the New York Education Department; after school religious education programs; cities including 1 or more counties, except care provided under a Family Day Care Home certificate; parents, relatives.	New York City.
North Carolina: Office of child day care licensing.	5	(1)	13	Public schools; nonpublic schools which serve public school age children; summer camps (full time), summer day camps; vacation Bible schools; relatives, guardians, legal custodians.	Charlotte, Durham, and Jacksonville.

North Dakota: Social services.....	10	(?)	14	Homes or institutions under State management and control; relatives.	
Ohio: Public welfare.....	4	(?)	(?)	Child care in places of worship during religious services; programs under supervision of State department of education conducted by boards of education or nonpublic schools in which no child attends more than 4 hrs per day; programs conducted during summer vacation of the public schools.	Cincinnati.
Oklahoma: Institutions, social and rehabilitative services.	5	(?)	18	Informal arrangements with friends, neighbors and others; in-own-home care; nursery schools, kindergartens and other primarily educational, recreational or medical treatment facilities; homes of relatives.	Oklahoma City.
Oregon: Human resources.....	12	42	15	In-own-home care; occasional care by person not ordinarily engaged in providing day care; care by providers of medical services; facilities providing primarily educational care (unless to preschool children for over 4 hrs per day); facilities providing supervised training in specific subjects; care incident of athletic or social activities sponsored by club or hobby group; facilities operated by school district, political subdivision of State or governmental agency; group care for physically handicapped children or the mentally retarded; parents, guardians, others acting in loco parentis; relatives within the 4th degree.	Portland, Multnomah County.
Pennsylvania: Public welfare.....	6	3	16	Care in places of worship during religious services; nonprofit day care centers; facilities operated by State or Federal governments or supervised by State department of public welfare.	
Rhode Island: Social and rehabilitative services.	2	3	14	Relatives; institutions receiving aid from or maintained by town, city, or State; institutions with special charters; charitable institutions established in the State on Apr. 30, 1948; nursery schools operating less than 4 hrs per day.	

See footnotes at end of table.

TABLE 56.—LICENSING OF CHILD CARE CENTERS OFFERING GROUP CARE UNDER STATE LICENSING REGULATIONS—Continued

State and department responsible for licensing	Child care centers licensed		Exemptions from State licensing requirements	Political subdivisions with separate child care center licensing requirements
	If number of children exceeds—	If age of children is— Be- tween— And—		
South Carolina: Social services.....	12	(†) 18	Child welfare facilities existing on Mar. 9, 1956 operated by established religious denominations; State Children's Bureau; State funded facilities; John de la Howe School (McCormick Co.); certain rescue missions or other similar charitable institutions organized before May 8, 1959; public or private educational facilities, grade 1 and above; public school 5-year-old kindergarten programs; kindergartens, nursery schools or other daytime programs for children less than lawful school age operating no more than 4 hrs per day; shopping center or service facilities that meet local fire and sanitation requirements and which are operated more than 4 hrs per day where the same children are in care less than 4 hrs while parents occupied on premises; summer resident or day camps; vacation Bible schools; certain facilities for the mentally retarded and the mentally ill.	
South Dakota: Social services.....	(?)	(?) (?)	Primarily educational services (including nursery schools); recreational or summer camps; casual care-babysitting; exchange or care by parents under informal mutual arrangements; care furnished by legal guardians or institutions operated by other departments of State government (other than Public Welfare).	

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Tennessee: Human services.....	12	* 6	17	Kindergarten programs for 5-yr-old children that operate on essentially the same time schedule as public school kindergartens.
Texas: Public welfare.....	12	(‡)	14	State-operated facilities; agency homes; registered family homes; facilities operated in connection with church, shopping center, business or establishment where children cared for while parents attend services or engage in other activities; vacation Bible schools, licensed youth camps, licensed hospitals, accredited educational facilities operating primarily for educational purposes in grades kindergarten and above; educational facilities operating in grades kindergarten through at least grade 2 which do not provide more than 1 hr before-school or after-school custodial care and which require compliance with health, safety, fire, and sanitation standards at least equal to those required by State, municipal and county codes; kindergarten or preschool education programs part of public or accredited private schools offering educational programs through sixth grade which do not provide custodial before- or after-school care.
Utah: Social services.....	6	2	14	Care by relatives; care in centers provided by boards of education or parochial educational institutions.
Vermont: Human services.....	12	(‡)	16	Persons caring for children of not more than 2 families (other than that of provider of care); hospital or establishment licensed by department of health, or operator of recreational or therapeutic program, unless the child care services are not incidental to its primary purpose; day care facilities operated by religious organizations in connection with religious services or church sponsored activities; department of education supervised preschools for children of less than compulsory school age.

See footnotes at end of table.

TABLE 56.—LICENSING OF CHILD CARE CENTERS OFFERING GROUP CARE UNDER STATE LICENSING REGULATIONS—Continued

State and department responsible for licensing	Child care centers licensed			Exemptions from State licensing requirements	Political subdivisions with separate child care center licensing requirements
	If number of children exceeds—	If age of children is— Be- tween—	And—		
Virginia: Welfare.....	140	(‡)	18	Facilities required to be licensed as summer camps; public schools, private schools other than those operating a child care center outside the scope of regular classes; schools for educational instruction of children 2 to 5 yrs of age in which those 2 through 4 yrs of age attend no more than 4 hrs per day and those 5 yrs, no more than 6½ hrs per day; occasional care provided on hourly basis; hospital employer-operated day care facilities located on hospital premises; Sunday schools or short term care facilities operated by religious organizations for persons attending services; certain private schools or charitable organizations west of Sandy Ridge and on the watersheds of Big Sandy River, and to which no contributions are made by the State.	Hampton, Newport News, Martinsville, Alexandria; Fairfax and Arlington Counties.
Washington: Social and health services.	12	†1	18	Relatives by blood or marriage; legal guardians; care by friends or neighbors not regularly engaged in such activity or care on mutual exchange basis; primarily educational nursery schools or kindergartens in which no child enrolled over 4 hrs per day; schools which follow a stated academic curriculum and which accept only children 6 yrs and older; seasonal recreational or educational camps	

				of 3 mos or less duration; facilities providing care for less than 24 hrs while parents on premises to participate in activities other than employment; certain facilities for the mentally and physically handicapped; agencies in operation 10 yrs prior to June 8, 1967, not seeking or accepting State or Federal assistance and supported in part by an endowment or trust; in-own-home care; agencies operated by Federal, State, or local government; agencies on Federal military reservations, except upon invitation of military authorities.
West Virginia: Welfare.....	6	42	(1)	County shelters for delinquent children or those charged with delinquency; kindergarten or nursery schools operating on 1/2 day schedules admitting different children in each session; facilities for temporary or irregular care of transient children while parents shopping or keeping appointments; summer recreation camps; family and in-home day care serving less than 7 children.
Wisconsin: Health and social services.	3	(15)	7	Care by relatives or guardians; public or parochial schools; YMCA; in-own home care for less than 24 hrs a day.
Wyoming: Health and social services.	11	42	17	In-own home care; occasional care by person not regularly engaged in such activity; informal exchange of care by parents on mutually cooperative basis; day care agencies providing care for less than 3 minors under 17 yrs of age; foster homes supervised by State or local government unit or school district; ranches or farms which do not offer services to homeless, delinquent or retarded children; summer camps operated by nonprofit organizations; care in homes of relatives.

See footnotes at end of table.

TABLE 56.—LICENSING OF CHILD CARE CENTERS OFFERING GROUP CARE UNDER STATE LICENSING REGULATIONS—Continued

State and department responsible for licensing	Child care centers licensed			Exemptions from State licensing requirements	Political subdivisions with separate child care center licensing requirements
	If number of children exceeds—	If age of children is—			
		Be- tween—	And—		
HEW recommended guides for day care licensing. ^{1a}	14	0	(†)	18	Public or private educational facilities in providing legally authorized educational and related functions; occupied residences in which day care is regularly provided only for a child or children related to the resident caregiver, or only for the child or children of one unrelated family, or only for a combination of such children.

¹ If other than occupied residence; 10 if occupied residence; in North Dakota, 12, if occupied residence.

² Not specified.

³ Children under 2½ admitted only to day care centers for infants.

⁴ Children under 2 admitted only to infant group care facilities.

⁵ Applicable to large day care centers; State also licenses other group facilities for infants, toddlers and older children.

⁶ If facility meets requirements for group care of infants and children under 3, in Michigan, under 2½.

⁷ 10 counties require compliance with State licensing requirements—Dade, DeSota, Duvall, Jackson, Hernando, Holmes, Nassau, Orange, St. Johns, and Suwannee.

⁸ Children under 2 admitted only if facility also meets infant/toddler standards; in Massachusetts, children under 2 yr, 9 mo.

⁹ If other than a dwelling unit; 12 in any location, including a dwelling unit.

¹⁰ Prior approval required for admission of children under 2.

¹¹ 16 for children with special needs.

¹² If facility meets additional regulations for infants and toddlers (under 2).

¹³ Children under 3 admitted only to group facilities licensed as day care nurseries.

¹⁴ If other than private residence; 9, if private residence; HEW Guides, 12, if private residence.

¹⁵ Children under 2 accepted only in centers having no more than 8 children in the group.

¹⁶ Guidance document, issued by the U.S. Office of Child Development, intended to serve as source material for use, as appropriate, in the development of State and local day care licensing regulations.

*Weeks.

†Month.

‡Birth.

Note: Current as of June 30, 1977.

TABLE 57.—CHILD CARE CENTERS: MINIMUM STAFFING REQUIREMENTS, BY AGE OF CHILDREN, UNDER STATE LICENSING REGULATIONS

State	Maximum number of children per staff member ¹ if age of children is—						Minimum number of adults on premises
	Under 2	2 to 3	3 to 4	4 to 5	5 to 6	School age	
Alabama.....	5	² 10	10	20	20	³ 25	⁴ 1
Alaska.....	5	10	10	10	10	⁶ 15	⁶ 2
Arizona.....	⁷ 10	10	15	20	25	25	⁸ 2
Arkansas ⁸		⁹ 12	12	15	18	(¹⁰)	⁸ 2
California ⁹		12	12	12	12	12	(¹⁰) 1
Colorado ⁹		⁹ 8	10	12	15	15	¹¹ 2
Connecticut.....	4	4	¹² 5	¹² 7	¹³ 7	¹² 10	¹¹ 2
Delaware.....	¹³ 8	¹⁴ 15	15	20	20	25	(¹²) 2
District of Columbia.....	4	¹⁴ 8	8	10	15	15	(¹²) 2
Florida.....	¹³ 8	12	15	20	25	25	(¹²) 2
Georgia.....	¹⁵ 10	10	15	18	20	25	(¹²) 2
Hawaii.....	(¹⁶)	10	15	20	25	25	¹³ 1
Idaho.....	¹⁵ 8	¹⁴ 10	10	10	10	(¹³)	(¹³) 2
Illinois.....	6	8	10	¹⁷ 10	25	25	(¹³) 2
Indiana.....	¹⁸ 5	5	10	12	15	20	(¹³) 2
Iowa.....	4	6	8	12	15	⁵ 15	¹¹ 2
Kansas.....	¹⁸ 5	¹⁴ 7	10	¹⁷ 10	¹⁷ 10	16	¹¹ 1
Kentucky.....	6	8	10	12	15	¹⁸ 15	⁹ 2
Louisiana ²⁰	¹³ 8	12	14	16	20	25	(¹³) 2
Maine ²⁰	(²¹)	⁹ 8	10	15	15	²² 15	¹¹ 2
Maryland.....	(¹⁶)	6	10	10	13	(¹⁹)	(¹³) 2
Massachusetts.....	⁷ 4	² ¹⁷ 10	¹⁷ 10	²¹ 15	15	²⁴ 15	¹¹ 2
Michigan ²⁰	4	² 10	10	12	20	(¹⁹)	¹¹ 2
Minnesota.....	¹⁵ 7	¹⁴ 10	10	10	10	15	(¹⁹)
Mississippi.....	(¹⁹)	(¹⁹)	(¹⁹)	(¹⁹)	(¹⁹)	(¹⁹)	(¹⁹)
Missouri ¹		8	10	10	²⁵ 15	15	⁹ 2
Montana.....	(¹⁶)	10	10	10	10	10	⁹ 2
Nebraska.....	4	5	10	10	10	12	⁶ 2

See footnotes at end of table.

TABLE 57.—CHILD CARE CENTERS: MINIMUM STAFFING REQUIREMENTS, BY AGE OF CHILDREN, UNDER STATE LICENSING REGULATIONS—Continued

State	Maximum number of children per staff member, if age of children is—						Minimum number of adults on premises
	Under 2	2 to 3	3 to 4	4 to 5	5 to 6	School age	
Nevada.....	¹³ 8	²⁶ 10	²⁷ 10	²⁷ 10	²⁷ 10	²⁸ 10	¹¹ 2
New Hampshire ⁸			10	15	18	20	²⁹ 1
New Jersey ³¹	(¹⁶)					(²¹)	2
New Mexico.....	10	10	15	¹⁷ 15	¹⁷ 15	15	1
New York.....	¹⁵ 5	5	5	7	7	10	(¹⁵)
North Carolina ³²	8	12	15	20	25	25	(¹⁵)
North Dakota.....	4	4	6	6	10	⁵ 15	(¹⁵)
Ohio.....	¹⁵ 10	10	15	15	20	20	2
Oklahoma ¹²	¹³ 6	8	12	15	15	20	1
Oregon ¹¹		¹⁴ 10	10	10	10	²² 15	(¹⁵)
Pennsylvania.....	(²³)	(²³)	8	10	10	13	2
Rhode Island.....	(²³)	(²³)	10	15	25	(¹⁹)	2
South Carolina.....	8	12	15	20	25	25	²⁴ 2
South Dakota.....	5	5	5	8	8	10	2
Tennessee.....	¹³ 6	8	10	15	25	30	(¹⁵)
Texas.....	¹² 9	11	15	18	22	26	²⁵ 2
Utah.....	(¹⁶)	10	15	15	20	⁵ 20	2
Vermont.....	4	5	10	10	12	12	⁶ 2
Virginia.....	4	10	10	10	10	25	2
Washington.....	¹³ 7	¹⁴ 10	10	10	10	10	⁶ 2
West Virginia ¹		8	10	12	16	16	¹¹ 2
Wisconsin.....	¹³ 4	¹⁴ 8	10	12	16	16	⁶ 2

Wyoming ⁸		8	10	15	20	25	(10)
FIDCR 1968.....	(26)	(26)	5	7	7	10	(10)
FIDCR (title XX fundings).....	37 4	4	5	7	7	15	(10)
HEW recommended guides for day care licensing.....	4	5	10	10	12	12	(40)

¹ Includes only persons providing child care; when there is a mixture of ages, the ratio for the youngest child is generally applicable.

² 5, if children under 2½; in Massachusetts, 4, if under 33 mos; in Michigan, 4, if under 2½.

³ 22, if children 6 to 8.

⁴ 2d person aged 16 or above required whenever 2 or more children present.

⁵ If children 6 to 10, 20 if, 10 and over; in Utah, if children 6, 25, if 7 and over.

⁶ When the number of children exceeds 10; in Kentucky when number of preschool children exceeds 10, or school age exceeds 15; in Nebraska, Ohio when number exceeds 5; in Wisconsin, when number exceeds 9.

⁷ 8, if children under 15 mos; in Massachusetts, 3, if under 15 mo.

⁸ Applicable to centers licensed to accept children 2½ and over; in California, Missouri, Oregon, West Virginia, and Wyoming, 2 and over; in New Hampshire, 3 and over.

⁹ 2½ to 3.

¹⁰ Not specified.

¹¹ When 7 or more children present; in Iowa, when such children are 5 or younger; in Nevada, when 3 or more of such children are under 2.

¹² Recommended or desirable ratios.

¹³ 5, if children under 1; in Florida, 6 if under 1; in Louisiana, 6, if not walking; in Nevada, 4, if 6 weeks to 9 mos, 6, if 9 to 18 mos; in North Dakota, 1 if birth to 6 weeks; in Oklahoma, 4, if under 10 mos; in South Dakota, 1 if birth to 6 weeks, 3, if 6 weeks to 18 mos; in Texas, 5, if birth to 1, 6 if 1 to 1½; in Wisconsin, 3 if under 1.

¹⁴ 8, if children under 2½; in District of Columbia, Oregon, 4, if under 2½; in Kansas, 5, if walking to 2½; in Minnesota, 7, if under 31 mos; in Washington, 7, if under 2½; in Wisconsin 6, if under 2½.

¹⁵ 7, if children under 1½; in Idaho, 6, if under 1½; in Minnesota, 4, if under 16 mos; in New York, 4, if under 1½; in Ohio, 8, if under 1½.

¹⁶ Children under 2 generally may not be accepted.

¹⁷ If full day; 20, if half day; in Kansas and Massachusetts, 12, if part day; in New Mexico, 20, if in care 3 hrs or less.

¹⁸ If toddlers (i.e., walking to 2); 4, if infants (i.e., 6 weeks to walking); in Kansas, 3, if 2 weeks to nonwalking under 2.

¹⁹ If children 6 to 8, 20, if 8 and over.

²⁰ Centers serving 11 or more children; in Maine, 15 or more; in Utah, 20, if 6.

²¹ Children under 2½ generally may not be accepted.

²² 10, if separate before- or after-school program; in Oregon, if children under 7.

²³ 10, if under 4 years 9 mos.

²⁴ If children under 7.

²⁵ 10, if not in school.

²⁶ For 1st 20 children, 1:15 thereafter 8, if infant/toddler nursery.

²⁷ For 1st 20 children, 1:15 thereafter.

²⁸ For 1st 20 children, 1:15 thereafter. Before- and after-school care may be provided for 3 additional children or 10 percent in excess of licensed capacity, whichever is greater, provided that 1 additional caregiver is present.

²⁹ 2d required attendant may be teenager; in New Hampshire, must be at least 16.

³⁰ 2 adults for any total group.

³¹ Children over 4 generally may not be accepted.

³² Applicable to centers with 30 or more children. If less than 30, ranging from infancy to 13 years, required staff is: 1 (6 to 10 children), 2 (11 to 20 children), 3 (21 to 29 children).

³³ Children under 3 generally may not be accepted.

³⁴ When 9 children present, if 4 or more under 2.

³⁵ If children under 4 present.

³⁶ State regulations.

³⁷ 1, if under 6 weeks.

³⁸ If children 6 to 10, 20, if 10 to 14, 10, if 14.

³⁹ If children 6 to 7, 16, if 7 to 11, 20, if 12 to 14.

⁴⁰ Half the staff required by the applicable ratios for children in the facility at that time.

Note: Current as of June 30, 1977.

TABLE 58.—QUALIFICATIONS OF CHILD CARE CENTER STAFF REQUIRED UNDER STATE LICENSING REGULATIONS

State	Qualifications of director		Qualifications of other staff		Medical examination required—	
	Minimum age	Education and experience	Minimum age	Education and experience	Initially	Annually
Alabama.....	21	High school or general education diploma.	18	Program director—High school or general education diploma plus either 1 yr experience in licensed or approved day care center or licensed day care home, or Department approved plan for completion of at least 40 class hours child care training within 1 yr following employment; successful completion of 40 class hrs child care training included in or, in addition, to high school or ged; or college degree plus either 20 class hrs child care training, plan for completion of 20 hrs training or 3 mos child care staff experience in licensed or approved center; or completion of sophomore college year in child development including or, in addition, to either completion of 20 class hrs child care training, approved plan for completion of such training within 6 mos after employment or 3 mos child care staff experience in licensed center; or bachelor's degree in child development.	X	X

			Child care worker or teacher—10th grade education (if all children under 2½); high school (if any children 2½ or over).		
			Aide/assistant teacher—8th grade education.		
			Service staff—Ability to read and write.		
			Assisting professional staff—Qualified and/or licensed in respective professions.		
Alaska.....	19		² 18	(C)	(C)
Arizona.....	21		³ 18	(C)	(C)
Arkansas ⁴	21 High school.....		⁵ 16 Ability to read and write.....	X	X
California ⁴	18 Bachelor's degree in early childhood education, or 12 semester hrs in early childhood education or other formal training in working with children of the age group to be served plus 3 semester hrs or equivalent in administration or staff relations plus either high school and 4 yrs teaching and child care experience in day nursery or comparable program, 1 yr college and 2 yrs experience, 2 yrs college and 1 yr experience or bachelor's degree.		18 Teacher—High school or equivalent, or enrollment in high school plus 2 yrs experience, and 12 units in early childhood education or other formal training completed before or after employment.	X	(C)
			Other professional staff—Minimum standards of profession, State requirements if practice regulated by State law.		
Colorado ⁴	24 college credits in child development, psychology, sociology, nutrition, pre-school or day care administration, plus either 2 yrs experience working with children or 2 yrs college and 1 yr experience.		¹ 19 Group leader—Bachelor's degree or other combinations of education and experience, or 36 mos experience.	X	X
			Kindergarten teacher—Same as director, or Colorado elementary teaching certificate.		
Connecticut.....	High school or equivalent plus 1 yr experience in working with young children and pursuing further preparation, or 20 yrs service as program director. ⁷		Program assistant—High school or equivalent and pursuing further preparation, or 20 yrs service as program assistant.	X	X

See footnotes at end of table.

TABLE 58.—QUALIFICATIONS OF CHILD CARE CENTER STAFF REQUIRED UNDER STATE LICENSING REGULATIONS—Continued

State	Qualifications of director		Qualifications of other staff		Medical examination required—	
	Minimum age	Education and experience	Minimum age	Education and experience	Initially	Annually
Delaware.....	21	High school plus formal training in early childhood development plus 3 yrs experience in day care, or 4 yrs college degree in early childhood development or equivalent plus 1 yr experience. ⁷	⁸ 18	Teacher—High school or equivalent plus 1 yr experience plus 2 courses in early childhood development or equivalent, or 4 yrs college course in early childhood development plus 3 mos experience. Infant staff—Training or experience in infant care. Educational consultant—College degree with work in child development (preferred) plus 2 yrs preschool teaching experience, or degree with work in child development plus 6 mos experience (with 1 yr to reach full compliance).	X	X
District of Columbia.....		Experience as director of licensed child development facility in D.C. in operation before Dec. 14, 1974 plus 9 college credits in early childhood education or equivalent training, or 2 yrs college with courses in early childhood or related, social work, home economics or psychology plus 5 yrs experience in child development facil-		Teacher—High school or equivalent plus 3 yrs experience plus 9 college credits in early childhood, or 2 yrs college including 15 hrs in early childhood plus 1 yr experience, or bachelor's degree in early childhood or related. Assistant teacher—High school plus either vocational high school certificate in child development or 1 yr	(⁹)	X

		ity, or bachelor's degree in early childhood or related, social work, home economics or psychology plus 12 hrs advanced study in early childhood plus 1 yr experience in child development facility, or master's degree in early childhood or related, social work, home economics or psychology plus 1 yr experience in child development facility.			
Florida.....	18		16		
Georgia.....		Completion of recent child care training (within 3 yrs).	(10) Completion of recent child care training (within 3 yrs). If caring for children under 3, special knowledge relating to their care.	X	(9)
				X	X
Hawaii.....	(11)	Bachelor's degree, preferably with courses in child development or related plus 2 yrs experience, or 2 yrs college plus 4 yrs experience.	(11) Teacher—Bachelor's degree with either courses in early childhood development or experience, or 2 yrs college with training in early childhood education, or completion of in-service training program in early childhood education.	X	X
			Assistant teacher—High school or other relevant education or experience.		
Idaho.....		Equipped for work required.....	Equipped for work required.....	(12)	
Illinois.....	21	2 yrs college, or high school or equivalent plus either 3 yrs experience in licensed child care facility or related area of service to children or plan for acquisition of 2 yrs college credits.	13 21 Child care worker—Same as director.....	X	(14)
			Assistant to child care worker—High school or equivalent, or training in child care.		
			Teacher and other professionals—Required certification or license to practice.		

See footnotes at end of table.

TABLE 58.—QUALIFICATIONS OF CHILD CARE CENTER STAFF REQUIRED UNDER STATE LICENSING REGULATIONS—Continued

State	Qualifications of director		Qualifications of other staff		Medical examination required—	
	Minimum age	Education and experience	Minimum age	Education and experience	Initially	Annually
Indiana.....	21	In centers licensed for more than 30 children—4 yrs college training including courses in early childhood education or related area plus 1 yr experience, or combination of education and experience which yields the equivalent. In centers licensed for 30 or less children—2 yrs college including courses in early childhood or related plus 1 yr experience, or work experience or combination of education and experience which yields the equivalent. Demonstrated administrative ability. ¹⁸	¹⁸ 18	Head teacher—Centers for more than 30 children—2 yrs college with courses in early childhood education or related area plus 1 yr experience, or work experience or combination of education and experience which yields the equivalent. Head teacher—Centers for 30 or less—High school plus qualifying work experience. Teacher—All centers—High school or equivalent plus present enrollment in approved child care course, or work experience as part of approved 2-yr course of study in child care, or 1 yr experience as child care worker in licensed center or other bona fide pre-school educational facility. Child care worker—Ability to read, write, and count.	X	X

			Infant-toddler personnel—May substitute completed RN or LPN training and experience in nursery or pediatrics ward of licensed hospital for education and experience set forth for staff caring for older children.		
Iowa.....	18	2 yrs child care center administrative or program experience or equivalent plus either high school or equivalent, or unusual child care qualifications (subject to departmental approval).	16	Demonstrated competence in working with children.	X (17)
Kansas.....	18	In centers licensed for 10 or less children under 6 yrs (or 12, 4- and 5-yr-olds, part-day)—at least 1 staff member shall have 6 mos teaching experience in licensed center with children of same developmental age in present center, or 5 approved observation sessions in approved center plus attendance at either 1 approved workshop and 1 statewide professional meeting or 1 2-day workshop, or 3 semester hours academic study or equivalent training course in child development plus either supervised student observations or 3 mos work experience, or child development associate credential. Program director (may be part of teaching staff)—11 to 20 children under 6 (or 24, 4 and 5, part-day)—5 observation sessions plus 1 yr experience teaching in licensed center, or 7 semester hours academic study or equivalent training plus 3 mos teaching experience, or CDA credential.	18	Teacher—Same as director of center for 10 or less or program director of center for 11 to 20. Assistant teacher—High school or college study in child development or equivalent training courses. Teacher—Infant/toddler—Same as for director of center for 10 or less, or LPN degree plus 6 mos experience in pediatrics or in center serving infants/toddlers. Teacher—School-age children—Same as for director of and center, or bachelor's degree plus 3 mos experience working with school-age children. Teacher—Handicapped children—Same as director or program director of any center or for infant/toddler teacher plus academic work or equivalent training courses relevant to program development for the disabled child plus not be parent of any child enrolled in the unit to which assigned.	X X ¹⁸

See footnotes at end of table.

TABLE 58.—QUALIFICATIONS OF CHILD CARE CENTER STAFF REQUIRED UNDER STATE LICENSING REGULATIONS—Continued

State	Qualifications of director		Qualifications of other staff		Medical examination required—	
	Minimum age	Education and experience	Minimum age	Education and experience	Initially	Annually
Kansas—Continued		Over 20 children (or over 24, 4 and 5, part-day)—12 semester hours or equivalent training courses plus 3 yrs experience in licensed center, or associate's degree or 2 yrs certificate in child development plus 2 yrs teaching experience in licensed center, or bachelor's degree in child development, or bachelor's degree in related area plus 12 hrs or equivalent training in child development plus 3 mos teaching experience in licensed center. Administrator—Centers serving over 20 children—Knowledge of needs of programs for young children plus human relations skills.		Consultant—Handicapped children—Professional requirements of specialized service to be rendered.		
Kentucky.....		Literate.....		Equipped for work required.....	(20)	(20)
Louisiana.....	21	Day care facility management capability, ability to work with parents and community.	21 18	do.....	X	X
Maine.....	21	Preschool program—High school or equivalent plus 2 yrs paid day care employment plus 6 college credits in early childhood education, or 2 yrs college including courses in child development and behavioral sciences plus 6 mos experience or approved preschool internship, or (employ staff members so qualified).		Teacher—High school or working toward equivalent. Teacher (kindergarten)—Teacher certification, preferably with training in nursery or early childhood education. Assisting teacher/Teacher aide—High school, attending high school or working toward equivalent.	X	X

		School-aged program—High school or equivalent plus 6 mos paid child care employment plus 6 college credits in child development, or 2 yrs college plus 6 mos experience in related school-age program.		
Maryland.....	21	Centers licensed for 40 or more children—College graduation with specialization in early childhood development or related plus 2 yrs preprimary teaching experience plus demonstrated ability to work with parents and other adults in community, or college graduation, plus teaching experience plus 64 hrs in early childhood education directed to the needs of children 2 to 6 plus demonstrated ability to work with parents and other adults in community plus intent to continue training. Centers for 21 to 40—2 yrs college plus 64 hrs in early childhood education plus intent to continue training. Centers for 5 to 20—High school or equivalent plus 64 hrs early childhood education plus intent to continue training.	¹ 21	Senior staff—High school or equivalent plus 64 hrs early childhood education beyond high school plus intent to continue training. X (22)
Massachusetts.....	21	Same as head teacher.....	21	Head teacher—4 courses in early childhood education plus either high school or equivalent and 36 mos ½-time experience in preschool day care center, associates degree in child development or related and 27 mos ½-time experience, or Bachelor's degree in child development or related and 18 mos ½-time experience. X (24)

See footnotes at end of table.

TABLE 58.—QUALIFICATIONS OF CHILD CARE CENTER STAFF REQUIRED UNDER STATE LICENSING REGULATIONS—Continued

State	Qualifications of director		Qualifications of other staff		Medical examination required—	
	Minimum age	Education and experience	Minimum age	Education and experience	Initially	Annually
Massachusetts—Continued				<p>Head teacher—Infant/toddler—requirements for head teacher. Experience must include 9 mos in caring for infant/toddlers in day care center or registered family day care settings.</p> <p>Teacher—1 course in early childhood education plus either high school or equivalent and 9 mos ½-time experience in preschool day care center, or associate's or bachelor's degree in child development or related and 3 mos ½-time experience.</p> <p>Teachers—Infant/toddler—1 course in early childhood education plus either high school or equivalent and 9 mos ¼-time experience at least 6 mos of which is in infant/toddler day care center or registered family day care home, or degree in child development or related and 3 mos ½-time experience in infant/toddler care in center or registered family day care home.</p> <p>Consultant resource teacher—Handicapped—4 courses on special needs children with either bachelor's degree in early childhood or related plus 18 mos ½-time experience with children with special needs, or master's degree in early childhood or related plus 9 mos ½-time experience with such children.</p>		

Michigan.....	2 yrs college.....	Head teacher (nursery school)—Valid elementary teaching certificate.	X (20)
Minnesota.....	18 Administrative and supervisory experience or capability; teacher qualifications, if also teaching.	<p>20 15 Teacher—Postsecondary certificate in child development assistant training program (minimum of 1,080 hrs) plus 1 yr as assistant teacher plus 1 approved child development training course, or 2 yrs as assistant teacher plus 3 child development training courses, or bachelor's degree from accredited institution with 6 child development courses plus infant/toddler or school-age program experience, or degree in child development or nursery education from accredited institution plus infant/toddler program experience (if caring for this age group), or State nursery education certification plus experience (if caring for infant/toddlers), or compliance with OCD child development associate competency level requirements.</p> <p>Teacher—Infant/toddler only—3 yrs as licensed family or group family day care provider plus 3 child development courses.</p> <p>Teacher—School age only—State elementary or secondary education certification.</p> <p>Assistant teacher—Postsecondary certificate in CDAT program plus infant/toddler program experience (if caring for this group), or 6 mos as child care assistant or student teacher plus 3 approved child development courses, or 2 yrs postsecondary education plus 3 approved child development courses plus experience (if caring for infant/toddler group).</p>	X (21)

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See footnotes at end of table.

TABLE 58.—QUALIFICATIONS OF CHILD CARE CENTER STAFF REQUIRED UNDER STATE LICENSING REGULATIONS—Continued

State	Qualifications of director		Qualifications of other staff		Medical examination required—	
	Minimum age	Education and experience	Minimum age	Education and experience	Initially	Annually
Minnesota—Continued				Assistant teacher—Infant/toddler only— 6 mos infant/toddler experience as licensed family day care provider plus 3 approved child development courses. Assistant teacher—School age only—1 yr experience as teacher's aid, playground leader or in related area. Child care assistant (aide)—High school vocational child care training course, or orientation training course in center.		
Mississippi.....	18				(27)	
Missouri.....		60 hrs college, including courses in education or related fields. 2 yrs paid experience may be substituted for 1 yr of required education.	28 18	Other professional staff—Professional standards set for the particular field.	X	X
Montana.....		Qualified by practical experience, education or training.		Same as director.....	X	
Nebraska.....	(29)	Centers licensed for 12 or more children—Bachelor's degree in child development, or bachelor's degree plus 12 credits in child development, or associate's degree in child development or child care administration, or high school or equivalent plus 12 credits in child development plus 2 yrs full-time teaching or early childhood experience in child care program. Centers for 11 or less—High school or equivalent plus 2 yrs child care experience.	(29)	Head teacher—High school or equivalent plus 1 yr experience in child care program.	X	X

Nevada.....	(29)	Bachelor's or associate's degree with 12 semester hours in child development or related plus 6 mos experience, or high school or equivalent plus 3 yrs experience in day care or related program, or CDA certification or similar status plus 1 yr experience.	30 16	Ability to read and write.....	(31)	(3)
New Hampshire 4.....	21	High school or equivalent.....	1 21	High school or equivalent.....	X	X
New Jersey.....		Professional knowledge, training, and experience in education, child psychology, or social work. Qualifications of head teacher, if responsible for educational program.	.....	Head teacher—New Jersey nursery school certificate plus 2 yrs nursery teaching experience, or New Jersey teacher's certificate with nursery school endorsement plus 2 yrs experience under qualified nursery teacher. Group teacher—2 yrs college, 15 credits in nursery curriculum and child development plus 1 yr experience, or 15 college credits in early childhood development and enrolled in college plus 2 yrs experience. Assistant—High school or secondary school graduate, or parent.	X	X
New Mexico.....		Equipped for work required.....		Equipped for work required.....	X	X
New York 32.....	33 21	College graduate with major in early childhood education. ³³	34 21	Group head—High school plus experience. Group head for infants under 18 mos—Same, or formal training in infant care or experience with authorized child care agency.	X	X
North Carolina.....	21	Literate.....	35 16	.....	X	X
North Dakota.....		Centers enrolling more than 26 children—College degree with 12 semester hrs in child development or related, or high school plus 3 yrs experience (of which 2 are administrative) in day care center, or CDA certification or similar status.	16	Ability to read and write plus training or demonstrated ability in working with children.	X	X

See footnotes at end of table.

TABLE 58.—QUALIFICATIONS OF CHILD CARE CENTER STAFF REQUIRED UNDER STATE LICENSING REGULATIONS—Continued

State	Qualifications of director		Qualifications of other staff		Medical examination required—	
	Minimum age	Education and experience	Minimum age	Education and experience	Initially	Annually
Ohio ³⁶		2 yrs college with child development courses, or 2 yrs experience plus high school.		High school or completion of child care training program.	X	X
Oklahoma.....		High school, or an equivalent of education plus experience.		Teachers—High school, or an equivalent of education plus experience. Maintenance staff—Ability to read and write.		(³⁷)
Oregon.....	20	Centers for over 30 children—3 yrs college with emphasis on child development or related, or 3 yrs experience in structured group setting such as kindergarten, day care center or Head Start program. 30 or less children—2 yrs college with emphasis on child development or related, or 2 yrs experience.	³⁷ 18	Head teacher—Center for over 30 children—2 yrs college with emphasis on child development or related, or 2 yrs experience in structured setting such as kindergarten, day care center or Head Start program. Head teacher—30 or less children—1 yr college with emphasis on child development or related, or 1 yr experience. Teacher—All centers—1 yr college with emphasis on child development or related, or 1 yr experience. Other professional staff—All centers—Appropriate State licensing requirements.	(³⁷)	
Pennsylvania.....	21	2 yrs college with 12 credits in child development, or 2 yrs junior college with major in child development.		Group supervisor—Preschool—High school plus 1 yr experience plus college credits or equivalent acceptable training in early childhood education.	X	X

			<p>Group supervisor—School age—High school plus 1 yr experience plus college or equivalent training in elementary education plus ability, interest, and experience in arts and crafts, music or recreational skills.</p> <p>Assistant group supervisor—High school, or 2 yrs experience as center aide.</p> <p>Aide—6 yrs education plus 2 yrs experience, or equivalent combination of training and experience, or completion of approved training program.</p> <p>Cook—6 mos cooking experience plus 6th grade, or equivalent combination of experience and training.</p>		
Rhode Island.....	Experience in administration, professional preparation in appropriate field.		<p>Head teacher—Bachelor's degree preferably with major in early childhood education, or combined education and experience.</p> <p>Assistant teacher—High school plus 2 yrs higher education or equivalent life experiences.</p> <p>Social worker—Bachelor's degree preferably with major in sociology or related, preferably with social experience.</p>	X	X
South Carolina.....	⁽²⁹⁾ Bachelor's or associate's degree with 12 semester hrs in child development or related, or 1 yr experience in day care or related facility, or certification in child development where Federal, State, or local certification program exists, or completion of recognized child care training course. (Centers enrolling 13 or more children must have at least 1 employee for at least 4 hrs per day so qualified.)	²⁸ 18	(See director).....	X	(*)

See footnotes at end of table.

TABLE 58.—QUALIFICATIONS OF CHILD CARE CENTER STAFF REQUIRED UNDER STATE LICENSING REGULATIONS—Continued

State	Qualifications of director		Qualifications of other staff		Medical examination required—	
	Minimum age	Education and experience	Minimum age	Education and experience	Initially	Annually
South Dakota.....	21	High school or equivalent, plus 3 yrs experience.	³⁹ 21	Supervisor—High school or equivalent or bachelor's degree in early childhood education or related, and 3 yrs experience in licensed centers. Assistant—Completion of 1 child care training course, or 1 yr experience in licensed center.	X	X
Tennessee.....		High school or equivalent plus 2 yrs experience, or college graduation.	⁴⁰ 18	Teacher—High school or equivalent..... Aide—Ability to read and write. Caseworker—College graduation recommended. Other professional staff—Professional standards of their fields recommended.	(²²)	(²²)
Texas.....	18	High school or equivalent plus 1 yr experience, or bachelor's degree, or CDA credential, or AA degree in child development or related.	⁴¹ 18	Ability to read and write.....	(²³)	(²⁴)
Utah.....		Reasonable knowledge of child growth and development.	.....	Reasonable knowledge of child growth and development.	X	X
Vermont.....	18	1 yr experience, or satisfactory combination of training and experience.	⁴⁰ 18	Formal training and/or work experience.	X	X
Virginia.....	18	Competent administrator.....	¹⁸ 18	Program director—15 semester (or 22½ quarter) hours college credit, or 9 continuing education units plus 9 semester hours, or CDA credential.	X	X

Washington.....	21	Management skills necessary for center administration.	18 21	<p>Child care supervisor—Proficiency in verbal and written communication plus either 1 yr work experience in group child care, vocational or other child care training, CDA credential, high school or equivalent, or 9 semester hours (or 13½ quarter) hours college credit.</p> <p>Aide—Ability to read and write.</p> <p>Program supervisor—2 yrs experience plus either completion of 45 college quarter hours or equivalent training in child development or related, or approved plan for completion of such training within reasonable time (if the opportunity for such training is reasonably available).</p> <p>Child care staff—Equipped for work required.</p>	(?)	(?)
West Virginia.....	21	High school plus 1 yr work experience in program for young children (or employ full-time staff person with such experience).	18 18	<p>Teacher—High school or equivalent.....</p> <p>Teacher aide—Ability to read and write.</p> <p>Food handler's permit required for each person preparing or serving meals and snacks.</p>	X	X
Wisconsin.....	21	High school or equivalent plus 1 approved course in child development and, if 9 or more children enrolled, 2 yrs higher education with 1 course in child development, or approved in-service training course plus 1 course in child development.	18	<p>Completion of child care course, or if parent on staff of parent co-op, 4 hrs training, or, if nursery school teacher, possession of Wisconsin nursery teaching certificate or evidence of meeting qualifications for same.</p>	X	X
Wyoming ⁴		Equipped for work required. Training in early childhood education or related area suggested (if no other staff member so trained).		<p>Training in early childhood education or related area suggested for at least 1 staff member.</p>	X	X

See footnote at end of table.

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TABLE 58.—QUALIFICATIONS OF CHILD CARE CENTER STAFF REQUIRED UNDER STATE LICENSING REGULATIONS—Continued

State	Qualifications of director		Qualifications of other staff		Medical examination required—	
	Minimum age	Education and experience	Minimum age	Education and experience	Initially	Annually
FIDCR 1968.....		Training or experience in child growth and development (if responsible for supervision and direction of educational activities).		Training or demonstrated ability in working with children.	(43)	(43)
FIDCR (Title XX fundings).		(44).....		(44).....	(43)	(43)
HEW recommended guides for day care licensing.	(45)	Necessary day care facility management skills plus ability to effectively relate to parents and community plus ability and willingness to provide child care program which meets standards set forth in "Guides."	46 18	Caregiver—Ability to read and write plus qualifications or experience to carry out a program emphasizing child development. If 30 or more children enrolled, at least 1 staff member in the facility at least 50 percent of the time the center is open must have bachelor or associate arts degree plus 12 semester hours in child development or related field, or high school or equivalent plus 3 yrs experience, or child development associate certification or similar status where a local, State or Federal certification program exists.	X	(47)

¹ 16 for aides; in Alabama, also for supplementary staff used in early morning and late afternoon.

² In Alaska, may be 14 through 17 under certain conditions; in Arizona, 16, if under adult supervision.

³ TB exam.

⁴ Applicable to centers caring for children 2½ and over; in California, 2 and over; in New Hampshire, 3 and over; in Wyoming, 2 and over.

⁵ If not under adult supervision.

⁶ Every 6 mos if over 65.

⁷ If not qualified in child development center must have qualified educational consultation.

⁸ Teachers and persons in charge of infant groups; 14 for aides; 16 for other infant staff.

⁹ Every 2 yrs; annual TB exam.

¹⁰ No person under 18 shall assume sole responsibility for children.

¹¹ At least 1 regular staff member between 18 and 65 required.

¹² May be required.

¹³ Child care workers; 18 for assistance; 14 for student helpers.

¹⁴ Every 2 yrs.

¹⁵ If director serves in capacity of administrative executive only, he need not meet experience requirements relating to early childhood education, but must hire teacher who does.

¹⁶ Personnel having responsibility for a group of children; however, personnel in charge of infant/toddler group must be 21.

¹⁷ Every 3 yrs.

¹⁸ 16 for assistant teachers; in Virginia, for aides; in Washington for child care staff.

¹⁹ If over 65 or has health problem; otherwise, every 3 yrs.

²⁰ Initial VD, RL and TB exams; annual TB exam.

²¹ 16, if enrolled in approved training program. Not more than ¼ the staff may be under 16.

²² Physical exam recommended; TB exam required.

²³ Head teacher, teachers without high school or equivalent; 16 for teaching assistants.

²⁴ TB exam required every 3 yrs; in Washington, every 2 yrs.

²⁵ Every 2 yrs; annual TB exam.

²⁶ Aides.

²⁷ Staff records must include current card issued or approved by local country health department.

²⁸ To be counted in child staff ratio.

²⁹ Age of majority; in Nebraska, 16 for teacher and teacher aide, younger staff, 14 and 15 may be employed but not counted in child staff ratio.

³⁰ If under 18 may be employed only in nonsupervisory capacity; must have completed, or be currently enrolled in, child care/development course, wherever such courses available locally. Majority of staff on duty may not be less than 18.

³¹ Exam or certification of 3-yr health record; TB exam.

³² Age, education, experience data applicable to centers receiving public funds.

³³ If also responsible for program activities.

³⁴ Group heads and group assistants who are not qualified by academic degree or teaching certificate; 17 for aides; 18 for infant group assistants.

³⁵ If supervising children.

³⁶ Applicable to full-time facilities.

³⁷ Teachers, 15 for assistants and aides.

³⁸ 14, if certain conditions met.

³⁹ Supervisors; 18 for assistants; 14 for student helpers.

⁴⁰ Younger aides may be used but cannot be counted in adult-child ratio.

⁴¹ If less than 18 may be counted in child staff ratio only if high school graduate, or enrolled in or on vacation from State or federally approved program; if 14 to 17 may work but not be counted in ratio.

⁴² Part-time teacher aides may be under 18; if under 16, must have work permit from county board of education.

⁴³ Periodic assessment of physical and mental competence to care for children required; TB exams recommended.

⁴⁴ FIDCR educational services requirements are optional for title XX day care programs.

⁴⁵ Locally applicable legal age of majority.

⁴⁶ If under 18, not countable in child staff ratio.

⁴⁷ Annual health status review required, TB exam recommended.

Note: Current as of June 30, 1977.

TABLE 59.—FACILITY REQUIREMENTS FOR CHILD CARE CENTERS OFFERING FULL-DAY GROUP CARE UNDER STATE LICENSING REGULATIONS ¹

State	Minimum required square feet of space per child		Provisions concerning indoor space				Fencing of outdoor space	Must hot food be served?
	Indoor	Outdoor	Only floors generally permitted	Isolation room required	Isolation area required	Individual cot, etc. for naps required ²		
Alabama.....	35	³ 60	.....	X		X	Fence or other protective boundary.	No.
Alaska.....	35	⁴ 75	.....	X		X	Enclosed.....	No.
Arizona.....	35	75	Below 2d.....		X	X	do.....	No.
Arkansas ⁵	35	75	.....		X	X	Closed.....	No.
California ⁵	⁶ 35	75	.....		X	X	Required.....	No.
Colorado ⁵	⁷ 30	⁸ 75	Floor of egress for children below 3d grade school level.....		X	X	Fence or natural barrier.....	No.
Connecticut.....	30	75	.....		X	X	Protected.....	No.
Delaware.....	35	50	Area having 2 exits to ground level; ground for infants.....		X	X	Required.....	No.
District of Columbia.....	⁹ 35	⁹ 60	.....	X		X	Enclosed if on premises.....	No.
Florida.....	20	⁴ 45	.....		X	X	Fence or wall.....	No.
Georgia.....	35	⁴ 100	No room more than 3 ft below ground level on all sides.....		X	X	Fenced or protected.....	Yes.
Hawaii.....	35	75	.....		(¹⁰)	X	do.....	No.
Idaho.....	¹⁰ 25	¹¹ 75	Ground recommended.....	X		X	do.....	No.
Illinois.....	¹² 35	⁴ 75	Ground recommended.....		X	X	Enclosed or protected.....	Yes.
Indiana.....	¹³ 35	50	Ground.....	X		X	do.....	No.
Iowa.....	35	75	.....		X	X	Required if hazardous.....	No.
Kansas.....	¹⁴ 35	¹⁵ 100	Ground for children under 2½ and nonambulatory physically handicapped children.....		X		Fence or environmental barrier.....	No.

Kentucky.....	35				X	X	Required if necessary.....	No.
Louisiana.....	35	4 75			X	X	Required.....	Yes.
Maine.....	35	75		X		X	Fence or natural barrier....	Yes.
Maryland.....	35		Not basement room entirely below ground level.		X	X	Required if necessary.....	No.
Massachusetts.....	35	4 75	Not above 1st for infants.....		X	X	Required if hazardous.....	No.
Michigan.....	16 50				X	X	Enclosed if necessary.....	No.
Minnesota.....	35	17 75			X	X	Barrier.....	No.
Mississippi.....	35	70	Ground or 1st desirable.....		X	X	Required except in centers exclusively for school age children.	No.
Missouri ⁵	35	4 75			X	X	Required if hazardous.....	Yes.
Montana.....	18 35	19 75	Ground; 1st.....	X		X	Required for preschool children.	No.
Nebraska.....	35	4 50	Not below grade.....		X		Fenced or enclosed.....	No.
Nevada.....	35	4 75	Ground.....	X		X	Required if hazardous.....	No.
New Hampshire ³	30	4 75	Below 3d.....	X		X	Fenced or protected.....	Yes.
New Jersey.....	30	100	1st.....	X		X	Required.....	No.
New Mexico.....	35	4 60	No room below grade unless 1 of 2 required exits opens directly to outside.	X		X		
New York.....	35		Floors with readily accessible alternative exits.	X or	X	X		Yes.
North Carolina.....	25	20 75			(19)	X	Fenced or protected.....	No.
North Dakota.....	35	75			X	X	Fence or natural barrier....	No.
Ohio.....	35	21 60	1st for infants.....		X	X	Fenced or protected.....	No.
Oklahoma.....	35	75	Ground; 1st.....	X or	X	X	Required.....	No.
Oregon.....	35		Floors with 2 usable exits.....	X or	X	X	Barrier.....	No.
Pennsylvania.....	35	22 65	Ground or above.....	X or	X	X	Fenced or protected.....	No.
Rhode Island.....	35	75	Ground.....		X	X	Required.....	Yes. ²³
South Carolina.....	35	75	1st floor of exit discharge for infants and 1st graders, not more than 1 story above exit discharge for 2d graders and above.		X	X	Fence or barrier if hazardous.	No.
South Dakota.....					(19)		Required.....	No.
Tennessee.....	30	50			(19)		Fence or other safeguard if hazardous.	No.

See footnotes at end of table.

TABLE 59.—FACILITY REQUIREMENTS FOR CHILD CARE CENTERS OFFERING FULL-DAY GROUP CARE UNDER STATE LICENSING REGULATIONS 1—Con.

State	Minimum required square feet of space per child		Provisions concerning indoor space				Must hot food be served?	
	Indoor	Outdoor	Only floors generally permitted	Isolation room required	Isolation area required	Individual cot, etc. for naps required ²		Fencing of outdoor space
Texas ¹	30	80			(19)	X	Fence or outer wall of building. Required.	No.
Utah.....	35	40	1st preferred.....		X	X	Protected.....	No.
Vermont.....	35	75		X		X		No.
Virginia.....	25	75		X		X ²⁴		No.
Washington.....	25	75	Not above 1st story above grade.....	X or	X	X	Fence or natural boundary. Enclosed.....	No.
West Virginia ¹	35	75			(19)	X	do.....	Yes.
Wisconsin.....	35	75	Floors having 2 exits to ground level.....		(19)	X	Fenced or enclosed.....	No.
Wyoming ¹	35	75						No.
FIDCR 1968.....					X			No.
FIDCR (Title XX fundings).....					X			No.
HEW recommended guides for day care licensing.....	18 35	75	1st through 4th, conditioned upon type of building construction and age of children.			(25)	Fence or natural barrier....	No.

¹ In addition to State and local fire, health, zoning, safety, and sanitation requirements.

² States checked in this column generally require a cot only when a child is of preschool age or receives at least 4 hrs of care during the day.

³ For each child 2½ or older, or for ½ the licensed capacity in centers enrolling 60 or more children 2½ or older. 50 for each child under 2½; 40, if center licensed before January 1, 1975. May be offset by larger indoor space.

⁴ Per child using space at one time; in Florida and Nevada, with minimum space for ½ the licensed capacity; in Washington, 50 for nonambulatory children.

⁵ Applicable to facilities caring for other than infants/toddlers.

⁶ Except for outdoor programs.

⁷ 25 ft² per child permitted for centers in operation prior to Jan. 1, 1966, and which continue in operation under the same governing body.

⁸ For ½ the licensed capacity, or 1,500 ft² in total, whichever is greater.

⁹ Per child per session.

¹⁰ Isolation of ill child required; space not specified.

¹¹ 100 ft² for each child 6 or over.

¹² 25 ft² for each child under 2; 45 ft² for the ambulatory handicapped.

¹³ If cribs used for toddlers, crib space must in addition to the required 35 ft² of indoor space per child.

¹⁴ 50 for each disabled child using walker or wheelchair.

¹⁵ Per child using space at 1 time; 75 ft² for each child under 2½, minimum of 1,500 ft² for children under 2½, and 2,000 ft² for children over 2½.

¹⁶ If children under 2½ in care.

¹⁷ And no less than 1,000 ft² per program.

¹⁸ May be offset by sheltered outdoor space.

¹⁹ No less than 1,000 ft² per program; may be offset by greater indoor space.

²⁰ Maximum (i.e., minimum required ft² not to exceed).

²¹ For each preschool and school age child using at 1 time.

²² Total space must accommodate ¾ established center capacity but in no case be less than 650 ft².

²³ Noon meals must be * * * usually hot.

²⁴ Recommended.

²⁵ 50 if play area also used for napping in cribs.

²⁶ If space limited, individual floor pads permissible for infants, provided that certain safety conditions met.

Note: Current as of June 30, 1977.

TABLE 60.—STATE LICENSING REGULATIONS CONCERNING FAMILY DAY CARE HOMES

State	Maximum number of children	Maximum number of children under age	Staff qualifications		Facility requirements ¹	
			Medical examination required	Other ²	Indoor requirements	Outdoor requirements
Alabama.....	6		Initially and annually..	Age of majority; ability to read and write; pre- or post-employment training in child development.	Individual cots; space and facilities for temporary care of sick children; hot food.	Fenced if hazardous.
Alaska.....	10		Annual TB examination.	19 yrs old.....	Isolation room.....	
Arizona ¹			Initial TB and serological examinations.	18 to 65 yrs old.....	Individual cots recommended; isolation of sick child recommended.	Protected; fence preferred.
Arkansas.....	6	2	Annually; every 6 mos if over 65 yrs.	21 to 65 yrs old.....	35 ft ² per child; baby bed for each child under 18 mos.	Fenced if necessary.
California.....	5	2	Annual TB examination.	.....	Individual cots; space for isolation of sick child.	
Colorado.....	6	2	Annually.....	.....	35 ft ² per child; isolation room...	75 sq ft per child; fenced. ¹
Connecticut.....	4	2	Initially.....	.....	Provision for rest.....	
Delaware.....	6	3	Initially and annually; initial TB examination.	.....	.....
District of Columbia.....	5	2	Annually, including TB examination.	Between 18 and 70 yrs old.	35 ft ² per child per session; individual cots; enclosed isolation space for ill child.	60 ft ² per child per session; enclosed on premises, or nearby park or playground, or properly safeguarded approved roof.
Florida.....	5		Initially, including TB examination; annual TB examination.	18 yrs old.....	Individual cots (except 2 preschoolers may share double bed); isolation area.	Enclosed if hazardous.
Georgia.....	6	(1)	Annually; TB examination.	Knowledge of child growth and development, recent child care course or seminar (if such training available).	35 ft ² per child; provision for naps; quiet area for ill child; hot noon meal preferred.	100 ft ² per child in group using area; fenced or protected.
Hawaii.....	5	2	Initially, including TB examination; annual TB examination.	.....	35 ft ² per child; individual cots; isolation of sick child.	Fenced or protected.

See footnotes at end of table.

TABLE 60.—STATE LICENSING REGULATIONS CONCERNING FAMILY DAY CARE HOMES—Continued

State	Maximum number of children ¹	Maximum number of children under age	Staff qualifications		Facility requirements ²	
			Medical examination required	Other ³	Indoor requirements	Outdoor requirements
Idaho.....	¹ 6	2	May be required.....		35 ft ² per child; individual cots; provision for isolation of sick child.	75 ft ² per child, under 6; 100 ft ² per child 6 or over; fenced if hazardous.
Illinois.....	¹² 8	2	Initially, including TB examination and every 2 yrs.	Caregivers—18 yrs old; assistants—16, 14 when school not in session.	Individual cots; provision for isolation of sick child.	Protected physically or by adult supervision if hazardous.
Indiana.....	⁶ 6		Initially.....		If over 6 children, 35 ft ² per child; isolation; room.	If over 6 children, 50 ft ² per child; enclosed.
Iowa ¹⁴	6	4	Initially and every 3 yrs.	18 yrs old.....		Fenced if hazardous, suggested.
Kansas.....	⁶ 4	2	Initially and every 3 yrs including TB examination and current immunization; annually if 60 yrs or older.	Within 21 and 60 yrs old (may be excepted upon finding of capability).	Napping facilities on or above ground level, individual cots recommended, isolation of ill child.	Fenced if hazardous.
Kentucky ¹⁵	¹⁰ 6	6	Initially including VDRL and TB examinations; annual TB examination.	Literate.....	35 ft ² per child; individual cots; isolation area.	Fenced if necessary.
Louisiana ⁵	¹² 6	2	Initially including TB examination.		Isolation of ill child recommended.	
Maine ¹⁵	6	2	Annually, including TB examination.	18 yrs old.....	Individual cots; isolation of ill child.	
Maryland.....	¹⁴ 4		Initially and every 2 yrs including TB examination.	18 yrs old.....	Napping facilities; isolation of ill child recommended.	

Massachusetts ¹⁴ ...	6	¹⁷ 2	May be required.....	18 yrs old; approved course in child development, or approved training from family day care system, or 6 mos full-time experience including parenthood.	150 ft ² for 1 or 2 children, 225 for 3 through 6 children; individual cots.	75 ft ² per child on premises or accessible park; fenced or protected.
Michigan.....	6	(¹⁸)	Initially and every 2 yrs; annually if over 65; annual TB examination.	18 yrs old.....	35 ft ² per child, cribs for non-walkers and children under 12 mos.	400 ft ² on premises or within walking distance; protected.
Minnesota.....	¹⁹ 5	²⁰ 3	Initially and TB examination.	18 yrs old; helpers, 13 yrs.	Plan for isolation of sick child....	Enclosed as necessary.
Mississippi ⁸	5		Current health card required.	18 yrs old.....	Ground or 1st floor desirable; 35 ft ² per child; individual cots; isolation space.	70 ft ² per child; barrier.
Missouri ¹⁵	⁴ 6	3	Annually including TB examination.	18 yrs old.....	Approval required for basement; 35 ft ² per child; isolation of ill child.	75 ft ² per child; fenced when indicated.
Montana ¹³	⁴ 6	2			Provision for naps; isolation room.	Fenced if hazardous.
Nebraska ¹³	7	2	Initially and annually including TB examination.	20 to 65 yrs old; ability to read and write preferred.	35 ft ² per child; hot meal for each child in care 4 hrs or more; individual cots; isolation of sick child.	72 ft ² per child desirable; fenced, if children 18 mos to 6 yrs.
Nevada.....	¹⁹ 6	2	Initially including TB examination; annual TB examination.	18 yrs old; ability to read and write.	35 ft ² per child; ground level; individual cots; isolation room.	75 ft ² per child using space at a given time; fenced or enclosed.
New Hampshire....	6	⁷ 1	Annually.....	21 to 65 yrs old.....	Individual cots; plan for isolation of sick child.	
New Jersey ⁸	5	(¹⁸)	Initially.....		Individual cots.....	
New Mexico.....	6	2			Individual crib for each child under 2 yrs.	Fenced if necessary.
New York ¹⁵	⁴ 5	2	Initially with TB examination.	Training or demonstrated interest in and ability to care for children. ²²	Rooms above ground level; individual cots; isolation area; hot meal for each child in care over 4 hrs.	

See footnote at end of table.

TABLE 60.—STATE LICENSING REGULATIONS CONCERNING FAMILY DAY CARE HOMES—Continued

State	Maximum number of children ¹	Maximum number of children under age	Staff qualifications		Facility requirements ²	
			Medical examination required	Other ³	Indoor requirements	Outdoor requirements
North Carolina ¹⁴	5					
North Dakota ¹⁴	5	2	Annually.....	16 yrs old; 14, with parental consent.	35 ft ² per child; individual cots; isolation area.	75 ft ² per child; fenced or barrier if hazardous.
Ohio ⁵	5	2	Initially with TB examination.	21 yrs old; training or experience in caring for children.	Approximately 35 sq ft per child; provision for naps; isolation area.	
Oklahoma.....	5		Initially.....	18 yrs old; ability to read and write.	35 ft ² per child; individual cots; isolation of ill child recommended.	75 ft ² per child; fenced if necessary.
Oregon ⁵	6	2	Initial TB examination.	Legal age unless married and mature enough to care for children; 16 for helpers.	Individual cots; isolation of ill child suggested; hot food suggested.	Fence preferred.
Pennsylvania ¹⁵	5	2	Annually including TB examination.	21 yrs old.....	Rooms at ground level or above; individual cots; adequate room for temporary isolation, if more than 1 child in care.	Fenced or otherwise protected if toddlers in care.
Rhode Island.....	4	2	Annual TB examination.	21 to 60 yrs old; ability to speak English recommended.	Individual cribs for babies; isolation facilities.	Fenced if toddlers in care.
South Carolina.....	6		Initial and annual TB examination.	Age of legal majority for operator; caregivers—usually 18 yrs, 14 under certain conditions.	35 ft ² per child; individual cots...	75 ft ² per child; fenced if hazardous.
South Dakota.....	6	2	Initially including TB examination.	21 yrs old.....	Warm meal for each child in care over 4 hrs.	Fenced.
Tennessee ¹⁸	7	(25)	Initially including TB examination; annual TB examination.	(25).....		Protected if hazardous.
Texas.....	6	6	Initial TB examination.	18 yrs old; ability to read and write.	30 ft ² per child; individual cots; isolation of ill child.	Fenced, or use of nearby park or playground within ¼ mile.
Texas ¹⁴	6	6	Annual TB examination.	18 yrs old.....	Isolation of ill child.	

Utah ¹⁴	6		Initially and annually		Cribs for infants; individual cots.	
Vermont.....	6	²¹ 2	Annually including TB examination.	18 yrs old; formal training and/or work experience in child development.	35 ft ² per child; individual cots recommended; isolation room.	75 ft ² per child; protected.
Virginia ¹⁵	6	²² 2	Initially and annually including TB examination.	18 yrs old.....	Napping provision on cribs, cots or beds for individual children; provision for isolation of ill child.	
Washington.....	6	2	Initial may be required; initial and biennial TB examination; annual TB examination, if history of TB.	.....do.....	Individual cots; isolation of more severely ill child.	Fenced if necessary.
West Virginia ¹⁶	6	2	Initial, if health problem present; otherwise, plan for initial; initial TB examination; annual TB examination recommended.	18 to 65 yrs old recommended.	Provision for naps.	
Wisconsin ¹⁷						
Wyoming ¹⁸	²⁴ 5	(²⁵)	Initially and annually including TB examination.		35 ft ² per child recommended..	Fenced or enclosed, recommended.
FIDCR, 1968.....	²⁶ 5	2	Periodic assessments of physical and mental competence to care for children; TB examination suggested.	Training or demonstrated ability in working with children.	Arrangements for naps; isolation space,	
FIDCR (title XX fundings). HEW recommended guides for day care licensing.	²⁸ 5 ²⁸ 6	2	.....do.....	(²⁷).....	do.....	
		2	Initially including TB examination; annual health status review; annual TB examination recommended.	Locally applicable age of legal majority; day care facility management skills; ability to relate effectively to parents and community; ability and willingness to provide child care program in accord with "Guides" standards.	35 ft ² per child, or usable outdoor space for activities normally conducted indoors to offset limited indoor space.	75 ft ² per child; fence or natural barrier.

¹ Including the operator's own children.

² Excludes generally stated requirements concerning maturity, suitability, good character, etc.

³ In addition to State and local fire, health, zoning, safety, and sanitation requirements; this table omits requirements that "safe" or "adequate" indoor or outdoor space be available.

⁴ Excluding operator's own children; in Hawaii, total of 5 if all children under 8.

⁵ Certification or approval; licensing not mandatory.

⁶ Arkansas—4, if all under 2; 16, if all children 3 or over, and adult helper present, facility approved by State health department. California—6, if none under 3. Connecticut—6, if 5 or more related. Maximum number of children for which facility is licensed as "based upon" rather than "inclusive of" operator's own children. Indiana—10, with additional staff. Kansas—6, if all over 2. Maine—6, if all 2½ or over. New York—6, if none under 3. North Dakota—6, if children 3 to 8, or if helper present; 12, with child/staff ratio of 1:4 for children under 3 and 1:6 for children over 3. Ohio—6, if children 3 to 14. Pennsylvania—6, if children between 3 and 16. Virginia—9, with assistant. Washington—10, under 12 (of whom 4 in care 3 hrs or less); assistant required if more than 8 children, or if any children are under 2½.

⁷ California—4, with assistant; assistant also required if caring for other children in addition to 2 infants. Connecticut—4, if full-time adult assistant present. Hawaii—4, with additional adult help. Idaho—4, with additional adult help. New Hampshire—3, if not more than 4 children in care. North Dakota—6, if helper present; 12, with child/staff ratio of 1:4.

⁸ Required if children between 12 mos and 5 yrs.

⁹ No more than 3 infants shall be cared for by 1 person.

¹⁰ 10, after school hours. Care may be provided for elementary school siblings of preschoolers for whom day care is provided.

¹¹ Helper required if there are 3 children under 2½ in addition to older children.

¹² Maximum of 4 day care children; in Louisiana, only 5 may be preschoolers.

¹³ If not more than 4 under 5.

¹⁴ Homes subject to registration.

¹⁵ License not required if numbers of children in care are: Kentucky—less than 4; Maine—less than 3; Mississippi—less than 6; Missouri—less than 5; Montana—less than 3; Nebraska—less than 2; New York—less than 3; Pennsylvania—less than 3; Tennessee—less than 5; Utah—less than 3 (unless caring for State placed or financed children); Virginia—less than 4; Wyoming—less than 3.

¹⁶ 10, if all preschool children; 12 with assistant.

¹⁷ If no assistant present.

¹⁸ No more than 2 under 1.

¹⁹ In addition to licensed capacity, 2 school age children may be accepted for care if care limited to no more than 3 hrs per day and this limit is exceeded no more than 30 days per school year and exceptions to this limit amount to no more than 30 days per school year; in Nevada, with permission of the licensing agency, limited before and after school care may be provided for up to 3 additional elementary school children if an additional caregiver 16 years or older is present.

²⁰ Not more than 2 under 15 months or 3 toddlers, 16 to 20 mos.

²¹ If 2 under 2, not more than 1 additional child under 6 may be admitted.

²² No person under 18 may be left in sole charge of children.

²³ If none under 3, maximum of 5 day care children, total of 5, if any under 3.

²⁴ Special license may permit care of up to 7.

²⁵ If more than 4 under 3 attend full-time, second staff member required.

²⁶ Persons under 18 should not have responsibility for group of children unless assisted or supervised by person 18 or older; persons over 65 should not have responsibility for family day care home.

²⁷ If all children 18 mos to 2 yrs; 4, under 18 mos, if no other children in care.

²⁸ Excluding own; up to 6 siblings of day care children may be provided after school care; total in care not to exceed 12.

²⁹ If none under 18 mos.

³⁰ If before and after school care provided for additional children, the need for additional staff help shall be determined by the licenser.

³¹ Unless 2d person on duty.

³² 2, if total of 4 children in care and no assistant present; 6 if all under 2 and assistant present.

³³ Homes not licensed.

³⁴ Excluding operator's 1st preschool child.

³⁵ 1 preferred; if more than 3, additional staff suggested.

³⁶ 6, if children 3 through 14.

³⁷ FIDCR educational services requirements are optional for title XX day care programs.

³⁸ Children under 3 limited to number that could be carried in case of necessity to evacuate building.

Note: Current as of June 30, 1977.

APPENDIX A

STATISTICAL HIGHLIGHTS FROM THE NATIONAL CHILD CARE CONSUMER STUDY, PREPARED BY UNCO, INC. UNDER CONTRACT WITH THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, 1975

INTRODUCTION

The national child care consumer study is a relatively complex survey of parent practices and attitudes regarding child care. In its scope, this study encompassed 4,000 1-hour interviews that were administered in person to a nationwide sample. In reviewing the findings in this summary or in the reports, readers should keep in mind that the sample for this survey was not limited only to users of child care, nor restricted by income level or other personal characteristics. The only requirement for eligibility to enter the sample was for a household to have at least one child under age 14. Furthermore, the study's conception of child care embodies a broad range of program types and there is no minimum number of hours associated with the definition of users in this study.¹

The purpose of this summary is to provide statistical and analytical highlights from the study's final reports. All the statistics are presented in this summary without any accompanying interpretations and the analytical highlights are best interpreted with all the supporting data. To present the full context of these results, however, would have made this summary unwieldy, and its purpose as an introduction to the study's findings would then thus have been lost. Without recourse to the full analysis, the likelihood of misunderstanding or misinterpreting these highlights is very real. Readers are therefore cautioned not to draw conclusions or defend positions on child care issues based solely on this summary.

Throughout this overview, there are references² to the study's final reports so that interested readers can obtain more detailed information. The four volumes for this study are as follows:

Volume I—Basic Tabulations: Covers all the data at a surface level with minimum analysis. Includes copy of questionnaire and about 150 tables. Methodology is presented in some detail. Most of the text and tables also appear in volumes II and III.

Volume II—Current Patterns of Child Care Use in the United States: Chapters on usage ("simple incidence" and "substantial users") hours, payment mode, costs, and transportation. Strong emphasis on analysis by demographic subgroupings, both households and children. Also included is technical statement of methodology.

¹ Several items in the questionnaire were asked only of users. No hours restriction was used for defining this group of respondents. In analysis however, it is possible to be as restrictive as is desired in defining "users" for special analytical purposes.

² To explain reference notation, "II, 4-11" would refer to vol. II, chap. 4, p. 11. Where statistics are computed using data from a particular page, the phrase "derived from" is used.

Volume III—American Consumer Attitudes and Preferences on Child Care: Chapters on reasons for using care, satisfaction and preferences, factors influencing selection and discontinuance of types of care, attitudes on working mothers, and the public role.

Volume IV—Supplemental Documentation: For programers with access to the data tape. Includes technical statement of methodology from volume II, documentation on the machine readable files, questionnaire, and tape format specifications. Contains no new data analysis.

The three volumes of data analysis have been prepared independently of each other so that readers can begin with any one of the volumes. Virtually all of the analysis is contained in volumes II and III; however, volume I has a copy of the questionnaire and the most complete set of marginals (with some cross-tabulations).³

Regarding the study's methodology, data were collected from a stratified national area probability sample of telephone households having at least one child under age 14. This sample was obtained by telephone screening of some 24,900 randomly selected households. From among those with children under age 14, a total of 4,609 interviews were obtained. Interviews were conducted in person at the respondent's home by the field interviewing staff of Chilton Research Services, Inc., under subcontract with Unco. The average administration time was approximately 1 hour. An overall completion rate of 67 percent was achieved, with 14 percent refusals and 19 percent failures to locate an eligible respondent.⁴

There were three basic steps to the sample design: Selection of primary sampling units (PSU's), selection of central offices (telephone exchanges) and determination of sampling rates within central offices. To assure adequate representation in the summary, the sample design included stratification for geographical region, urban/rural location, household income and racial or ethnic background.

To develop the sample frame, centralized telephone screening was used. Screening interviewers worked from batches of randomly generated telephone numbers using the area codes and prefixes of the selected telephone exchanges. A brief questionnaire was administered to establish if the household was eligible to participate in the study (that is, it contained at least one child under age 14), to identify the person responsible for care of the children and to obtain the demographic information needed for fulfilling the sample design.

SUMMARY STATISTICS

Statistics were selected based on their representativeness and direct relationship to day care consumption. Contents of the questionnaire and basic statistics are presented in response to the following questions:

- (1) What are the basic characteristics of all households with at least one child under age 14?
- (2) What types of child care are used?
- (3) How much care is used?
- (4) Who uses child care?
- (5) What do people pay?
- (6) Why do people use child care?
- (7) What are parent preferences for different types of care?

³ Materials available in limited quantity from Day Care Services Division, Head Start Bureau, Office of Child Development, P.O. Box 1182, Washington, D.C. 20013.

⁴ Included in this category are (1) moved from area, (2) youngest child turned 14, and (3) unable to contact after four tries.

(8) What are the factors that parents consider in making decisions about child care?

(9) What should be the public's role in child care?

It should be noted that the subjects included are not exhaustive of all those subjects contained within the questionnaire. Furthermore, most of the analysis in volumes II and III draw upon more in-depth data processing than is reflected in these statistics. Except where noted, all data has been weighted to national estimates.

1. WHAT ARE THE BASELINE CHARACTERISTICS OF ALL HOUSEHOLDS WITH AT LEAST ONE CHILD UNDER AGE 14?

The questionnaire included items that gathered information on the age and relationship of each member in the household, sources of financial support for the children, respondent income, total household income, race/ethnicity, marital status, employment status, type of work, education level, school or job training status, and spouse's employment status.

Basic respondent⁵ characteristics

Marital status.—Of the respondents 82 percent are married.

Race/ethnicity.—Of the respondents 75 percent are white, 14 percent black, 5 percent Spanish, and 5 percent are of other racial or ethnic groups. (II, 3-6)

Employment status.—Of all respondents 63 percent are not working, 24 percent work full time, and 13 percent work part time; 94 percent of the spouses work full or part time. (II, 3-17 and 3-18)

Household characteristics

Total numbers.—In the continental United States,⁶ there are about 24 million households with at least one child under age 14 (II, 3-2). Of the 48 million children under age 14, about 19 million are under age 6. (II, 3-11)

Household size.—About three-fourths of all households have three, four, or five members. (II, 3-7)

Number of children per household.—About three-fourths of all the households have one or two children; 8 percent of all the households have more than three children. (II, 3-10)

Total household income.—Using the Bureau of Census definition for determining the poverty line,⁷ 15 percent are below the line, 24 percent have incomes up to twice the poverty line, and 61 percent are over twice the poverty line. (II, 3-16)

Government financial support for children.—Of all households 11 percent receive support from public welfare programs (AFDC and "other" programs) and 7 percent receive assistance from other government sources (for example, social security). (II, 3-14)

⁵ Respondents in this survey were those persons who were primarily responsible for raising the children in the household. All the data, unless otherwise noted, are weighted up to national proportions. Therefore, the term, "respondents," actually represents all those with the primary child-rearing responsibility in households with at least one child under age 14.

⁶ The survey did not include Alaska, Hawaii, or the territories.

⁷ The poverty line is computed based on household size. For a family of four the cutoff for annual income is \$5,050 with twice the poverty line being \$10,000.

2. WHAT TYPES OF CHILD CARE ARE USED? ⁸

Altogether there are 15 types of child care identified in the questionnaire; none are of principal interest: Own home by relative; own home by nonrelative; other home by relative; other home by nonrelative; nursery or preschool; day care center; cooperative program; before/after school program; and Head Start.

The other types of care are: Care by spouse; by older sibling; child stays by self; child cares for self and younger sibling; public or private school; and cared for by parent at work.

For each child under age 14, all types of care being used were recorded. Respondents were asked to identify their "main method" if more than one type of care was used.

Households

Total volume.—Of all households 90 percent (22 million) use at least one of the 15 types of care (I, 4-4); 62 percent (15 million) of all households use one of the first nine types of care. (III, 2-2 and 2-3)

Most frequently used types.—Given as percents of all households, the following are the most commonly used of all 15 types of care:

	<i>Percent of all households¹</i>
Type of care:	
Own home by relative.....	24
Own home by nonrelative.....	23
Other home by relative.....	32
Other home by nonrelative.....	21
Own home by older sibling.....	28
Own home by spouse.....	47
Public or private school.....	23

¹ Included multiple methods (derived by using frequencies in I, 4-7, divided by base from I, 4-4).

Use of multiple methods.—Using unweighted percents, 26 percent of all households use one method only, 26 percent use two methods, and 35 percent use three or more of the 15 possible methods. (I, 4-7)

Main method of care.—Among users of the first nine types of care, the following types are most frequently used as main method:

	<i>Percent of households using principal methods</i>
Main method:	
Own home by relative.....	22
Own home by nonrelative.....	21
Other home by relative.....	27
Other home by nonrelative.....	16

Children

Total volume.—Of all children 88 percent (42 million) are cared for in at least 1 of the 15 types (I, 4-3), 55 percent (26 million) receive care in 1 of the 9 principal methods for at least 1 hour per week. (I, 4-33)

Use of principal methods.—The following distribution describes the number and percent (of all U.S. children) using each of the first nine methods for at least 1 hour per week:

⁸ Except where noted, statistics in this section are based on reported use of different types, with no restrictions on numbers of hours used.

Type of care	Children (In millions) ¹	Percent of all children
Own home by relative.....	9.5	20
Own home by nonrelative.....	9.7	20
Other home by relative.....	11.3	24
Other home by nonrelative.....	7.1	15
Nursery or preschool.....	1.9	4
Day care center.....	1.0	2
Cooperative program.....	.5	1
Before/after school program.....	1.6	3
Head Start.....	.1	(²)

¹ Includes multiple methods.

² Less than 0.5 percent.

3. HOW MUCH CARE IS USED?

For each child, the average number of hours per week was obtained for each of the nine principal methods used.

Volume of care

Number of hours used.—The following describes levels of care received among the nine principal types of care:

Average hours per week	Children (in millions)	Percent of all children
At least 1 hr.....	26.4	55
At least 10 hr.....	14.2	30
At least 30 hr.....	5.6	12

Type of care

Care used less than 10 hours per week.—Except for centers, Head Start and nursery schools, most children use each of the principal types of care less than 10 hours per week (for example, of all children being cared for in own home by relative, 76 percent receive less than 10 hours of care per week):

Percent of children using respective types less than 10 hours

Type of care:	
Own home by relative.....	76
Own home by nonrelative.....	81
Other home by relative.....	74
Other home by nonrelative.....	67
Nursery or preschool.....	47
Day care center.....	18
Cooperative program.....	84
Before/after school.....	79
Head Start.....	13

Distribution of total hours.—The 418 million hours of care provided each week are distributed as follows among the nine types of care:

Type of care	Hours (in millions)	Percent of all hours
Own home by relative.....	80.4	19.3
Own home by nonrelative.....	71.8	17.2
Other home by relative.....	106.7	25.5
Other home by nonrelative.....	83.1	19.8
Nursery or preschool.....	34.4	8.3
Day care center.....	26.9	6.4
Cooperative program.....	3.5	.8
Before/after school.....	9.0	2.1
Head Start.....	2.6	.6

Per capita use of care *

Total care per week.—On an average weekly basis, all children in the United States receive 8.72 hours of care among the nine principal methods. (II, 5-6)

Respondent employment status.—Per capita use of child care increases strongly with increases in hours worked per week:

Hours worked per week:	Per capita hours
None	4.3
1-19	8.4
20-29	11.1
30-49	20.7
50 and up.....	25.5

(II, 5-15)

Household income.—For all types of care, per capita use of care increases with increase in household income. Two major exceptions are: Middle-income children use the most (per capita) care by relatives, and low-income children use the most care in centers and Head Start. (II, 5-12)

Age of child.—Per capita consumption of care among the nine principal methods is greatest at 2 years old; beginning at age 4, amount of care steadily decreases. This is essentially true for all types, except for before or after school programs. (II, 5-6)

4. WHO USES CHILD CARE?

Using the data on type of care that a respondent designated as main method, percent distributions of selected demographic variables are provided for each of six main methods. Percent distributions of all users and of the total U.S. population are presented for comparison.

* Statistics are presented as the mean number of hours that care is received per week by each child under age 14 in the United States. Data on hours were only gathered for the nine principal methods. Consider the following example for a precise interpretation of per capita statistics. In U.S. households where the respondents don't work, the children receive a per capita average of 4.3 hours of child care per week in at least one of the principal types of care. Per capita statistics thus exclude hours of care provided by spouse, older sibling, and so forth.

Marital status

Main method	Percent of respondents using respective main methods	
	Married	Not married
Own home by relative.....	79	21
Own home by nonrelative.....	88	12
Other home by relative.....	84	16
Other home by nonrelative.....	78	22
Nursery or preschool.....	80	20
Day care center.....	65	34
All users.....	82	18
Total U.S. population.....	82	18

Employment status

Main method	Percent of respondents using respective main methods	
	Employed	Not employed
Own home by relative.....	32	68
Own home by nonrelative.....	32	68
Other home by relative.....	35	65
Other home by nonrelative.....	63	37
Nursery or preschool.....	51	48
Day care center.....	74	25
All users.....	41	59
Total U.S. population.....	37	63

Poverty status

Main methods	Percent of respondents using respective main methods		
	Below poverty	Up to 200	Over 200
Own home by relative.....	15	27	57
Own home by nonrelative.....	5	17	77
Other home by relative.....	11	29	59
Other home by nonrelative....	9	20	71
Nursery or preschool.....	8	11	81
Day care center.....	23	18	60
All users.....	11	23	66
Total U.S. population.....	15	24	61

Race/ethnicity

Main methods	Percent of respondents using respective main methods			
	White	Black	Spanish	Other
Own home by relative.....	76	13	6	5
Own home by nonrelative.....	93	4	2	2
Other home by relative.....	77	15	6	2
Other home by nonrelative....	79	14	3	5
Nursery or preschool.....	72	21	3	4
Day care center.....	59	24	6	12
All users.....	80	12	4	4
Total U.S. population.....	75	14	5	5

5. WHAT DO PEOPLE PAY?

For each of the nine principal types of care used, the average weekly expense was obtained. Payment through exchange of services or favors was also recorded.

Mode of compensation

Compensation by type.—Compensation is usually in cash (rather than services or no compensation) for users of centers, nursery schools and non-relatives in the children's own homes:

Percent of respective users paying cash

Type of care:	
Own home by relative.....	16
Own home by nonrelative.....	81
Other home by relative.....	12
Other home by nonrelative.....	43
Nursery or preschool.....	79
Day care center.....	79

(Derived from II, 7-5)

Cost of child care

Total U.S. expenditure.—An estimated \$6.3 billion is spent on day care each year. (II, 8-5)

Distribution of day care dollars.—Of all the dollars, 55 percent are paid to home-based, unrelated providers, 18 percent to related providers (though they provide almost one-half the child care hours) and 25 percent paid to nursery schools and day care centers. (II, 8-5)

Total weekly cost per household.—Of all households 47 percent using one of the principal types of care (regardless of number of hours used) do not pay for their child care, 22 percent pay less than \$10, 31 percent pay \$10 or more per week. (I, 6-3)

Average weekly cost by type—

Mean weekly cost¹

Type of care:	
Own home by relative.....	\$10.52
Own home by nonrelative.....	7.78
Other home by relative.....	14.24
Other home by nonrelative.....	16.07
Nursery or preschool.....	14.59
Day care center.....	19.56
Overall mean.....	14.73

¹ Only households purchasing the respective type of care are included when computing means weekly care. The high cost for care by a relative in the child's own home (\$10.52) would indicate that the care is only paid for when used for a large number of hours per week.

(II, 8-8)

Mean cost per child care hour.—Relatives are paid less per child care hour, as are all home-based types (when compared to centers and nursery schools):

Mean cost per child care hour¹

Type of care:	
Own home by relative.....	\$0.35
Own home by nonrelative.....	.53
Other home by relative.....	.39
Other home by nonrelative.....	.54
Nursery or preschool.....	.66
Day care center.....	.57
All methods.....	.51

¹ Computed by dividing total weekly cost for a type of care by the sum of hours for all children receiving care in that type (for example, two children for 5 hours each totals 10 service hours). The provider hourly rate will typically be higher for care involving more than one child. Households not paying for use of a type of care are not included in computing mean cost for that type.

(II, 8-7)

6. WHY DO PEOPLE USE CHILD CARE?

All those who use at least one of the nine principal types of care, regardless of number of hours, were asked for all reasons why child care is used and then for the most important reason.

Reasons for using child care

Most frequent means.—To work or to go out casually are the two most frequently given reasons for using day care.

Child-related reasons.—Though often given, child-related reasons are rarely the most important.

Reasons	Percent of all users	
	All reasons	Most important
Work or looking for work.....	42	35
Going out (social, shopping).....	67	33
School preparation.....	14	3
Child independence.....	22	3
Socialization.....	23	5

7. WHAT ARE PARENT PREFERENCES FOR DIFFERENT TYPES OF CARE?

In each instance of using care respondents were asked for their level of satisfaction on a 4-point scale.¹⁰ After establishing a respondent's main method of care (where applicable), these users were asked whether they would prefer to change to some other type. Those responding positively were asked for their preferred type of care. Also, several attitude statements were presented, with responses elicited using a 5-point scale of agreement/disagreement.¹¹

General satisfaction

Satisfaction by type of care.—Parents report being either satisfied or very satisfied with their child care arrangements. For even the least satisfactory type, of the users of that type were either satisfied or very satisfied. (III, 3-4)

Overall satisfaction.—Of all respondents, 86 percent agreed with the statement, "I am happy with the person or place who takes care of my child." (III, 3-2)

Preference to change

General preference to change.—Of respondents, 76 percent using at least one of the nine principal types indicated that they would not prefer to change their main method. (III, 3-12)

Frequency of changing main method.—During the past year, 90 percent did not change their main method of care. (I, 5-20)

Preference for types of care

Main method preference.—Among the six most used main methods, other home by nonrelative is preferred least and nursery or preschool preferred the most: ¹²

Main method	Percent users of respective main methods interested in changing from that method	Percent of all users interested in changing their main method
Own home by relative.....	19	14
Own home by nonrelative.....	24	16
Other home by relative.....	27	6
Other home by nonrelative.....	32	3
Nursery or preschool.....	16	24
Day care center.....	20	21

Types considered but not used.—When asked to indicate up to four types of care previously considered, 49 percent of all responses were nursery/preschool or day care centers. (Derived from III, 4-12.)

¹⁰ The scale is comprised of: Very satisfied, satisfied, not completely satisfied, dissatisfied.

¹¹ This scale is comprised of: Strongly agree, agree, neutral, disagree, strongly disagree.

¹² More specifically, the smallest percentage of parents preferring to change were users of nursery school as a main method (16 percent). Among all those preferring to change, the most desired type of care was nursery or preschool (24 percent).

8. WHAT ARE THE FACTORS THAT PARENTS CONSIDER IN MAKING DECISIONS ABOUT CHILD CARE?

The survey included six different sets of data that relate to factors involved in decisionmaking: (1) The seven major factors (rank ordered) that entered into their decisions for the types currently used; (2) the least important selection factor; (3) all their reasons for changing their main method during the past year; (4) the important reasons for discontinuing previous use of up to four types of care; (5) the most important reasons for not using up to four types of care that were previously considered; and (6) several attitude statements that include general factors for using (versus not using) day care and specific factors relating to individual types of care.

Selection factors

Most important factors.—The most important selection factors are: Caregiver reliability or training, “warm and loving,” a clean and safe place, and a type of care that the child likes. Given below are the rankings of five most frequently given factors:

RANKS FOR THE TOP 5 SELECTION FACTORS BY TYPE OF CARE ¹

Factor	Own home ²	Other home	Center or nursery school
Things are clean and safe.....		3	3
Warm and loving care giver.....	2	2	2
Discipline given when needed.....	4	5	
Experienced care giver.....	5		
Child likes this type of care.....	3	4	4
Planned/supervised group play.....	(³)		5
Well trained staff.....	(³)	(³)	1
Reliable/dependable care giver.....	1	1	(³)

¹ The average length of list included 30 factors.

² Respondents were actually asked for factors in selecting the care giver, rather than the setting.

³ Indicates that factor not included in list for this type of care.

Previous considerations.—Cost is the predominant reason for not using types of care previously considered (about half the time the types considered were nursery/preschools or day care centers). Other frequently given reasons are availability and transportation (care by relatives), provider reliability (own home by nonrelative), “didn’t like provider” (other home by nonrelative), and child too young (nursery/preschool). (III, 4–12)

Reasons for discontinuing care

Most recent main method.—Aside from “Other,” the most frequently given reasons for changing main method are provider no longer available (19 percent), respondent stopped working (13 percent), too expensive (10 percent), and didn’t like provider (10 percent). (III, 4–3)

Methods previously used.—The most frequently given reason for discontinuing use in eight out of nine principal methods¹³ is "child too old" (the highest being 64 percent in nursery/preschool). Other reasons were provider availability and respondent having moved (care by relatives), and stopped working (centers and other home by nonrelative). (III, 4-6)

9. WHAT SHOULD BE THE PUBLIC'S ROLE IN CHILD CARE?

The questionnaire included items on general involvement, payment mechanisms, program support options, standards, and ratios.

General involvement

Involvement with programs.—Of all respondents, 16 percent agreed that, "The government should not be involved in programs to take care of children." (III, 6-2)

Having taxes raised.—Of all respondents 50 percent were either neutral or in agreement with, "I would be willing to have my taxes raised in order to support child care activities."¹⁴ (III, 6-5)

Payment mechanisms

Method for cash payments.—When forced to choose between options, 75 percent of all respondents preferred that "child care funds" be used to make cash payments direct to the provider rather than through working parents. (III, 6-7)

Sliding fee scales.—Of users, 82 percent preferred sliding fee scales versus either having child care be free or having parents pay all the costs of the care they use. (III, 6-9)

Support for different programs

Program options.—When given the opportunity to select and rank order possible programs to be supported by "child care funds," respondents using one of the principal types most frequently preferred supporting referral services for information on "screened and qualified" providers. As first choice, the two most frequently selected programs were referral service (32 percent) and assistance to establish new facilities (17 percent). (III, 6-15)

Licensing

Use of licensed facilities.—Among those using the respective types of care, 84 percent use licensed day care centers, 81 percent use licensed nursery or preschools, and 10 percent use licensed family day care (other home by nonrelative).¹⁵ (Derived from I, 4-40, and 4-70.) Of those paying cash to family day care providers, 17 percent of the respondents use licensed providers. (II, 7-14)

General attitude toward licensed providers.—Of all respondents 25 percent agree that " * * * everyone who takes care of children should be licensed" (III, 6-17). However, 45 percent of all users answered "yes" to the following question specifically about in-home providers: Do you think there should be personal qualifications set for nonrelated people who care for children in the children's home? In other words, should sitters be required to pass health exams, educational requirements or meet some other kind of standard if they were providing care in your home? (III, 6-16)

¹³ The exception is care in or before or after school program.

¹⁴ More specifically, 4 percent strongly agreed, 26 percent agreed, and 20 percent were neutral.

¹⁵ Due to a relatively high nonresponse rate, as well as other factors, their estimates should be considered as conservative.

Standards

Aspects of care that should be regulated by standards.—Users are highly in favor of regulating centers and nursery schools, though more selective in regard to someone else's home. The following percents indicate proportion of all users who support regulating the respective aspects:

Aspects	Percent of all users	
	Someone else's home	Center or nursery school
Fire and building safety.....	67	94
Facility cleanliness and sanitation....	78	94
Staff-child ratio.....	62	86
Staff training and qualifications.....	44	88
Food and nutrition.....	63	88
Program content and activities.....	36	81
Space per child, physical surroundings and equipment.....	47	81
Counseling and referral services for family and child problems.....	26	69
Health conditions of staff and children.....	59	89

ANALYTICAL HIGHLIGHTS

Consumers

No matter how the term "user" is defined, there are three factors that strongly influence the likelihood of using one of the nine principal types of child care:

Households with younger children are more likely to use care than households with only older children.

Households composed of employed parents are more likely to use more care than households with at least one parent who is not employed.

Single-parent households are more likely than two-parent households to use care.

The importance of these factors as predictors of child care usage is most dramatic when comparing specific subgroups. For example, when looking at center care (and excluding very occasional usage), a preschool child with a single, employed parent is about 30 times more likely to receive care than a child in a two-parent family where only one is employed. Furthermore, the child of a single, employed parent is more than twice as likely to use center care than the child of a two-parent household where both parents are employed.

Of the many variables studied, these three are by far the dominating factors in predicting usage and tend to control other differences attributable to such variables as race/ethnicity and educational attainment. Even household income is largely subsumed as a dominant factor except to the extent that

the number of employed parents is highly associated with the amount of household income. Single-parent households are more common among low-income households, but unemployment is also relatively high.

In concluding that age of child, employment status and marital status determine use of child care, the study thus validates what most would say constitutes the need for child care services. It is hardly controversial to maintain that younger children, employed parents, and single parents have greater need for these services.

Types of care

The schedules by which consumers use the four home-based types of care are distributed broadly in all respects. Home-based care is used at varying times during the day and evening, is composed of a mixture of weekdays and weekends, and the schedule of use tends to be irregular and unpredictable. Contrasted to this are users of centers, nursery schools, and Head Start programs, where care is usually received on a half- or full-day basis, during the week, and according to a fixed schedule.

This characterization of usage schedules among types of care is altogether different when the many casual users of home-based types are factored out. Simply stated, there are no particular types of care that predominate among the more "substantial" users. Therefore, when thinking about care for children of working mothers, for example, it is patently incorrect to assume that these mothers will use day care centers, family day care homes, or any other particular type of "market care." Relatives and in-home caregivers do provide substantial portions of the care that is given on a full-time and regular basis.

Cost of care

Both marital and employment status have distinct relationships with money paid for child care. In per capita terms (that is, cost per capita in the population), employed mothers spend about five times as much on child care as their counterparts who are not employed. Among those paying for care, the mean cost of employed mothers is more than twice that of unemployed respondents.

Furthermore, when controlling for employment status, single parents tend to pay more per week both on a per capita and mean cost basis. The differences are most dramatic for care in the user's own home. When looking at mean weekly cost to those who pay, employed mothers who are single pay about 50 percent more per week than their married counterparts. Among unemployed mothers, single parents who pay for care in their own homes by relatives do so at a rate that is more than three times the mean costs for their married counterparts.

The observed mean weekly cost to paying households is about \$15. For respondents who are employed full time, the mean is just under \$24 per week. Only about 1 in 10 of the paying users spend \$35 or more per week. Furthermore, the median of what respondents claimed would be the maximum they would be able to spend corresponds to the overall mean of \$24 that is actually being spent. Based on costs alone, it is reasonable to suspect that most people do not and could not pay for day care either that meets Federal standards for staffing and services or that is offered in fully costed centers where there are no donations of staff time, space, or equipment.

Government role

There are several indications that parents with children under age 14 favor a government role in day care, though apparently with some reservations. In response to one item in the survey, the general attitude favors government "involvement," but about one-half would be unwilling to have their taxes increased to support child care activities. Nine out of ten favored a sliding fee scale or universally free day care, which could be interpreted as favoring government involvement.

Regarding standards, users of centers and nursery schools strongly favored regulation of various aspects that are presently included in the Federal standards. Support for regulation of certain aspects of care in someone else's home received much less support, though there was majority support for safety, cleanliness, ratios, food and nutrition, and health conditions of staff and children. Interestingly enough, compared to users in general, users of care in someone else's home were slightly less favorable to regulations, whereas center and nursery school users were somewhat more favorable to regulation.

Respondents who use some form of care were asked about acceptable numbers of children per adult in someone else's home and in centers or nursery schools. Among all users, only those with children in the respective age groups (0-2, 3-5, 6-9, 10-13) were asked for ratios. Generally, users of these two settings were more lenient (that is, accepting of more children per adult) than all users in general. Between the two types of care, lenient ratios are more acceptable in centers and nursery schools than in private homes. When compared to Federal staffing standards (although the data is not strictly comparable), there is substantial agreement with the ratios for homes but considerably less for day care centers and nursery schools.

Support for licensing is less strong than other indicators of government involvement in day care. Well over one-half of all respondents do not favor licensing for "everyone" who cares for children, a proportion which is even greater for users of care in other homes by non-relatives. This is somewhat confirmed by the relative lack of interest in spending "child care funds" on a "monitoring system to check on caregivers and facilities."

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APPENDIX B

EXCERPTS FROM "AN ASSESSMENT OF BARRIERS TO COMPLIANCE WITH THE FEDERAL INTERAGENCY DAY CARE REQUIREMENTS IN REGION V," PREPARED FOR THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE BY UNCO, INC., OCTOBER 1976.

CHAPTER FIVE

SUMMARY AND CONCLUSIONS

This chapter includes a summary of the preceding chapters in this report on "Barriers to Achieving Compliance with the Federal Interagency Day Care Requirements (FIDCR) in Region V." The intent of the chapter is to synthesize information on the background and the variety of barriers identified throughout the report. The chapter is organized as follows: Synthesis of background information; overview of the study; highlights of the findings which are issue-oriented and cut across the chapters; and summary of the barriers by category.

BACKGROUND

The last decade has seen an ever expanding number of children receiving care in facilities outside their homes. Federal expenditures for the support of child care has similarly increased. Concern has focused on the quality of these facilities and the care provided. There have been two basic areas of concern. The health and safety of the child has received much attention due to the possible legal and political ramifications of death, abuse or serious injury to a child in a facility which serves Federally subsidized children, and the basic belief that children require protection. Stories of "warehousing" and events such as the death of six children in a licensed day care home in Chicago in 1972, which was found to be in violation of standards, keep the issue in focus. In addition to health and safety there has been a concerted effort on the part of many to focus on the developmental quality of care provided with Federal subsidy. This emphasis is based on the concept that quality care will at least reduce the degree of deprivation for disadvantaged children.

In 1968, the Department of Health, Education, and Welfare, the Department of Labor and the Office of Economic Opportunity published the Federal Interagency Day Care Requirements (FIDCR), pursuant to Section 522(d) of the Economic Opportunity Act (DHEW Publication OHD 75-1081). Effective July 1968, day care programs receiving Federal funds from HEW under Title IV of the Social Security Act, Part A—AFDC, Part B—Child Welfare Services, Part C—WIN, Title V of the Economic Opportunity Act, Headstart and Title I of the Elementary and Secondary Education Act are required to comply with the FIDCR standards. The Federal Interagency Day Care Requirements cover the areas of facilities, staffing, environmental standards, educational services, social services, health and nutrition, staff training, parent involvement, administration, and coordination and evaluation.

The basic responsibility for enforcement of the FIDCR rests with the State administering agency. Acceptance of Federal funds constitutes an agreement by the State agencies to review programs and facilities at the local level and make sure that the requirements are met. HEW is responsible for monitoring State compliance as a condition of Federal funding.

The difficulty HEW has in adequately monitoring State compliance with Federal Interagency Day Care Requirements has been recognized in Region V as a problem for several years. A Regional Audit Report No. 05-40015, dated August 15, 1973, on the Regional Administration of Child Care Services under Title IV of the Social Security Act, reported inadequate monitoring and insufficient enforcement of the Federal Interagency Day Care Requirements.

This situation was highlighted by the full HEW Audit Report released in 1974 which included the Region V audit.¹ Seventy-seven percent of all facilities included in the audit were in violation of Federal, State or local safety and health requirements and 40 percent failed to meet the minimum staff/child ratio requirements. The Social Services Amendment of 1974, Title XX, included a requirement that no payments can be made for child care services which do not meet the 1968 FIDCR with the exception of changes in school-age staff/child ratios included within the Act, suspension of FIDCR requirements for an education component, and addition of staff/child ratios for children under three as determined by the Secretary of HEW.

The effect of the amendment was to elevate FIDCR from a compliance issue to the level of an FFP² question with associated financial risk to the States which used these funds to purchase care. The problem is of particular interest in Region V because of the large amount of Federally subsidized care provided throughout the Region. According to the SSRR (Social Service Reporting Requirement), 588,000 children were reported to have received care supported by Title XX funds during the period October-December, 1975. Approximately 30 percent of the Nation's total, or 178,000, were served within Region V.

THE STUDY

The effort which is summarized in this report was designed to assess existing conditions in Region V and to identify principal barriers or constraints which would effect an effort to implement and enforce the FIDCR. The study does not examine the appropriateness of the requirements or the relationship of provisions to quality care. The Office of Child Development has contracted for two major experiments which address the issue of quality care, and the Office of the Secretary of HEW, Planning and Evaluation, is leading an interagency effort to examine the question of appropriateness.

The focus of this effort is Region V. The findings which are presented in the report are in most part reflections of a national picture. The results are a product of discussions with sixty child care providers in the six States which comprise Region V; agency personnel in two counties in each State; State personnel in offices related to child care management and regulation; and Federal officials in Regional and Central offices. Related studies, legislative records, and official Federal and State documents have also been examined. Further, personnel from the State agencies and representatives.

¹ Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin.

² FFP: Federal Financial Participation.

from Region V, have reviewed the final and interim products of the study on several occasions.

An examination of "Barriers to Achieving Compliance with FIDCR" requires a common understanding as to what compliance means. Early in the study, following initial visits to the States, it was clear that confusion, misunderstanding, and disagreement existed relative to the FIDCR and the intent of Title XX. There was no guide or interpretation of the FIDCR which clarified agency and provider requirements. As of the date of this report, over eight years after the original publication of the requirements, there is no approved HEW statement which could be used by auditors or HEW monitors.

A FIDCR monitoring guide was developed by the contractor in conjunction with Region V key personnel (ORD, OCD, and SRS). This guide represented an effort to clarify the requirements and introduce a degree of measurability. The product was based on an earlier Unco effort in Region X, an SRS draft, and interpretations of the FIDCR provided by central office staff (HEW). The comprehensive discussions with State agency personnel and providers were guided by this document. It has been used as a basis for analysis and the identification of barriers.

The sheer mass of information and the complexity of the FIDCR issue can overwhelm the observer who goes beyond a casual examination of the question. In an effort to provide additional structure for analysis and a framework for the presentation of results, it was necessary to put the question of barriers in some perspective. The full report, categorizes barriers as follows:

Barriers in the environment are problems or issues which are external to the specific nature of the present standards and the capacity of state systems to implement or enforce child care standards. This category of barrier would exist irrespective of the nature of the requirements imposed.

Barriers in the system are a function of a State's capacity to respond to the requirements of FIDCR, and the inherent conflict between Federal regulations and existing State standards. The State milieu as represented by its agency structure, its code, its budgetary process, its orientation to social services generally and child care specifically, its licensing standards, and its enforcement policy represent barriers to enforcement of regulations which are inconsistent and/or not flexible.

Barriers in the requirements as presently constructed. This category of barrier focuses on specific requirements of the FIDCR. It examines issues of cost, measurability, enforceability, and purpose.

A complete discussion of barriers is not included in this summary. To summarize the barrier discussions would result in a superficial, or "so what" listing of the issues. What follows in this summary are some of the highlights of the study. Several of the observations cut across the barrier categories which are identified above.

HIGHLIGHTS OF OBSERVATION AND FINDINGS

The requirements of the 1968 FIDCR have, in large part, not been implemented. The findings of the HEW Audit Reports released in 1973 and 1974 are relatively unchanged. There are no final official program regulations, audit guides, or monitoring guides, according to which State or Federal

officials can determine compliance. The environment surrounding the FIDCR is a major contributor to this situation. Agency authority and responsibility at the State and Federal level is generally unclear. The roles of SRS/PSA and OCD are often confused. There does not appear to be a commitment to enforcement.

The legislative history of the FIDCR as related to the Title XX is further indicative of the problem. In 1974 the Title XX legislation was passed establishing compliance as an FFP requirement. However, Congress appeared to second guess itself by calling for the Secretary of HEW to conduct an evaluation of the appropriateness of those very requirements. The dilemma was whether to enforce the requirement with its resultant impact on State delivery systems or await a clarification of Congressional intent. In 1975, Congress delayed implementation of the staff/child ratio until February of 1976. State ratios remained in effect. All other aspects of FIDCR remained intact. Early in 1976, Congress approved further delay of staff/child ratios for children under six and provided funds to assist states in meeting the standards. The President vetoed the Bill and override attempts failed. In late summer of 1976, Public Law 94-401 delayed the implementation of the ratios until September 30, 1977 and made available \$240 million additional for child care.

It should be noted that the legislative history of the standards is representative of a milieu. It is not an excuse for noncompliance in any area other than staff/child ratio. The requirement to monitor has existed unchanged and basically unchallenged since 1968. Should an issue be made of it, the potential penalties are large given the level of Federal child care support. The problems of enforcement and being able to make any penalties stick in the face of legal challenge from a state seem equally large given the problem of interpretation. The question of who is at greatest risk—Federal agencies, the States or the children—is not always clear.

Interpretation and measurability of the FIDCR

The Day Care Requirements as originally published allow great latitude in interpretation. The FIDCR clearly establish certain requirements for the administering agency. Some of the requirements may be interpreted as being the responsibility of either the administering agency or the provider; others are obviously under the control of the provider. If FFP based sanctions are to be applied as a part of enforcement, it is necessary that divisions of responsibility as basic as those cited be clarified. It is necessary that those responsible for enforcement recognize the full extent of the requirements.

The FIDCR is too often equated with staff/child ratio. This is a national error since the ratios have been the source of the greatest debate. They have been focused on because they seem to be the most measurable and can easily be translated into costs. In this seemingly most measurable area there is no common base. There is no agreement as to how to compute staff/child ratio. Left to their own interpretation any two individuals visiting a day care center on the same day could determine two very different ratios. One would be in compliance. The other out of compliance. Individual States differ in their approach. There is no official document from either OCD or SRS which clarifies the basis of computation and thus determination of compliance.

The FIDCR also state that "The facility must provide adequate and nutri-

tious meals prepared in a safe and sanitary manner . . .". Ignoring what is meant by nutritious, safe or sanitary, the word "provide" has led to disagreement among the Region V states. In one state this has been interpreted to mean that a child cannot bring a lunch from home, irrespective of the cost involved to the parents. In other States it is acceptable.

The FIDCR require that social services and health and nutritional services be provided. Neither the responsible agent (provider, agency or parent) nor the funding source for these services is established. Is SRS responsible for underwriting these costs for all-children-provided day care under Title XX, irrespective of other eligibility criteria? Is the provider responsible for these services as a part of child care? There are innumerable examples of the above concerns. There is differential interpretation and attention to the items in each of the six states. There is minimal external guidance.

Comparison of FIDCR and State standards

All States in Region V have State licensing requirements for day care centers, and four of the six have requirements for day care homes. Considerable attention has been paid to the overall differences in purpose and intent between the FIDCR and State standards, and the difference between State-required staff/child ratios and the Federal requirements. This focus has blunted a detailed, direct comparison of the two because of the expected vast differences. In fact, the margin of difference in Region V is not that great. A close comparison of the provider aspects of the FIDCR with existing State standards reveals that, with the exception of staff/child ratio, the real differential is minimal and is primarily related to ancillary services which may be more appropriately requirements of the administering agency than the provider. Examples of these ancillary services which are Federal requirements are: Social services; counseling to families regarding day care; information and referral to community resources; health and medical services; and training for day care operators and staff.

These are indistinguishable from the social services in general, and are probably most effectively provided through existing delivery mechanisms rather than by day care providers, especially in the case of family day care. As noted earlier, responsibility for these requirements has not been clearly established, either within the FIDCR or by Federal guideline.

The State standards tend to be better defined and more interpretable than the Federal standards. Some States have developed a monitoring guide for their own use in their attempt to meet the provisions of the law. In almost every instance procedures and capacity within a State are most developed in areas related to State standards. One Region V State administers certification as a simple amendment to its licensing process. Another State completely separates FIDCR certification and State licensing. Indirect cost data is not available, however, self report suggests that the integrated approach is less costly than the approach which involves somewhat independent agency efforts. This would be especially true for day care centers for which standards exist in all States, and for which licensing is generally a State rather than a county function. Home based care is more typically handled at the county level.

Cost differential for care in FIDCR-compliant facilities

The principal regulatory agents for child care are States, not the Federal government. It has been estimated that Federally subsidized care represents approximately 12% of the child care market in the country. An even smaller percentage falls under direct FIDCR influence.

Where data is available, the differential for pre-school center care between facilities which meet the FIDCR (specifically staffing requirements) and those which meet State standards, is at least \$2-3 per day per child. The differential is considerably higher for infants and toddlers, up to \$6 per day per child. These differentials vary from State to State depending upon existing State licensing requirements and the FIDCR provisions being enforced.

Since child care is an optional service under Title XX, a State may choose to use other funding sources (State or Federal) to support child care services as an alternative to providing more expensive care or risking financial sanctions due to regulations, especially as they near their social service ceilings. As States examine other funding sources or consider providing less child care as a direct service, and as providers which primarily serve FFP children choose not to continue to take these children, the percentage of care affected by the FIDCR will decrease. The advantage of strict Federal regulation under these conditions seems moot.

Economic segregation

Except in States which have a policy regarding the maximum number of slots which can be purchased from one center (for example, 50 percent), the effect of the increased cost of meeting Federal standards has, in many cases, resulted in a form of economic segregation. Higher rates cannot be charged for federally subsidized children than for any other children (45CFR228-71a.) Due to high child care rates resulting from increased staffing costs, centers which take a large percentage of FFP children are unable to adequately compete for private market customers.

Therefore, many centers are forced into a position of either not meeting Federal standards, and therefore not accepting subsidized children, or if Federal standards (specifically staffing ratios) are met, 100 percent of the slots must often be purchased by the State if the facility is to remain financially solvent. The outcome is the creation of two types of facilities—those which serve federally subsidized children and those which do not. The effect is to ensure that target children have a large number of caregivers, but to maintain them in separate facilities, without an integrated mix of subsidized and non-subsidized children.

This situation is further complicated in rural areas in which the number of centers is limited. If there is no need for 100 percent of the slots in the only center in a local area, the provider may choose not to serve any federally subsidized children, rather than to increase rates. Care alternatives for federally subsidized children are thus limited to available home-based care. The segregation effect is carried one step further. Federally subsidized children can neither be served within the same facility nor in the same care type.

Purchase of service—contracting

Child day care ranks among the top three services in Title XX expenditures for fiscal year 1976 in all States in Region V. There is only minimal direct operation of day care programs throughout the Region; almost all federally subsidized day care is purchased. Although day care has been a purchased service, with the implementation of expanded services under Title XX, there is new focus on this method of service provision. Many States and counties are either expanding or developing purchase of service units. An increase in contract activities and an improvement in procedures has been necessitated by the contract requirement for all services purchased under Title XX after March 31, 1976.

Neither Federal technical assistance nor explicit guidelines have kept pace with the rapid expansion of purchased services. States and counties have taken on the burden of contract administration versus the old more familiar voucher payment systems with little assistance. Expertise in contract administration has not been fully developed among responsible State and local agency personnel. As a result, the need has been expressed for assistance in contract negotiation and administration procedures.

The contract is the only legal authority the agency has over providers. Unlike many State licensing standards, the FIDCR do not have a statutory base which allows penalties to be invoked, revocation of licenses, or closing of noncompliant facilities. The contract is the primary mechanism for enforcement of the FIDCR.

Standard Federal procurement regulations govern the purchase of service under contract. However, an inappropriately written contract could result in a situation where a large supplier operates in a condition of non-compliance. Such a situation, if discovered through audit, could place the state in the position of being penalized with no recourse against the provider through which at least a portion of the funds could be recovered.

Authority/responsibility

Until recently, there have been no Federal agency staff with clear responsibility for FIDCR implementation at the Regional level. There has been no designated authority to whom States should direct questions about interpretations, monitoring expectations, or specific audit requirements. This is obviously in part a resource problem.

There is also no clear authority at the Central Office level. While PSA is responsible for enforcement of Title XX requirements, for determining compliance through audit and for imposing penalties, responsibility for interpretation of the requirements, is still unclear. PSA has developed several versions of a guide for monitoring within the past year, yet the Office of Child Development is the agency which is most often contacted for interpretation.

The problem is twofold and is not unique to Region V, nor is it unlike problems States are having in separating responsibility between social service administration and standard setting units. PSA is the funding authority for the Title IV and XX programs and therefore responsible for enforcing and imposing penalties. Responsibility for interpretation is unclear. What is the role of the Office of Child Development relative to implementation of the FIDCR, given that the only day care program operation under its jurisdiction is Head Start, and that the FIDCR have been replaced with separate Head Start Performance criteria?

SUMMARY OF BARRIERS

Environment

The barriers inherent as a result of the process of development and early implementation of the standards.—The standards were developed without a base of data which would indicate the impact that they would have on day care programs. They were developed by persons who did not have a thorough understanding of the day care system as it existed nor as it came to exist. There was no plan for implementing the standards; they were merely published in the Federal Register.

The barriers to the imposition of standards which are inherent in the current demand for day care.—As the proportion of women in the labor

force increased rapidly and the availability of day care diminished, women made informal arrangements for childcare. The availability of high quality care no longer was a determining factor in decisions to work. If center care was unavailable or too expensive, in-home arrangements were made. Federally subsidized care in centers supported a higher proportion of children from low income and black families.

The barriers which are present because of the lack of agreement over the purpose of day care.—There is ambivalence over the purpose of day care. The Head Start program is viewed as providing developmental care. Programs under the Social Security Act are viewed as providing adequate care for the personal care, protection and supervision of the child. Yet the standards must apply equally to both programs.

The barriers which result from lack of national commitment to meet or enforce the requirements.—There has been a lack of evidence of a national commitment to meet or enforce the FIDCR evidenced by the original language of the requirements and the lack of accountability required of Federal agencies. Also concern that the requirements were not relevant in the present American economy and would cause the price of day care to rise led to nonenforcement or the choice by States to use day care funding mechanisms without costly strings attached. The lack of national commitment to enforce has also been apparent through the ongoing Congressional debates related to waivers and consideration of FIDCR "appropriateness."

The barriers which are presented as a result of having the FIDCR cover only a small part of the total day care market.—It is difficult to affect any market when standards or requirements affect only a small portion. If the standards are too restrictive or cause the costs to increase markedly, then the users will move out of that market. In the case of Federally subsidized day care, the market covered by the FIDCR on a proportionate basis is growing smaller. Much of the new funding for day care subsidizes care that is not subject to the FIDCR, including the childcare tax exemptions and the disregard for childcare expenses under the AFDC program.

The barriers caused by development of a dual system of childcare.—The increased cost of day care which meets the FIDCR has in some instances led to the development of two systems of childcare—Federally subsidized and nonfederally subsidized, which results in economic segregation of children. Parents purchasing childcare in the private market cannot pay for center care which meets the FIDCR, and therefore choose less expensive center care or, more likely, family day care or in-home arrangements. The provider cannot afford to serve a small percentage of federally subsidized children if cost of care must be increased and private clients lost. The result is 100 percent federally subsidized facilities.

The barriers which are inherent in programs requiring Federal regulations, but not Federal administration.—Child care services for which the FIDCR apply are State or county administered programs. The FIDCR represent standards to be applied uniformly to administering agencies and providers in all jurisdictions. Maintaining uniform standards is difficult when administration is localized. There are differences in organizational structures; differences in program costs; differences in philosophy and expectations of day care; differences in State and local standards and codes. The source and purposes of the regulations are viewed as foreign to the State and among the multitude of counties³ which administer the day care services programs.

³ Counties by State: Illinois (102), Indiana (92), Michigan (83), Minnesota (87), Ohio (88), Wisconsin (72); those italicized are county-administered.

System

The barriers resulting from no Federal implementation plan or assistance to States.—Most new Federal initiatives have elaborate implementation plans prior to the effective date. There was never any such plan for the FIDCR, nor has there been any systematic monitoring to determine if States were in compliance. States have received practically no Federal technical assistance related to interpretation of the requirements, or to expectations for monitoring and enforcement. No staff in Region V have been specifically assigned to day care. States have not known which agency or staff at the Regional Office has responsibility for providing guidelines. In addition to lack of Federal guidelines and technical assistance, there have also been no clear penalties or incentives to States to implement the standards.

Problems due to no clear delegation of responsibility for the standards.—One of the barriers to compliance with the FIDCR has been the lack of clear responsibility for enforcement of the standards at the Federal, State, and local levels. At the Federal level, division of responsibility between the Office of Child Development (ODC) and the Social and Rehabilitation Service/Public Services Administration (SRS/PSA) has been ambiguous. It can be argued that SRS/PSA is the responsible Federal agency since it is responsible for administering funding for all of the applicable day care programs, with the exception of Head Start. Yet the Office of Child Development has retained standard setting authority. This equivocation also exists at the Regional level.

Responsibility has not been clearly delineated in States either. The State licensing, monitoring, and enforcement authorities have not necessarily been assigned responsibility for the FIDCR, yet these are the units as the designated childcare standard setting authorities in all States in Region V. In fact, in one State this authority is outside the Title IV/XX agency and therefore not under the direct influence of this section of SRS/PSA.

As a result of this confusion, there has been a limited amount of accountability for monitoring and enforcement at any level.

The barriers related to lack of procedures for monitoring and enforcement of the standards.—No attempt was made to assess the efficacy of procedures developed for monitoring and enforcement of the Federal standards for this study. However, the determination was made as to whether States had developed procedures or not, and whether these procedures were comparable to procedures for licensing and monitoring of State standards.

A variety of procedures were discovered across States. Only two States had developed methods for initial certification and monitoring for both day care centers and family day care homes, and these were not the same. A general lack of understanding as to what should be included in a system for FIDCR enforcement was observed in every State.

The barriers related to other requirements placed on the administering agency.—Other requirements have been placed on the administering agency in addition to those of initial certification and periodic monitoring and enforcement of the requirements. These include requirements to assist in provision of ancillary health and social services, to provide training and technical assistance to enforcement staff and providers and to provide planning and coordination among day care and other Federal programs which can be used as resources in meeting the requirements.

According to many agency staff and providers, there is inadequate training and assistance available due to lack of resources. Planning and coordination is minimal with other Federal programs, although at least one

State (Minnesota) is developing local advisory committees which will assume the planning and coordination function in an attempt to maximize available resources.

Requirements

The barriers which are present because of lack of agreement about the purpose of the FIDCR.—There has been lack of agreement over whether the FIDCR represented funding requirements, goals, objectives or licensing requirements. Do the FIDCR represent minimum level of acceptable care or goals which should be gradually striven toward? Are the FIDCR only guidelines, for which States must develop specifics, or are they to be enforced as is? This lack of agreement has proven to be a barrier.

The barriers resulting from differing philosophical attitudes toward some of the requirements.—Discussions with both agency staff and providers for this study revealed a lack of commitment to enforcement (staff) and to compliance (providers) with some of the requirements because of differences in opinion about utility or effect. For example, some felt that the required staff/child ratio for preschool children in some cases would discourage independence. In each instance, there may or may not have been data to support the requirement, but the negative opinion and orientation without education of those involved about either the purpose of the requirement or the data to support it has been identified as a barrier to compliance.

The barriers to enforcement of the FIDCR because of support for State day care standards.—The development of the FIDCR and other Federal emphases on day care standards concurrently with increase in need for, and availability of day care services provided necessary encouragement for States to upgrade their day care licensing standards. The standards development and/or revision processes within States included a broad range of representatives concerned with children and day care. The resultant standards often reflected opinions and experiences from a large number of persons within a State and also reflected individual State "uniquenesses." As a result, discussions with staff and providers in Region V revealed a great deal of support for State licensing standards. The statement was often made that State standards were adequate and therefore Federal standards were inappropriate, duplicative or unnecessary, except in instances where there were no State standards such as for family day care in Ohio and Wisconsin. This has been identified as a barrier because of the apparent resulting lack of support for the FIDCR among both staff and providers.

The barriers resulting from requirements which lack clarity and measurability.—There has been almost universal agreement that the FIDCR lack clarity and that there is need for further interpretation if the standards are to be uniformly enforced. Available interpretations from PSA, the State of Ohio, and a monitoring guide developed for use in this study in cooperation with Regional Office staff (ORD, OCD, SRS) all reflect slightly different interpretations of the requirements.

These differences can result in enforcement of different standards, and therefore do not lead to uniform application of Federal standards across the Region.

The barriers which are present as a result of lack of statutory basis for enforcement.—Unlike State licensing requirements, the FIDCR do not have universal sanctions for all day care facilities within a State, that is, it is legally acceptable for a facility to operate without meeting the FIDCR. The

facility, however, should not be selected to serve Federally subsidized children. The onus for enforcement is placed on the agency which administers the subsidy. Without other legal recourse, the only method for enforcement is the purchase of service contract. Meeting the standards must be included as a provision of the contract. Prior to March 1976 the voucher payment mechanism (especially for family day care homes) was more widely used than a formal purchase of service contract. Enforcement of standards through this method has been difficult.

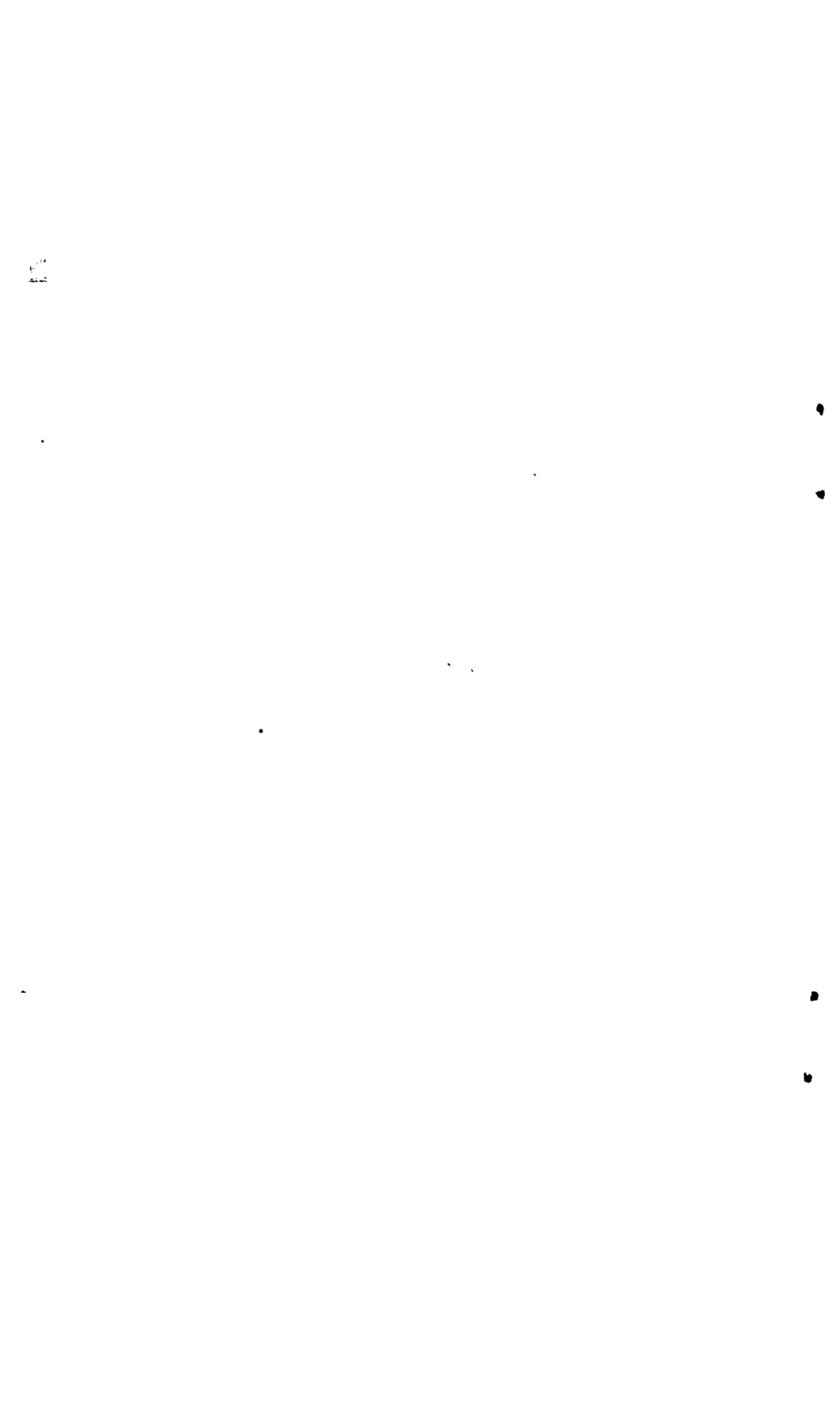
The barriers which result from the same requirements for different types of care.—There has been some question as to the degree of applicability of the standards to different types of day care—centers, group day care, and family day care. Many of the requirements, such as those for parent advisory committees, development of written policies, record keeping, et cetera, appear to be relevant for day care centers, but may be inappropriate for home-based care; yet, within the requirements, with the exception of staffing and grouping there is no delineation as to which requirements are for centers only. This confusion may have partially been responsible for the lack of enforcement of the FIDCR for homes in States which have licensing standards which may be more suitable.

CONCLUSION

In conclusion, it is useful to comment on a significant finding of the study which does not represent a barrier to the implementation of the FIDCR. In just about every instance, State personnel demonstrated a great amount of interest, cooperation, and genuine desire to improve day care management and guarantee safe quality care. They openly discussed their deficiencies. The general attitude was one of readily accepting review, given that the basis of evaluation and expectations of the reviewing body are well defined and set out by some advance agreement.

The comments of one State services director are representative of this attitude.

The report appears to be accurate and well written, and properly identifies many of the dilemmas States are facing as the FIDCR debate continues. Now that H.R. 12455 has become law, we are looking to DHEW for immediate guidance in implementing the law and administering the funds which are becoming available through the legislation. I assume that the passage of these provisions will not lessen DHEW's interest in evaluating the appropriateness of staffing standards and recommending modification of FIDCR.



APPENDIX C

DAY CARE IN THE SEVENTIES: SOME THOUGHTS (PREPARED BY W. R. PROSSER FOR THE OFFICE OF ECONOMIC OPPORTUNITY, 1972)

I. INTRODUCTION

The purpose of this paper is to briefly summarize conclusions related to operating costs and business economics of day care centers, including parents' willingness to pay for day care. The thoughts expressed in this paper evolved from analysis of the national sample day care data base compiled as a result of "Day Care Survey—1970," which was funded by the Office of Economic Opportunity.

II. OBJECTIVES OF THE "DAY CARE SURVEY—1970"

The following is quoted from the Summary Report:

This survey and basic analysis of existing day care programs and facilities is one of a series of studies being made for the Office of Economic Opportunity to provide current and reliable national reference data in areas of day care services for children and of closely related early childhood development topics. The goal of this particular project is to provide data for use by researchers and planners in programmatic areas where day care services for children are a significant component.

The survey and basic analysis, . . . carried out by Westat Research, Inc. under subcontract to Westinghouse Learning Corporation, characterizes existing day care programs and facilities and provides baseline descriptive data on the utilization of and expressed need for day care by low- and moderate-income families.¹

III. PROFILES OF DAY CARE CENTERS AND HOMES

The Westat summary report is very comprehensive and gives many findings which will not be repeated here. The profiles summarized below result from analysis of the data base which includes interviews with approximately 300 day care center and 130 day care home operators, and approximately 2,400 parents. These profiles give an impression of factors related to the economic side of day care.

A picture of day care centers is summarized in Table I. The average of the center's cost per child was \$822 for an average full-day equivalent (FDE)² enrollment of 40.5 children. The average age distribution was 5 infants under 3 years, 32.5 children 3–5 years old and 3 children 6 years and older. The average attendance rate was 86 percent; that is, typically 35 out

¹ Westinghouse Learning Corporation—Westat Research, Inc., "Day Care Survey—1970," April 1971.

² A full day equivalent child is defined as one full time child or two part time children. Although this was originally an arbitrary simplifying definition, subsequent analysis indicated that if anything a part time child should be weighted slightly higher, 60 percent.

of the 40.5 enrolled children were at the center on the day the center was surveyed. The centers averaged 1 staff member per 7 children and 1 child-related staff member per 16 children.³ The average teacher's wage rate was \$1.55 per hour; personnel costs averaged about 70 percent of total costs.

TABLE I.—DAY CARE CENTER PROFILES ¹

Annual gross revenue	\$33,859
Annual gross per child ²	\$822
Gross per child hour	\$0.31
Profit margin (percent of gross) (proprietary centers only and may include owner salary)	14
Size (FDE)	40.5
Attendance rate (percent)	86
Hours open per year	2,777
Child-staff ratio	7.0:1
Child-teacher ratio	15.9:1
Staff costs as percent of gross revenue	70
Personnel costs per child	\$512
Nonpersonnel costs per child	\$310
Equipment replacement cost per child	\$74
Percent replacement cost donated	11
Percent staff hours donated	4
Percent facilities donated	24

NUMBER OF CHILDREN BY ENROLLMENT STATES AND AGE

	Under 3 yr old	3 to 5 yr old	6 and over	Total
Full time	4.8	27.8	1.8	34.4
Part time . . . . .	.4	9.2	2.6	12.2
.....	5.0	32.4	3.1	40.5

¹ Sample size was 241 centers.

² Gross revenue was used as the measure of a center's cost rather than total annual cost because (1) the difference between them often appeared to be the small center's director's salary (called "profit") and (2) a federally-sponsored program involving proprietary operators will have to include profit as a reasonable expense. One-hundred and eight centers reported identical figures for gross revenue and total annual cost or only reported one of the figures, in which case the analyst assigned them identical values.

Note.—The data reported here is not weighted for sampling weights. The differences are slight between weighted and unweighted totals.

The centers were open an average 2,777 hours a year (about 53 hours per week, 52 weeks per year); the average gross revenue per child operating hours was \$0.31. Approximately 4 percent of the staff hours (one percent of the proprietary and 6 percent of the non-proprietary), 11 percent of equipment replacement costs and 24 percent of the facilities were donated. As

³ The 1968 Federal Interagency Day Care Requirements specify 1 adult per 5 three to four year olds and 1 adult to 7 four to six year olds.

would be expected, the non-proprietary operators received more contributions than proprietary centers.⁴

Table 2 which provides a national profile estimated day care center staff education, "shows the educational level of the day care center staff by positions. About one-fourth of the teachers have college degrees and about 35 percent have had no college training. As could be anticipated, professional supportive staff tend to have high levels of education and non-professional supportive staff tend not to have educational levels that match those of teachers' aides tend to have educational levels similar to those of non-professional supportive personnel."⁵

Median salaries are also shown in the tables. From the median salaries reported it can be seen that day care staff, for the most part, are working for very low wages.

Operators of day care homes receive even lower income for their services than day care center staff. The average hourly wage for looking after 2 to 3 children for nearly 10 hours a day 5 days a week was 60 cents per hour. (See Table 3.) The average weekly fee for a full time child was \$12.60, which is approximately 3 dollars less than for centers. About 16 percent of the homes were licensed. Typically, the operators were in their thirties, had 1 to 5 years of day care experience, had a high school education (the education level distribution is similar to the center aide shown in Table 2), and had a family income of \$4,000-\$8,000. Approximately 50 percent of the operators reported that they participated in developmental activities such as teaching counting and the alphabet to the children and spent about one and a half hours per day playing games with and reading to the children.

The analysis of these data led the author to certain conclusions about the general state of day care, which are outlined in the next section.

IV. CONCLUSIONS

Major conclusions from the Westat survey data are:

1. Parents paying for child care are buying a significantly different, and less expensive, variety of day care services than governmental agencies are procuring. A majority of the child care arrangements made by parents are nonmonetized. The vast majority of parents report that they are highly satisfied⁶ with their day care arrangements.

2. Day care centers operating for profit provide a less expensive type care, on the average, than non-proprietary centers. The average annual cost per child reported for proprietary centers was \$600 compared to \$1,100 per child at non-proprietary centers.⁷ It is hypothesized that proprietary centers

⁴ One colleague who has done extensive cost analysis of day care budgets feels that these figures understate the donations because most operators overlook a significant amount of in-kind goods and services. However, OEO experience has been that many communities find it extremely difficult to come up with their "local share" requirements. Furthermore, any massive Federal program will quickly soak up available in-kind resources such as empty church basements.

⁵ Ibid., p. 59.

⁶ This result may tend to overstate the true degree of parent satisfaction. Experience has shown that when asked most respondents reply that they are quite satisfied with the service in question. The degree of satisfaction and desire to change arrangements (measured by responses to interview questions) could not be reliably predicted on the basis of center characteristics recorded in the survey and investigated in the analysis.

⁷ A good deal of the difference is explained by higher non-proprietary wage rates and staff to child ratios. For additional comparisons see Appendix Table I.

TABLE 2.—ESTIMATED PERCENTAGE DISTRIBUTION OF FULL-TIME AND PART-TIME DAY CARE CENTER STAFF BY SPECIFIED LEVELS OF EDUCATION

Educational level	Directors	Clerical	Teachers	Teachers' aides	Nonprofessional supportive	Professional supportive	Volunteer
Less than 8 yr.....	2.9	0	0.4	7.3	13.5	2.1	0
Some high school.....	7.3	0	4.2	22.8	23.9	1.9	24.8
High school graduate.....	35.3	35.0	30.8	46.9	51.8	10.8	36.2
Some college.....	25.0	53.5	39.1	19.7	8.4	50.4	8.3
College graduate.....	19.7	11.5	22.2	3.1	1.9	15.3	30.7
Some postgraduate.....	9.8	0	3.3	.2	.5	19.5	0
Total.....	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Number of staff.....	20,886	2,586	41,521	36,988	16,352	3,444	4,733
Median salary (per month)...	¹ \$355	\$401	\$353	<\$300	<\$300	\$431

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¹ A large number of directors did not report their salary. This may explain why the median director salary was lower than median clerical salary.

TABLE 3.—DAY CARE HOME PROFILE

Weekly gross revenue (WGR).....				\$31.66
Hours open per week.....				48
WGR per hour worked.....				\$0.60
Fee per week:				
Full-time child.....				\$12.60
Part-time child.....				\$7.45
	Own	Other, full time	Other, part time	Total
Number of children cared for:				
Under 3 yr.....	0.3	0.8	0.1	1.2
3 to 5 yr.....	.5	1.0	.3	1.8
6 plus.....	1.0	.1	.3	1.4
Total.....	1.8	1.9	.7	4.4
Percent of homes that have other family members help...				40
Percent of homes licensed.....				16
Percent of operator characteristics:				
Age:				
Under 30 yr old.....				42
30 to 40 yr.....				20
40-plus years.....				38
Experience:				
Under 1 yr.....				28
1 to 5 yr.....				40
6-plus years.....				32
Education:				
Under 12 yr.....				36
12 yr.....				46
13-plus years.....				18
Percent of operators who teach:				
Songs.....				50
Alphabet.....				50
Counting.....				55
Other.....				25
Number of hours spent by operator:				
Playing games.....				1.0
Reading to children.....				.5
Number of hours spent by children:				
Watching TV.....				1.2
Play (outside).....				1.7
Play (inside).....				2.8
Eating.....				1.1
Naps.....				1.9

provide a type care parents are willing to buy and non-proprietary centers provide a type which governmental agencies are willing to procure. Ninety-eight percent of proprietary centers revenue came from parent fees; whereas, only 22 percent of non-proprietary centers' revenue came from parent fees.

Consequently, poor children enrolled in day care centers (primarily non-proprietary) are receiving higher cost day care than children of lower-middle class. However, one should not conclude that more expensive care is necessarily higher quality care. The relationship between input (cost) and output (quality) has yet to be determined.

3. Although there is a wide range of day care center costs per child reported, the differences for the most part can be explained by differences in staff/child ratios, teacher wage rates and other non-standardized effects. Mathematical models developed by OEO from Westat day care center data⁸ predicted with less than 10 percent error the cost of the exemplary centers studied by Abt Associates which they reported would cost \$2,223 per child per year.⁹ This model was used to estimate cost implications discussed in the next section. Differences in child/teacher ratios and teacher wage rates account for most of the cost differences between the average non-proprietary and proprietary center mentioned in conclusion No. 2.

4. Often significantly lower costs are attributed to day care homes as compared to centers. Although one finds that homes are less expensive on the average than centers the difference is not inherent in the day care setting so much as it is in the purpose of the care given. Day care homes tend to primarily serve a "custodial"¹⁰ function, whereas, many centers purport to be "developmental." Day care homes which focus on developmental care, for example, family day care home systems, generally are in the same cost range as developmental centers. Conversely, "custodial" centers usually are in the same cost range as typical day care homes. Therefore, the type of care desired should be specified before making cost estimates utilizing standard costs for day care homes or centers.

5. Day care is a labor intensive industry where staff costs are approximately three-fourths of total center costs even though the majority of staff sampled receive wages near or below the federal minimum wage and the college graduate entering day care teaching receives compensation equal to about 60 percent of that of her public school peer.

For example, the average starting wage rate for a college graduate in public school systems is approximately \$4.50¹¹ per hour compared to \$2.80 per hour for a college graduate working in day care. Major Federal intervention in the day care field will predictably lead to higher staff wages at the

⁸ Abt Associates, "A Study in Child Care, 1970-71," April 1971.

⁹ The average cost of the Westat center was \$822 and is based on 1968-1969 prices. To adjust to 1971 prices the cost figures should be adjusted (inflated) approximately 1.13 (121.3/107.0). The average Consumer Price Index for all items 1968/1969 was 1.07. The Index for 1971 was 121.3.

¹⁰ The author uses the "custodial/developmental" shorthand because of expository expediency, but only reluctantly. Although the dichotomy carries an understood impression among people in the day care field, the terms are ill-defined and imprecise. Furthermore, there is a tendency for people to assume that expensive care is better "quality" or more developmental than less costly care.

¹¹ Research Division, National Education Association, "Salary Schedules for Teachers, 1970-71," Research Report 1970-R12, 1970. Teacher wages were computed on the basis of annual salary divided by 8 hours per day, 190 days per year.

bottom end of the scale and pressures to narrow the gap between peers in school and day care systems. Both, in turn, will raise overall program costs or reduce the number of staff employed.

6. Large centers (greater than 60 child enrollment) evidence size cost savings of 5-10 percent over smaller centers (less than 30 child enrollment). Abt Associates¹² reported that larger centers may offer a less inviting atmosphere to the child—a tentative hypothesis at present. If the hypothesis is verified, then the economies of scale/comparisons become less meaningful because different quality products are being compared.

7. Although centers found in the South and/or in non-SMSA areas tended to have average costs which were less than centers in other areas, these cost differences are largely accounted for by salary differences and are likely to diminish greatly given Federal day care standards and minimum wage requirements. Additional metropolitan regional cost comparisons are given in Appendix Table 2.

8. Planners, administrators and legislators have typically been preoccupied with day care for three to five year olds. Programs for infants and before/after school for older children with working parents are extremely scarce even though 80 percent of the children of working parents who need child care services are 0-2 and 6-14. At present, day care centers provide less than 10 percent of day care arrangements nationally. Baby-sitters and child care homes provide the bulk of the remainder. Parents do, however, indicate a desire to have their children in day care centers. Although only 6 percent of the Westat national area sample had children centers, approximately 40 percent of those interviewed stated that they would choose to enroll their preschool children in a day care center that met their needs (price, convenience, etc.). A well-planned child care/development program must correct the imbalance between demand, need and supply.

9. It is taken as a given that child care arrangements should be physically safe for the child. (Unfortunately, even this is sometimes not the case.)

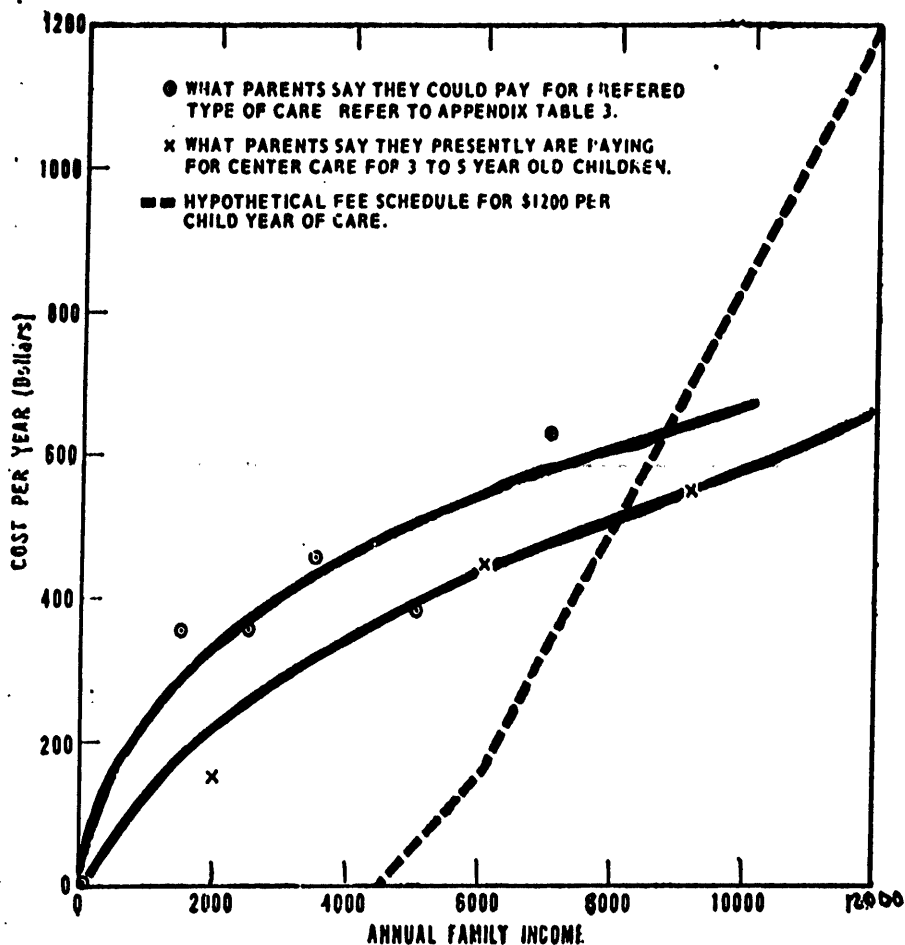
Beyond this psychologists are unable to accurately predict the differences in cognitive, social, and emotional development brought about by various types of care. With this present state of the art concerning child development measurement, it is impossible to establish the relationship between inputs (cost, staff characteristics, etc.) and the individual child's growth. Research in this area is sorely needed. It should focus on providing foundations for Federal guidelines and standards.

10. The demand curve for day care as a function of price is not precisely known, particularly as it relates price to "quality" and other factors such as convenience. However, enough information is available to predict roughly parent usage rates as related to family income and program fees. Generally, when parents have a choice between day care arrangements they have a maximum price which they will pay. Figure I shows the averages of what parents with annual income up to \$10,000 report they are paying and would be able to pay for child care. Rather than purchase Head-Start type day care, even if it were available, a majority of "near-poor" families will predictably opt for inexpensive (mostly likely non-regulated) alternatives—unless the Government subsidizes a substantial portion of the fees. Furthermore, the additional amount of marginal income that higher income families are willing to spend on day care is less than increases in typically

¹² Abt Associates, loc. cit.

proposed sliding fee schedules. (Notice the differences in the slopes of the curves in Figure 1). These factors point to difficulties which will be encountered in promoting a day care system which will service a wide income range of families and still stay within budgetary constraints.

FIGURE 1.—Parents Willingness to Pay for Day Care.



11. Day care can support the family in two ways: First, day care can permit both parents (or a single head of family) to participate in the work force. Second, it can emphasize development of the child. Although day care should never be detrimental to either, it need not try to do both. Each family unit has its unique assets and needs. The government should promote a diversity of arrangements and choices from which a family can select a type care which meets its special needs in terms of convenience, cost, child development, etc.¹⁸

In the next section I will discuss the policy implications of one specific area often debated in the setting of day care standards—staffing requirements.

¹⁸ For additional thoughts see "Child Care in Massachusetts The Public Responsibility," Chapter 1.

V. COST IMPLICATIONS OF DAY CARE STAFFING DECISIONS

Deliberations on staffing requirements typically deal with the number and qualifications of people who directly care for the children. Since these adults constitute the largest operational cost category, these deliberations have significant economic effects. The difficult judgments arise when one trades off the possible improvement in development potential and safety which is assumed to result when highly-qualified personnel care for small (3-7) numbers of children versus the significant increase in cost which results (or the decline in number of families served because of budget limitations).

Such discussions often overlook several other important factors:

- a. The impact that these decisions (or standards) will have on the number of new jobs created which Welfare Reform clientele could fill.
- b. The possible traumatic effect on children excluded from care because of budgetary limitations;
- c. The fact that the effect which different staff resources will have upon children's potential development is not known, within the ranges generally discussed.

There is no doubt that Federal day care standards will profoundly affect per-child costs.¹⁴ The possible extent of these effects is shown in figure 2. This figure (and Table 4) show per-child costs which would result from different staff education (experience—requirements, teacher wage rates, and child staff ratios.) Day care center costs are very sensitive to child/staff ratios and wage rates (which are, generally, correlated with the education of the staff members). It is estimated that the choice of an 8:1 rather than 10:1 child/teacher ratio for preschool day care centers could increase day care costs \$200 million per million children affected.¹⁵ On the other hand, that choice also could directly eliminate 27,000 jobs, many of which could go to non-working mothers. Therefore, child/staff ratio, as well as wage rate and educational requirement decisions, should not be made lightly. Not only may they have impact upon children's development, they will have profound cost and direct employment implication.

¹⁴ Unfortunately, the author is somewhat guilty of the day care center mindset. The discussion to follow comes from data related solely to centers. Detailed analysis of non-center cost data remains to be done. However, preliminary analysis indicates that fees charged by day care homes are more related to the socioeconomic status of the local community than they are related to the type of care given.

¹⁵ It is estimated that Federal guidelines could affect approximately a million of the 5.8 million children who may be in day care centers and are under 6 years with a mother in the work force.

FIGURE 2.—Estimated Cost Per Child.

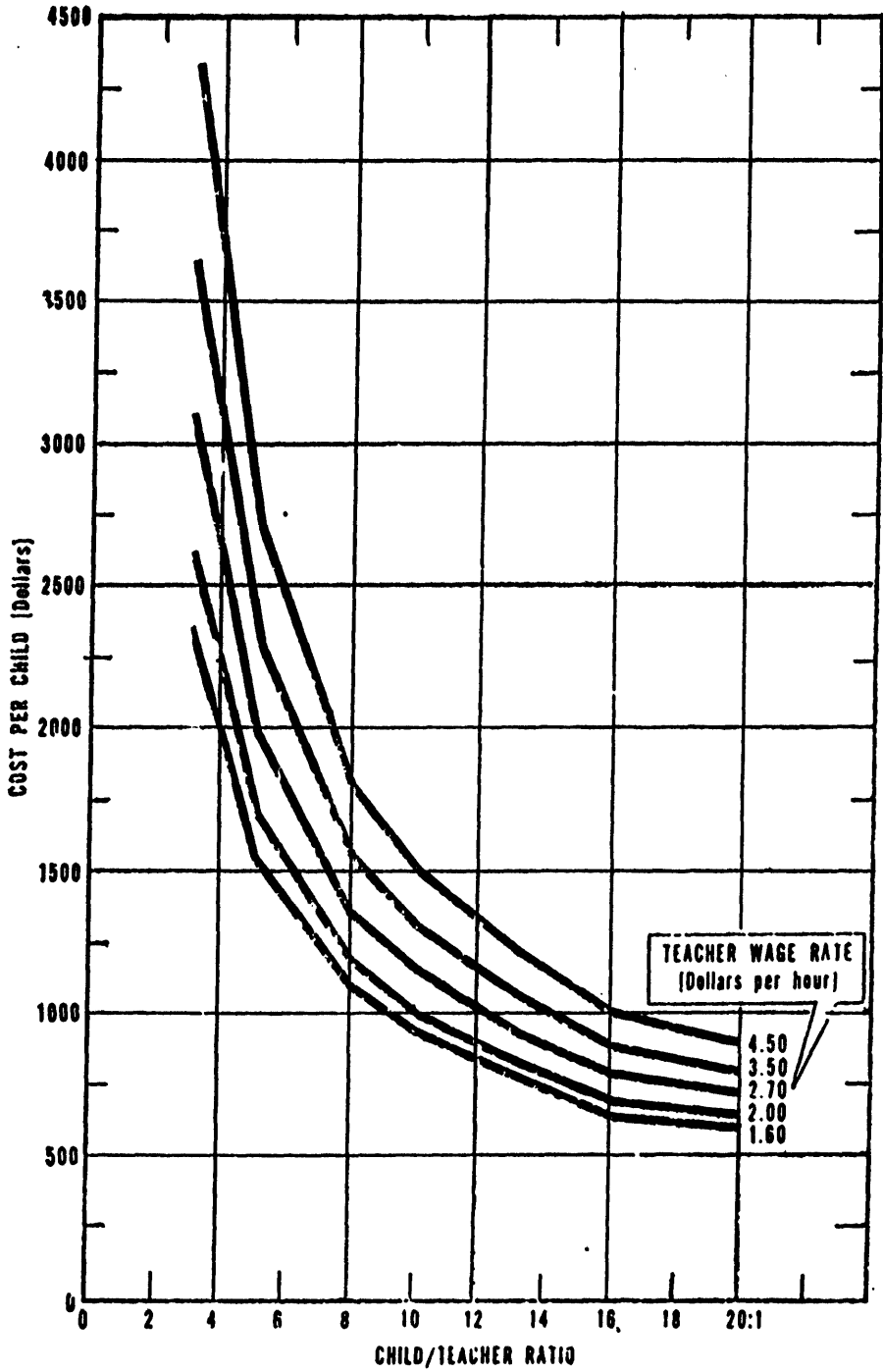


TABLE 4.—DAY CARE COSTS PER CHILD ESTIMATED FROM STAFF SALARIES AND CHILD/TEACHER RATIOS ¹

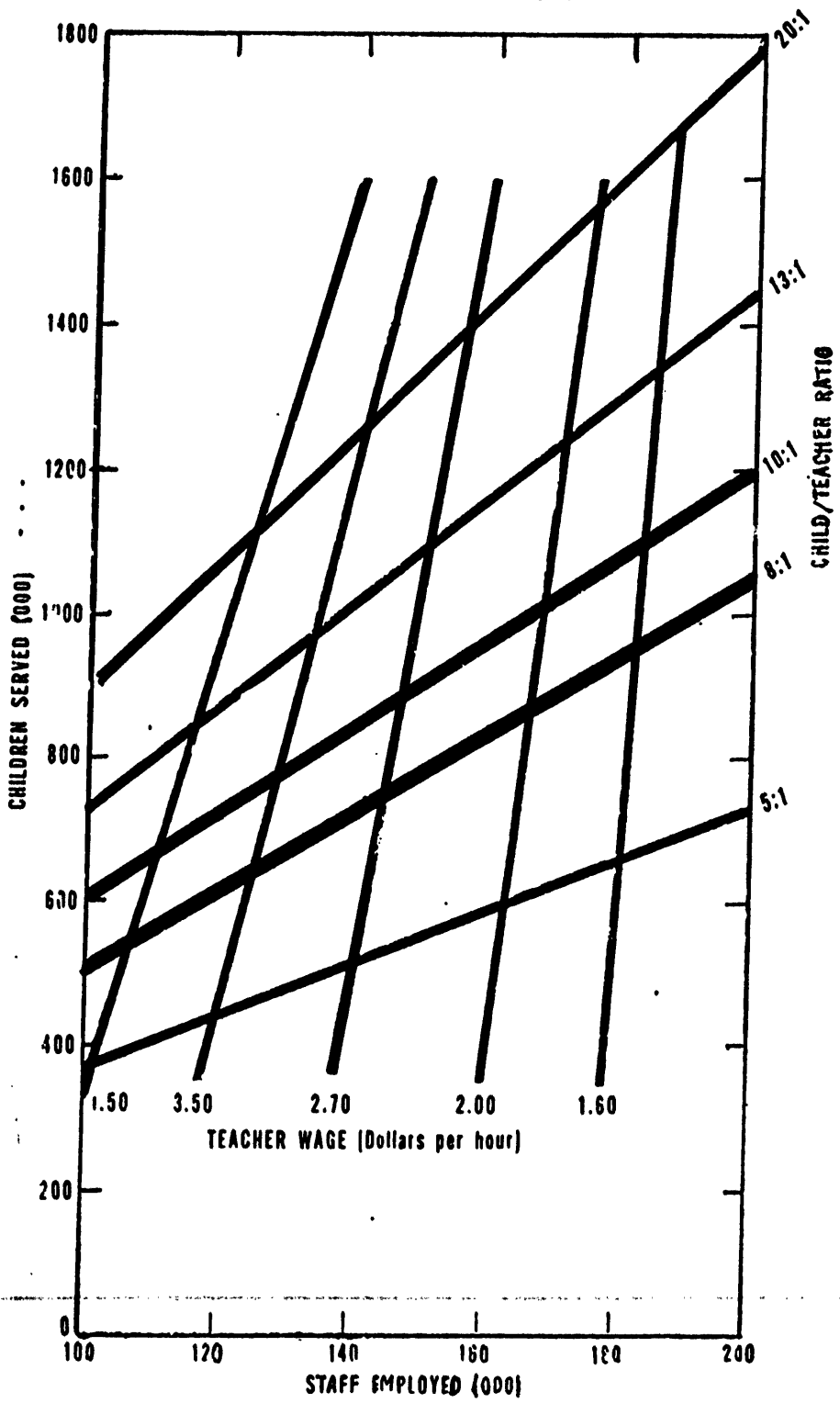
Teacher qualifications (wages)	Child-teacher ratio			
	5:1	8:1	10:1	13:1
11 high school graduates (at \$1.60/hr)	\$1,525	\$1,061	\$907	\$758
11 at proposed Federal minimum wage (\$2/hr).	1,686	1,162	987	820
11 college graduates (\$2.70/hr)	1,968	1,338	1,128	929
11 public school teachers (\$4.50/hr)	2,694	1,792	1,491	1,208

¹ See appendix B for a detailed explanation of the derivation of these data.

Generally, the executive constrained by a fixed budget wants to know the effect his decisions will have on the amount of service he is responsible for delivering. It is estimated that at an average teacher wage rate of \$2.70 per hour, about 140,000 more children (886,400–747,270) and 3,000 more staff (146,800–143,900) are accommodated for each \$1 billion at a teacher ratio of 10:1 rather than 8:1. Figure 3 shows the children served and staff employed for various wage rates and child/teacher ratios. The horizontal axis is also a constant cost per child line. Therefore, one can see the trade-offs which can be made between type teachers and teacher ratios at constant cost per child. Day care standards are not independent of unemployment and manpower training policies. If, for example, a child's development is increased more from frequent empathetic adult contact than from less frequent contact with highly trained staff, then both child development and employment objectives are furthered by hiring five unemployed poor mothers than three unemployed "professionals" (whose skills are generally more marketable anyway). It is estimated that a Federal expenditure in day care can support one and one-half to twice as many jobs as would result from a tax cut of similar size, or from an equal expenditure on other programs, which typically require higher paid employees and larger capital investments.¹⁶ Since the majority of new employees can be drawn from those currently unemployed, the inflationary effect of such an investment would be much less than that of most alternative job-creating programs. In addition, it would have its major effect in the poorest communities.

¹⁶ The impact of a tax cut was estimated by dividing 1970 total private employment (58.1 million workers) by the 1970 Gross Private Product (\$865 billion), yielding 67,000 workers employed per \$1 billion of private expenditure. With a typical multiplier effect this would yield approximately 134,000 jobs from a \$1 billion tax cut. The employment from expenditures in other non-defense Federal expenditures (\$22.6 billion) produce 1.28 million non-defense jobs or 57,000 jobs per \$1 billion. With the same multiplier effect as above, a \$1 billion expenditure increase would create 57,000 + 67,000 = 124,000 jobs. In figure 3 we can see that a typical Federal day care center program would probably utilize about 160,000 day care staff per \$1 billion which when added to the 67,000 multiplier jobs yields 227,000 total jobs. Use of day care homes rather than centers might yield even more jobs.

FIGURE 3.—Children Served and Staff Employed per \$1 Billion.



The point here is not that it is an either-or decision of choosing between trained, higher paid professionals and untrained lower paid welfare mothers but that the day care system should remain viable (pliable) so that an optimum allocation of employment to all types of people can evolve as time and research lead to understanding of the factors which create an environment beneficial to children's development.

VI. SUMMARY

In summary, the large differences in reported day care costs per child are attributable to non-standard, heterogeneous units of service.

If the more important input variables, child/staff ratio and teacher qualifications or wage rates, for example, are specified, cost, but not the child development implications, can be estimated with a reasonable degree of accuracy.

Day care center program designs discussed by Federal planners and child development specialists are different from what parents typically purchase at the market-place, and result in higher price tags than parents are often willing (or able) to pay.

Since it is unlikely the need for day care will diminish, decisions about it by parents, legislators and administrators must and will be made, regardless of the lack of data. Until the relationship between the nature of the day care program sought by parents or planned by "specialists" and its effect on the preschool child's personal development can be better understood and defined, important day care decisions (with attendant employment impacts) will be made based upon cost, convenience and political considerations. Unfortunately, the long-run implications of these decisions upon this Nation's children as compared to viable alternatives, can only be speculated about today and may never be known from a rigorous scientific point of view.

This dilemma is not new, it will always exist where concerned people are struggling with decisions which involve social issues. However, it does point to the importance of systematic social research and demonstration to support and guide the formulation of social policy.

APPENDIX D

EXCERPTS FROM THE SOCIAL SECURITY ACT

TITLE IV.—Grants to States for Aid and Services to Needy Families With Children and for Child-Welfare Services

PART A—AID TO FAMILIES WITH DEPENDENT CHILDREN

STATE PLANS FOR AID AND SERVICES TO NEEDY FAMILIES WITH CHILDREN

SEC. 402. (a) A State plan for aid and services to needy families with children must—

(15) provide as part of the program of the State for the provision of services under title XX (A) for the development of a program, for each appropriate relative and dependent child receiving aid under the plan and for each appropriate individual (living in the same home as a relative and child receiving such aid) whose needs are taken into account in making the determination under clause (7), for preventing or reducing the incidence of births out of wedlock and otherwise strengthening family life, and for implementing such program by assuring that in all appropriate cases (including minors who can be considered to be sexually active) family planning services are offered to them and are provided promptly (directly or under arrangements with others) to all individuals voluntarily requesting such services, but acceptance of family planning services provided under the plan shall be voluntary on the part of such members and individuals and shall not be a prerequisite to eligibility for or the receipt of any other service under the plan; and (B) to the extent that services provided under this clause or clause (14) are furnished by the staff of the State agency or the local agency administering the State plan in each of the political subdivisions of the State, for the establishment of a single organizational unit in such State or local agency, as the case may be, responsible for the furnishing of such services;

(19) provide—

(A) that every individual, as a condition of eligibility for and under this part, shall register for manpower services, training, and employment as provided by regulations of the Secretary of Labor, unless such individual is—

- (i) a child who is under age 16 or attending school full time;
- (ii) a person who is ill, incapacitated, or of advanced age;

(iii) a person so remote from a work incentive project that his effective participation is precluded;

(iv) a person whose presence in the home is required because of illness or incapacity of another member of the household;

(v) a mother or other relative of a child under the age of six who is caring for the child; or

(vi) the mother or other female caretaker of a child, if the father or another adult male relative is in the home and not excluded by clause (i), (ii), (iii), or (iv) of this subparagraph (unless he has failed to register as required by this subparagraph, or has been found by the Secretary of Labor under section 433(g) to have refused without good cause to participate under a work incentive program or accept employment as described in subparagraph (F) of this paragraph);

and that any individual referred to in clause (v) shall be advised of her option to register, if she so desires, pursuant to this paragraph, and shall be informed of the child care services (if any) which will be available to her in the event she should decide so to register;

* * * * *

(G) that the State agency will have in effect a special program which (i) will be administered by a separate administrative unit and the employees of which will, to the maximum extent feasible, perform services only in connection with the administration of such program, (ii) will provide (through arrangements with others or otherwise) for individuals who have been registered pursuant to subparagraph (A), in accordance with the order of priority listed in section 433(a), such health, vocational rehabilitation, counseling, child care, and other social and supportive services as are necessary to enable such individuals to accept employment or receive manpower training provided under part C, and will, when arrangements have been made to provide necessary supportive services, including child care, certify to the Secretary of Labor those individuals who are ready for employment or training under part C, (iii) will participate in the development of operational and employability plans under section 433(b); and (iv) provides for purposes of clause (ii), that, when more than one kind of child care is available, the mother may choose the type, but she may not refuse to accept child care services if they are available;

* * * * *

PART B—CHILD WELFARE SERVICES

* * * * *

PAYMENTS TO STATES

SEC. 422. (a) From the sums appropriated therefor and the allotment available under this part, the Secretary shall from time to time pay to each State—

(1) that has a plan for child-welfare services which has been developed as provided in this part and which—

* * * * *

(C) provides, with respect to day care services (including the provision of such care) provided under this title—

(i) for cooperative arrangements with the State health authority and the State agency primarily responsible for State supervision of public schools to assure maximum utilization of such agencies in the provision of necessary health services and education for children receiving day care,

(ii) for an advisory committee, to advise the State public welfare agency on the general policy involved in the provision of day care services under the plan, which shall include among its members representatives of other State agencies concerned with day care or services related thereto and persons representative of professional or civic or other public or non-profit private agencies, organizations, or groups concerned with the provision of day care,

(iii) for such safeguards as may be necessary to assure provision of day care under the plan only in cases in which it is in the best interest of the child and the mother and only in cases in which it is determined, under criteria established by the State, that a need for such care exists; and, in cases in which the family is able to pay part or all of the costs of such care, for payment of such fees as may be reasonable in the light of such ability,

(iv) for giving priority, in determining the existence of need for such day care, to members of low-income or other groups in the population, and to geographical areas, which have the greatest relative need for extension of such day care, and

(v) that day care provided under the plan will be provided, only in facilities (including private homes) which are licensed by the State, or approved (as meeting the standards established for such licensing) by the State agency responsible for licensing facilities of this type, and

(vi) for the development and implementation of arrangements for the more effective involvement of the parent or parents in the appropriate care of the child and the improvement of the health and development of the child.

* * * * *

Title XX.—Grants to States for Services¹

APPROPRIATION AUTHORIZED

SEC. 2001. For the purpose of encouraging each State, as far as practicable under the conditions in that State, to furnish services directed at the goal of—

- (1) achieving or maintaining economic self-support to prevent, reduce, or eliminate dependency,
- (2) achieving or maintaining self-sufficiency, including reduction or prevention of dependency,
- (3) preventing or remedying neglect, abuse, or exploitation of children and adults unable to protect their own interests, or preserving, rehabilitating or reuniting families,

¹ Title became effective October 1, 1975.

(4) preventing or reducing inappropriate institutional care by providing for community-based care, home-based care, or other forms of less intensive care, or

(5) securing referral or admission for institutional care when other forms of care are not appropriate, or providing services to individuals in institutions,

there is authorized to be appropriated for each fiscal year a sum sufficient to carry out the purposes of this title. The sums made available under this section shall be used for making payments to States under section 2002.

PAYMENTS TO STATES

SEC. 2002. (a) (1) From the sums appropriated therefor, the Secretary shall, subject to the provisions of this section, and section 2003, pay to each State, for each quarter, an amount equal to 90 per centum of the total expenditures during that quarter for the provision of family planning services and 75 per centum of the total expenditures during that quarter for the provision of other services directed at the goal of—

(A) achieving or maintaining economic self-support to prevent, reduce, or eliminate dependency,

(B) achieving or maintaining self-sufficiency, including reduction or prevention of dependency,

(C) preventing or remedying neglect, abuse, or exploitation of children and adults unable to protect their own interests, or preserving, rehabilitating, or reuniting families,

(D) preventing or reducing inappropriate institutional care by providing for community-based care, home-based care, or other forms of less intensive care, or

(E) securing referral or admission for institutional care when other forms of care are not appropriate, or providing services to individuals in institutions,

including expenditures for administration (including planning and evaluation) and personnel training and retraining directly related to the provision of those services (including both short- and long-term training at educational institutions through grants to such institutions or by direct financial assistance to students enrolled in such institutions). Services that are directed as these goals include, but are not limited to, child care services, protective services for children and adults, services for children and adults in foster care, services related to the management and maintenance of the home, day care services for adults, transportation services, training and related services, employment services, information, referral, and counseling services, the preparation and delivery of meals, health support services and appropriate combinations of services designed to meet the special needs of children, the aged, the mentally retarded, the blind, the emotionally disturbed, the physically handicapped, and alcoholics and drug addicts.

(2) (A) No payment with respect to any expenditures other than expenditures for personnel training or retraining directly related to the provision of services may be made under this section to any State for any fiscal year in excess of an amount which bears the same ratio to \$2,500,000,000 as the population of that State bears to the population of the 50 States and the District of Columbia. The Secretary shall promulgate the limita-

tion applicable to each State for each fiscal year under this paragraph prior to the first day of the third month of the preceding fiscal year, as determined on the basis of the most recent satisfactory data available from the Department of Commerce.

(B) Each State with respect to which a limitation is promulgated under subparagraph (A) for any fiscal year shall, at the earliest practicable date after the commencement of such fiscal year (and in accordance with regulations prescribed by the Secretary), certify to the Secretary whether the amount of its limitation is greater or less than the amount needed by the State, for uses to which the limitation applies, for such fiscal year and, if so, the amount by which the amount of such limitation is greater or less than such need.

(C) If any State certifies, in accordance with subparagraph (B), that the amount of its limitation for any fiscal year is greater than its need for such year, then the amount of the limitation of such State for such year shall be reduced by the excess of its limitation amount over its need, and the amount of such reduction shall be available for allotment as provided in subparagraph (D).

(D) Of the amounts made available, pursuant to subparagraph (C), for allotment for any fiscal year, the Secretary (i) shall allot to the jurisdiction of Puerto Rico \$15,000,000, to the jurisdiction of Guam \$500,000, and to the jurisdiction of the Virgin Islands \$500,000, which shall be available to each such jurisdiction in addition to amounts available under section 1108 for purposes of matching the expenditures of such jurisdictions for services pursuant to sections 3(a) (4) and (5), 403(a) (3), 1003(a) (3) and (4), 1403(a) (3) and (4), and 1603(a) (4) and (5): *Provided*, That if the amounts made available, pursuant to subparagraph (C), are insufficient to meet the requirements of this clause, then such amounts as are available shall be allotted to each of the three jurisdictions in proportion to their respective populations.

(3) No payment may be made under this section to any State with respect to any expenditure for the provision of any service to any individual unless—

(A) the State's services program planning meets the requirements of section 2004, and

(B) the final comprehensive annual services plan in effect when the service is provided to the individual includes the provision of that service to a category of individuals which includes that individual in the descriptions required by section 2004(2) (B) and (C) of the services to be provided under the plan and the categories of individuals to whom the services are to be provided.

The Secretary may not deny payment under this section to any State with respect to any expenditure on the ground that it is not an expenditure for the provision of a service or is not an expenditure for the provision of a service directed at a goal described in paragraph (1) of this subsection.

(4) So much of the aggregate expenditures with respect to which payment is made under this section to any State for any fiscal year as equals 50 per centum of the payment made under this section to the State for that fiscal year must be expended for the provision of services to individuals—

(A) who are receiving aid under the plan of the State approved under part A of title IV or who are eligible to receive such aid, or

(B) whose needs are taken into account in determining the needs of an individual who is receiving aid under the plan of the State ap-

proved under part A of title IV, or who are eligible to have their needs taken into account in determining the needs of an individual who is receiving or is eligible to receive such aid, or

(C) with respect to whom supplemental security income benefits under title XVI or State supplementary payments, as defined in section 2007(1), are being paid, or who are eligible to have such benefits or payments paid with respect to them, or

(D) whose income and resources are taken into account in determining the amount of supplemental security income benefits or State supplementary payments, as defined in section 2007(1), being paid with respect to an individual, or whose income and resources would be taken into account in determining the amount of such benefits or payments to be paid with respect to an individual who is eligible to have such benefits or payments paid with respect to him, or

(E) who are eligible for medical assistance under the plan of the State approved under title XIX.

In any case in which services are provided to individuals to whom the provisions of paragraph (14) are applied, the proportion of the expenditures for such services which are attributable to individuals described in the preceding sentence may be determined on the basis of generally accepted statistical sampling procedures.³

(5) No payment may be made under this section to any State with respect to any expenditure for the provision of any service to any individual—

(A) who is receiving, or whose needs are taken into account in determining the needs of an individual who is receiving, aid under the plan of the State approved under part A of title IV, or with respect to whom supplemental security income benefits under title XVI or State supplementary payments, as defined in section 2007(1), are being paid, or

(B) who is a member of a family the monthly gross income of which is less than the lower of—

(i) 80 per centum of the median income of a family of four in the State, or

(ii) the median income of a family of four in the fifty States and the District of Columbia,

adjusted, in accordance with regulations prescribed by the Secretary, to take into account the size of the family,

if any fee or other charge (other than a voluntary contribution) imposed on the individual for the provision of that service is not consistent with such requirements (including requirements prohibiting the imposition of any such fee or charge) as the Secretary shall prescribe.

(6) No payment may be made under this section to any State with respect to any expenditure for the provision of any service, other than an information or referral service, family planning services, or a service directed at the goal of preventing or remedying neglect, abuse, or exploitation of children and adults unable to protect their own interests, to any individual who is not an individual described in paragraph (5), and—

(A) who is a member of a family the monthly gross income of which exceeds 115 per centum of the median income of a family of

³ Paragraph (4) was amended by section 1(b) of Public Law 94-401, effective October 1, 1975.

four in the State, adjusted, in accordance with regulations prescribed by the Secretary, to take into account the size of the family, or

(B) who is a member of a family the monthly gross income of which—

(i) exceeds the lower of—

(I) 80 per centum of the median income of a family of four in the State, or

(II) the median income of a family of four in the fifty States and the District of Columbia,

adjusted, in accordance with regulations prescribed by the Secretary, to take into account the size of the family, and

(ii) does not exceed 115 per centum of the median income of a family of four in the State, adjusted, in accordance with regulations prescribed by the Secretary, to take into account the size of the family,

unless a fee or other charge reasonably related to income is imposed on the individual for the provision of the service.

The Secretary shall promulgate the median income of a family of four in each State and the fifty States and the District of Columbia applicable to payments with respect to expenditures in each fiscal year prior to the first day of the third month of the preceding fiscal year.³

(7) No payment may be made under this section to any State with respect to any expenditure—

(A) for the provision of medical or any other remedial care (except as provided in paragraph (11) (D)⁴), other than family planning services, unless it is an integral but subordinate part of a service described in paragraph (1) of this subsection and Federal financial participation with respect to the expenditure is not available under the plan of the State approved under title XIX; or

(B) for the purchase, construction, or major modification of any land, building or other facility, or fixed equipment; or

(C) which is in the form of goods or services provided in kind by a private entity; or

(D) which is made from donated private funds, unless such funds—

(i) are transferred to the State and are under its administrative control, and

(ii) are donated to the State, without restrictions as to use, other than restrictions as to the services with respect to which the funds are to be used imposed by a donor who is not a sponsor or operator of a program to provide those services, or the geographic area in which the services with respect to which the contribution is used are to be provided, and

(iii) do not revert to the donor's facility or use if the donor is other than a nonprofit organization; or

(E) for the provision of room or board (except as provided by paragraph (11) (C) and paragraph (11) (D)⁵) other than room or board

³ Paragraph (6) was amended by section 1(c) of Public Law 94-401, effective October 1, 1975.

⁴ The phrase "(except as provided by paragraph (11) (D))" was added by section 4 of Public Law 94-120 as amended by section 6 of Public Law 94-401 effective only for the period October 1, 1975, to September 30, 1977.

⁵ The phrase "and paragraph 11(D)" was added by section 4 of Public Law 94-120 as amended by section 6 of Public Law 94-401 effective only for the period October 1, 1975, to September 30, 1977.

provided for a period of not more than six consecutive months as an integral but subordinate part of a service described in paragraph (1) of this subsection.

With regard to ending the dependency of individuals who are alcoholics or drug addicts, the entire rehabilitative process for such individuals, including but not limited to initial detoxification, short term residential treatment, and subsequent outpatient counseling and rehabilitative services, whether or not such a process involves more than one provider of services, shall be the basis for determining whether standards imposed by or under subparagraph (A) or (E) of this paragraph have been met.⁶

(8) No payment may be made under this section with respect to any expenditure if payment is made with respect to that expenditure under section 403 or 422 of this Act.

(9)(A) No payment may be made under this section with respect to any expenditure in connection with the provision of any child day care service, unless—

(i) in the case of care provided in the child's home, the care meets standards established by the State which are reasonably in accord with recommended standards of national standard-setting organizations concerned with the home care of children, or

(ii) in the case of care provided outside the child's home, the care meets the Federal interagency day care requirements as approved by the Department of Health, Education, and Welfare and the Office of Economic Opportunity on September 23, 1968; except that (I) subdivision III of such requirements with respect to educational services shall be recommended to the States and not required, and staffing standards for school-age children in day care centers may be revised by the Secretary, (II) the staffing standards imposed with respect to such care in the case of children under age 3 shall conform to regulations prescribed by the Secretary, (III) the staffing standards imposed with respect to such care in the case of children aged 10 to 14 shall require at least one adult for each 20 children, and in the case of school-aged children under age 10 shall require at least one adult for each 15 children, (IV) the State agency may waive the staffing standards otherwise applicable in the case of a day care center or group day care home in which not more than 20 per centum of the children in the facility (or, in the case of a day care center, not more than 5 children in the center) are children whose care is being paid for (wholly or in part) from funds made available to the State under this title, if such agency finds that it is not feasible to furnish day care for the children, whose care is so paid for, in a day care facility which complies with such staffing standards, and if the day care facility providing care for such children complies with applicable State standards, and (V) in determining whether applicable staffing standards are met in the case of day care provided in a family day care home, the number of children being cared for in such home shall include a child of the mother who is operating the home only if such child is under age 6, except as provided in subparagraph (B).⁷

⁶The last sentence of paragraph (7) was added by section 4 of Public Law 94-120 as amended by section 6 of Public Law 94-401 effective only for the period October 1, 1975, to September 30, 1977.

⁷The requirements of section 2002(a)(9) are modified during the period October 1, 1975, to September 30, 1977, by section 7(a)(3) of Public Law 93-647.

(B) The Secretary shall submit to the President of the Senate and the Speaker of the House of Representatives, after December 31, 1976, and prior to July 1, 1977, an evaluation of the appropriateness of the requirements imposed by subparagraph (A), together with any recommendations he may have for modification of those requirements. No earlier than ninety days after the submission of that report, the Secretary may, by regulation, make such modifications in the requirements imposed by subparagraph (A) as he determines are appropriate.

(C) The requirements imposed by this paragraph are in lieu of any requirements that would otherwise be applicable under section 522(d) of the Economic Opportunity Act of 1964 to child day care services with respect to which payment is made under this section.

(10) No payment may be made under this section with respect to any expenditure for the provision of any educational service which the State makes generally available to its residents without cost and without regard to their income.

(11) No payment may be made under this section with respect to any expenditure for the provision of any service to any individual living in any hospital, skilled nursing facility, or intermediate care facility (including any such hospital or facility for mental diseases or for the mentally retarded), any prison, or any foster family home except—

(A) any expenditure for the provision of a service that (i) is provided by other than the hospital, facility, prison, or foster family home in which the individual is living, and (ii) is provided under the State's program for the provision of the services described in paragraph (1), to individuals who are not living in a hospital, skilled nursing facility, intermediate care facility, prison, or foster family home.

(B) any expenditure which is for the cost, in addition to the cost of basic foster care, of the provision, by a foster family home, to an individual living in that home, of a service which meets a special need of that individual, as determined under regulations prescribed by the Secretary.

(C) any expenditure for the provision of emergency shelter provided to a child, for not in excess of thirty days, as a protective service; and

(D) any expenditure for the initial detoxification of an alcoholic or drug dependent individual, for a period not to exceed 7 days, if such detoxification is integral to the further provision of services for which such individual would otherwise be eligible under this title.⁸

(12) No payment may be made under this section with respect to any expenditure for the provision of cash payments as a service.

(13) No payment may be made under this section with respect to any expenditure for the provision of any service to any individual to the extent that the provider of the service or the individual receiving the service is eligible to receive payment under title XVIII with respect to the provision of the service.

(14) (A) For purposes of paragraphs (5) and (6), an individual shall, at the option of the State, be deemed to be an individual described in paragraph (5) (B) if, because of the geographic area in which any particular service is provided to him, the characteristics of the community to which it is provided, the nature of the service, the conditions (other than income)

⁸ Clause (D) of section 2002(a) (11) was added by section 4 of Public Law 94-120 as amended by section 6 of Public Law 94-401 effective only for the period of October 1, 1975, to September 30, 1977.

of eligibility to receive it, or other factors surrounding its provision, the State may reasonably conclude without individual determinations of eligibility, that substantially all of the persons who receive the service are members of families with a monthly gross income which is not more than 90 per centum of the median income of a family of four in the State, adjusted (in accordance with the regulations prescribed by the Secretary) to take into account the size of the family.

(B) The provisions of subparagraph (A) shall not be applicable to child day care services furnished to any child other than a child of a migratory agricultural worker.⁹

(b)(1) Prior to the beginning of each quarter the Secretary shall estimate the amount to which a State will be entitled under this section for that quarter on the basis of a report filed by the State containing its estimate of the amount to be expended during that quarter with respect to which payment must be made under this section, together with an explanation of the bases for that estimate.

(2) The Secretary shall then pay to the State, in such installments as he may determine, the amount so estimated, reduced or increased to the extent of any overpayment or underpayment which the Secretary determines was made under this section to the State for any prior quarter and with respect to which adjustment has not already been made under this subsection.

(3) Upon the making of any estimate by the Secretary under this subsection, any appropriations available for payments under this section shall be deemed obligated.

PROGRAM REPORTING

SEC. 2003. (a) Each State which participates in the program established by this title shall make such reports concerning its use of Federal social services funds as the Secretary may by regulation provide.

(b) Each State which participates in the program established by this title shall assure that the aggregate expenditures from appropriated funds from the State and political subdivisions thereof for the provision of services during each services program year (as established under the requirements of section 2002(a)(3)) with respect to which payment is made under section 2002 is not less than the aggregate expenditures from such appropriated funds for the provision of those services during the fiscal year ending June 30, 1973, or the fiscal year ending June 30, 1974, with respect to which payment was made under the plan of the State approved under title I, VI, X, XIV, or XVI, or part A of title IV, whichever is less, except that the requirements of this subsection shall not apply to any State for any services program year if the payment to the State under section 2002, for each fiscal year any part of which is included in that services program year, with respect to expenditures other than expenditures for personnel training or retraining directly related to the provision of services, equals the allotment of the State for that fiscal year under section 2002(a)(2).

(c)(1) If the Secretary, after reasonable notice and an opportunity for a hearing to the State, finds that there is a substantial failure to comply with any of the requirements imposed by subsections (a) and (b) of this section, he shall, except as provided in paragraph (2), notify the State that

⁹ Paragraph (14) was added by section 1(a) of Public Law 94-401, effective October 1, 1975.

further payments will not be made to the State under section 2002 until he is satisfied that there will no longer be any such failure to comply, and until he is so satisfied he shall make no further payments to the State.

(2) The Secretary may suspend implementation of any termination of payments under paragraph (1) for such period as he determines appropriate and instead reduce the amount otherwise payable to the State under section 2002 for expenditures during that period by 3 per centum for each of subsections (a) and (b) of this section with respect to which there was a finding of substantial noncompliance and with respect to which he is not yet satisfied that there will no longer be any such failure to comply.

(d)(1) Each State which participates in the program established by this title shall have a plan applicable to its program for the provision of the services described in section 2002(a)(1) which—

(A) provides that an opportunity for a fair hearing before the appropriate State agency will be granted to any individual whose claim for any service described in section 2002(a)(1) is denied or is not acted upon with reasonable promptness;

(B) provides that the use or disclosure of information obtained in connection with administration of the State's program for the provision of the services described in section 2002(a)(1) concerning applicants for and recipients of those services will be restricted to purposes directly connected with the administration of that program, the plan of the State approved under part A of title IV, the plan of the State developed under part B of that title, the supplemental security income program established by title XVI, or the plan of the State approved under title XIX;

(C) provides for the designation by the chief executive officer of the State or as otherwise provided by the laws of the State, of an appropriate agency which will administer or supervise the administration of the State's program for the provision of the services described in section 2002(a)(1);

(D) provides that the State will, in the administration of its program for the provision of the services described in section 2002(a)(1), use such methods relating to the establishment and maintenance of personnel standards on a merit basis as are found by the Secretary to be necessary for the proper and efficient operation of the program, except that the Secretary shall exercise no authority with respect to the selection, tenure of office, or compensation of any individual employed in accordance with such methods;

(E) provides that no durational residency or citizenship requirement will be imposed as a condition to participation in the program of the State for the provision of the services described in section 2002(a)(1);

(F) provides, if the State program for the provision of the services described in section 2002(a)(1) includes services to individuals living in institutions or foster homes, for the establishment or designation of a State authority or authorities which shall be responsible for establishing and maintaining standards for such institutions or homes which are reasonably in accord with recommended standards of national organizations concerned with standards for such institutions or homes, including standards related to admissions policies, safety, sanitation, and protection of civil rights;

(G) provides, if the State program for the provision of the services described in section 2002(a)(1) includes child day care services, for the establishment or designation of a State authority or authorities which shall be responsible for establishing and maintaining standards for such services which are reasonably in accord with recommended standards of national organizations concerned with standards for such services, including standards related to admission policies for facilities providing such services, safety, sanitation, and protection of civil rights;

(H) provides that the State's program for the provision of the services described in section 2002(a)(1) will be in effect in all political subdivisions of the State; and

(I) provides for financial participation by the State in the provision of the services described in section 2002(a)(1).

Notwithstanding clause (C), if on December 1, 1974, the State agency which administered or supervised the administration of the portion of the plan of the State for services to the aged, blind, or disabled approved under title VI of this Act which related to blind individuals was different from the agency which administered or supervised the administration of the rest of that plan, the State agency which administered or supervised the administration of the portion of the plan of the State for services to the aged, blind, or disabled related to blind individuals may be designated to administer or supervise the administration of the portion of the State's program for the provision of the services described in section 2002(a)(1) related to blind individuals and a separate State agency may be designated to administer or supervise the administration of the rest of the program; and in such case the part of the program which each agency administers, or the administration of which each agency supervises, shall be regarded as a separate program for the provision of the services described in section 2002(a)(1) for purposes of this title. The date selected by the State pursuant to section 2004(1) as the beginning of the services program year for each of the separate programs shall be the same.

(2) The Secretary shall approve any plan which complies with the provisions of paragraph (1).

(e)(1) No payment may be made under section 2002 to any State which does not have a plan approved under subsection (g).

(2) In the case of any State plan which has been approved by the Secretary under subsection (d), if the Secretary, after reasonable notice and an opportunity for a hearing to the State, finds—

(A) that the plan no longer complies with the provisions of subsection (d)(1), or

(B) that in the administration of the plan there is a substantial failure to comply with any such provision,

the Secretary shall, except as provided in paragraph (3), notify the State that further payments will not be made to the State under section 2002 until he is satisfied that there will no longer be any such failure to comply, and until he is so satisfied he shall make no further payments to the State.

(3) The Secretary may suspend implementation of any termination of payments under paragraph (2) for such period as he determines appropriate and instead reduce the amount otherwise payable to the State under section 2002 for expenditures during that period by 3 percent for each clause of

subsection (d) (1) with respect to which there is a finding of noncompliance and with respect to which he is not yet satisfied that there will no longer be any such failure to comply.

(f) The provisions of section 333 of the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970 shall be applicable to services provided by any State pursuant to this title with respect to individuals suffering from drug addiction or alcoholism.¹⁹

SERVICES PROGRAM PLANNING

SEC. 2004. A State's services program planning meets the requirements of this section if, for the purpose of assuring public participation in the development of the program for the provision of the services described in section 2002(a) (1) within the State—

(1) the beginning of the fiscal year of either the Federal Government or the State government is established as the beginning of the State's services program year; and

(2) at least ninety days prior to the beginning of the State's services program year, the chief executive officer of the State, or such other official as the laws of the State provide, publishes and makes generally available (as defined in regulations prescribed by the Secretary after consideration of State laws governing notice of actions by public officials) to the public a proposed comprehensive annual services program plan prepared by the agency designated pursuant to the requirements of section 2003(d) (1) (C) and, unless the laws of the State provide otherwise, approved by the chief executive officer, which sets forth the State's plan for the provision of the services described in section 2002(a) (1) during that year, including—

(A) the objectives to be achieved under the program,

(B) the services to be provided under the program, including at least one service directed at at least one of the goals in each of the five categories of goals set forth in section 2002(a) (1) (as determined by the State) and including at least three types of services (selected by the State) for individuals who are recipients of supplemental security income benefits under title XVI and who are in need of such services, together with a definition of those services and a description of their relationship to the objectives to be achieved under the program and the goals described in section 2002(a) (1),

(C) the categories of individuals to whom those services are to be provided, including any categories based on the income of individuals or their families,

(D) the geographic areas in which these services are to be provided, and the nature and amount of the services to be provided in each area,

(E) a description of the planning, evaluation, and reporting activities to be carried out under the program,

(F) the sources of the resources to be used to carry out the program,

¹⁹ Subsection (f) was added to section 2003 effective only for the period October 1, 1975, to September 30, 1977, by section 4 of Public Law 94-120 as amended by section 6 of Public Law 94-401.

(G) a description of the organizational structure through which the program will be administered, including the extent to which public and private agencies and volunteers will be utilized in the provision of services,

(H) a description of how the provision of services under the program will be coordinated with the plan of the State approved under part A of title IV, the plan of the State developed under part B of that title, the supplemental security income program established by title XVI, the plan of the State approved under title XIX, and other programs for the provision of related human services within the State, including the steps taken to assure maximum feasible utilization of services under these programs to meet the needs of the low income population,

(I) the estimated expenditures under the program, including estimated expenditures with respect to each of the services to be provided, each of the categories of individuals to whom those services are to be provided, and each of the geographic areas in which those services are to be provided, and a comparison between estimated non-Federal expenditures under the program and non-Federal expenditures for the provision of the services described in section 2002(a)(1) in the State during the preceding services program year, and

(J) a description of the steps taken, or to be taken, to assure that the needs of all residents of, and all geographic areas in, the State were taken into account in the development of the plan; and

(3) public comment on the proposed plan is accepted for a period of at least forty-five days; and

(4) at least forty-five days after publication of the proposed plan and prior to the beginning of the State's services program year, the chief executive officer of the State, or such other official as the laws of the State provide, publishes a final comprehensive annual services program plan prepared by the agency designed pursuant to the requirements of section 2003(d)(1)(C) and, unless the laws of the State provide otherwise, approved by the chief executive officer, which sets forth the same information required to be included in the proposed plan, together with an explanation of the differences between the proposed and final plan and the reasons therefor; and

(5) any amendment to a final comprehensive services program plan is prepared by the agency designated pursuant to section 2003(d)(1)(C), approved by the chief executive officer of the State unless the laws of the State provide otherwise, and published by the chief executive officer of the State, or such other official as the laws of the State provide, as a proposed amendment on which public comment is accepted for a period of at least thirty days, and then prepared by the agency designated pursuant to section 2003(d)(1)(C), approved by the chief executive officer of the State unless the laws of the State provide otherwise, and published by the chief executive officer of the State, or such other official as the laws of the State provide, as a final amendment, together with an explanation of the differences between the proposed and final amendment and the reasons therefor.

EFFECTIVE DATE OF REGULATIONS PUBLISHED BY THE SECRETARY

SEC. 2005. No final regulation published by the Secretary under this title shall be effective with respect to payments under section 2002 for expenditures during any quarter commencing before the beginning of the first services program year established by the State under the requirements of section 2002(a)(3) which begins at least sixty days after the publication of the final regulation.

EVALUATION; PROGRAM ASSISTANCE

SEC. 2006. (a) The Secretary shall provide for the continuing evaluation of State programs for the provision of the services described in section 2002 (a) (1).

(b) The Secretary shall make available to the States assistance with respect to the content of their services program, and their services program planning, reporting, administration, and evaluation.

(c) Within six months after the close of each fiscal year, the Secretary shall submit to the Congress a report on the operation of the program established by this title during that year, including—

(1) the evaluations carried out under subsection (a) and the results obtained therefrom, and

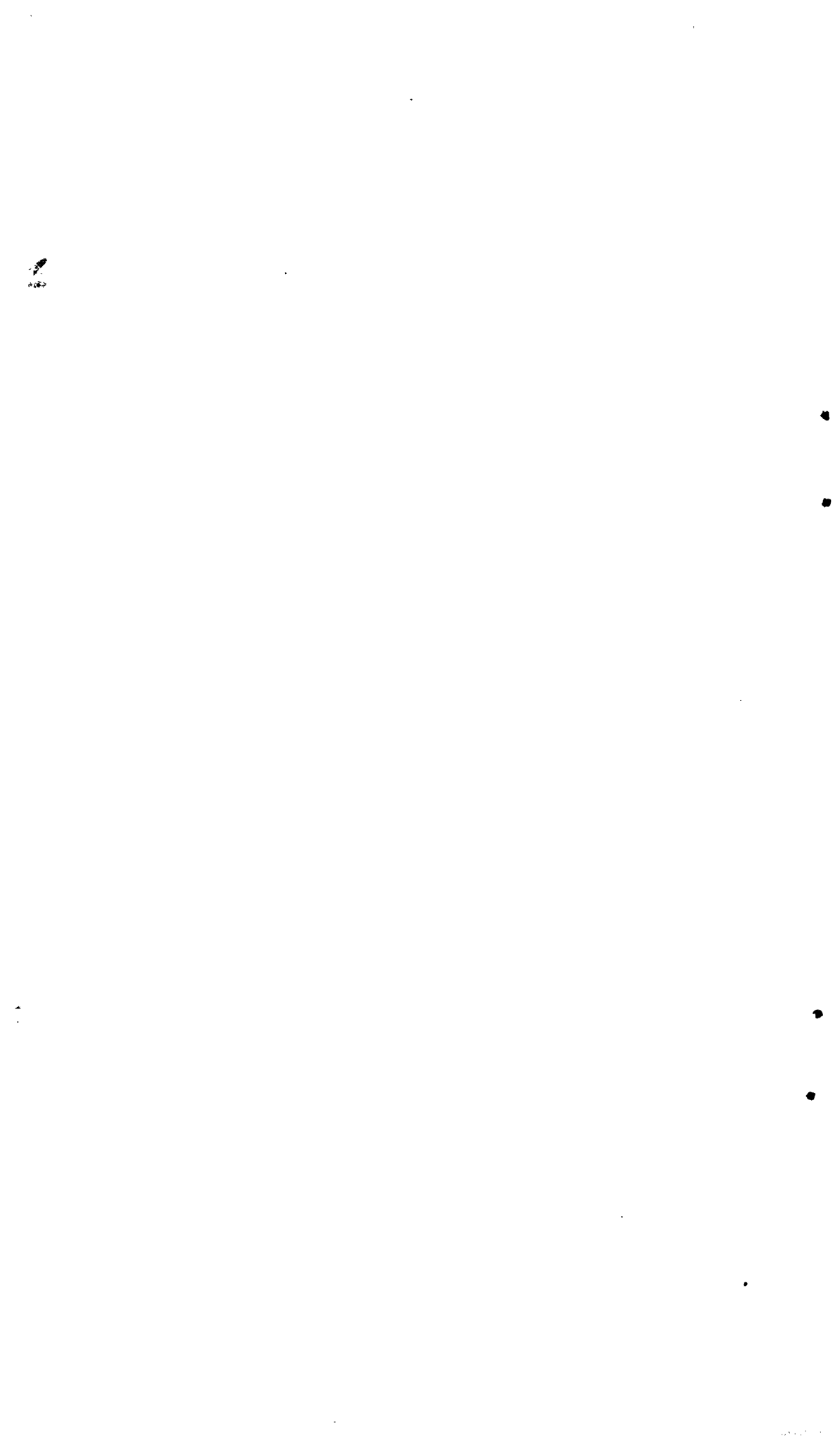
(2) the assistance provided under subsection (b) during that year.

DEFINITIONS

SEC. 2007. For purposes of this title—

(1) the term "State supplementary payment" means any cash payment made by a State on a regular basis to an individual who is receiving supplemental security income benefits under title XVI or who would but for his income be eligible to receive such benefits, as assistance based on need in supplementation of such benefits, as determined by the Secretary, and

(2) the term "State" means the fifty States and the District of Columbia.



APPENDIX E

REGULATIONS OF THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE CONCERNING SOCIAL SERVICES UNDER THE SOCIAL SECURITY ACT

Code of Federal Regulations, Title 45, Chapter II

* * * * *

Part 228—Social Services Programs For Individuals and Families: Title XX of the Social Security Act¹

Title 45.—Public Welfare

CHAPTER II—Social and Rehabilitation Service (Assistance Programs), Department of Health, Education, and Welfare

FINAL REGULATIONS

Notice of proposed rulemaking was published in the Federal Register August 26, 1976 (41 FR 36156), revising existing regulations for the provision of social services under Public Law 93-647, title XX of the Social Security Act. These proposed revisions represented the first comprehensive review of the title XX regulations since the program began October 1, 1975. They were aimed at reducing the operational difficulties States encountered during the first program year. The final regulations which follow are issued after further consideration of the policies and changes proposed in the NPRM and of the comments received on these proposals.

Three hundred letters containing about 1,400 comments were received from a broad range of respondents: private citizens, Governors, members of Congress, national and local health and welfare organizations, advocacy organizations, public and private provider agencies, provider agency organizations, States and local title XX agencies, other State agencies, and colleges and universities. In addition, staff in each of the HEW regions arranged informal public meetings during September and October 1976 in one or more States in each region to obtain additional discussion and comments. Summaries of comments received during these public meetings have also been carefully considered.

The overall reaction to the proposed regulations was one of substantial approval. SRS believes the circulation in April 1976 of the draft proposed regulations to State title XX agencies and 175 national public and private organizations was beneficial. (See Preamble to the proposed regulations, 41 FR 36156, August 26, 1976.) Such prior circulation and opportunity for

¹ Published in the Federal Register, January 31, 1977.

public discussion and comment produced useful suggestions from a knowledgeable audience. It also increased the sense of cooperation between the Department and the public in the administration of the social services program. In addition, greater public involvement in meetings where the proposed policies were discussed and explained seems also to have produced an increase in the number of letters which indicate a high degree of understanding of and familiarity with the issues dealt with in the NPRM.

Some letters provided thoughtful discussions of program and policy issues. The majority of comments, however, contained either well-documented observations, recommendations, and suggestions; or requested clarification, specificity, or technical guidance. Where possible, these recommendations and suggestions have been incorporated. For the purpose of public information, significant numbers of requests for statutory changes are noted in the comment analysis which follows. Respondents are referred to the State title XX agency or the Social and Rehabilitation Service Regional Office for technical guidance and interpretation regarding issues specific to a particular State or problem area which could not be addressed in the regulation.

Also incorporated into the regulations which follow are the interim final regulations implementing Public Law 94-401, 1976 amendments to title XX of the Social Security Act, published in the Federal Register (41 FR 55668) on December 21, 1976. Although the 45-day comment period for those interim final regulations is still in effect, they are incorporated in this issuance to provide a complete set of title XX regulations as they now stand. If public comment indicates that modification of the amendments required by Public Law 94-401 is desirable, changes will be published at a later date.

In response to questions, we wish to reiterate that States planning to implement the options provided by Public Law 94-401 must amend their State services plan in accord with § 228.36. Amendments are required with regard to group eligibility (§§ 228.24(f) and 228.26(a), e.g., individuals to be served and services provided); providing family planning services without regard to income; establishing an authority for determining the non-feasibility of standards in day care facilities (§ 228.26(i)); and making grants to providers to hire welfare recipients in day care facilities (§ 228.29(d)). However, States may begin making grants to providers as of September 7, 1976. However, for the purpose of public information as well as receipt of FFP, the plan must be amended. The final amendment will show an effective date of October 1, 1975, or a later date, depending on the date of implementation of such amendments by the State.

The purpose of the portion of the regulation that revises the existing 45 CFR Part 228 is to establish policies and procedures that will:

- (1) Clarify or provide specificity in some aspects of existing regulations;
- (2) Simplify or eliminate administrative requirements and reduce the possibility of fiscal sanctions on States;
- (3) Provide extensions of benefits wherever possible;
- (4) Provide additional options for the States in designing their programs; and
- (5) Provide an integrated set of all title XX regulations.

The basis for the final regulation is the Department's continued wish to enhance the ability of the States to focus on the delivery of services to eligible persons and to avoid undue administrative burdens and unnecessary costs.

The following is a summary of the substantive comments received as a result of the publication of the proposed regulations of August 26, 1976, the major issues raised by the respondents, the SRS response to the comments, and a general statement of the bases and purposes of the rules adopted herein. Because the proposed regulations received widespread approval, most, but not all, of the changes made in the proposed regulations are in response to requests for clarification. However, all changes from the August 26 proposal, other than minor editorial corrections, are discussed below.

Subpart A—Scope and Definitions

Three changes have been made in this subpart in response to comments. In § 228.1, the definition of Indian Tribal Council has been revised for clarification.

Also in § 228.1, the current definition of Indian tribe covers only those Indian tribes which have received Federal recognition. In the final regulation, the definition has been broadened to include Indian tribes recognized by appropriate State authority. The purpose of the change is to extend benefits under this program to State recognized Indian tribes. This expanded definition of an Indian tribe will be used in all SRS programs.

The third change is a clarification of the term "licensed health professional" under the definition of medical and remedial care. Respondents pointed out that some health professionals (such as respiratory therapists and mental retardation professionals) are not licensed by States but are credentialed by national professional organizations. This language change has been incorporated.

Respondents also recommended changes in the definition of family, e.g., *Recommendation (1)*: broaden the definition to include unmarried pregnant teenagers and unmarried teenage parents living in their parents' homes as one person families.

Response to (1): It is the Department's view that Congress intended eligibility under title XX to be based on a definition of "Family" that is consistent, reasonable, and operationally feasible. The present definition is seen as incorporating as many exceptions and as much flexibility as is possible within the intent of the law. It is our belief that children living with and supported by parents cannot be made an exception to the definition of family without violating the integrity and internal consistency of the definition and without negating the intent of the law.

Recommendation (2): Mandate a national definition of "Family" or mandate various groups, such as children in the custody of State agencies, as one-person families.

Recommendation (3): Provide a definition of an "emancipated minor."

Responses to (2) and (3): These recommendations were not accepted based on the Department's wish to provide States with programmatic options in these matters. States are expected to use their State definition of emancipated minor.

There were also a number of requests for policy interpretation, technical guidance, and clarification regarding the application of these definitions to specific State programs or problems. It was not deemed appropriate to address these requests in the regulation. Respondents are encouraged to contact the appropriate title XX State agency or Social and Rehabilitation Service Regional Office for further assistance.

Subpart B—State Plan Requirements, Reports, Maintenance of Effort, Compliance

The proposed regulations contained clarifying language in § 228.6. No substantial objections were submitted to these proposed changes; therefore, they are included in the final regulations.

Subpart C—Comprehensive Annual Service Program Plan

This subpart received the highest number of comments and was the focus of concern of a wide range of respondents. Comments are summarized below. Changes made in the proposed regulations are primarily for specificity or clarification, although two new requirements have been added.

In § 228.21, the word "Federal" has been added to clarify that the State may use either the Federal fiscal year or the fiscal year of the State government as the basis of their services program year.

Section 228.22(a) is revised to recognize, in accordance with the law, the responsibility of the Chief Executive Officer of the State (not the State title XX agency) for publication of the Comprehensive Annual Services Plan (CASP).

Section 228.22(b) is rewritten for clarity. It also adds a specification that States shall, as a part of the statutory mandate to explain the difference between the proposed and final services plans, include a summary in the CASP of the public comment on the proposed plan and the State's response to these comments. Respondents to the NPRM cited the Federal publication and comment process as a model in support of the public review and participation process. A parallel change is also made in § 228.36 with respect to comments received on the proposed amendments to final services plans.

In § 228.24, the example used of "female headed families" brought objections for our use of sexist language. The example has been changed to "one parent families."

Section 228.26(b) adds a requirement that States shall specify in the CASP the effective dates (the dates certain) of each discrete service. This requirement will provide options and flexibility to States who wish to "phase-in" a service as service delivery capability increases, or to "phase-out" (indicate the termination of) a service. The purpose of this change is to (1) inform the public more specifically regarding the availability of services; (2) give States added options in services delivery planning; and (3) ease publication costs.

For example, a State is in the process of increasing its homemaker services delivery capability and will be "phasing-in" this service during the program year. Homemaker services will be available at the beginning of the program year in all but one geographic area of the State. The service will be available (date certain) in the remaining geographic area 4 months later. The State has two options in this situation. It may, under this change, specify in the CASP that the effective date of the homemaker service is October 1 for all but one geographic area and is February 1 for the remaining geographic area. Or, it may publish an amendment to the CASP after the program year has begun showing that homemaker service has been added in the remaining geographic area and is now available on a specified date.

States can also use this option to indicate the termination of a service that is date certain. For example, a State offers day care services to migrant chil-

den for a 6-month period during the program year. States may include the service in the CASP and amend the CASP when it terminates the service. Or, under this change in the regulation, the State may specify in the CASP that the effective dates (the dates certain) of the availability of this service are from July 1 to January 1. It is not the intention of this regulation to permit States to use broad, nonspecific phrases such as "This service will continue to be available if additional funds are appropriated."

Section 228.28 clarifies that "other funds" may, at State option, be included in the list of program resources used to support the State's title XX program even though such funds are in excess of the amount needed to match the Federal allotment. This change provides an option to States in regard to FFP for training expenditures. For example, some States use nonfederally matched funds above their ceiling to continue or expand the same services that are included in their CASP's to the same or additional eligible individuals identified in their CASP's. Staff who carry out these programs may receive training as provided in Subpart H so long as these nonfederally matched "other funds" are estimated in the CASP as available title XX program resources.

FFP for training expenditures of staff carrying out these programs is available if the services program so funded (e.g., with nonfederally matched funds) meets all requirements of 45 CFR part 228. For example, these include the requirements that the service is described in the CASP, is offered to the same eligible categories of individuals, and adheres to the same standards, eligibility requirements, and limitations on services as pertain to title XX.

In response to concern for accountability to the public, § 228.28 clarifies how a State shall indicate in the CASP its Federal allotment, depending on whether the State program year does or does not coincide with the Federal fiscal year.

In § 228.29 the words "A general description of the steps taken * * *" are substituted for the words "The steps taken * * *" in response to many comments. Respondents interpreted the phrase "The steps taken" too specifically, i.e., to mean a list of every meeting, interview, contact, telephone call, etc., with respect to the requirement for program coordination and utilization in this section.

Section 228.33(a). Considerable comment and discussion was received with respect to the public review process described in this section. In general, numerous respondents, primarily national and local health and welfare agencies and organizations, advocacy groups, local government, and individuals objected to the detailed focus of the regulations on the publication and public review process (e.g., a public education and information function) and a diminished focus on assuring active and continuing public participation in the development of the State's services program. Respondents urged an increase in specific requirements on States aimed at strengthening and requiring public participation at all stages of the development of the services program.

The Department has attempted to support requirements for public participation while attempting to avoid unnecessary requirements on States. The requirements contained in these regulations are considered to be minimum requirements. The Department assumes and strongly encourages State commitment to good planning processes, general accountability to the public, and increased public participation in the development of the service

program. However, because of the newness of title XX and the range of capability among the States, not all States have been able to achieve these goals. The Department has tried to indicate its views, position, and concerns (while allowing States maximum flexibility to develop their own procedures) by the inclusion of § 228.29(c) in the proposed regulations and by the new language in § 228.33(a) related to purpose.

In § 228.33, items (b) (7) and (b) (9) are added for clarification to complete the list of steps that make up the scope of the public review process. These are not new requirements. Section 228.33(b) (7) refers to publication of necessary corrections to a proposed amendment; § 228.33(b) (9) refers to publication of necessary corrections to a final amendment.

In § 228.33(d), a requirement is added that copies of the proposed and final CASP's be retained for inspection for 3 years. This change is considered minimal for reference and accountability purposes and parallels the requirement that public comments be retained for 3 years.

Two changes are made in § 228.33(h) with regard to information which must be included in the summary of the proposed services plan. The first, in § 228.33(h) (8), clarifies the specific fiscal data that shall be included in the summary, e.g., the amount of the Federal allotment to the State and the amount of State and local appropriated funds and of other funds available to finance the services program. The second change adds paragraph (h) (9) and requires that the summary include information regarding where an individual may apply for services or where he may obtain information about where to apply. This requirement places no burden on the State since this information must also be included in the proposed and final services plan and in the display ad announcing the final services plan. Respondents felt such information included in the summary would help inform the public and assist individuals to apply for needed services. The change was made in response to such requests.

Section 228.33(g) (7) clarifies that States have options in distributing the proposed services plan from local public agency offices, e.g., distributing directly or taking orders for distribution from another source.

In § 228.36(a) (1), an editorial change is made to show that "changes in the program year" means "changes in the period of time encompassed by the program year."

Several new subsections and paragraphs have been added in § 228.36 in response to requests for clarification of the procedures, including the SRS role and responsibility, in making corrections to proposed and final amendments. The newly added citations are: § 228.36 (b) (2), (b) (3), (b) (4), and § 228.36 (e) and (f). These are not new requirements. Since the procedures for correcting proposed and final amendments are parallel to the procedures for correcting proposed and final services plans (with the exception that a 30-day rather than a 45-day comment period is required), the language is similar, if not identical, to previous language and procedures in this subpart.

In the publication of amendments to the regulations required by Public Law 94-401, a section was coded "228.35 Amendments to Final Services Plan." The citation number was in error and should read § 228.36. The pertinent language has been properly included under § 228.36(d) in this issuance.

Changes in § 228.36(b) (5) (iii) were discussed earlier in a parallel change made in § 228.22(b). The added requirement here is that States must include in the display ad which announces an amendment to the final CASP, a

summary of the public comments to a proposed amendment and the State's response to such comments.

A significant number of comments regarding this subpart objected to the delay in FFP until the CASP has met all appropriate requirements of this subpart. Respondents offered alternate recommendations including deletion of requirements for publication of corrections to the plan and inclusion of corrections in the final plan in lieu of publication. The rationale was saving of publication costs, eliminating the delay in a 45-day comment period on the correction, and, primarily, easing the threat of loss to FFP.

The Department is aware of and concerned about the problems cited. However, these recommendations cannot be accepted, because they conflict with statutory requirements, including the requirement for public notice of all provisions of the plan, and a 45-day review of these provisions. To help prevent such problems, the Department concurs with the suggestion made that States can work with the Regional Offices to obtain technical assistance and review prior to publication of their CASP's and amendments thereto.

A significant number of comments also registered disapproval of the reduction of detailed requirements in §§ 228.31 and 228.32, concerning needs assessment, planning, evaluation and reporting. They considered that States will diminish their efforts in these areas to the probable detriment of the program. An equal number of comments expressed strong approval for these deletions. All comments have been carefully considered. The Department's decision is that the changes proposed will become final. The basis for this position is the desire of the Department to simplify the administration of the program and reduce the number of detailed requirements which must be included in the CASP. This decision was taken in the context of increased State efforts to improve their programs in these areas. Incidentally, these areas of needs assessment, program planning, monitoring, reporting and the public participation process are priority areas of technical assistance by SRS. Many excellent suggestions and recommendations were received (such as use of television, public meetings, etc., to reach additional groups of citizens) which can be useful in a technical assistance effort. Many of the suggestions made are currently being utilized by States to adapt their programs/procedures to local needs.

Subpart D—Limitations: Services

This subpart of the proposed amendments was the focus of considerable comment, both positive and negative. Specifically, the following changes have been made in response to these comments.

Sections 228.40 and 228.41 have been changed to eliminate the requirement for a case-by-case documentation of how medical and remedial care or room or board is integral but subordinate to a discrete service in the CASP. The Department is appreciative of the many methods of documentation sent us. However, the overwhelming majority of comments objected to this requirement, stating it would be severely burdensome and/or administratively infeasible. Respondents further recommended that the requirement for documentation of room or board and medical and remedial care could be accomplished by a description of these service components in the CASP. This suggestion is accepted. The regulation has been changed to require, under § 228.40, that the medical and remedial care must, first, be necessary

to achieve the objective of the discrete service of which it is an integral but subordinate part. Second, a specific description of the medical and remedial care must be included in the CASP, together with a description of the service of which it is an integral but subordinate part. A general statement in the CASP such as "including medical and remedial care" is no longer acceptable. Similar requirements with respect to room or board are incorporated in § 228.41. The regulation intends that the State agency will be held responsible for determining the specific type of medical and remedial care and specifically whether both room or board (or one or the other) will be provided as integral and subordinate to a social service. To communicate this to the public, the State agency is also responsible for the publication of this detailed information in the CASP. Only the specific medical and remedial care and the room or board so described in the CASP are matchable.

Section 228.44 is clarified in response to many questions and considerable confusion regarding the provision of services under this section. Paragraph (b) (1) is revised to provide specificity and to clarify the term "inherent responsibilities." Paragraph (b) (2) is revised to clarify that the "intrinsic activities" of a facility are determined by facility charter, State law or standards, relevant licensing or certification requirements, or Federal or State court decisions.

Strong objection was received to § 228.44(d) concerning limitations on services provided in juvenile correctional facilities. These limitations were the result of inadvertent drafting error and have been removed. Section 228.44(d) returns to the language of the current regulation and allows FFP for services but not for inherent responsibilities (e.g., food, clothing, shelter, general maintenance and administration (including the detention function), general supervision and care) in such facilities.

Two major areas of comment were raised regarding § 228.46. The first was a strong request that FFP be available for emergency shelter for adults, particularly battered women. Since section 2002(a) (11) of title XX limits the provision of emergency shelter to children, this recommendation could not be accepted.

The second area of concern pertained to the limitation of 30 days in any 12-month period for provision of emergency shelter to a child. Respondents cited this limitation as unrealistic overly restrictive in the context of service delivery to abused, neglected, or exploited children. In response to recommendations for added flexibility, the regulation has been changed to allow 30 days (as provided by law) in any 6-month period, for children, under the conditions specified in this section.

The 6-month time period will allow States the flexibility needed in diagnosis and service provision to such children and their families. This flexibility is valuable, particularly with respect to a decision to remove a child from his own home, in a service area such as this one that lacks diagnostic precision.

The 6-month time period was selected (as opposed to other suggestions which included 30 days for any one placement or episode, and 90 days in a 12-month period) on the basis that it extends FFP for this service; that it offers States additional alternates for services provision; and that it is a reasonable, if somewhat arbitrary, compromise between the current provisions and the strong recommendation for 30 days per placement or episode which we believe supports an undesirable revolving-door approach to service

delivery in these difficult cases. (For example, the child is abused or neglected, is given 30 days of emergency shelter. No diagnostic study or services are provided to the child or his family. He returns home but is back in the care of the agency needing emergency shelter for the same or similar problems within a short time. This cycle occurs repeatedly.)

Regarding § 228.47, many of the comments seemed unclear with respect to the availability of FFP when State funds are advanced to an eligible individual for an authorized service. The regulations do not address State practices. However, the regulation intends that if a State advances its own funds, such an advance may become an expenditure for FFP purposes only after a service has been authorized and delivered as evidenced by a bill or receipt.

Recommendations that FFP be made available for foster care in foster family homes and foster care institutions were received. This is a limitation in the law (Section 2002(a)(7)) and cannot be allowed under regulation.

Subpart E—Limitations: Financial

Two changes have been made in this subpart in response to comments. Sections 228.53 and 228.54 are clarified to show that public or private agencies or organizations may make funds available to the title XX agency for training as well as for services and other administrative functions. Since this has always been the case, the purpose of the change is to make this provision explicit. It was suggested that in-kind donations be allowed from private donors. This suggestion could not be accepted since such a change would require legislative action.

Section 228.55, containing the definition of family planning services, was vacated under the regulations pertaining to Public Law 94-401 and its contents were moved to § 228.63.

Subpart F—Limitations: Individuals Served, Eligibility and Fees

SEC. 228.60 *Persons eligible and access to services.* This section has been reorganized and new material added for clarification. It has also been retitled from "Persons eligible" to "Persons eligible and access to services" to more clearly reflect its content.

A new paragraph (a) "Condition for FFP," consolidates the material on Federal financial participation previously scattered throughout the section.

It was suggested by commentators that individuals who may receive certain services without regard to income was a third category of eligible persons and should be listed with income maintenance status and income status persons. The regulation has been changed accordingly. In addition, the regulation also notes that persons whose eligibility is determined on a group basis are income status individuals.

Paragraph (b) on median income is revised to make clear that all States, whether conducting their title XX programs on a State or Federal fiscal year, are to use the median income promulgated annually in December for their ensuing program year.

Paragraph (d) formerly called "Income levels," is now broken down into two paragraphs. Paragraph (d) is entitled "Income levels as baselines for fee imposition" and clarifies how to calculate the upper and lower limits of median income which set the boundaries for the mandatory imposition of fees on persons in income status. In order to make clear that the State has

the option to impose fees on other persons not having incomes within the limits for mandatory fees, a cross-reference is now included to the regulation concerned with discretionary fees.

In regard to adjustment figures for family size relative to setting the income levels for mandatory fees, three respondents thought that 3 percentage points increase for each additional person over a family of six was inequitable. No change has been made in the regulation in this respect because: (1) The Department has concluded that it would not be prudent to make a change in view of the fact that the issue was not raised in a proposal which could be evaluated and commented upon by all interested parties; and (2) The Department believes that the matter of adjustments around incomes must be examined in the broader context of considering other Federal programs which also require a means test.

Paragraph (e) is now called "Income levels for services" and presents the same options for setting income levels as previously.

When Public Law 94-401 introduced determination of eligibility on a group basis into the title XX program, the word "application" in the regulations had to be reconsidered. Generally, in the public social services field, application has meant the submission by the applicant of a written, signed form containing information on income needed to establish eligibility for a service. Sometimes it also included a request for a service if the State did not have a separate form for this purpose. However, information on income is not required from individuals whose eligibility is being determined on a group basis, but a request for services is still applicable. Therefore, the regulation now differentiates between an application and a request for services. The application is used only when there is a need to determine eligibility on an individual basis. A request for services is made by everyone seeking a service. The State is to document such requests for purposes of FFP, fair hearings, and to verify that the request for services was a voluntary one. Documentation may be accomplished through submission of a written request by an individual or by the recording of information elicited by the agency, except that a request for family planning services must be in writing to insure that it was requested voluntarily. Documentation for protective services remains the same as in the proposed amendment. The State must establish a procedure for documenting information and referral requests as to the number and nature of these requests.

A heading has been added, "Prompt action on eligibility applications and requests for service" as paragraph (g) to include existing material on time frames in which the State must make decisions on applications for eligibility and notify applicants. As noted previously, an application often included a request for services. To this paragraph has been added new material dealing with a response by the State to requests for service as described in paragraph (f), and to carry out the intent of the legislation which provides that "an opportunity for a fair hearing before the appropriate State agency will be granted to any individual whose claim for any service described in Section 2002(a) (1) is denied or is not acted upon with reasonable promptness." The new material directs that unless a service is denied, the State must provide the service requested with reasonable promptness. "Provide the service" is defined as the actual provision of the service or arrangements for its provision at an appropriate later date. The latter half of the definition is to accommodate those cases where a service is not needed until a later date—e.g., homemaker service is needed 6 weeks from the date of the request when the

mother will be going to the hospital. "Reasonable promptness" means providing the service within 15 days after notification of eligibility to a person whose eligibility is determined on an individual basis, or within 30 days after acceptance of a request for service. If the service is being denied, the State must notify the applicant in writing of the denial within the same time limits.

Paragraph (h) is newly lettered and covers "Notification of right to a fair hearing" which has been rewritten to include applicants who make only a request for services.

Some respondents requested that time limits in the fair hearings process be presented in the regulation along with the time limits on notifying applicants about their eligibility. An SRS decision has been made that fair hearings materials for all SRS programs (now contained in 45 CFR 205.10) would be revised to reflect the needs of the title XX program and be contained in a separate regulation. A Notice of Intent was published in the Federal Register on this matter on November 30, 1976 (41 FR 52491), and comments are being accepted through the end of January.

Several comments were received about the time limits specified for the State to notify applicants about their eligibility on an individual basis. One dealt with the difficulty of getting a response from the Social Security Administration within 30 days about SSI recipients; another proposed giving the States complete freedom to set their own time limits provided they were "reasonable"; another opposed having to notify the applicant about his eligibility within 15 days after the State has reached a decision. These comments generally represent administrative problems at the State and local level. The suggestion for States setting a "reasonable time" is unacceptable as it affords the applicant little protection against possible abuse and nullifies an effective fair hearings procedure.

SEC. 228.61 *Determination and redetermination of eligibility.* Paragraph (7) in § 228.60 which deals with safeguarding the civil and other rights of the individual in standards and methods of determining eligibility has been transferred from that section and added to paragraph (a) of § 228.61 which is concerned with methods of determining eligibility. This is merely a consolidation of relevant material.

By inadvertence, material in this section on the documentaton method of determining individual eligibility had been dropped. It is now restored so that a description of both the documentation and declaration methods of determining eligibility are included. The description of what constitutes a determination of individual eligibility has also been clarified.

Respondents were divided on whether the State should have the choice of using different methods of determining eligibility for different categories, services, and geographic areas. Providers and organizations generally favored mandating one method throughout the State, using the declaration method. The regulation was not changed, however, in the interests of permitting flexibility to the States.

The paragraph on conditions for FFP has been changed to reduce the material in (1) and (3) of paragraph (b) to one item and relate it more clearly to conditions for FFP when an individual who had formerly been eligible is subsequently found ineligible. The incorrect citation in the last paragraph of (b) has also been adjusted.

There was overwhelming support from respondents for including recipients of SSI in the group for whom redetermination could be conducted on

an annual basis. This change was made, as well as permitting the individual to have a combination of income from a pension, social security and SSI. Other suggestions which were not accepted recommended that AFDC recipients, the developmentally disabled, and other groups be included in the yearly redetermination category. SRS believes that more experience with the title XX program is necessary before further changes are made.

A great deal of apprehension was expressed about the possibilities of audit exceptions if the declaration method is used. States wanted specifications—such as for monitoring, error rates, and valid samples—before they constructed their monitoring procedures and undertook using the declaration method. SRS does not believe the regulation is the proper vehicle for such material, and the Department has no plans for such promulgation. For the present, § 228.61 (g) is as far as the Department wishes to go in requiring States to conform to specified procedures. Technical assistance will be available to the States in these areas.

When regulations for Public Law 94-401 were published December 21, 1976 (FR 55668), it was specified in § 228.61 (d) (2) that if a State agency were claiming expenditures retroactively for services on a group determination of eligibility basis, as permitted to October 1, 1975, the validation of each group of persons receiving such services had to be completed within 3 months following December 21, 1976. Since this date would fall in the middle of March, SRS has extended the completion date to March 31, 1977, to make it coincide with the end of a month and end of the quarter.

Another change in the regulation issued on December 21, 1976, has been made for purposes of operational feasibility. The regulation, § 228.61 (d) (6), instructed the State agency, in the event it found that persons receiving a particular service on the basis of group eligibility did not meet the test of "substantially all," to take two steps within 75 days of making the finding. One step was to discontinue claiming FFP for expenditures incurred for the service provided to persons in the group whose eligibility had been determined on a group basis. The other step was to amend the services plan. Since the end of the 75 days could occur at any point in a month and result in administrative problems relative to stopping FFP, the regulation has been changed to discontinue FFP "by the end of the month in which the 75th day occurs."

In response to queries, paragraph (d) (5) has been revised to clarify that the 75-percent validation test for group eligibility is to be conducted on the same basis as each group is described in the services plan. This means that if a State has described the group on a geographic area basis, it shall conduct the validation on a geographic area basis; if a State has conceived of the group on a statewide basis, it shall conduct the validation on a statewide basis. Even though this change has been made on the basis of early comments to the interim final regulation published on December 21, 1976, the Department is still accepting comments on that regulation.

Sec. 228.62 Fees. Some respondents seemed unaware that the legislation requires imposition of a fee "reasonably related to income" on service recipients with family gross incomes exceeding 80 percent of the median up to 115 percent of the median. They proposed various legally unacceptable changes: waivers of fees, fees based on characteristics of a group, fees related to cost of service rather than income, exceptions when calculating the income of various groups. Several objected to the possibility of different fees in

different geographic areas for the same service. Since States must describe their fee structures in the annual services plan, the public has the opportunity to question differences in fees they believe unjustified.

In paragraph (e) (1) of the proposed regulations, the intended meaning of the words "normal charge" was the going rate in the community for a service. Since the words used raised questions, the regulation has been revised to substitute "the going rate in the community" for "normal charge," for purposes of clarification.

It was of concern to a number of respondents that a title XX service provider, having been given the opportunity to expand the service with fees collected, would discriminate in favor of providing services to persons who had to pay fees. SRS believes the State agency has the responsibility to detect such trends and deal with them. Others questioned why the State agency was not permitted to use the service fees it collected to expand title XX services. SRS has added this possibility to the regulation. In response to questions, it has also clarified that fees collected cannot be used to match Federal funds. Pursuant to 45 CFR 74.45(b), these fees (whether initially paid by service recipients to a private or public provider) are to be retained by the State agency to be used in one of two ways: (1) to further the objectives of the program (expand the service); or (2) to reduce the size of the claim for Federal matching. Despite the fees thus becoming State agency monies, SRS has concluded on the basis of longstanding Federal policy relating to conditions under which public funds may be used as the non-Federal match (as expressed in 45 CFR 228.53), that such fees do not meet the requirements of that policy and hence cannot be used as the non-Federal share.

Clarification is also made that FFP is not available if providers impose fees or charges other than those which are stated in the purchase of service agreement with the State agency and are in accordance with the fee schedules published in the State's services plan.

Some respondents also seem unaware that the legislation specifies use of the median income as the basis for determining eligibility for title XX services for income status individuals. There were suggestions to use for the title XX eligibility determination, data gathered for determining eligibility for other programs such as food stamps or medical assistance. This is not feasible because income considered for title XX (as described in § 228.66) is not necessarily the same as that for other programs.

Several respondents reacted unfavorably to the new paragraph (f) requiring the title XX agency to make outside contacts at the applicant's request in order to protect the confidentiality of an inquiry relating to determination of eligibility when a provider agency is making the eligibility determination. One objection was that providers, seeking audit protection, would flood the State agency with requests to make outside contacts. Another objection was that an extensive system of procedures and administrative effort would be required to carry out this policy. SRS believes that this assurance of confidentiality is crucial in view of continuing concern for individual privacy in governmental programs. This provision will be tested and the situation evaluated later on the basis of experience.

Another change, as a result of the comments, is the clarification that States have authority to charge fees if they wish for persons receiving services without regard to income. This is of particular significance because there is a pattern of fee setting in many community agencies which provide family planning services.

SEC. 228.63 *Family Planning Services*. Changes were made in this section to include additional components of family planning services as examples for greater specificity.

SEC. 228.64 *Information and Referral*. No changes in this section were suggested by the respondents. Strong approval was expressed by a number of respondents for restricting FFP for information and referral services only when provided by an agency having I&R as a recognized, specific function.

SEC. 228.65 *Protective Services*. A recommendation was made to include services to battered women. Insofar as such individuals meet the definitions in § 228.65, they may receive the services specified in the State's services plan to provide protective services.

Subpart G—Purchase of Service

Two changes have been made in this Subpart. In response to requests for clarification, § 228.71 (a) has been revised to specify factors to be considered and procedures to be used in establishing rates for the purchase of services from public and private agencies. The purpose of these changes are to provide definitive information on which States and provider agencies may base their procedures.

A significant number of respondents disagreed with the option in § 228.70(d) of allowing an unwritten contract with certain individual providers of services. They cited the lack of accountability, including the difficulties in auditing an unwritten contract, and the potential for abuse. They also noted—that the requirement that the terms of the unwritten contract be documented in the record was operationally similar to the requirement for a written contract. These comments were carefully considered as were comments which approved of this option as a method of easing administrative requirements. Approving respondents cited the benefits to individual providers (such as day care providers) who wish to provide a service but who are reluctant to sign a formal contract. They cited the resulting threat to services availability due to a decrease in numbers of service providers. They also cited cumbersome contract processing requirements in some States which delay provision of services and create an exceptionally heavy administrative workload.

On balance, this provision was retained on the basis that administrative options are needed by the States. However, for the purpose of clarification, a change is made in § 228.70(d) to specify that States in documenting the terms of the unwritten contract, shall document the terms of the contract that has been negotiated with the individual provider, including all applicable items in § 228.70(a). We anticipate that States, at their discretion, will continue to require written contracts for certain services provided by such individual providers.

The effective date of this option for unwritten contracts for certain individual providers of services under § 228.70(d) is made retroactive to October 1, 1975. This retroactive date aims to avoid undue administrative burdens on States. The requirement for a written contract with all providers of services was based on the Department's intent to encourage sound administrative and business practices which would support accountability. However, the Department was not aware of the volume of individual providers in some States, the difficulties involved in obtaining written contracts, nor the administrative difficulties of processing such a large number of contracts in some States. In this instance, the Department considers its requirements, although based on good intent, to have been unduly burdensome.

Subpart H—Training and Retraining

This subpart received a substantial number of comments from a wide range of respondents. Comments were received on the proposed regulations and in response to the SRS request for public consideration of and comment on the feasibility of combining all SRS training regulations into a consolidated regulation. SRS is appreciative of the large number of comments received on this matter, the majority of which favored separate training regulations. This decision is still pending. All responses, including those received in response to an NOI on this subject, will be carefully considered in reaching a final decision.

The following is a summary of changes which have been made in the proposed regulations after consideration of comments.

The issue, related to this subpart, which produced the most comment was the deletion of the requirement for submittal of a training plan to SRS in § 228.80. A majority of respondents who commented specifically on the training plan urged reinstatement of this requirement. Many other respondents, however, commented in general terms approving changes made in this subpart or approving the relaxation of administrative requirements in this section. It was difficult for the Department to precisely assess these general comments since they might refer to any or all of the several changes made in this subpart. They were read, however, to give implicit approval to the proposed deletion of the requirement.

Therefore, the requirement for submittal of a training plan has been deleted as contemplated in the August proposed regulation. The Department believes the working relationship with the States can be enhanced by avoiding mandated requirements whenever possible and by working on a joint basis with States for program improvement. The Department also recognizes the interest in and shares a concern for good program management with respect to training. The President's budget for fiscal year 1978 contains a recommendation for a \$75 million ceiling on the presently open-ended training fund for income maintenance and social services. The Department will be working closely with States to monitor the use of all training expenditures and their impact on service delivery.

An opportunity for further comment on departmental regulations with respect to training for all SRS programs is contained in a Notice of Intent and Notice of Proposed Rulemaking published in the Federal Register January 11, 1977 (42 FR 2440). SRS will give further consideration to procedures for planning and reviewing training activities in considering public comment on the issues raised in that notice.

The 10 remaining changes made in this subpart respond to requests for clarification. Their purpose is to eliminate confusion.

Editorial changes are made in §§ 228.81 (c) and (c) (1) to clarify that a provider agency does not need to have a contract to determine eligibility in effect before its service delivery staff may be trained. This section also clarifies that eligibility determination staff of providers may be trained when the contract includes the eligibility determination function.

Section 228.81 (e) (2) has been revised to provide that an individual family or in-home day care provider may receive training both:

- (1) To enable her (him) to provide services to an eligible person already in her (his) care, or
- (2) To prepare her (him) to give such services to an eligible person at a later date, under the conditions specified in this section.

This clarification is made in response to questions asking when the training of such providers may occur. The specified conditions under which the training may be given are the same as for other service providers.

In § 228.82(c), the words "which include equal representation from the three groups comprising the panel" have been deleted in response to requests from State title XX agencies. They pointed out that since States have primary responsibility for such grants, they should have the responsibility, if they wish, to determine the numerical composition of the evaluation panel, so long as the panel consists of representatives of the SRS Regional Office, the educational institution, and the State agency.

Section 228.84(b) adds language to specify that costs of State agency staff, such as program area specialists, may be matchable when such persons are utilized in training programs under the supervision of the State agency Director of Staff Development, and are properly allocated.

Section 228.84(c) is modified to set limits on the type of expert whose services will qualify for FFP, e.g., FFP is available for experts who are from outside the title XX agency. This clarification is made in response to questions about whether supervisors or other program area specialists in the title XX agency may be considered as "experts" and thus be eligible to receive salaries, fringe benefits, travel, and per diem as training expenditures.

Section 228.84(e) adds language that clarifies the requirement for a training contract between the title XX agency and the provider agency.

Section 228.84(g) is modified to parallel the change made in § 228.84(c), namely, to allow FFP only for experts who are from outside the provider agency. This clarification is also made in response to questions from provider agencies on this matter.

Section 228.86, entitled "Phase-in of training requirements," is vacated as no longer applicable. The phase-in period to which this section referred expired on June 30, 1976.

Regarding other comments received, many respondents, primarily those from provider agencies, urged that regulations permit FFP as a training cost for the training of management/administrative staff of and volunteers in provider agencies, and for financial assistance for persons preparing for employment in a provider agency. These recommendations were not accepted. The Department is concerned, first of all, about a public policy position and an interpretation of the statute that would allow FFP as a training expenditure, outside the ceiling, to train the nondirect service delivery staff of agencies from whom the title XX agency is presumably purchasing such expertise and services. This concern is particularly strong as it is possible to fund the training of such persons only under certain conditions and in appropriate cases within the overall cost of a purchase of service contract.

Second, with respect to the recommendation to train persons preparing for employment in provider agencies, this provision would increase considerably the administrative burdens of the State title XX agency in attempting to control, monitor, and assure benefits of such training to the title XX program. Unlike the provision of allowing training for persons preparing for employment in the title XX agency, the administrative costs associated with the potentially multiple number of persons so funded could tend to divert title XX monies away from service provision.

In addition, two misinterpretations of the proposed regulations appeared in the comments the first was in regard to the requirement for accreditation of departments or institutes, such as an Institute of Social Policy and Plan-

ning, which are a part of an accredited educational institution. The regulation intends that for FFP to be available under § 228.82, to departments or institutes which are a part of an accredited educational institution must themselves be accredited by a special accrediting body, if such an accrediting body exists for that department, or institute. If no special accrediting body exists for the program of such departments or institutes, then FFP is available, under § 228.82, for grants to such departments or institutes if the department or institute is a part of an accredited educational institution. A department or an institute which is not a part of an accredited educational institution cannot receive funding under § 228.82.

Subpart I—General Provisions

Three changes have been made in this subpart. In response to requests for clarification, § 228.90(a) (2) adds language that clarifies the availability of FFP for medical examinations for eligible persons precedent to receipt of a service, such as an examination for a child entering day care.

Section 228.90(a) (3) also adds the word "agency" to clarify that FFP is available for costs of State (and local) title XX agency advisory committees. This clarification is made in response to questions concerning FFP for costs of local advisory committees.

Also in response to comments, § 228.91 clarifies that no FFP is available for goods or services provided in-kind by individuals. The purpose of these changes is to make explicit statements that will resolve continuing questions in these areas.

Part 228, chapter II, title 45 of the Code of Federal Regulations is revised to read as set forth below:

Subpart A—Scope and Definitions

<i>Sec.</i>	
228.0	Scope of program.
228.1	Program definitions.

Subpart B—State Plan Requirements, Reports, Maintenance of Effort, Compliance

228.5	State plan requirements.
228.6	Appropriate State agency.
228.7	State financial participation.
228.8	Statewide operation.
228.9	Merit system.
228.10	Safeguarding information.
228.11	Residency requirements.
228.12	Standards for institutions or foster homes.
228.13	Standards for child day care services.
228.14	Fair hearings.
228.15	Amendments to State plan.
228.16	Submittal of State plan and amendments for approval by the Secretary.
228.17	Reports and maintenance of records.
228.18	Maintenance of effort.
228.19	Noncompliance.

Subpart C—Comprehensive Annual Services Program Plan

228.20	Conditions for FFP.
228.21	Establishment of program year.
228.22	Services plan.
228.23	Program goals and objectives.
228.24	Individuals to be served.
228.25	Availability of services by geographic area.

<i>Sec.</i>	
228.26	Services.
228.27	Estimates of individuals to be served and expenditures.
228.28	Program resources.
228.29	Program coordination and utilization.
228.30	Organizational structure.
228.31	Needs assessment.
228.32	Planning, evaluation and reporting.
228.33	The public review process.
228.34	Regional review of proposed and final services plans.
228.35	Correction of proposed and final services plans.
228.36	Amendments to final services plan.

Subpart D—Limitations: Services

228.39	General.
228.40	Minor medical and remedial care.
228.41	Room and board.
228.42	Child care standards.
228.43	Educational services.
228.44	Services to individuals living in hospitals, skilled nursing facilities, intermediate care facilities (including hospitals or facilities for mental diseases or for the mentally retarded), or prisons.
228.45	Special services provided by foster family homes.
228.46	Emergency shelter.
228.47	Cash payments for a service.
228.48	Confidentiality regarding services to drug and alcohol abusers.

Subpart E—Limitations: Financial

228.50	Services and individuals covered in the services plan.
228.51	Matching rates.
228.52	Allotments to States.
228.53	Public sources of State's share.
228.54	Private sources of State's share.
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AUTHORITY: Sec. 1102, 49 Stat. 647 (42 U.S.C. 1302).

*Subpart A—Scope and Definitions***§ 228.0 Scope of program.**

(a) Federal financial participation is available, in accordance with title XX of the Social Security Act and this part, with respect to expenditures under a State program for the provision of services, to low-income individuals and families, directed at the goals of:

(1) Achieving or maintaining economic self-support to prevent, reduce, or eliminate dependency;

(2) Achieving or maintaining self-sufficiency, including reduction or prevention of dependency;

(3) Preventing or remedying neglect, abuse, or exploitation of children and adults unable to protect their own interests, or preserving, rehabilitating, or reuniting families;

(4) Preventing or reducing inappropriate institutional care by providing for community-based care, home-based care, or other forms of less intensive care, or

(5) Securing referral or admission for institutional care when other forms of care are not appropriate, or providing services to individuals in institutions.

§ 228.1 Program definitions.

As used in this part:

Act means the Social Security Act.

Administrator means the Administrator of the Social and Rehabilitation Service of the U.S. Department of Health, Education, and Welfare.

Categories of individuals means groupings of persons on the basis of common characteristics such as recipient status (AFDC, SSI, medicaid), income level, age, physical or mental condition, or any other characteristic that the State specifies in its comprehensive annual services plan.

Family means one or more adults and children, if any, related by blood, or law, and residing in the same household. Where adults, other than spouses, reside together, each may be considered a separate family by the State. Emancipated minors and children living under the care of individuals not legally responsible for that care may be considered one-person families by the State.

Fiscal year means the Federal fiscal year unless otherwise specified.

FFP means Federal financial participation.

Geographic area means any identifiable area encompassed within the State.

Indian tribal council means the official Indian organization administering the government of an Indian tribe, but only with respect to those tribes with a reservation land base. This includes intertribal councils whose membership tribes have reservation status.

Indian tribe means any Indian tribe, band, nation, or other organized group or community, including any Alaska Native region, village or group as defined in the Alaska Native Claims Settlement Act (85 Stat. 688), which is

recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians, or any Indian tribe, band, nation, or other organized group or community which is recognized as an Indian tribe by any State commission, agency, or authority which has the statutory power to extend such recognition.

Medical or remedial care means care directed toward the correction or amelioration of a medical condition which has been diagnosed as such by a licensed medical practitioner operating within the scope of medical practice as defined by State law, and which care is provided by or under the direct supervision of such a medical practitioner or other health professionals licensed by the State or credentialed by the appropriate professional organization.

Monthly gross income means the monthly sum of income received from sources identified by the U.S. Census Bureau in computing median income. (See 228.66.)

Other public agencies means State and local public agencies other than the State agency, and Indian tribes.

Room means shelter only; and *board* means three meals a day or any other full nutritional regimen.

Secretary means the Secretary of the U.S. Department of Health, Education, and Welfare.

Service plan means the State Comprehensive Annual Services Program Plan under section 2004 of the Act.

SSI (Supplemental Security Income) means monthly cash payments made by the Social Security Administration to an aged, blind, or disabled individual who meets the requirements for such aid under title XVI of the Act, and also includes State supplementary payments made by a State on a regular basis to an individual receiving SSI, or who would, but for his income, be eligible to receive such benefits, as assistance based on need in supplementation of such benefits.

State means the 50 States and the District of Columbia.

State agency means the appropriate State agency, designated by the chief executive officer of the State or as otherwise provided by the laws of the State, to administer or supervise the administration of the State's program, and except where the context otherwise requires, includes local agencies administering the program under the supervision of the State agency.

State plan means the State plan under section 2003 of the Act.

Title XX means title XX of the Social Security Act.

Subpart B—State Plan Requirements, Reports, Maintenance of Effort, Compliance

§ 228.5 State plan requirements.

Each State which establishes a services plan under title XX shall operate it pursuant to a State plan, approved as meeting the requirements of §§ 228.6 through 228.16.

§ 228.6 Appropriate State agency.

(a) *Designation of appropriate State agency.* The State plan shall provide:

- (1) For the designation, by the chief executive officer of the State or as otherwise provided by the laws of the State, of a State agency with authority to administer or supervise the administration of the State's program under title XX; and

(2) For a description of the appropriate State agency, and inclusion of an organizational chart showing location of the agency within the State government.

(b) If on December 1, 1974, a separate agency administered or supervised the service program for the blind under title VI, such agency may continue to do so for title XX. Both agencies shall use the same program year.

(c) *Administration of title IV-B of the Act.* Under title IV-B of the Act, the State agency shall administer or supervise the administration of title IV-B of the Social Security Act unless, prior to December 1, 1974, title IV-A and IV-B of the Act were administered by separate agencies.

(d) *Legal authority.* The Attorney General of the State shall submit a certification identifying the State agency and certifying the legal authority under which such agency administers or supervises the administration of the State program including the authority to make rules and regulations governing the administration of the program.

(e) *Authority and responsibility of the agency.* There shall be maintained within the State agency the authority and responsibility for:

- (1) The State plan;
- (2) The services plan;
- (3) The projection of estimated expenditures;
- (4) The accountability for Federal funds;
- (5) The establishing and maintaining of standards for the determination of eligibility;
- (6) The administration or supervision of the administration for the provision of services;
- (7) Operating the program on a statewide basis;
- (8) Complying with any program reporting requirements;
- (9) Maintaining a working relationship between the Secretary and the State; and
- (10) Overall supervision, control and oversight of title XX activities.

(f) *Administrative support agreements.* In carrying out the responsibilities under paragraph (e) of this section, the State agency may enter into agreements in accordance with the procurement requirements of 45 CFR Part 74, subparts P and Q, with public or private entities to provide administrative support. A local agency administering the program under the supervision of the State agency may also enter into such agreements.

§ 228.7 State financial participation.

A State plan under title XX shall provide that State funds will be included in meeting the cost of the program.

§ 228.8 Statewide operation.

A State plan shall provide that the State's program for the provision of services described in its services plan shall be in effect in every political subdivision of the State. Every part of every political subdivision shall be part of a geographic area described in the services plan.

§ 228.9 Merit system.

(a) The State plan shall provide that methods of personnel administration will be established and maintained in the State agency administering or supervising the administration of the State plan and in local agencies ad-

ministering the State plan in conformity with the standards for a Merit System of Personnel Administration, 45 CFR Part 70, and any standards prescribed by the U.S. Civil Service Commission pursuant to section 208 of the Intergovernmental Personnel Act of 1970, modifying or superseding such standards. Under this requirement, laws, rules, regulations, and policy statements effectuating such methods of personnel administration are a part of the State plan. Statements of acceptance of these standards by all official local agencies included in the State plan must be obtained and methods must be established by the State to assure compliance by local jurisdictions. These statements and citations of applicable State laws, rules, regulations, and policies which provide assurance of conformity to the standards in 45 CFR Part 70 must be submitted to the U.S. Civil Service Commission in accordance with 5 CFR Part 900 for determination as to adequacy. Copies of the materials cited and of similar local materials maintained by a State official responsible for compliance by local jurisdictions must be furnished to the Department on request.

(b) The State plan shall provide that the State agency will develop and implement an affirmative action plan for equal employment opportunity in all aspects of personnel administration as specified in 45 CFR Part 70.4. The affirmative action plan will provide for specific action steps and timetables to assure such equal opportunity. The plan shall be made available for review upon request.

§ 228.10 Safeguarding information.

The State plan shall contain provisions regarding safeguarding the use and disclosure of information on applicants for, and recipients of, services in accordance with 45 CFR 205.50.

§ 228.11 Residency requirements.

The State plan shall provide that no requirements as to duration of residence or citizenship will be imposed as a condition of participation in the State's program for the provision of services.

§ 228.12 Standards for institutions or foster homes.

Where a services plan includes services to individuals living in institutions or foster homes, the State plan shall provide for the establishment or designation of a State authority or authorities, that may include Indian tribal councils on Indian reservations, which shall be responsible for establishing and maintaining standards which are reasonably in accord with recommended standards of national standard setting organizations concerned with standards for such institutions or homes including standards related to admissions policies, safety, sanitation, and protection of civil rights. For purposes of this section, "institution" includes all residential facilities providing for group living.

§ 228.13 Standards for child day care services.

Where a services plan provides for child day care services, the State plan shall provide for the establishment or designation of a State authority or authorities, that may include Indian tribal councils on Indian reservations, which shall be responsible for establishing and maintaining standards for such services which are reasonably in accord with recommended standards of national standard setting organizations for such services including standards related to admissions policies for facilities providing such services, safety, sanitation, and protection of civil rights.

§ 228.14 Fair hearings.

The State plan shall provide for a system of hearings under which applicants for, or recipients of, services or an individual acting on behalf of an applicant or recipient, may appeal denial, reduction, or termination of a service, or failure to act upon a request for service with reasonable promptness. Under this requirement, the procedures and provisions of 45 CFR 205.10 shall apply.

§ 228.15 Amendments to State plan.

The State plan shall provide that it will be amended whenever necessary to reflect new or revised Federal statutes or regulations, or material change in any State law, organization, policy, or State agency operation.

§ 228.16 Submittal of State plan and amendments for approval by the Secretary.

Upon adoption by the State of a State plan, or an amendment to a State plan, it shall be certified by a duly authorized officer of the State agency and submitted to the Social and Rehabilitation Service in accordance with 45 CFR Part 201.

§ 228.17 Reports and maintenance of records.

(a) Each State which participates in the program shall maintain or supervise the maintenance of records necessary for the proper and efficient operation of the program, including records regarding applications, determination of eligibility, the provision of services, and administrative cost; and statistical, fiscal and other records necessary for reporting and accountability required by the Secretary in accordance with 45 CFR Part 201 and Part 205; and shall retain such records for such periods as are prescribed by the Secretary.

(b) The State agency shall make such reports in such form and containing such information, as the Secretary may from time to time require, and comply with such provisions as he finds necessary to assure the correctness and verification of such reports.

§ 228.18 Maintenance of effort.

Each State which participates in the program shall assure that the aggregate expenditures from appropriated funds from the State and political subdivisions for the provision of services during each services program year with respect to which payment is made under this part is not less than the aggregate expenditures from such appropriated funds for the provision of services during the fiscal year ending June 30, 1973, or the fiscal year ending June 30, 1974, with respect to which payment was made under the plan of the State approved under title I, VI, X, XIV, or XVI, or part A of title IV, whichever is less, except that the requirements of this subsection shall not apply to any State for any services program year if the payment to the State under this part, for each fiscal year any part of which is included in that services program year, with respect to expenditures, other than expenditures for personnel training or retraining directly related to the provision of services, equals the allotment of the State for that fiscal year, § 228.52 of this part. Where such sum totals appropriated include privately donated funds that are identifiable and documented, such donated funds are not considered part of the aggregate expenditures from appropriate funds.

§ 228.19 Noncompliance.

(a) *Withholding of payment.* If the Secretary, after reasonable notice and opportunity for a hearing to the State, in accordance with 45 CFR 213, finds that the plan of the State no longer complies with any of the requirements of §§ 228.6 through 228.15, that in the administration of the plan, there is a substantial failure to comply with any of those requirements, or that there is a substantial failure to comply with the requirements of §§ 228.17 or 228.18, he shall, except as provided in paragraph (b) of this section, notify the State that further payments will not be made to the State under this part until he is satisfied that there will no longer be any such failure to comply.

(b) *Alternate 3-percent penalty.* The Secretary may suspend implementation of any termination of payments under paragraph (a) of this section for such period as he deems appropriate and, alternatively, reduce the amount otherwise payable to the State under this part for expenditures during that period by 3 percent for each requirement set forth in §§ 228.6 through 228.18 with respect to which there was a finding of noncompliance and with respect to which he is not yet satisfied that there will no longer be any failure to comply.

Subpart C—Comprehensive Annual Services Program Plan

§ 228.20 Conditions for FFP.

(a) The State's final services plan shall meet all requirements of this subpart and of § 228.50; if it does not (except for family planning services provided pursuant to § 228.26(g)), there will be no FFP in expenditures for services under the services plan.

(b) FFP will be available in expenditures under the final services plan for services that are provided:

(1) No earlier than 90 days after a proposed services plan has been published and made available for public review and any corrections necessary to bring such proposed plan into compliance with all requirements of §§ 228.21 through 228.33 have been published, with 45 days for public comment; and

(2) No earlier than the date of publication of a final services plan that meets all requirements of §§ 228.21 through 228.35 (if applicable).

§ 228.21 Establishment of program year.

The State shall establish the beginning of the Federal fiscal year or the fiscal year of the State government as the beginning of the State's services program year. In order to exercise this option, the State may have a program year of less than 12 months or may extend the program year to 15 months.

§ 228.22 Services plan.

(a) The chief executive officer of the State, or such other official as the laws of the State shall provide, shall publish in both proposed and final form the Comprehensive Annual Services Plan (hereinafter in this part referred to as the services plan) prepared by the State agency prior to the beginning of each services program year. The proposed and final services plans shall meet all requirements of this subpart.

(b) The final services plan shall also include: (1) A summary of the public comments, including the State's response to the comments; and

(2) An explanation of differences between the proposed and final services plan, if any, and the reasons therefor.

§ 228.23 Program goals and objectives.

(a) The services plan shall provide that services offered are directed at the goals of:

- (1) Achieving or maintaining economic self-support to prevent, reduce, or eliminate dependency;
- (2) Achieving or maintaining self-sufficiency, including reduction or prevention of dependency;
- (3) Preventing or remedying neglect, abuse, or exploitation of children and adults unable to protect their own interests, or preserving, rehabilitating, or reuniting families;
- (4) Preventing or reducing inappropriate institutional care by providing for community-based care, home-based care, or other forms of less intensive care; or
- (5) Securing referral or admission for institutional care when other forms of care are not appropriate, or providing services to individuals in institutions.

(b) The objectives to be achieved under the program shall be directed to the goals in paragraph (a) of this section, and shall be stated in the services plan in measurable terms so that an assessment may be made of the extent to which they are achieved.

§ 228.24 Individuals to be served.

The proposed and final services plans shall:

(a) Specify which of the categories of individuals described in § 228.60 will be provided services in the forthcoming program year; describe the income levels for eligibility, and include the statewide definition of family in accordance with § 228.1;

(b) If the State limits services to individuals with certain characteristics, describe the limitations imposed for each category in sufficient detail to enable individuals to know if they are likely to meet the eligibility requirements, e.g., one parent families whose income is not more than 80 percent of the median income; mentally retarded SSI recipients, or alcohol abusers whose income does not exceed 50 percent of the median income;

(c) Specify which of the categories to be served will be charged a fee;

(d) Include the fee schedule, specifying any variations by service or by geographic area, as permitted under § 288.62; and

(e) Specify whether family planning services, information and referral services, and services to prevent or remedy neglect, abuse or exploitation will be provided without regard to income.

(f) If the State is determining eligibility on a group basis in accordance with § 228.61, the services plan shall so state and describe any specific conditions or characteristics (other than income), that must be met or that individuals must have so that they will know if they might qualify to receive a particular service for which eligibility is determined on a group basis. Conditions or characteristics that may be used by the State as a basis for determining that a service is to be offered on a group eligibility basis may include one or more of the following: the nature of the service, characteristics of persons to receive the service (such as age, physical or mental condition, place of residence, single parenthood, common problems, etc.), location of the service site(s), nature of the community where the service will be pro-

vided, or other factors which lead the State to reasonably conclude that substantially all the persons to whom the services will be offered are members of families which have a monthly gross income of no more than 90 percent of the State's median income, adjusted for family size.

§ 228.25 Availability of services by geographic area.

For the purpose of delivering services described in the service plan, the State agency may divide the State into geographic areas, but only if such geographic areas encompass the entire State, including Indian reservations. The State shall consider, in defining geographic areas, the boundaries of planning areas of other human services programs. If the State chooses to establish such geographic areas, the services plan shall:

- (a) Describe those geographic areas;
- (b) Provide that the services described in § 28.26(f) will be available to eligible individuals in every geographic area; and
- (c) Where different services are made available to a category of individuals in different geographic areas, provide that the services furnished in a geographic area will be available to all eligible individuals in that category who reside in that area.

§ 228.26 Services.

The services plan shall: (a) Describe each discrete service, including the service(s) which is (are) available to individuals on the basis of group determination of eligibility, inasmuch detail as necessary to enable a reasonably prudent person to understand what is included in the service. For purposes of this paragraph, services such as "child welfare services," "services to alcoholics," or "protective services" are not discrete services but rather clusters of services, each of which shall be separately described. If medical or remedial care or room or board as described in §§ 228.40 and 228.41 are part of a service, the plan shall so specify in describing that service.

(b) Specify the effective date when each discrete service is available if the effective date is other than the beginning of the program year. For each discrete service that is to be offered in a prescribed time frame, specify the effective date on which that service is available and the effective date on which that service is to be discontinued. (See § 228.50(a) (2).)

(c) Specify the method of delivery for each service, i.e., directly by the State agency, by a provider (public or private), or both;

(d) Indicate the relationship of each service to one or more of the program goals and one or more of the program objectives specified in § 228.23;

(e) Specify the categories of individuals in each geographic area to whom each service will be provided, including any services provided on a group basis;

(f) Include among the services to be provided in each geographic area:

(1) At least three services for SSI recipients;

(2) At least one service directed at each of the program goals specified in § 228.23.

(g) Describe the foster care services required under section 408 of the Act to be provided to all recipients of AFDC-FC, if such services are available under title XX;

(h) Describe any family planning services that will be provided pursuant to section 402(a) (15) of the Act. Failure to include such family planning services will not constitute a deficiency in the services plan. However, failure to provide family planning services pursuant to section 402(a) (15) of the Act may result in a loss of FFP to the State under its AFDC program.

(i) The State agency shall identify in its services plan the point in "its organizational structure or the level of staff where it has placed authority:

(1) To make the decision for the State that it is not feasible to furnish child day care in a day care center or group day care home which complies with Federal staffing standards; and

(2) To furnish child day care by granting a waiver of otherwise applicable Federal staffing standards in a day care center or group day care home which serves few title XX funded children (see § 228.42

(c) (2)) and meets applicable State staffing standards.

§ 228.27 Estimates of individuals to be served and expenditures.

In order to provide residents of the State with information on the scope of the services program, the services plan shall include estimates of State and Federal expenditures applicable to the title XX program as follows:

(a) For each discrete service, a list of estimated expenditures and estimated numbers of individuals to be served, by each category of eligible individuals and by each geographic area;

(b) Estimated expenditure for the forthcoming program year; and

(c) A comparison of estimated aggregate non-Federal expenditures for the forthcoming program year with those of the preceding completed program year.

§ 228.28 Program resources.

(a) The services plan shall indicate how the State intends to finance its title XX program by providing an estimate of the funds to be used from the State's title XX allotment, and by separately identifying and estimating State and local appropriated funds, and the aggregate of donated and other funds to be used to meet the expenditures under the program. ("Other funds" include any State or local funds used in the title XX program that are in excess of the State's allotment ceiling so long as such funds are administered in accordance with all requirements of this part.)

(b) Where a State program year is the same as the Federal fiscal year, States shall include in the services plan the full amount of the Federal allotment. Where a State program year extends through more than one Federal fiscal year, States shall include in the services plan the full amount of the Federal allotment for both fiscal years. The services plan shall also indicate the proportion of each Federal fiscal year encompassed by the State's program year.

§ 228.29 Program coordination and utilization.

The services plan shall describe—

(a) How the planning and the provision of services under the program will be coordinated with and utilize the following programs:

(1) Under the Social Security Act;

(i) title IV-A, AFDC (including WIN);

(ii) title IV-B, Child Welfare Services;

(iii) title XVI, SSI; and

(iv) title XIX, Medical Assistance (medicaid); and

(2) Other appropriate programs for the provision of related human services within the State—for example, programs for the aging, children, develop mentally disabled, alcohol and drug abusers; programs in corrections, public education, vocational rehabilitation, mental health, housing, medical and public health, employment and manpower.

(b) A general description of the steps taken to assure maximum feasible utilization of services under these programs to meet the needs of the low-income population;

(c) A general description of the steps taken to assure public participation in the development of the services program, including contacts with public and private organizations, officials of county and local general purpose government units, and citizen groups and individuals, including recipients of services; and

(d) The description shall also include the extent to which the title XX agency utilizes grants and otherwise encourages child day care providers under contract to employ AFDC recipients.

§ 228.30 Organizational structure.

The services plan shall describe the organizational structure of the State agency through which the program will be administered including where individuals may apply for services and have their eligibility determined, and the estimated number of volunteers or a brief description of volunteer activities.

§ 228.31 Needs assessment.

The services plan shall describe the steps taken to assure that the needs of all residents of, and all geographic areas in, the State are taken into account in the development of the services plan. The description shall include the data sources used (or to be used).

§ 228.32 Planning, evaluation, and reporting.

The services plan shall describe the planning, evaluation, and reporting procedures and activities the State has carried out or plans to carry out in connection with its services program. Examples of these procedures and activities which may be described include the following:

(a) *Planning.* Relationship with the State budget process and the legislature; input from other State, regional and local planning units and from local general purpose governmental units; citizen organizations and individuals; relationship of needs assessment and service resources inventory to setting of program priorities and allocation of resources.

(b) *Evaluation.* Purpose, scope, and timing of current proposed evaluations, and the schedule for dissemination of evaluation results.

(c) *Reporting.* Description of planned formal reports, such as reports to elected officials or to the public (but excluding reports furnished to SRS), and the schedule for issuance.

§ 228.33 The public review process.

A State's services plan does not become effective for its services program year until the public review process is completed in accordance with §§ 228.33, 228.34, and 228.35 (if applicable).

(a) *Purpose.* The purpose of the public review process is to enable the residents of each State to participate meaningfully in the State decision making processes with respect to the States services plan. The public review process is intended to assure that each State has provided opportunity for prior public participation of title XX clients, title XX advisory groups, public and private organizations, public officials and the general public in needs assessment, identification of priorities and allocation of resources throughout the development of the services plan. (See § 228.29(c).)

(b) *Scope.* The public review process shall include at least:

(1) Publication of the proposed services plan and a display advertisement describing that plan, and a summary of the plan, if any, at least 90 days before the beginning of the program year, with a 45-day period for public comment;

(2) Consideration of, and public access to, comments received;

(3) Publication of any corrections required to bring the proposed services plan into compliance with the requirements of §§ 228.21 through 228.33;

(4) Publication of the final services plan and a display advertisement announcing its publication no earlier than 45 days after publication of the proposed services plan;

(5) Publication of any necessary corrections to the final plan;

(6) Publication of any proposed amendments to the final plan with a 30-day period for comments;

(7) Publication of any corrections required to bring the proposed amendment into compliance with the requirements of §§ 228.21 through 228.33;

(8) Publication of the final amendments; and

(9) Publication of any necessary corrections to the final amendment;

(10) Public access to copies of the proposed and final services plans.

(c) *Approval prior to publication.* Prior to publication, the proposed and final services plans shall each be approved by the Governor or such other official as the laws of the State provide.

(d) *Retention of published services plans.* Copies of the proposed and final services plans shall be retained for at least 3 years in specified local public offices and made available for public and Federal inspection throughout the program year.

(e) *Handling of public comments.* (1) Written comments on the proposed services plan shall be considered by the State agency if received within 45 days after publication of the display advertisement announcing publication and availability of the proposed services plan; and

(2) Such comments shall be retained for at least 3 years for inspection by the public and by Federal officials.

(f) *Display advertisement; general requirements.* (1) A display advertisement is one prepared for and published within the main news section of a newspaper; advertisements placed in the legal or classified sections of a newspaper do not meet this requirement.

(2) Such advertisement must be published in the newspaper of widest circulation (and in foreign languages or foreign language newspapers where appropriate) in each geographic area described in the proposed and final services plans.

(g) *Display advertisement for the proposed plan.* A display advertisement shall at least:

(1) Specify the beginning and ending dates of the program year;

(2) Include a brief description of the services to be offered under the services plan;

(3) Describe the categories of individuals to be served:

(i) Identify those whose eligibility is based on income maintenance status (AFDC or SSI); and

(ii) Specify the maximum dollar amount of income that a family of four can have and still be eligible on the basis of income status; and

(iii) Indicate that such dollar amount is adjusted by family size.

(4) If the State has different income levels for different services, or different income levels for different geographic areas, specify that those different income levels are described in the proposed plan and in the plan summary (if the State has published a summary);

(5) Indicate beginning and ending dates of the 45-day period for public review and comment;

(6) Specify a toll-free telephone number that can be called to obtain without charge either a copy of the proposed plan or a summary thereof; or state that such copies can be obtained by calling a specified local public agency in each county, such as the local social services agency;

(7) Identify a local public agency in each county such as the social services agency where copies of the proposed services plan are available for public review; available for distribution to the public either free (if no summary is provided) or at a reasonable cost; or where copies of the proposed service plan may be ordered, if distributed from another source; and

(8) Specify the address where written comments may be sent and, if there are to be public hearings on the proposed plan, the location, date, and time for such hearings; or state that information concerning the hearings can be obtained by calling a specified toll-free number or by telephoning specified local agencies after a given date.

(h) *Summary of proposed services plan.* If the State publishes a services plan summary (to be provided free in lieu of a free copy of the entire services plan), it shall contain at least the following information:

(1) The beginning and ending dates of the program year;

(2) The categories of individuals including any limitations, who are eligible for services;

(3) The categories of individuals to whom a fee will be charged if they wish to be provided services under the services plan;

(4) Fee schedules, including any variations by service or by geographic area;

(5) A description of each discrete service to be provided under the plan;

(6) The services that will be made available to each category of individuals in each geographic area under the services plan;

(7) For each service, estimated expenditures, and estimated numbers to be served by each category of eligible individuals and by each geographic area; and

(8) Amount of the Federal allotment to the State and the amounts of State and local appropriated funds and of other funds to finance the services program; and

(9) A toll-free telephone number that can be called to obtain information on where to apply for services or the name of a local public agency in each county where applications for services will be accepted.

(i) *Display advertisement of the final services plan.* The display advertisement of the final services plan shall contain at least:

(1) A statement that the final services plan has been published and is available for review by the public;

(2) An explanation of any differences between the proposed and final services plans and the reasons therefore;

(3) A toll-free telephone number that can be called to obtain information about the services plan and where to apply for services; or the name of a local public agency in each county, where information

regarding the services plan will be made available and where applications for services will be accepted;

(4) The name of a local public agency in each county where copies of the final services plan are available for public review and distribution to the public either free or at a reasonable cost; and

(5) The location where public comments on the proposed services plan are available for review.

§ 228.34 Regional review of proposed and final services plans.

(a) *Proposed services plan.* (1) Not later than 5 working days after publication of the proposed services plan, the State shall submit to the SRS Regional Commissioner the following: Seven copies of the proposed services plan and its summary, if any; a dated copy of the display advertisement; the names of the newspapers in which the display advertisement appeared; and the geographic areas covered by those newspapers.

(2) The Regional Commissioner will review the materials submitted to determine whether all requirements of §§ 228.21 through 228.33 have been met.

(3) Within 10 working days following receipt of the materials described in paragraph (a) (1) of this section, the SRS Regional Commissioner will notify the director of the State agency in writing that those materials meet all the requirements of this subpart, or will specify the deficiencies that must be corrected in accordance with § 228.35. For purposes of this paragraph, a display advertisement which does not meet each requirement of paragraphs (f) and (g) of § 228.33, or a proposed services plan which does not comply with each required item under §§ 228.21 through 228.32 and 228.33(c) is deficient.

(4) (i) If correction(s) to the proposed services plan or to the display advertisement announcing the proposed services plan is necessary, the State shall submit to the SRS Regional Commissioner no later than 5 working days after publication of such correction(s), the following:

(A) For correction(s) to the proposed services plan, seven copies of the corrected pages and one dated copy of the display advertisement announcing the correction(s). (The State shall file the corrected pages in the proposed services plan.)

(B) For correction(s) to the display advertisement announcing the proposed services plan, one dated copy of the display advertisement containing the correction(s) to the original display advertisement.

(ii) Within 5 working days of receipt of the materials submitted pursuant to paragraph (a) (4) (i) (A) and (B) of this section, the SRS Regional Commissioner will notify the director of the State agency in writing that the correction meets the requirements of §§ 228.21 through 228.32, 228.33(c), and 228.35; and that the State is free to publish its final services plan following expiration of the 45-day comment period; or will specify the additional correction that must be made in accordance with § 228.35.

(b) *Final services plan.* (1) Not later than 5 working days after publication of the final services plan, the State shall transmit to the SRS Regional Commissioner: Seven copies of such plan; a dated copy of the display advertisement; and a statement containing the date of publication of the final services plan; the names of newspapers where the display advertisement appeared; and the geographic areas in the services plan covered by those newspapers;

(2) The Regional Commissioner will review the materials submitted to determine whether all requirements of §§ 228.21 through 228.33 have been met;

(3) Within 5 working days following receipt of the materials described in paragraph (b)(1) of this section, the SRS Regional Commissioner will notify the director of the State agency in writing that the final services plan meets all the requirements of §§ 228.21 through 228.33, or will specify the deficiencies that must be corrected in accordance with § 228.35. For purposes of this paragraph (b)(3), a display advertisement that does not meet all requirements of § 228.33(i), or a final services plan that does not comply with each requirement of §§ 228.21 through 228.32, and 228.33(c) is deficient.

(4)(i) If correction(s) to the final services plan or to the display advertisement announcing the final services plan is necessary, the State shall submit to the SRS Regional Commissioner no later than 5 working days after publication of such correction(s), the following:

(A) For correction(s) to the final services plan, seven copies of the corrected pages and one dated copy of the display advertisement announcing the correction(s). (The State shall file the corrected pages in the final services plan.)

(B) For correction(s) to the display advertisement announcing the final services plan, one dated copy of the display advertisement containing the correction(s) to the original display advertisement.

(ii) Within 5 working days of the receipt of the materials specified in paragraph (b)(4)(i)(A) and (B) of this section, the SRS Regional Commissioner will notify the State agency in writing that the correction(s) meets all the requirements of §§ 228.21 through 228.32, 228.33(c) and 228.35 and that the final services plan is in effect; or specify the additional corrections that are required before the plan can become effective.

§ 228.35 Correction of proposed and final services plans and display advertisements.

(a) A display advertisement which is deficient shall be corrected by publication of correct information for each deficient item in a display advertisement in all newspapers in which the original display advertisement appeared.

(b) A deficient proposed or final services plan shall be corrected by publishing the following information in a display advertisement in all newspapers in which the original advertisement appeared;

(1) The items being corrected;

(2) A statement that corrected pages for insertion in the plan are available without charge; and

(3) A toll-free number or the address of the local public office where corrected pages may be obtained.

(c) For correction of a proposed services plan, the display advertisement shall contain the information specified in paragraph (b) of this section and also indicate the beginning and ending dates of the new 45-day comment period on the corrected plan, and the method for submitting comments.

§ 228.36 Amendments to final services plan.

(a) Amendments to the final services plan are necessary at least when:

(1) Change is to be made in the period of time encompassed by the program year (see § 228.21);

(2) Geographic areas are to be realigned; or

(3) Any of the following changes are to be made, whether applicable statewide or only in particular geographic areas:

- (i) Specific services are to be added or deleted;
- (ii) Fees are to be changed, or the charging of fees is to be initiated or discontinued; or
- (iii) The categories of individuals to be served are to be changed.

(b) Any amendment to a final services plan shall be prepared by the State agency and approved, published, and made generally available to the public by the chief executive officer or such other official as the laws of the State provide in the following manner;

(1) The proposed amendment shall be published in a display advertisement in the newspaper of widest circulation (and in foreign languages or foreign language newspapers, where appropriate) in each geographic area in which the change has impact, and shall provide for a public comment period of at least 30 days. The display advertisement shall contain at least:

(i) A description of the proposed changes and the reasons therefor, and the proposed effective date of the changes which shall be no earlier than 30 days after publication of the proposed changes;

(ii) The method for public comment and where comments will be received; and

(iii) The beginning and ending dates of the 30-day period for public comment.

(2) Not later than 5 calendar days after publication of the proposed amendment, the State shall submit to the SRS Regional Commissioner seven copies of the proposed amendment and a dated copy of the display advertisement which announced the proposed amendment.

(3) The SRS Regional Commissioner will review the proposed amendment(s) to determine whether applicable requirement(s) of §§ 228.21 through 228.33 have been met. Within 5 working days following receipt of the amendment(s) the Regional Commissioner will notify the director of the State agency in writing that the amendment meets the applicable requirement(s) of §§ 228.21 through 228.33 or will specify deficiencies.

(4) Corrections to the proposed amendment(s) shall be made in accordance with the procedures for corrections to the proposed plan as described in § 228.34(a)(4) except that the period for public review and comment prior to publication of the final amendment is 30 days.

(5) No earlier than 30 days following the publication of the proposed amendment, the final amendment shall be published as a display advertisement in each newspaper in which the proposed amendment was published. This display advertisement shall contain at least:

(i) A description of the final amendment of the services plan;

(ii) The effective date of the amendment; and

(iii) An explanation of the State's response to the public comments; and

(iv) An explanation of the differences between the proposed and final amendments, if any, and the reasons thereof.

(c) The effective date of an amendment shall be no earlier than the date of publication of the final amendment.

(d)(1) Notwithstanding paragraph (c), of this section, when a State amends its services plan so that it may provide family planning services without regard to income, or determine eligibility on a group basis for the provision of a service, the final amendment to the services plan may have a retroactive effective date of October 1, 1975 (or later, depending on when the State began providing the particular service specified in the amendment). FFP is available for a service which is the subject of an amendment made in accordance with this paragraph (d)(1), *Provided*, That the service was in the State's services plan when the service was delivered.

(2) The State shall publish the proposed and final amendments to the services plan, in accordance with the provisions of this section, and specify therein the relevant retroactive dates.

(e) Not later than 5 calendar days following publication of the final amendment, the State agency shall submit to the SRS Regional Commissioner seven copies of the final amendment and a dated copy of the display advertisements which announced the final amendments.

(f) The SRS Regional Commissioner will review the final amendment(s) to determine whether applicable requirement(s) of §§ 228.21 through 228.33 have been met. Within 5 working days following receipt of the amendment(s) the Regional Commissioner will notify the director of the State agency in writing that the amendment meets the applicable requirement(s) of §§ 228.21 through 228.33 or will specify deficiencies.

(g) Corrections to the final amendment(s) shall be made in accordance with procedures for corrections to the final plan as described in § 228.35(b).

Subpart D—Limitations: Services

21. Section 228.40 is revised to read as follows:

§ 228.40 Minor medical and remedial care.

(a) FFP is not available for medical and remedial care, other than family planning services, except when they are an integral but subordinate part of a service described in the services plan, and the medical and remedial care is not available to the individual under the State's approved title XIX plan and to the extent the individual or the provider is not eligible to receive payment under title XVIII for the provision of the service to the individual.

(b) Medical and remedial care are deemed to be integral but subordinate components of a service if:

(1) They are necessary to achieve the objective of that service and not merely to correct a medical condition; and

(2) The specific medical and remedial care are described and included in the State's services plan along with the description of the service of which they are an integral but subordinate part. For example, in describing child day care services, a State could describe (itemize) medical examinations, dental screening, and immunizations as integral but subordinate parts of the child day care service.

(c) Notwithstanding the requirement of paragraph (a) of this section, that medical and remedial care must be integral but subordinate to a particular service, FFP is available for medical and remedial care provided between October 1, 1975, and October 1, 1977, in a program of rehabilitative services to drug and alcohol abusers, under the following conditions:

(1) When provided in the initial detoxification of such persons for up to 7 days, so long as such detoxification is integral (but not necessarily subordinate) to the further provision of other title XX services to drug and alcohol abusers; and

(2) When integral but subordinate to the entire rehabilitative process (rather than a particular service), including but not limited to initial detoxification, short-term residential services, and subsequent outpatient counseling and rehabilitative services, whether or not such a process involves more than one provider of services.

§ 228.41 Room or board.

(a) FFP is not available for room or board under a services plan, except when provided in emergency shelter under § 228.46 or as an integral but subordinate part of another service and then only for a period of not more than 6 consecutive months for any one placement.

(b) Room or board is deemed to be as an integral but subordinate component of a service if:

(1) It is necessary to achieve the objective of that service and not merely to provide food and shelter; and

(2) Room or board are included in the State's services plan along with the description of the service of which it is an integral but subordinate part, and is provided in accordance with all applicable requirements under this part.

(c) Room or board under this part shall not be considered an integral but subordinate part of a service when provided to an individual in a foster family home or other facility such as a foster care institution or other facility whose primary purpose is to provide board, room and care, or supervision.

(d) As used in this section, the term *placement* means an uninterrupted period of time during which an individual takes up, or is placed in, residence in a facility other than his usual place of residence, for the purpose of undergoing a specific regimen of services or treatment according to a prescribed plan.

(e) Notwithstanding the requirement of paragraph (a) of this section, that room or board must be integral but subordinate to a particular service. FFP is available for room or board provided between October 1, 1975, and October 1, 1977, in a program of rehabilitative services to drug and alcohol abusers, under the following conditions:

(1) When provided in the initial detoxification of such persons for up to 7 days, so long as detoxification is integral (but not necessarily subordinate) to the further provisions of other title XX services to drug and alcohol abusers; and

(2) When integral but subordinate to the entire rehabilitative process (rather than a particular service), including but not limited to initial detoxification, short-term residential services, and subsequent outpatient counseling and rehabilitative services, whether or not such a process involves more than one provider of services.

§ 228.42 Child care standards.

(a) FFP is available for child care services provided under a services plan only where the following standards are met:

(1) *In-home care.* (i) When homemaker service is utilized for this purpose, it meets standards established by the State or by an Indian tribal

council, in accordance with § 228.13, which are reasonably in accord with recommended standards of national standard setting organizations concerned with this type of home care for children.

(ii) When other caretakers are utilized for this purpose, such care meets standards established by the State or by an Indian tribal council, in accordance with § 228.13, which, as a minimum, cover the caretaker's age, health, capacity and available time to properly care for children; minimum and maximum hours to be allowed per 24-hour day for such care; maximum number of children that may be cared for in the home at any one time; and proper feeding and health care of the children.

(2) *Out-of-home care.* (i) Facilities used to provide day care outside a child's own home are licensed by the State, an Indian tribal council, in accordance with § 228.13, or approved as meeting the standards for such licensing.

(ii) Such facilities and care meet the 1968 Federal Interagency Day Care Requirements, except that:

(A) Subdivision III of such requirements with respect to educational services is recommended but not required.

(B) Required staffing standards for children under age 3 in day care centers and group day care homes are: 1 adult for each child under 6 weeks of age; 1 adult to 4 children, ages 6 weeks through 36 months. (States may, at their option, require fewer children per adult.)

(C) Required staffing standards for school age children in day care centers are: at least 1 adult to 15 children, ages 6-10; and at least 1 adult to 20 children, ages 10-14.

(b) The requirements in paragraph (a) (2) (ii) of this section are in lieu of otherwise applicable requirements under section 522(d) of the Economic Opportunity Act of 1964 with respect to child day care services under title XX.

(c) Notwithstanding the Federal staffing requirements for out-of-home child day care services set forth in paragraph (a) (2) (ii) (B) of this section:

(1) FFP is available between October 1, 1975, and October 1, 1977, for title XX child day care services so long as day care centers and group day care homes providing day care services to children 6 weeks of age to 6 years of age apply staffing standards which:

(i) Are the State staffing standards which are in effect at the time the child day care services are provided;

(ii) Are no lower than the corresponding staffing standards which were imposed or required by applicable State law on September 15, 1975; and

(iii) Are no lower, in the case of a particular day care center or group day care home, than the corresponding standards actually being met in such center or home on September 15, 1975.

(2) (i) When States find that it is not feasible to furnish day care (partly or totally funded under title XX) for children of any age in a day care center or group day care home that complies with Federal staffing standards, they may waive such Federal standards otherwise applicable, and furnish day care services, if:

(A) A day care center or group day care home serves few title XX children (of the total number of children served at any given time in each such facility, not more than 5 of the children in a center, or 20 percent of them, whichever is lower; not more

than 20 percent of the children in a group day care home) ; and
 (B) Such day care center or group day care home complies with applicable State staffing standards.

(ii) States shall establish criteria against which to assess the non-feasibility of their use of a day care center or group day care home which complies with Federal staffing standards; and they shall maintain a record of the waiver for each facility in terms of these criteria.

(d) Between October 1, 1975, and October 1, 1977, in applying Federal staffing standards, State shall not count the children of the operator of a family day care home unless such children are under 6 years of age.

§ 228.43 Educational services.

FFP is not available for any educational service made generally available through any State or local educational agency to residents of the State without cost and without regard to their income. To the extent a fee is imposed on any resident, FFP is available only for such fee.

§ 228.44 Services to individuals living in hospitals, skilled nursing facilities, intermediate care facilities (including hospitals or facilities for mental diseases or for the mentally retarded), or prisons.

(a) FFP is available for services to individuals living in hospitals, skilled nursing facilities, intermediate care facilities (including any such hospitals or facilities for mental diseases or for the mentally retarded), or prisons only under the following conditions:

(1) The services provided are separately identifiable in the services plan (generalized descriptions such as "services to nursing home patients" or "services to increase socialization skills" are unacceptable under this provision).

(2) Such services are provided by other than the facility in which the individual is living. This requirement is not met if the services are provided by:

(i) Staff or contractors who are under the professional direction or direct supervision of the facility; the facility exercises control of the employment, tenure or compensation of such staff or contractors or makes assignments or alters the service regimen provided by them; or

(ii) Staff of like facilities under reciprocal arrangement.

(3) Such services are also provided to individuals who:

(i) Are not living in a hospital, skilled nursing facility, intermediate care facility (including any such hospitals or facilities for mentally retarded), or prison; and

(ii) Are residents of any part of a geographic area that is within the catchment area of such facility.

(b) FFP is not available for:

(1) Inherent responsibilities of a facility including but not limited to the provision of food, clothing, shelter, general maintenance and administration (including the detention function), general supervision and personal care; or

(2) Activities that are intrinsic to the purpose of such facility as determined by facility charter, State law or standards, relevant licensing or certification requirements, or Federal or State court decisions.

(c) For purposes of this section:

(1) "*Prison*" means any State or local correctional institution or facility for the confinement of individuals charged with or convicted of criminal offenses. The term does not include separate juvenile correctional facilities nor community-based residential service facilities, such as halfway houses.

(2) *Separate juvenile correctional facility* means one that is located in a separate building or buildings; is served by separate day-to-day operational staff; and provides a separate and distinct program of services.

(3) *Skilled nursing facility (SNF)* means an institution primarily engaged in providing to inpatients skilled nursing care and related services for patients requiring medical or nursing care, or rehabilitation services for the rehabilitation of injured, disabled or sick persons.

(4) *Intermediate care facility (ICF)* means an institution which provides on a regular basis, health-related care and services to individuals who do not require the degree of care which a hospital or SNF is designed to provide, but who because of their mental or physical condition require health-related care and services above the level of room or board which can be made available to them only through institutional facilities.

(5) *Hospital* means an institution which is primarily engaged in providing by or under the supervision of physicians, to inpatients diagnostic services and therapeutic services for medical diagnosis, treatment, and care of injured, disabled, or sick persons, or rehabilitation services for the rehabilitation of injured, disabled, or sick persons.

(d) Services in separate juvenile correctional facilities may be provided by staff of the facility. However, FFP is not available for inherent responsibilities of the facility (e.g., food, clothing, shelter, and managing and carrying out the detention function).

(e) Notwithstanding the requirements of paragraphs (a) (2) and (b) (1) and (2) of this section, FFP is available between October 1, 1975, and October 1, 1977, for the cost of providing initial detoxification services for up to 7 days for drug and alcohol abusers when such detoxification is integral to the further provision of other title XX services, even though:

(1) Hospital or other institutional staff provide detoxification services to resident drug and alcohol abusers; and

(2) Such detoxification services include inherent or intrinsic responsibilities of the facility where they are provided.

§ 228.45 Special services provided by foster family homes.

(a) A foster family home is a home licensed or approved by appropriate State or local authority or an Indian tribal council on Indian reservations, in accordance with § 228.12, to provide board and care including parenting for children and oversight for adults.

(b) *Special services provided by foster family homes.* FFP is not available for activities described under paragraph (a) of this section, but is available for special services provided by a foster family home to an individual living in that home, only upon documentation, by an appropriately qualified professional person who is other than the placement worker, that:

(1) The individual requires an identified special service because of a health (physical or mental) condition, an emotional or behavioral problem; and

(2) The caregivers are capable, by virtue of special training, or experience, of providing the needed service.

(c) Nothing in this section precludes the provision of any other service in the services plan to eligible individuals living in foster family homes when provided by other than the foster family.

§ 228.46 Emergency shelter.

(a) FFP is available for emergency shelter as a protective service to any child, including runaways, only under the following conditions:

- (1) The child is in danger of abuse, neglect, or exploitation;
- (2) The need for emergency shelter is documented by personnel authorized by State law to place children, or by an Indian tribal council; and

(3) Emergency shelter is provided for not in excess of 30 days in any 6-month period, which may be consecutive or may accumulate over more than one stay.

(b) Emergency shelter may be provided in facilities such as foster family homes, institutions, and group homes.

§ 228.47 Payments to recipient for services.

FFP is available in cash payments made to a recipient for a service already rendered to him, upon presentation of a bill for, or presentation of a receipt of payment for, such service if he was eligible under the services plan for the service at the time it was provided and if the purchased service:

- (a) Is identified in the services plan;
- (b) Was authorized by the State agency prior to its purchase and meets applicable standards, if any; and
- (c) Was secured by the individual within a period of time and at a cost which were approved by the State agency.

§ 228.48 Confidentiality regarding services to drug and alcohol abusers.

States providing services to drug and alcohol abusers shall safeguard information about such services and recipients by applying the provisions of section 333 of the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970 (as amended by section 122(a) of Public Law 93-282), as implemented by regulations at 42 CFR Part 2.

Subpart E—Limitations: Financial

§ 228.50 Services and individuals covered in the services plan.

(a) FFP is available with respect to any expenditures for the provision of any service for any individual only when:

(1) The State's services plan meets the requirements of subpart C, and

(2) The final services plan (including any amendments published in final) in effect when the service is provided to the individual includes the provision of that service to a category of individuals which includes that individual.

(3) The State plan is approved as meeting the requirements of subpart B of this part.

§ 228.51 Matching rates.

(a) *Seventy-five percent FFP.* FFP is available at the 75-percent rate for service costs and for personnel training and retraining directly related to the provision of services under the services plan.

(b) *Ninety percent FFP.* Notwithstanding paragraph (a) of this section, FFP is available at the 90-percent rate for costs of family planning services provided under the services plan.

(c) *One hundred percent FFP.* Notwithstanding paragraph (a) of this section, FFP is available at the 100-percent rate up to the State's share of the additional allotments described in § 228.52(c) (3). The purpose of the additional funds is to encourage States to the maximum extent they determine to be feasible to promote the employment of AFDC recipients in jobs related to day care services.

(1) During fiscal year 1977, 100 percent FFP is available for:

(i) Day care services provided to children in day care centers, group day care homes, and family day care homes, which are licensed by the State for child day care services and otherwise meet the requirements of § 228.42(a) (2) as modified by the provisions of § 228.42 (c) and (d).

(ii) Day care services provided to children in their own homes in accordance with § 228.42(a) (1); and

(iii) Staff activities in direct support of the child day care services such as: licensing homes or facilities used by title XX children, monitoring title XX child care services delivery, and training staff in accordance with subpart H of this part.

(2) During the transition quarter (July 1, 1976, through September 30, 1976) and the 1977 fiscal year, 100 percent FFP is available for grants by States to child day care providers to employ welfare recipients, in accordance with subpart J.

§ 228.52 Allotments to States.

(a) *Basic limitation.* The amount of Federal funds payable to the 50 States and the District of Columbia under this part for any fiscal year with respect to expenditures for services under the services plan (other than expenditures for personnel training or retraining directly related to the provision of services) may not exceed the allotment set forth in this section.

(b) *Allotments for fiscal year beginning July 1, 1975.* The allotment of each State for the fiscal year beginning July 1, 1975, shall be the allotment of the State for that fiscal year as determined under section 1130 of the Act. In determining, for the purposes of that limitation, the total amount of the payments made to any State with respect to expenditures during that fiscal year, there shall be included the amount of any payments made to the State that are chargeable against the allotment of the State for the fiscal year beginning July 1, 1975, under section 1130.

(c) *Allotments for fiscal years beginning after June 30, 1976.* (1) The allotment of each State for each fiscal year beginning after June 30, 1976, shall be an amount which bears the same ratio to \$2,500 million as the population of such State bears to the population of all the States.

(2) The allotment for each State will be promulgated for each fiscal year by the Secretary prior to the first day of the third month of the preceding fiscal year, on the basis of the population of each State and of all the States as determined on the basis of the most recent satisfactory data available from the Department of Commerce.

(3) (i) The basic allotment described in paragraph (c) (1) of this section shall be increased by an amount which bears the same ratio to \$40 million for the transition quarter (July 1, 1976, through September 30, 1976) and to \$200 million in the 1977 fiscal year as the population for such State bears to

the population of all States. The amount of these additional allotments payable to each State shall be the lesser of:

(A) The amount of each additional allotment; or

(B) The amount of actual expenditures incurred for the provision of child day care services and for grants by States to child day care providers for the employment of welfare recipients.

(d) *Certification of allotment need.* (1) Each fiscal year, each State shall certify to the Secretary, within 30 days after the beginning of the fiscal year, whether the amount of its allotment is greater or less than the amount needed by the State for such fiscal year and, if so, the amount by which the amount of such allotment is greater than such need.

(2) If any State certifies in accordance with paragraph (d)(1) of this section, that the amount of its allotment for any fiscal year is in excess of its need for such year, the amount of the limitation of such State for such year shall be adjusted downward by the amount of such excess.

(3) Of the amounts made available pursuant to paragraph (d)(2) of this section, the Secretary shall allot to the jurisdiction of Puerto Rico \$15,000,000, to the jurisdiction of Guam \$500,000, and to the jurisdiction of the Virgin Islands \$500,000, which shall be available to each such jurisdiction in addition to amounts available under section 1108 of the Act for the purpose of matching the expenditures of such jurisdictions for services pursuant to sections 3(a)(4) and (5), 403(a)(3), 1003(a)(3) and (4), 1403(a)(3) and (4), and 1603(a)(4) and (5) of the Act, except that if the amounts made available pursuant to paragraph (d)(2) of this section are less than \$16,000,000, such amounts as are available shall be allotted to each of the three jurisdictions in proportion to their respective populations.

(e) *Date of expenditure.* For purposes of this section, expenditures for services are ordinarily considered to be incurred on the date on which the State or local agency makes payment or the date to which the expenditure was allocated, pursuant to the cost principles of subpart Q of 45 CFR part 74 and the cost allocation procedures of 45 CFR 205.150. In the case of local administration, the date of expenditures by the local agency governs. In the case of purchase of services from another public agency, the date of expenditure by such other public agency governs. Different rules may be applied with respect to a State, either generally or for particular classes of expenditures, only upon justification by the State to the Administrator and approval by him. In reviewing State requests for approval, the Administrator will consider generally applicable State law, consistency of State practice, particularly in relation to periods prior to October 1, 1975, and other factors relevant to the purposes of this section.

(f) *Procedures for making grants to States.* See 45 CFR Part 201.

§ 228.53 Public sources of State's share.

(a) *Funds available for matching.* Public funds used by the State or local agency for its services programs, including training and other administrative functions, may be considered as the State's share in claiming FFP only where such funds are:

(1) Appropriated directly to the State or local agency; or

(2) Funds of another public agency (including Indian tribes) which are:

(i) Transferred to the State or local agency and are under its administrative control; or

(ii) Certified by the contributing public agency as representing expenditures for services eligible for FFP under this part; or

(iii) Representing value, as determined in accordance with 45 CFR 74.53 (b) and (c), and appendix C, part II, B.11 of 45 CFR 74, of goods or property provided by a public agency even if the agency does not incur any current expenditures for such goods or property during the period of their use in the services program.

(b) *Funds not available for matching.* Notwithstanding paragraph (a) of this section, public funds used by the State or local agency for its services programs may not be used as the State's share in claiming FFP where such funds are:

(1) Federal funds not authorized by Federal law to be used to match other Federal funds; or

(2) Used to match other Federal funds.

§ 228.54 Private sources of State's share.

(a) *Funds available for matching.* Funds donated from private sources for services, training, or other administrative functions may be considered as State funds in claiming FFP only where such funds are:

(1) Transferred to the State or local agency and under its administrative control;

(2) Donated to the State, without restrictions as to use, other than restrictions as to the services, administration or training with respect to which the funds are to be used imposed by a donor who is not a sponsor or operator of a program to provide those services, or the geographic area in which the services with respect to which the contribution is used are to be provided; and

(3) Not used to purchase services from the donor unless the donor is a nonprofit organization and it is an independent decision of the State agency to purchase services from the donor.

(b) For purposes of this part, a voluntary federated fund-raising organization is not considered to be a sponsor or operator of a service facility, and member agencies are considered separate autonomous entities so long as control by interlocking board membership or other means does not exist.

§ 228.55 [Reserved]

§ 228.56 Fifty Percent Rule.

(a) If one-half of the Federal funds to which the State is otherwise entitled is greater than the amount of the aggregate expenditures (combined State and Federal) made under the program for individuals identified in this paragraph, such Federal funds will be adjusted so the total Federal reimbursement does not exceed twice the amount of the total expenditures in behalf of those individuals:

(1) Who are receiving aid under the plan of the State approved under part A of title IV or who are eligible to receive such aid; or

(2) Whose needs are taken into account in determining the needs of an individual who is receiving aid under the plan of the State approved under part A of title IV, or who are eligible to have their needs taken into account in determining the needs of an individual who is receiving or is eligible to receive such aid; or

(3) With respect to whom supplementary security income benefits under title XVI or State supplementary payments, are being paid, or

who are eligible to have such benefits or payments paid with respect to them; or

(4) Whose income and resources are taken into account in determining the amount of supplemental security income benefits or State supplementary payments being paid with respect to an individual, or whose income and resources would be taken into account in determining the amount of such benefits or payments to be paid with respect to an individual who is eligible to have such benefits or payments paid with respect to him, or

(5) Who are eligible for medical assistance under the plan of the State approved under title XIX.

(b) In accounting for costs of services to meet the requirements of paragraph (a) of this section:

(1) In lieu of accounting for the status of each person receiving a service on the basis of group determination of eligibility, States may use generally accepted statistical sampling procedures.

(2) Regarding services to persons who receive services without regard to income (family planning services, services to prevent or remedy abuse, neglect or exploitation of children and adults, and information and referral services), States may use any appropriate method, including generally accepted sampling procedures or allocation of costs to the services provided these persons in the same ratio as the known cost of all other services distributed for the 50-percent rule.

(3) States shall deem grants made by them to child day care providers for the employment of welfare recipients, to be expenditures for child day care services made on behalf of AFDC recipients.

Subpart F—Limitations: Individuals Served, Eligibility and Fees

§ 228.60 Persons eligible and access to services.

(a) *Conditions for FFP.* FFP is available in expenditures for services to individuals provided that:

(1) The service is included in the State's services plan;

(2) The individual who receives the service is a member of one of the categories covered by the State's services plan; and

(3) Such individual was eligible under the provisions of this section and those of § 228.61 at the time of receipt of the service.

(b) *Categories of individuals who may receive services.*

(1) *Income maintenance status.* The following individuals are eligible on the basis of income maintenance status:

(i) Recipients of AFDC; and

(ii) Those persons whose needs were taken into account in determining the needs of AFDC recipients; and

(iii) Recipients of SSI benefits or State supplementary payments.

(2) *Income status.* Individuals, other than those described in paragraph (b)(1) of this section, are eligible if the family's monthly gross income is less than 115 percent (or, at State option, a lower percentage) of the median income of a family of four in the State adjusted for size of family, subject to the limitations set forth in § 228.62. Income status individuals include those whose eligibility is determined on a group basis.

(3) *Without regard to income.* Individuals may be provided family planning services under § 228.63, information or referral services under § 228.64,

or services to prevent or remedy neglect, abuse, or exploitation of children or adults under § 228.65, without regard to income at State option if the State so provides in its services plan.

(c) *Median income.* On or before December 1 of each year, beginning with calendar year 1975, the Secretary will promulgate the median income for a family of four for each State and for the 50 States and the District of Columbia. This promulgation shall be used for purposes of determining eligibility and establishing fees in the following Federal or State fiscal year.

(d) *Income levels as baselines for fee imposition.*

(1) Except for individuals whose eligibility is determined on a group basis, individuals whose eligibility is based on income status shall be subject to imposition of a fee for service (in accordance with § 228.62) if their family's monthly gross income exceeds 80 percent of the median income of a family of four in the State or the median income of a family of four in all States, whichever is less, and does not exceed 115 percent of the median income of a family of four in the State, adjusted for family size.

(2) The median incomes (at 80 percent and 115 percent) as calculated in paragraph (d) (1) of this section for a family of four, shall be adjusted for family size according to the following percentages:

- (i) One person—52 percent.
- (ii) Two-person family—68 percent.
- (iii) Three-person family—84 percent.
- (iv) Four-person family—100 percent.
- (v) Five-person family—116 percent.
- (vi) Six-person family—132 percent.

(vii) For each additional family member above six persons, the State shall add 3 percentage points to the percentage for a family of six.

(3) For discretionary fees applicable to persons who are at or below the lower level median income described in paragraph (d) (1) of this section, or are eligible on the basis of income maintenance status, or who may receive services without regard to income, see § 228.62(b).

(e) *Income levels for services.* So long as the State observes the baselines for income levels for imposition of fees established pursuant to paragraph (d) (1) of this section, it may establish income levels for services:

(1) At any level lower than 115 percent of the median income of the State;

(2) At different levels for different services under the services plan;

(3) At different levels for different categories of individuals;

(4) At different levels in different geographic areas; or

(5) At different levels for different sizes of families within the limits for eligibility and fees set forth in paragraph (d) (2) of this section.

(f) *Opportunity to apply:* The State shall assure that each individual wishing to do so has an opportunity to apply for services without delay. The State shall use the following intake process for individuals seeking service:

(1) *Determination of eligibility.*

(i) When eligibility must be determined on an individual basis, the State shall require a written signed application containing the necessary information:

(A) The application shall be in a form prescribed by the State and the applicant shall certify that the information submitted is correct.

(B) The application may be filed by the applicant himself or by his authorized representative; or where the applicant is incompetent or incapacitated or in an emergency, by someone acting responsibly for him, including agency staff.

(ii) No written application is necessary for services available without regard to income.

(iii) No written application is necessary for individuals whose eligibility is determined on a group basis.

(2) *Request for services.* Except as described in paragraph (f) (2)

(iv) (B) of this section, the State shall document each request for service for purposes of FFP as well as for fair hearings and as evidence of the voluntary nature of the request for service. Documentation may be accomplished through submission of a written request by an individual needing service or his representative, or by the recording of information elicited by the agency, except that a request for family planning services (whether or not it is a "universal" service) must be in writing in order to verify that it was requested voluntarily. With respect to the following:

(i) When an individual has had eligibility determined on an individual basis, the written application for eligibility determination may be deemed a request for services (unless the State has a separate process for requesting services), and may serve as initial documentation. Subsequent requests for services from such an eligible individual shall be documented as described in paragraph (f) (2) of this section.

(ii) For protective services, an acceptable alternative to a request for services is a dated agency record that documents the circumstances of actual or potential abuse, neglect, or exploitation of a child or adult.

(iii) For requests for information and referral services, the State shall establish a procedure for documenting the number and nature of the requests.

(iv) When eligibility is determined on a group basis in accordance with § 228.61, requests for services shall be handled in one of two different ways:

(A) If the State has established specific conditions (other than income) or characteristics as a condition precedent to the receipt of a service on the basis of group eligibility, the State shall, in the intake process, elicit information necessary to determine whether an individual meets the specified conditions or has the characteristics for membership in the group (e.g.—if eligibility for homemaker services to teenage parents maintaining their own homes in public housing is determined on a group basis, the intake process shall elicit a statement regarding age, parenthood, address, and maintenance of one's own home).

(B) If the State has concluded solely on the basis of the nature of a service and/or the location where it will be provided (e.g.—recreation services in specified senior centers or day care services for migrant children), that substantially all of the individuals who would apply for the service are members of families with gross monthly incomes of 90 percent

or less of the State's median income, adjusted for family size, no information need be elicited at intake or documentation made except as to the numbers served. The presence of the individual at the service site or participation in the service is deemed a request for services.

(g) *Prompt action on eligibility applications and requests for service.*

(1) A decision shall be made on all applications within time standards established by the State agency pursuant to § 228.6, but not to exceed 30 calendar days from the date of application.

(2) The agency shall notify applicants about their eligibility within 15 calendar days after it makes a decision. The date of each notification shall be entered in the case record. Applicants found to be eligible shall be notified orally or in writing; those found to be ineligible shall be notified in writing unless the requested service is provided by that agency to them through another funding source.

(3) Unless a service is denied, the State shall provide the service requested with reasonable promptness. "Provide the service" means actual provision of the service or arrangement for its provision at an appropriate later date. "Reasonable promptness" is accomplished when the State provides the service:

(i) Within 15 calendar days after notification of eligibility; or

(ii) Within 30 calendar days after acceptance of a request for service.

If the service is denied, the State shall notify the applicant in writing of the denial within these same time limits.

(h) *Notification of right to a fair hearing.* At the time of application or request for services, each individual shall be given information about the right to request and obtain a fair hearing, in accordance with § 228.14.

§ 228.61 Determination and redetermination of eligibility.

(a) *Methods of determining (or redetermining) eligibility.* (1) Standards and methods for determination of eligibility will be consistent with the objectives of the program, and will respect the rights of individuals under the United States Constitution, the Social Security Act, title VI of the Civil Rights Act of 1964, and all other relevant provisions of Federal and State laws.

(2) States may establish any method or methods, including a declaration method, for determining individual eligibility in accordance with §§ 228.60 and 228.66.

(i) A determination of individual eligibility means a decision, reflected in the State's records, based on a dated and signed application and sufficient information which would lead a reasonable person to conclude that the criteria set forth in § 228.60 have been met and the individual is eligible to receive services on the basis of income or income maintenance status:

(A) *Documentation method* means that the State has sought and obtained verification regarding the source and amount of the gross family monthly income of the individual applying, or has verified his income maintenance status.

(B) *Declaration method* means acceptance of an individual's statements regarding the source and amount of his family's gross monthly income, and the income maintenance status as described in § 228.60

(b) (1) of any member of the family.

(ii) (For group determination of eligibility, see paragraph (2) of this section and § 228.60(f) (2) (iv).)

(3) (i) States may determine eligibility on a group basis if, upon consideration of one or more of the following factors, with respect to a particular service, they can reasonably conclude without individual determination that substantially all members of the group who receive the particular service are members of families with monthly gross incomes of not more than 90 percent of the State's median income, adjusted for family size:

(A) The geographic area in which a particular service is provided;
 (B) The characteristics of the community in which the service is provided;

(C) The nature of the service provided;

(D) The conditions, other than income, of eligibility to receive the service; or

(E) Other factors surrounding provision of the service.

(ii) "Substantially all" means that no less than 75 percent of the persons provided a service on the basis of group eligibility determination shall be members of families whose gross monthly incomes are no more than 90 percent of the State's median income, adjusted for family size.

(iii) There are no mandatory fees, as defined in § 228.62(a), for persons whose eligibility is determined on a group basis.

(iv) Group determination of eligibility may be used for any service except, that for child day care, it is limited to the children of migratory workers.

(4) States may use one method for determining eligibility for all services, categories of individuals and geographic areas, or they may use different methods for different services, different categories of individuals and different geographic areas.

(5) States shall have available for Federal review a written description of the method(s) they have established for determining and redetermining eligibility.

(b) *Conditions for FFP.* (1) Regardless of the method chosen for determination or redetermination of eligibility:

(i) FFP is available in the cost of services provided prior to the actual date of an initial determination of eligibility only if such determination is made within 30 days of the date of application and the individual is properly determined to have been eligible when the services were initiated.

(ii) When a recipient of services was improperly determined to be eligible, FFP is not available in the cost of services provided during the period of improperly determined eligibility.

(2) When an individual properly determined to be eligible on the basis of information available to the agency at the time of determination of eligibility is subsequently found ineligible, FFP is available until the end of the month in which he is determined ineligible.

A proper determination of eligibility is a determination which is based on a correct assessment on the information available to the agency at the time of such determination, provided that all information necessary to make a determination is available; a proper redetermination is one which meets those criteria and, in addition, is made within the time limits established by paragraph (c) of this section.

(c) *When redetermination shall be made.*

(1) Redetermination of eligibility shall be made for persons whose eligibility is determined on an individual basis:

(i) When required on the basis of information the agency has obtained about anticipated changes in the individual's situation;

(ii) Promptly, not to exceed 30 days, after information is obtained about changes which have occurred in the individual's circumstances that may make him ineligible; and

(iii) Periodically, but not less frequently than every 6 months except that for individuals whose family gross monthly income at the time of determination is derived exclusive from pensions, or social security benefits, or SSI, or a combination thereof, redetermination may be made at 12-month intervals.

(2) If the State has established specific conditions or characteristics as a condition precedent to the receipt of a service on the basis of group eligibility (and, in accordance with § 228.60(g) (2) (iv) (A), has elicited information at intake that individuals applying for the service meet the conditions or have the characteristics for membership in the group), it shall, unless the characteristic is irreversible (such as being above a certain age), redetermine the eligibility of these individuals as follows:

(i) When the conditions or characteristics established by the State are apt to change in regard to an individual (such as place of residence, marital status, children living in the home), the State shall ascertain not less frequently than every 6 months whether persons receiving the service on a group eligibility basis still meet the conditions or have the characteristics which made them members of the group; or

(ii) When the conditions or characteristics established by the State are not apt to change substantially in regard to an individual (such as a physical disability), the State shall ascertain not less frequently than once a year whether persons receiving the service on a group eligibility basis still meet the conditions or have the characteristics which made them members of the group;

(iii) The State shall discontinue providing the service on the basis of group eligibility determination by the end of the month in which it finds persons who no longer meet the conditions or have the characteristics required for group membership.

(d) *Validation of "substantially all" basis for establishing a group:*

(1) Each group of persons receiving a service on the basis of group determination of eligibility shall be subject to a validation check of whether at least 75 percent of those receiving the service are members of families with gross monthly incomes of no more than 90 percent of the State's median income, adjusted for family size.

(2) States shall conduct their initial validation check not later than 6 months after they have started providing a service to individuals on the basis of group eligibility. (If a State claims expenditures for services on a group determination of eligibility basis retroactively, as permitted to October 1, 1975, the validation shall be made by no later than March 31, 1977.)

(3) After the initial validation, States shall thereafter conduct such validations for the same group no less frequently than once a year.

(4) The validations may be conducted on a sample basis. States shall maintain a record of how the test was conducted, and document the process used and the findings.

(5) In order to determine whether at least 75 percent of the persons who receive a particular service on the basis of group eligibility are in families with the specified income level. States shall take into account the findings made on members of the group, as described in the services plan.

(6) If a State finds that *less* than 75 percent of the persons receiving a particular service on the basis of group eligibility meet the specified income standard, the State shall, within 75 days following such a finding:

(i) Discontinue by the end of the month in which the 75th day occurs, claiming FFP for expenditures incurred for the service provided to persons in that particular group whose eligibility has been determined on a group basis:

(ii) Amend the State's services plan to either delete the service, or to provide a new basis for determination of eligibility to continue the service.

(iii) If the State decides to continue the service, FFP is available, in accordance with the amended services plan, for providing the service:

(A) On the basis of individual eligibility; or

(B) On the basis of group eligibility if the State changes the conditions or characteristics relative to the group and has a reasonable basis on which to conclude that with such modification, at least 75 percent of the individuals served would then be members of families with the specified monthly gross income.

(e) *Who makes the determination.* Determinations of eligibility shall be made by the State agency, or, pursuant to written contract in accordance with subpart G, by a provider of services.

(f) *Outside contacts.* (1) When the provider agency determines eligibility, it shall inform the applicant or recipient that, if it is necessary to contact outside sources (including employers) and the applicant or recipient wishes to keep the service confidential, he is entitled to request that such contacts be made by the State agency; and

(2) The State agency, upon notification of the individual's request, shall make the outside contacts and relay the information to the provider.

(g) *State monitoring of eligibility process.* Whether the determination of eligibility is made by the State or the provider, the State shall establish and implement a continuing monitoring procedure to test the ability of its method(s) for determining eligibility to correctly make those determinations and shall, where erroneous determinations are disclosed, take action designed to eliminate such errors. A monitoring procedure under this paragraph may include the use of statistically valid samples. Periodic reports on the State agency's monitoring procedures, findings, and actions under this paragraph will be required pursuant to § 228.17(b).

§ 228.62 Fees for services.

(a) *Mandatory fees.* FFP is available for a service provided to an individual whose eligibility is based on income status if his family's monthly gross income exceeds 80 percent of the median income of a family of four in the State or the median income of a family of four in all States, whichever is less, and does not exceed 115 percent of the median income of a family of four in the State, adjusted as to family size, only if a fee or other charge, based on a fee schedule in accordance with paragraph (c) of this section, is imposed.

(b) *Discretionary fees.* (1) A State may impose a fee or other charge for any service to any individual who is eligible for services based on income maintenance status, or is eligible based on income status and whose family's

monthly gross income is less than 80 percent of the median income of a family of four in the State, adjusted for family size, or the median income for a family of four in all States, adjusted for family size, whichever is less, but only if the fee or other charge is based on a fee schedule in accordance with paragraph (c) of this section.

(2) A State may impose a fee on individuals who are provided services without regard to income (family planning services, information or referral services, or services to prevent or remedy abuse, neglect or exploitation of children and adults). The fee shall be based on a fee schedule in accordance with paragraph (c) of this section and be described in the State's services plan in accordance with § 228.24(c).

(c) *Criteria for fees.* (1) Fees established by the State agency:

- (i) May be different for different services;
- (ii) May be different for different geographic areas;
- (iii) Shall be reasonably related to the individual's income; and
- (iv) Shall not exceed the cost of the service to the title XX agency.

(2) Where several services are provided concurrently to an individual, the total fees imposed shall not exceed the amount reasonably related to his income.

(d) *Methods of collection.* The State agency shall:

- (1) Establish methods for the collection of any fee or other charge imposed; and
- (2) Maintain evidence of a reasonable effort to collect such fee or charge.

(e) *Disposition of fees collected.* Fees collected from service recipients may not be used as the non-Federal matching share. However, at State option, fees may:

(1) If provided for in the purchase of service agreement, be retained by the provider and used to expand the title XX service to eligible individuals under that contract; or

(2) Be used to reimburse the provider if the contract so specifies, for costs above the negotiated rate when it is lower than the going rate in the community for the service. Any amount remaining after such reimbursement to the provider for these costs shall be deducted from the amount of expenditures for which FFP is claimed; or

(3) Be deducted from service expenditures before FFP is claimed.

(4) If collected by the State in direct delivery of a service, be retained by the State and used only to expand the service to eligible individuals.

(f) Under this provision, FFP is not available in the costs of any service when a provider imposes a fee or charge other than that set by the State agency, pursuant to the purchase of service agreement under § 228.70(a) (7), described in the State's services plan pursuant to § 228.24 (c) and (d), and formulated in accordance with paragraph (c) of this section.

§ 228.63 Family planning services.

(a) FFP is available in the cost of family planning services provided without regard to income.

(b) For purposes of this part, family planning services means counseling, educational and medical services (including diagnosis, treatment and continuing supervision, necessary laboratory examinations and tests, drugs, supplies, devices and related counseling furnished, prescribed by, or under the supervision of, a physician) to enable individuals (including minors) volun-

tarily to limit their family size, to space their children, or to correct infertility.

(c) Where a State authorizes sterilization as a family planning service, it must comply with the provisions of 45 CFR 205.35.

§ 228.64 Information and referral services.

FFP is available: (a) Only for information about services provided under title XX and related service programs, brief assessment (but not diagnosis and evaluation) to facilitate appropriate referral, and referral to and follow-up with those community resources which provide or make available such services; and (b) Only when provided by an agency that has information and referral as a specific recognized function and that has a staff with identifiable tasks relating to information and referral.

§ 228.65 Services directed at the goal of preventing or remedying neglect, abuse, or exploitation of children or adults unable to protect their own interests.

(a) FFP is available without regard to income for services directed at the goal of preventing or remedying neglect, abuse, or exploitation of children and adults unable to protect their own interests, only as follows:

(1) With respect to children, only when provided to or in behalf of an individual under the age of 18 who is harmed or threatened with harm through nonaccidental physical or mental injury, sexual abuse (as defined by State law); or negligent treatment or maltreatment, including the failure to provide adequate food, clothing, or shelter. For purposes of this section, runaways are presumed to be harmed or threatened with harm by virtue of their status.

(2) With respect to adults, only when provided with respect to individuals 18 years of age or older unable to protect their own interests, harmed or threatened with harm through action or inaction by another individual or through their own actions due to ignorance, incompetence, or poor health; resulting in physical or mental injury, neglect or maltreatment, failure to receive adequate food, shelter, or clothing, deprivation of entitlements due them, or wasting of their resources.

(3) In each case, the State agency shall document the circumstances which lead it to believe that the individual is subject to, or at risk of, abuse, neglect or exploitation.

(4) No later than 6 months after the case has been opened, the State agency shall redocument and evaluate the circumstances then existing with respect to abuse, neglect, or exploitation for the purpose of ascertaining if the individual still meets the conditions for services without regard to income. Such redocumentation and evaluation of the circumstances shall take place thereafter no less frequently than at 6-month intervals if the case remains open.

(b) Except in the case of runaways, no individual shall be deemed to meet the conditions specified in paragraph (a) (1) or (2) of this section merely because he belongs to a particular class (e.g., mentally retarded, aged, juvenile delinquents); each person shall be individually determined to meet the specified criteria.

(c) States may include in their services plan, subject to the limitations of subpart D, any appropriate service which they plan to provide to prevent or remedy abuse, neglect or exploitation of children or adults as set forth in this section.

§ 228.66 Monthly gross income.

(a) Monthly gross income means the monthly sum of income received by an individual from the following sources that are identified by the U.S. Census Bureau in computing the median income:

(1) *Money, wages or salary*—i.e., total money earnings received for work performed as an employee, including wages, salary, Armed Forces pay, commissions, tips, piece-rate payments, and cash bonuses earned, before deductions are made for taxes, bonds, pensions, union dues, and similar purposes.

(2) *Net income from nonfarm self-employment*—i.e., gross receipts minus expenses from one's own business, professional enterprise, or partnership. Gross receipts include the value of all goods sold and services rendered. Expenses include costs of goods purchased, rent, heat, light, power, depreciation charges, wages and salaries paid, business taxes (not personal income taxes), and similar costs. The value of salable merchandise consumed by the proprietors of retail stores is not included as part of net income.

(3) *Net income from farm self-employment*—i.e., gross receipts minus operating expenses from the operation of a farm by a person on his own account, as an owner, renter, or sharecropper. Gross receipts include the value of all products sold, Government crop loans, money received from the rental of farm equipment to others, and incidental receipts from the sale of wood, sand, gravel, and similar items. Operating expenses include cost of feed, fertilizer, seed, and other farming supplies, cash wages paid to farmhands, depreciation charges, cash rent, interest on farm mortgages, farm building repairs, farm taxes (not State and Federal income taxes), and similar expenses. The value of fuel, food, or other farm products used for family living is not included as part of net income.

(4) *Social Security* includes Social Security pensions and survivors' benefits, and permanent disability insurance payments made by the Social Security Administration prior to deductions for medical insurance and railroad retirement insurance checks from the U.S. Government.

(5) *Dividends, interest (on savings or bonds), income from estates or trusts, net rental income or royalties* include dividends from stockholdings or membership in associations, interest on savings or bonds, periodic receipts from estates or trust funds, net income from rental of a house, store, or other property to others, receipts from boarders or lodgers, and net royalties.

(6) *Public assistance or welfare payments* include public assistance payments such as AFDC, SSI, State supplemental payments, and general assistance.

(7) *Pensions and annuities* include pensions or retirement benefits paid to a retired person or his survivors by a former employer or by a union, either directly or through an insurance company; periodic receipts from annuities or insurance.

(8) *Unemployment compensation* means compensation received from government unemployment insurance agencies or private companies during periods of unemployment and any strike benefits received from union funds.

(9) *Workers' compensation* means compensation received periodically from private or public insurance companies for injuries incurred at work. The cost of this insurance must have been paid by the employer and not by the person.

(10) Alimony.

(11) Child support.

(12) *Veterans' pensions* means money paid periodically by the Veterans' Administration to disabled members of the Armed Forces or to survivors of deceased veterans, subsistence allowances paid to veterans for education and on-the-job training, as well as so-called "refunds" paid to ex-servicemen as GI insurance premiums.

(b) *Exclusions from monthly gross income.* Excluded from computation of monthly gross income are the following:

(1) Per capita payments to or funds held in trust for any individual in satisfaction of a judgment of the Indian Claims Commission or the Court of Claims;

(2) Payments made pursuant to the Alaska Native Claims Settlement Act to the extent such payments are exempt from taxation under section 21(a) of the Act;

(3) Money received from sale of property, such as stocks, bonds, a house, or a car (unless the person was engaged in the business of selling such property in which case the net proceeds would be counted as income from self-employment);

(4) Withdrawals of bank deposits;

(5) Money borrowed;

(6) Tax refunds;

(7) Gifts;

(8) Lump sum inheritances or insurance payments;

(9) Capital gains;

(10) The value of the coupon allotment under the Food Stamp Act of 1964, as amended, in excess of the amount paid for the coupons;

(11) The value of USDA donated foods;

(12) The value of supplemental food assistance under the Child Nutrition Act of 1966 and the special food service program for children under the National School Lunch Act, as amended;

(13) Any payment received under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970;

(14) Earnings of a child under 14 years of age (no inquiry shall be made);

(15) Loans and grants, such as scholarships, obtained and used under conditions that preclude their use for current living costs;

(16) Any grant or loan to any undergraduate student for educational purposes made or insured under any program administered by the Commissioner of Education under the Higher Education Act; and

(17) Home produce utilized for household consumption.

Subpart G—Purchase of Service

§ 228.70 Procurement standards.

FFP is available in the costs of purchased services only if they are secured in accordance with relevant provisions of subpart P of 45 CFR 74, and the requirements of this subpart.

(a) *Written contracts.* The State agency executes a written contract in accordance with requirements under this part and 45 CFR 74.159 with the agency, individual, or organization from which services are purchased. In addition to the applicable requirements of § 74.159, the contract shall:

- (1) Include all terms of the contract in one instrument, be dated, and be executed by authorized representatives of all parties to the contract prior to the date of implementation;
- (2) Have a definite beginning and ending date for provision of services;
- (3) Contain a detailed description of the services to be provided and of the methods, including subcontracting, to be used by the provider in carrying out its obligations under the contract;
- (4) If eligibility determinations are to be made by the provider, contain a statement to that effect and criteria in accordance with subpart F which shall be used by the provider for such determinations; and specify that the provider will inform individuals of their right to fair hearings in accordance with § 228.14;
- (5) Provide for a stated number of units of service at a specific dollar rate, or for a specific dollar amount, or for costs to be determined in accordance with acceptable cost allocation methods;
- (6) Specify the method and source of payment to the provider, including collection and disposition of fees, if applicable;
- (7) Specify that no fees shall be imposed by the provider other than those set by the State in accordance with § 228.62 and described in the services plan;
- (8) Include a statement that the provider meets applicable State or Federal standards as specified in this part;
- (9) Specify the locations of facilities to be used in providing services;
- (10) Provide that the provider will comply with the requirements of the Civil Rights Act of 1964, and for safeguarding information in accordance with § 228.10;
- (11) Provide that any subcontracts permitted by the contract shall be subject to the requirements of this part; and that the provider is responsible for the performance of any subcontractor;
- (12) Specify requirements for fiscal and program responsibility, billing, records, controls, reports, and monitoring procedures; and
- (13) Provide for access to financial and other records pertaining to the program by State and Federal officials.

(b) The requirements of this section may be satisfied by a simple printed contract form so long as all items described in paragraph (a) of this section are contained therein.

(c) The provisions of this section do not apply when services are obtained directly by the recipient and payment is made to him. (See § 228.47.)

(d) A written contract is not required for purchase of services from an individual provider who has no direct service employees or subcontractors provided:

- (1) The State's statute of frauds does not preclude the agency from enforcing its unwritten contract with the provider; and
- (2) The State agency maintains documentation of the terms of the unwritten contract negotiated with the individual provider, including all applicable items specified in paragraph (a) of this section.

§ 228.71 Rates of payment.

(a) FFP is available for expenditures for services only where the rates of payment for services do not exceed the amounts reasonable and necessary to assure the quality of service. (See § 228.62(e) for disposition of fees.) Where services are purchased from other public agencies, rates shall be established in accordance with cost principles of appendix C of 45 CFR Part 74 and such cost are reasonably assignable to such services. Where services are purchased from private agencies, rates may be established on the basis of negotiation, utilizing any reasonable methods for establishing competitive rates, including the Principles for Determining Costs suggested in appendix F of 45 CFR part 74. The State agency shall maintain and make available for Federal review records which describe and support the rates of payment and the methods used to establish and maintain such rates.

(b) Public Health Service grant funds from programs specified in 42 CFR part 50 of the health services funding regulation (as well as any matching funds required to earn those grant funds) which have been made available under a grant to a health service project, if not required to be used to finance cost of services to individuals eligible for services under title XX, shall not be deemed by the State agency to be available to reduce the costs otherwise subject to reimbursement under title XX. This precludes double Federal payment for the same individuals.

*Subpart H—Training and Retraining***§ 228.80 Conditions for FFP.**

FFP is available in expenditures for personnel training and retraining that is directly related to the services program if the State meets all requirements of this subpart. The training may include in-service training, and short- and long-term training at educational institutions. FFP in such training expenditures may be claimed inside or outside the State's allotment for services and is available at the 75-percent rate. FFP shall be available for training expenditures no earlier than the date on which FFP is available for the provision of services under the final services plan in accordance with § 228.20.

§ 228.81 Who may be trained.

FFP is available for training only the following individuals:

(a) State agency staff employed in all classes of positions which directly relate to the operation of the title XX program;

(b) Volunteers attached to the State agency and supervised by it in relation to duties directly related to the program;

(c) Service delivery personnel employed by providers (and in instances where the provider agency also determines eligibility for service, eligibility determination personnel employed by providers) only when:

(1) A purchase of service contract, or a purchase of service and eligibility determination contract, is in effect in accordance with subpart G;

(2) The training provided is directly related to the provision of services, or the determination of eligibility under the contract; and

(3) The provider personnel, during or immediately following the training period, participate in the provision of services or the

determination of eligibility under the contract for a period of time at least equal to the period of time for which training was provided;

(d) Persons preparing for employment in the State agency in all classes of positions which directly relate to operation of the title XX program;

(e) Individual providers who are currently under contract pursuant to subpart G including, but not limited to:

(1) Foster family caregivers who need training to enable them to provide special services (as specified in § 228.45) to eligible individuals living in the home, or to prepare them to receive eligible individuals who need such services if the home is used within the period covered by the contract, or

(2) Family or in-home day care givers to enable them to provide services to eligible individuals already in their care or to prepare them to receive eligible individuals who need such services, if the home is used within the period covered by the contract;

(f) Individuals who provide services paid for by the recipient, as provided in § 228.47, if training is directly related to such service, and

(g) Foster family caregivers whose homes provide a resource to the title XX agency in carrying out its directly operated foster care services program for eligible children and adults.

§ 228.82 Grants to educational institutions.

(a) FFP is available in payments for training furnished under grants to educational institutions, if all conditions specified in this section are met:

(1) Grants are made: (i) For the purpose of developing, expanding, or improving training for employees of the State agency and of providers, or persons preparing for employment with the State agency; (ii) For an educational program (curriculum development, classroom instruction, and related field instruction) that is directly related to the title XX program and provision of services; and (iii) For not more than 3 years, renewable subject to the provisions of paragraph (b) of this section;

(2) Grants are available only to post secondary, undergraduate, and graduate educational institutions and programs that have been accredited by the appropriate institutional accrediting body recognized by the U.S. Commissioner of Education. A specialized program for which there is a specialized accrediting body shall be accredited by, have preaccreditation status from, or have applied for, accreditation by such body (45 CFR Part 149 specifies the criteria and procedures for obtaining recognition as an accrediting agency or association. Lists of currently recognized accrediting bodies are published in the Federal Register periodically. See also "Nationally Recognized Accrediting Agencies and Associations" dated June, 1975 and published by the Office of Education).

(3) The State agency has written policies establishing conditions and procedures for such grants; and

(4) Each grant specifies objectives in terms of how the educational program is related to the title XX services program and how it is designed to meet the State agency's manpower needs.

(b) An evaluation of the educational program funded by each grant is made no later than the close of the second year of the grant. The evaluation shall be conducted by a panel consisting of representatives from the educational institution, the State agency, and the SRS Regional Office to determine whether the conditions and objectives specified in the grant are being met.

(c) If a majority of the panel members finds that the educational programs are failing to meet such conditions and objectives, payment shall be terminated no later than the close of the second year of the grant.

§ 228.83 Financial assistance to trainees.

(a) FFP is available for expenditures in the costs of training persons specified in § 228.81. If the following conditions are met, and within the specified limitations:

(1) State agency employees and service delivery personnel and eligibility workers of provider agencies who are in attendance full time at training programs for 8 consecutive workweeks or longer have a legally binding commitment to continue to work in the State or provider agency for a period of time at least equal to the period for which financial assistance is granted.

(2) Persons preparing for employment in the State agency are:

(i) Selected by the State agency and accepted by the school;

(ii) Pursuing educational programs approved by the agency;

and

(iii) Legally committed to work for the State agency for a period of time at least equal to the period for which financial assistance is granted if employment is offered within 6 months after training is completed. If not employed by the State agency, such persons shall keep the agency informed of their employment status for 1 year.

(b) *State agency responsibilities.* The State agency shall:

(1) Offer employment to the individual preparing for employment in the State agency during the 6 months following completion of the training, unless precluded by merit system requirements, legislative cuts, position freezes, or other circumstances beyond the agency's control; and

(2) Evaluate the training programs.

(c) Any recoupment of funds by the State from trainees failing to fulfill their commitment under this section shall be treated as a refund and deducted from total training costs for the purpose of determining net costs for FFP.

§ 228.84 Activities and costs matchable as training expenditures.

Costs matchable as training expenditures include:

(a) *State agency employees.* (1) For State agency employees in full-time training programs of 8 consecutive workweeks or longer (with no assigned agency duties); salaries (including fringe benefits), or stipends, dependency allowances, travel, and education costs (that is, tuition, books, and supplies);

(2) For State agency employees in full-time training programs of less than 8 consecutive workweeks: per diem, travel, and education costs;

(3) For State agency employees in part-time training programs (part of workweek, evenings, mornings); education costs.

(b) *State agency staff development personnel.* For State agency staff development personnel (including support staff), assigned full time to training functions with respect to State agency or provider agency staff: salaries, fringe benefits, travel and per diem. (Costs of staff spending less than full time on training for the title XX program, including costs of other State agency staff under the supervision of the State agency Director of Staff Development, must be allocated according to the time actually spent on such training.)

(c) *State agency training activities.* (1) For experts outside the State agency engaged to develop or conduct special programs: salary, fringe benefits, travel and per diem;

(2) For State agency training activities directly related to the title XX program: cost of use of space, postage, teaching supplies, and purchase or development of teaching materials and equipment—for example, books and audio-visual aids.

(d) *Persons preparing for employment.* For persons preparing for employment with the State agency: stipends, travel, and education costs.

(e) *Provider agency personnel.* FFP is available in the following costs of training provider agency personnel as training costs, provided there is a contract with the State agency which includes such training; such costs are not included in the cost of services purchased from the provider agency; and such costs are reasonably assignable to title XX training:

(1) For provider agency employees in full-time training programs of 8 consecutive workweeks or longer (with no assigned provider agency duties): travel and education costs;

(2) For provider agency employees in full-time training programs of less than 8 consecutive workweeks: per diem, travel, and education costs;

(3) For provider agency employees on part-time educational leave: education costs.

(f) *Provider agency staff development personnel.* For provider agency staff development personnel (including support staff) engaged in providing training to State title XX agency staff or provider agency staff eligible for training under § 228.81 salaries and fringe benefits, travel and per diem.

(g) *Provider agency training activities.* (1) For experts outside the provider agency engaged to develop or conduct special programs: salary, fringe benefits, travel, and per diem.

(2) For provider agency training activities directly related to the title XX program: cost of teaching supplies and purchase or development of teaching materials and equipment—for example, books and audiovisual aids.

(h) *Individual providers.* For individual providers and foster parents in part-time training: travel and education costs.

(i) *Payments to educational institutions.* Under conditions specified in § 228.82, for curriculum development, classroom and field instruction: salaries, fringe benefits and travel of instructors; clerical assistance; teaching materials and equipment—for example, books and audiovisual aids.

§ 228.85 Activities and costs not matchable as training expenditures.

FFP is not available for the following as expenditures outside the State's allotment for social services. Such expenditures are matchable as administrative costs (not training expenses) under the State's allotment for services.

(a) Salaries of newly employed workers in the State agency or a provider agency while they are in orientation;

(b) Salaries of State agency employees who attend training programs less than full-time for a period of less than 8 consecutive workweeks;

(c) Salaries of supervisors (day-to-day supervision of staff is not a training activity);

(d) Attendance at meetings or conferences of professional organizations; and

(e) Employment of students on a temporary basis, such as in the summertime.

§ 228.86 [Reserved]

Subpart I—General Provisions

44. Section 228.90 is revised to read as follows:

§ 228.90 Expenditures for which Federal financial participation is available.

(a) Federal financial participation is available only for expenditures which are identified and allocated in accordance with grant administration requirements set forth in 45 CFR Part 74, and, where appropriate, with the cost allocation provisions of 45 CFR 205.150.

(b) Under this part, expenditures for the following are considered appropriate for the effective and efficient administration of the program:

(1) Salary, fringe benefits and travel costs of staff engaged in carrying out service work or service-related work;

(2) Costs or related expenses, such as equipment, furniture, supplies, communications, and office space; transportation (such as tokens or tickets); and medical examinations, when necessary for the development of a services plan or when precedent to obtaining a service for an individual, provided such medical examination is not available to the individual under title XVIII or title XIX of the Act.

(3) Costs of State agency advisory committees on services, including expenses of members in attending meetings, supportive staff, and other technical assistance;

(4) Costs of agency staff attendance at meetings pertinent to the development or implementation of Federal and State service policies and programs;

(5) Cost to the agency for the use of volunteers in the program;

(6) Costs of operation of agency facilities used solely for the provision of services, except that appropriate distribution of costs is necessary when other agencies also use such facilities in carrying out their functions;

(7) Costs of administrative support activities furnished by other public agencies, private organizations, or individuals, or other units within the State agency which are properly cost allocated;

(8) Cost of technical assistance, data collection, surveys and studies performed by other public agencies, private organizations or individuals to assist the State agency in developing, planning, monitoring, and evaluating the services program; and

(9) Costs of public liability and other insurance protection.

44. Section 228.91 is revised to read as follows:

§ 228.91 Expenditures for which Federal financial participation is not available.

(a) Federal financial participation is not available under this part in expenditures for:

(1) Carrying out any maintenance assistance payments functions or any other functions or activities which are not related to services under this part;

(2) The purchase, construction, or major modification of any land, building or other facility, or fixed equipment. However, FFP is available in the cost of using buildings, capital improvements, and equipment, in accordance with 45 CFR 74, appendix C, part II, B. 11.

(3) Housing costs for families and individuals including rent, deposits, purchase, construction, major renovation or repair;

(4) Goods or services provided in kind by a private organization or individual; and

(5) Sabbatical leave.

Subpart J—Grants to Child Day Care Providers to Employ Welfare Recipients

§ 228.100 Definitions.

For purposes of this subpart:

(a) A "qualified" child day care provider is one in whose facility at least 20 percent of the total number of children regularly served are partly or totally funded under title XX.

(b) An "eligible" welfare recipient is, as defined in section 50B(g) of the Internal Revenue Code of 1954, one who meets all the following requirements:

(1) Has been certified by the State or local welfare department as being eligible for financial assistance for aid to families with dependent children (AFDC) and as having continuously received AFDC during the 90-day period which immediately precedes the date on which the employee is hired;

(2) Has been a full-time employee of the provider for a period in excess of 30 consecutive days;

(3) Has not displaced any other individual from employment by the provider; and

(4) Is not a migrant worker. (The Internal Revenue Code of 1954 defines a migrant worker as one who is employed in a job for which the customary period of employment by one employer is less than 30 days if the nature of the job requires the worker to travel from place to place over a short period of time.)

§ 228.101 Conditions for FFP.

From September 7, 1976, until October 1, 1977, FFP is available from additional allotments specified in § 228.52(c)(3) for salaries paid under grants which States make in accordance with this subpart to qualified public, nonprofit private, and proprietary child day care providers under contract to the State agency, to employ eligible welfare recipients, as defined in § 228.100: *Provided*, That:

(a) The grants do not exceed:

(1) \$5,000 to public and nonprofit private providers for each recipient per year; and

(2) \$4,000 to proprietary providers for each recipient per year. (The Internal Revenue Code of 1954 provides a tax credit of up to \$1,000 per year per welfare recipient employed by proprietary child day care providers (section 50A(a) (6) (B) of the Code) under an extension until October 1, 1977, of the credit for Federal welfare recipient employment incentive expenses to proprietary child day care providers (section 50B(a) (2) (B)). The tax credit, to a maximum of \$1,000, equals 20 percent of the wages to a recipient to the extent that a provider is not specifically reimbursed for such wages. There is no aggregate tax credit limit for such child day care employers of recipients.)

(b) States make such grants on a time schedule that minimizes balances of Federal funds and in a manner consistent with Treasury Department Circular #1075 (revised) which promulgated the Letter of Credit System and was published in the Federal Register (38 FR 5242) on February 27, 1973.

(c) Pursuant to § 228.17, States submit statistical and financial reports on the AFDC recipients hired under these grants, in accordance with instructions issued by the Secretary.

§ 228.102 Claims for FFP.

(a) States may claim for salaries paid by child day care providers for the 30 days of full-time, continuous employment needed to make a recipient eligible, as defined in § 228.100(b).

(b) If a recipient starts employment with a provider on or after September 7, 1976, expenditures incurred for salaries for any part of the continuous 30-day employment which occurs after September 7, but within the transition quarter, are chargeable to the State's new allotment for the transition quarter.

(c) Any expenditures incurred on or after October 1, 1976, through September 30, 1977, for salaries under the grants for employment of welfare recipients are chargeable to the State's new allotment for the 1977 fiscal year.

Effective date: These regulations shall be effective 90 days after publication or earlier at State option with the following exceptions: (1) Section 228.70(d) is made retroactive to October 1, 1975, at State option; (2) Sections of part 228 (as listed below), that were issued as interim final regulations implementing Public Law 94-401 (1976 Amendments to Title XX of the Social Security Act) published in the Federal Register (41 FR 55668) on December 21, 1976, are effective October 1, 1975, at State option, with the following exceptions: Additional allotments to States (§ 228.52) are available from 7-1-76 through 9-30-77; State grants to child day care providers (subpart J) may be made on or after September 7, 1976, for use through September 30, 1977; and the option to waive Federal staffing standards in out-of-home facilities with few title XX children (§ 228.42(c) (2)) is effective no earlier than September 7, 1976.

The list of sections effective October 1, 1975, at State option, is as follows:

Subpart C

§ 228.24(c) and (f)
 228.26(a)
 228.29(d)
 228.36(d)

Subpart D

228.40(c) (1) and (2)
 228.41(e) (1) and (2)
 228.42(c) (1) and (d)
 228.44(e) (1) and (2)
 228.48

Subpart E

228.51(c)
 228.56(b)

Subpart F

228.60(b) (3)
 228.60(f) (2) (ii)
 228.60(f) (1) (iii)
 228.60(f) (2) (iv) (A) and (B)
 228.61(a) (3)
 228.61(c) (2)
 228.61(d)

(Catalog of Federal Domestic Assistance Program No. 13754 Public Assistance Social Services.)

NOTE.—The Social and Rehabilitation Service has determined that this document does not require preparation of an Inflationary Impact Statement under Executive Order 11821 and OMB Circular A-107.

Dated: January 6, 1977.

ROBERT FULTON,
*Administrator, Social and
 Rehabilitation Service.*

Approved: January 18, 1977.

MARJORIE LYNCH,
Acting Secretary.

APPENDIX F

FEDERAL INTERAGENCY DAY CARE REQUIREMENTS

Code of Federal Regulations, Title 45, Subtitle A

PART 71—FEDERAL INTERAGENCY DAY CARE REQUIREMENTS

Subpart A—General

- Sec.
71.1 Definitions.
71.2 Scope and purpose.
71.3 Application or requirements.
71.4 Waiver of requirements.
71.5 Effective date of requirements.
71.6 Enforcement of requirements.

Subpart B—Comprehensive and Coordinated Services

- 71.10 Types of facilities.
71.11 Grouping of children.
71.12 Licensing or approval of facilities as meeting the standards for such licensing.
71.13 Environmental standards
71.14 Educational services.
71.15 Social services.
71.16 Health and nutrition services.
71.17 Training of staff.
71.18 Parent involvement.
71.19 Administration and coordination.
71.20 Evaluation.

AUTHORITY: The provisions of this Part 71 issued under sec. 522(d), 81 Stat. 713, sec. 602, 78 Stat. 528, 42 U.S.C. 2932(d), 2942; sec. 1102, 49 Stat. 647, 42 U.S.C. 1302; sec. 7, 64 Stat. 1107, as renumbered sec. 301, 79 Stat. 35, 20 U.S.C. 242; sec. 1001(c), 80 Stat. 1475, sec. 14, 79 Stat. 80, 42 U.S.C. 2610c, 2616.

SOURCE: The provisions of this Part 71 appear at 34 F.R. 1390, Jan. 29, 1969, unless otherwise noted.

Subpart A—General

§ 71.1 Definitions.

As used in this part:

(a) "Day care services" means comprehensive and coordinated sets of activities providing direct care and protection of infants, preschool and school-age children outside of their own homes during a portion of a 24-hour day. (The Office of Economic Opportunity uses 7 hours as the minimum time period for its preschool day care programs; however, most of the standards in this document are also applicable to part-day Head Start programs.) Comprehensive services include, but are not limited to, educational, social, health, and nutritional services and parent participation. Such services require provision of supporting activities including administration, coordination, admissions, training and evaluation.

(b) "Administering agency" means any agency which either directly or indirectly receives Federal funds for day care services subject to the Federal Interagency Day Care Standards and which has ultimate responsibility for the conduct of such a program. Administering agencies may receive Federal funds through a State agency or directly from the Federal Government. There may be more than one administering agency in a single community.

(c) "Operating agency" means an agency directly providing day care services with funding from an administering agency. In some cases, the administering and operating agencies may be the same, e.g., public welfare departments or community action agencies which directly operate programs. Portions of the required services may be performed by the administering agency.

(d) "Day care facility" means the place where day care services are provided to children; e.g., family day care homes, group day care homes, and day care centers. Facilities do not necessarily provide the full range of day care services. Certain services may be provided by the administering or operating agency.

(e) "Standards." Standards consist of both interagency requirements and recommendations. The requirements only are presented in this document; the recommendations will be issued separately.

(1) "Interagency requirements" means a mandatory policy which is applicable to all programs and facilities funded in whole or in part through Federal appropriations.

(2) "Interagency recommendations" means an optional policy based on what is known or generally held to be valid for child growth and development which is recommended by the Federal agencies and which administering agencies should strive to achieve.

§ 71.2 Scope and purpose.

The legislative mandates of the Economic Opportunity Amendments of 1967 require that the Secretary of Health, Education, and Welfare and the Director of the Office of Economic Opportunity coordinate programs under their jurisdictions which provide day care so as to obtain, if possible, a common set of program standards and regulations and to establish mechanisms for coordination at State and local levels. The Secretary of Labor has joined with the Director of the Office of Economic Opportunity and the Secretary of Health, Education, and Welfare in approving these standards. Accordingly, this part sets forth Federal interagency requirements which day care programs must meet if they are receiving funds under any of the following programs:

(a) Title IV of the Social Security Act: Part A—Aid to Families With Dependent Children; Part B—Child Welfare Services.

(b) Title I of the Economic Opportunity Act—Youth Programs.

(c) Title II of the Economic Opportunity Act—Urban and Rural Community Action Programs.

(d) Title III of the Economic Opportunity Act—Part B—Assistance for Migrant, and other Seasonally Employed, Farmworkers and Their Families. (These Federal interagency requirements will not apply in full to migrant programs until July 1, 1969.)

(e) Title V of the Economic Opportunity Act—Part B—Day Care Projects.

(f) Manpower Development and Training Act.

(g) Title I of the Elementary and Secondary Education Act. (Programs funded under this title may be subject to these requirements at the discretion of the State and local education agencies administering these funds.)

§ 71.3 Application of requirements.

(a) As a condition for Federal funding, agencies administering day care programs must assure that the requirements are met in all facilities which the agencies establish, operate or utilized with Federal support. If a facility does not provide all of the required services, the administering agency must assure that those that are lacking are otherwise provided.

(b) Administering agencies must develop specific requirements and procedures within the framework of the Federal interagency requirements and recommendations to maintain, extend, and improve their day care services. Additional standards developed locally may be higher than the Federal requirements and must be at least equal to those required for licensing or approval as meeting the standards established for such licensing. Under no circumstances may they be lower. It is the intent of the Federal Government to raise and never to lower the level of day care services in any State.

(c) The interagency requirements will be utilized by Federal agencies in the evaluation of operating programs.

(d) The provisions of this part cover all day care programs and facilities utilized by the administering agencies which receive Federal funds, whether these facilities are operated directly by the administering agencies or whether contracted to other agencies. Such programs and facilities must also be licensed or meet the standards of licensing applicable in the State. Day care may be provided:

(1) On a day care facility operated by the administering agency.

(2) In a day care facility operated by a public, voluntary, or proprietary organization which enters into a contract to accept children from the administering agency and to provide care for them under the latter's policies. (The operating organization may also serve children who are not supported by the administering agency.)

(3) Through some other contractual or other arrangement, including the use of an intermediary organization designed to provide coordinated day care services, or the use of facilities provided by employers, labor unions, or joint employer—union organizations.

(4) Through the purchase of care by an individual receiving aid to families with dependent children or child welfare services funds for the service.

§ 71.4 Waiver of requirements.

Requirements can be waived when the administering agency can show that the requested waiver may advance innovation and experimentation and extend services without loss of quality in the facility. Waivers must be consistent with the provisions of law. Requests for waivers should be addressed to the regional office of the Federal agency which is providing the funds. Requirements of the licensing authority in a State cannot be waived by the Federal regional office.

§ 71.5 Effective date of requirements.

The requirements apply to all day care programs initially funded and to those refunded after July 1, 1968. Administering agencies are expected to immediately initiate planning and action to achieve full compliance within

a reasonable time. Except where noted, up to 1 year may be allowed for compliance provided there is evidence of progress and good intent to comply.

§ 71.6 Enforcement of requirements.

(a) The basic responsibility for enforcement of the requirements lies with the administering agency. Acceptance of Federal funds is an agreement to abide by the requirements. State agencies are expected to review programs and facilities at the local level for which they have responsibility and make sure that the requirements are met. Noncompliance may be grounds for suspension or termination of Federal funds.

(b) The Federal agencies acting in concert will also plan to review the operation of selected facilities.

Subpart B—Comprehensive and Coordinated Services

§ 71.10 Types of facilities.

It is expected that a community program of day care services will require more than one type of day care facility if the particular needs of each child and his parents are to be taken into consideration. Listed in this section are the three major types of day care facilities to which the Federal requirements apply. They are defined in terms of the nature of care offered. While it is preferable that the three types of facilities be available, this is not a requirement.

(a) The family day care home serves only as many children as it can integrate into its own physical setting and pattern of living. It is especially suitable for infants, toddlers, and sibling groups and for neighborhood-based day care programs, including those for children needing after-school care. A family day care home may serve no more than six children (3 through 14) in total (no more than five when the age range is infancy through six), including the family day care mother's own children.

(b) The group day care home offers familylike care, usually to school-age children, in an extended or modified family residence. It utilized one or several employees and provides care for up to 12 children. It is suitable for children who need before- and after-school care, who do not require a great deal of mothering or individual care, and who can profit from considerable association with their peers.

(c) The day care center serves groups of 12 or more children. It utilizes subgroupings on the basis of age and special need but provides opportunity for the experience and learning that accompany a mixing of ages. Day care centers should not accept children under 3 years of age unless the care available approximates the mothering in the family home. Centers do not usually attempt to simulate family living. Centers may be established in a variety of places: private dwellings, settlement houses, schools, churches, social centers, public housing units, specially constructed facilities, etc.

§ 71.11 Grouping of children.

The administering agency, after determining the kind of facility to be used, must insure that the following limits on size of groups and child-to-adult ratios are observed. All new facilities must meet the requirements prior to Federal funding. Existing programs may be granted up to 3 years to meet this requirement, if evidence of progress and good intent is shown.

(a) Family day care home:

(1) Infancy through 6 years. No more than two children under two

and no more than five in total, including the family day care mother's own children under 14 years old.

(2) Three through 14 years. No more than six children, including the family day care mother's children under 14 years old.

(3) (i) In the use of a family day care home, there must always be provision for another adult on whom the family day care mother can call in case of an emergency or illness.

(ii) There are circumstances where it would be necessary to have on a regular basis two adults in a family day care home; for example, if one or more of the children were retarded, emotionally disturbed, or handicapped and needed more than usual care.

(iii) The use of volunteers is very appropriate in family day care. Volunteers may include older children who are often very successful in working with younger children when under adequate supervision.

(b) Group day care home:

(1) Three through 14 years. Groups may range up to 12 children but the child-staff ratio never exceeds six to one. No child under three should be in this type of care. When preschool children are cared for, the child-staff ratio should not exceed 5 to 1.

(2) (i) Volunteers and aids may be used to assist the adult responsible for the group. Teenagers are often highly successful in working with younger children, but caution should be exercised in giving them supervisory responsibility over their peers.

(ii) As in family day care, provision must be made for other adults to be called in case of an emergency or illness.

(c) Day care center:

(1) Three to 4 years. No more than 15 in a group with an adult and sufficient assistants, supplemented by volunteers, so that the total ratio of children to adults is normally not greater than 5 to 1.

(2) Four to 6 years. No more than 20 in a group with an adult and sufficient assistants, supplemented by volunteers, so that the total ratio of children to adults is normally not greater than 7 to 1.

(3) Six through 14 years. No more than 25 in a group with an adult and sufficient assistants, supplemented by volunteers, so that the total ratio of children to adults is normally not greater than 10 to 1.

(4) (i) The adult is directly responsible for supervising the daily program for the children in her group and the work of the assistants and volunteers assigned to her. She also works directly with the children and their parents, giving as much individual attention as possible.

(ii) Volunteers may be used to supplement the paid staff responsible for the group. They may include older children who are often highly successful in working with younger children. Caution should be exercised in assigning teenagers supervisory responsibility over their peers.

(d) Federal interagency requirements have not been set for center care of children under 3 years of age. If programs offer center care for children younger than 3, State licensing regulations and requirements must be met. Center care for children under 3 cannot be offered if the State authority has not established acceptable standards for such care.

§ 71.12 Licensing or approval of facilities as meeting the standards for such licensing.

Day care facilities must be licensed or approved as meeting the standards for such licensing. If the State licensing law does not fully cover the licensing

of these facilities, acceptable standards must be developed by the licensing authority or the State welfare department and each facility must meet these standards if it is to receive Federal funds.

§ 71.13 Environmental standards.

(a) *Location of day care facilities.* (1) Members of low income or other groups in the population and geographic areas who (i) are eligible under the regulations of the funding agency and (ii) have the greatest relative need must be given priority in the provision of day care services.

(2) In establishing or utilizing a day care facility, all the following factors must be taken into consideration:

(i) Travel time for both the children and their parents.

(ii) Convenience to the home or worksite of parents to enable them to participate in the program.

(iii) Provision of equal opportunities for people of all racial, cultural, and economic groups to make use of the facility.

(iv) Accessibility of other resources which enhance the day care program.

(v) Opportunities for involvement of the parents and the neighborhood.

(3) Title VI of the Civil Rights Act of 1964 requires that services in programs receiving Federal funds are used and available without discrimination on the basis of race, color, or national origin.

(b) *Safety and sanitation.* (1) The facility and grounds used by the children must meet the requirements of the appropriate safety and sanitation authorities.

(2) Where safety and sanitation codes applicable to family day care homes, group day care homes, or day care centers do not exist or are not being implemented, the operating agency or the administering agency must work with the appropriate safety and sanitation authorities to secure technical advice which will enable them to provide adequate safeguards.

(c) *Suitability of facilities.* Each facility must provide space and equipment for free play, rest, privacy and a range of indoor and outdoor program activities suited to the children's ages and the size of the group. There must be provisions for meeting the particular needs of those handicapped children enrolled in the program. Minimum requirements include:

(1) Adequate indoor and outdoor space for children appropriate to their ages, with separate rooms or areas for cooking, toilets, and other purposes.

(2) Floors and walls which can be fully cleaned and maintained and which are nonhazardous to the children's clothes and health.

(3) Ventilation and temperature adequate for each child's safety and comfort.

(4) Safe and comfortable arrangements for naps for young children.

(5) Space for isolation of the child who becomes ill, to provide him with quiet and rest and reduce the risk of infection or contagion to others.

§ 71.14 Educational services.

(a) Educational opportunities must be provided every child. Such opportunities should be appropriate to the child's age regardless of the type of facility in which he is enrolled; i.e., family day care home, group day care home, or day care center.

(b) Educational activities must be under the supervision and direction of a staff member trained or experienced in child growth and development. Such supervision may be provided from a central point for the day care homes.

(c) The persons providing direct care for children in the facility must have had training or demonstrated ability in working with children.

(d) Each facility must have toys, games, equipment and material, books, etc., for educational development and creative expression appropriate to the particular type of facility and age level of the children.

(e) The daily activities for each child in the facility must be designed to influence a positive concept of self and motivation and to enhance his social, cognitive, and communication skills.

§ 71.15 Social services.

(a) Provision must be made for social services which are under the supervision of a staff member trained or experienced in the field. Services may be provided in the facility or by the administering or operating agency.

(b) Nonprofessionals must be used in productive roles to provide social services.

(c) Counseling and guidance must be available to the family to help it determine the appropriateness of day care, the best facility for a particular child, and the possibility of alternative plans for care. The staff must also develop effective programs of referral to additional resources which meet family needs.

(d) Continuing assessment must be made with the parents of the child's adjustment in the day care program and of the family situation.

(e) There must be procedures for coordination and cooperation with other organizations offering those resources which may be required by the child and his family.

(f) Where permitted by Federal agencies providing funds, provision should be made for an objective system to determine the ability of families to pay for part or all of the cost of day care and for payment.

§ 71.16 Health and nutrition services.

(a) The operating or administering agency must assure that the health of the children and the safety of the environment are supervised by a qualified physician.

(b) Each child must receive dental, medical, and other health evaluations appropriate to his age upon entering day care and subsequently at intervals appropriate to his age and state of health. (If the child entering day care has not recently had a comprehensive health evaluation by a physician, this should be provided promptly after he enters a day care program.)

(c) Arrangements must be made for medical and dental care and other health-related treatment for each child, using existing community resources. In the absence of other financial resources, the operating or administering agency must provide, whenever authorized by law, such treatment with its own funds. (The day care agency, in those instances where Federal funds are legally available to be expended for health services, has the ultimate responsibility of insuring that no child is denied health services because his parents are unable to carry out an adequate health plan. Funds for aid to families with dependent children are not legally available for health care, but States are encouraged to use medicaid funds whenever possible.)

(d) The facility must provide a daily evaluation of each child for indications of illness.

(e) The administering or operating agency must insure that each child has available to him all immunizations appropriate to his age.

(f) Advance arrangements must be made for the care of a child who is injured or becomes ill, including isolation if necessary, notification of his parents, and provisions for emergency medical care or first aid.

(g) The facility must provide adequate and nutritious meals and snacks prepared in a safe and sanitary manner. Consultation should be available from a qualified nutritionist or food service specialist.

(h) All staff members of the facility must be aware of the hazards of infection and accidents and how they can minimize such hazards.

(i) Staff of the facility and volunteers must have periodic assessments, including tuberculin tests or chest X-rays, of their physical and mental competence to care for children.

(j) The operating or administering agency must insure that adequate health records are maintained on every child and every staff member who has contact with children.

§ 71.17 Training of staff.

(a) The operating or administering agency must provide or arrange for the provision of orientation, continuous inservice training, and supervision for all staff involved in a day care program—professionals, nonprofessionals, and volunteers—in general program goals as well as specific program areas; i.e., nutrition, health, child growth and development, including the meaning of supplementary care to the child, educational guidance and remedial techniques, and the relation of the community to the child.

(b) Staff must be assigned responsibility for organizing and coordinating the training program.

(c) Nonprofessional staff must be given career progression opportunities which include job upgrading and work-related training and education.

§ 71.18 Parent involvement.

(a) Opportunities must be provided parents at times convenient to them to work with the program and, whenever possible, to observe their children in the day care facility.

(b) Parents must have the opportunity to become involved themselves in the making of decisions concerning the nature and operation of the day care facility.

(c) Whenever an agency (i.e., an operating or an administering agency) provides day care for 40 or more children, there must be a policy advisory committee or its equivalent at that administrative level where most decisions are made on the kinds of programs to be operated, the hiring of staff, the budgeting of funds, and the submission of applications to funding agencies. The committee membership should include not less than 50 percent parents or parent representatives, selected by the parents themselves in a democratic fashion. Other members should include representatives of professional organizations or individuals who have particular knowledge or skills in children's and family programs.

(d) Policy advisory committees (the structure of which will vary depending upon the administering agencies and facilities involved) must perform productive functions, including but not limited to:

(1) Assisting in the development of the programs and approving applications for funding.

(2) Participating in the nomination and selection of the program director at the operating and/or administering level.

- (3) Advising on the recruitment and selection of staff and volunteers.
- (4) Initiating suggestions and ideas for program improvements.
- (5) Serving as a channel for hearing complaints on the program.
- (6) Assisting in organizing activities for parents.
- (7) Assuming a degree of responsibility for communicating with parents and encouraging their participation in the program.

§ 71.19 Administration and coordination.

- (a) *Administration.* (1) The personnel policies of the operating agency must be governed by written policies which provide for job descriptions, qualification requirements, objective review of grievancies and complaints, a sound compensation plan, and statements of employee benefits and responsibilities.
- (2) The methods of recruiting and selecting personnel must insure equal opportunity for all interested persons to file an application and have it considered within reasonable criteria. By no later than July 1, 1969, the methods for recruitment and selection must provide for the effective use of nonprofessional positions and for priority in employment to welfare recipients and other low-income people filling those positions.
- (3) The staffing pattern of the facility, reinforced by the staffing pattern of the operating and administering agency, must be in reasonable accord with the staffing patterns outlined in the Head Start Manual of Policies and Instructions and/or recommended standards developed by national standard-setting organizations.
- (4) In providing day care through purchase of care arrangements or through use of intermediary organizations, the administering agency should allow waivers by the operating agency only with respect to such administrative matters and procedures as are related to their other functions as profit-making or private nonprofit organizations; provided, that in order for substantial Federal funds to be used, such organizations must include provisions for parent participation and opportunities for employment of low-income persons. Similarly, there must be arrangements to provide the total range of required services. All waivers must be consistent with the law.
- (5) The operating or administering agency must provide for the development and publication of policies and procedures governing:
- (i) Required program services (i.e., health, education, social services, nutrition, parent participation, etc.) and their integration within the total program.
 - (ii) Intake including eligibility for care and services, and assurance that the program reaches those who need it.
 - (iii) Financing, including fees, expenditures, budgeting, and procedures needed to coordinate or combine funding within and/or between day care programs.
 - (iv) Relations with the community, including a system of providing education about the program.
 - (v) Continuous evaluation, improvement, and development of the program for quality of service and for the expansion of its usefulness.
 - (vi) Recording and reporting of information required by State and Federal agencies.
- (6) The administering and operating agencies and all facilities used by them must comply with title VI of the Civil Rights Act of 1964, which requires that services in programs receiving Federal funds are used and available without discrimination on the basis of race, color, or national origin.

(7) Where the administering agency contracts for services with private individuals or proprietary organizations, it must include contractual requirements designed to achieve the objectives of this section.

(b) *Coordination.* (1) Administering agencies must coordinate their program planning to avoid duplication in service and to promote continuity in the care and service for each child.

(2) State administering agencies have a responsibility to develop procedures which will facilitate coordination with other State agencies and with local agencies using Federal funds.

(3) Agencies which operate more than one type of program; e.g., a group day care home as well as day care center programs, are encouraged to share appropriate personnel and resources to gain maximum productivity and efficiency of operation.

§ 71.20 Evaluation.

(a) Day care facilities must be evaluated periodically in terms of the Federal Interagency Day Care Requirements.

(b) Local operators must evaluate their own program activities according to outlines, forms, etc., provided by the operating and administering agencies. This self-evaluation must be periodically planned and scheduled so that results of evaluation can be incorporated into the preparation of the succeeding year's plan.

APPENDIX G

MARCH 1977 DATA RELATING TO CHILDREN OF WORKING MOTHERS

Preliminary data relating to working mothers for March 1977 indicate that trends which are described in the text of this print, beginning on page 1, are continuing. The number of children under age 18 in the United States has continued to decline (by nearly 8 percent), from 65,755,000 in 1970 to 60,584,000 in 1977. The number of children under age 6 declined from 19,606,000 in 1970 to 17,117,000, or nearly 13 percent. The decline in the number of children 6 to 17 was from 46,149,000 to 43,467,000, or nearly 6 percent.

The number of children under 18 with mothers in the labor force increased from 25,544,000 in 1970 to 28,892,000 in 1977. This represents about 48 percent of all children. About 38 percent of the children under age 6 had mothers in the labor force in March 1977, increasing to 52 percent of the children age 6 to 17. The total number of children under age 6 with mothers in the labor force was 6,431,000, a statistically insignificant decline from 1976. The number of children age 6 to 17 with mothers in the labor force continued to increase, to 22,462,000 in 1977.

In March 1977 more than half of all mothers with children under age 18 were in the labor force (51 percent). As in earlier years, the labor force participation rate increases with the age of the children. The labor force participation rate is 41 percent for mothers with children under 6, 58 percent for mothers with children age 6 to 13, and 59 percent for mothers with children age 14 to 17.

According to the Department of Labor, nearly two-thirds of the 15.5 million mothers in the labor force in March 1977 were employed full time.

It should be noted that these figures include data for mothers who have never married, as well as for mothers who have been married. Annual statistics prior to 1976 generally excluded never-married mothers.

TABLE 1.—LABOR FORCE STATUS OF WOMEN 16 YEARS AND OVER, BY MARITAL STATUS AND PRESENCE AND AGE OF YOUNGEST CHILD, MARCH 1977

[Numbers in thousands]

Marital and labor force status	With children under 18 yrs									
	Total	No children under 18 yrs	6 to 17 yrs only						Under 6 yrs	
			Total	14 to 17 yr, none younger 6 to 13 yrs				Total	3 to 5 yrs, none younger	Under 3 yrs
				Total	14 to 17 yr, none younger	13 to 14 yr, none younger	12 to 13 yr, none younger			
Women, 16 yrs and over, total...	82,059	51,560	30,499	17,108	4,913	12,195	13,392	5,660	7,732	
In labor force.....	39,374	23,913	15,461	9,981	2,904	7,076	5,480	2,770	2,711	
Labor force participation rate.....	48.0	46.4	50.7	58.3	59.1	58.0	40.9	48.9	35.1	
Unemployment rate.....	8.5	8.3	8.7	6.4	6.1	6.5	13.0	11.0	15.0	
Never married, total.....	16,078	15,298	780	209	28	181	571	220	351	
In labor force.....	9,470	9,137	333	125	16	109	208	97	112	
Labor force participation rate.....	58.9	59.7	42.7	59.7	(¹)	60.0	36.5	43.9	31.8	
Unemployment rate.....	12.0	11.3	30.8	20.7	(¹)	21.6	36.9	28.0	44.6	

Married, husband present.....	47,984	22,886	25,098	13,800	3,924	9,876	11,298	4,590	6,708
In labor force.....	22,377	10,268	12,109	7,674	2,247	5,427	4,435	2,132	2,304
Labor force participation rate.....	46.6	44.9	48.2	55.6	57.3	54.9	39.3	46.4	34.3
Unemployment rate.....	6.8	6.1	7.4	5.5	5.4	5.6	10.8	8.7	12.7
Married, husband absent.....	3,110	1,431	1,679	895	234	661	784	380	404
In labor force.....	1,715	794	921	555	144	411	366	221	145
Labor force participation rate.....	55.1	55.5	54.8	62.0	61.3	62.3	46.6	58.1	35.8
Unemployment rate.....	13.8	10.7	16.5	12.1	12.0	12.1	23.4	22.3	25.0
Widowed, total.....	10,024	9,336	688	613	301	313	75	45	29
In labor force.....	2,251	1,891	360	326	154	172	34	23	11
Labor force participation rate.....	22.5	20.3	52.3	53.1	51.4	54.8	45.2	(¹)	(¹)
Unemployment rate.....	6.3	5.9	8.4	7.1	7.2	7.0	(¹)	(¹)	(¹)
Divorced, total.....	4,863	2,609	2,254	1,591	427	1,164	664	424	239
In labor force.....	3,561	1,822	1,738	1,301	343	958	437	298	139
Labor force participation rate.....	73.2	69.8	77.1	81.8	80.5	82.3	65.9	70.3	58.2
Unemployment rate.....	8.5	7.6	9.5	7.6	7.2	7.8	15.0	13.8	17.6

¹ Rate not shown where base is less than 75,000.

Note: Due to rounding, sums of individual items may not equal totals.

Source: Department of Labor.

TABLE 2.—NUMBER OF OWN CHILDREN UNDER 18 YRS OLD, BY AGE, RACE, TYPE OF FAMILY, AND LABOR FORCE STATUS OF MOTHER, MARCH 1970 AND MARCH 1977

[Numbers in thousands]

Item	Children under 18 yrs		Children under 6 yrs		Children 6 to 17 yrs	
	1970	1977	1970	1977	1970	1977
Total children ²	65,755	60,584	19,606	17,117	46,149	43,467
Mother in labor force.....	25,544	28,892	5,590	6,431	19,954	22,462
Mother not in labor force.....	39,550	30,885	13,923	10,582	25,627	20,304
Husband-wife families	58,399	50,279	17,920	14,780	40,479	35,499
Mother in labor force.....	21,982	23,341	4,947	5,411	17,035	17,930
Mother not in labor force.....	36,417	26,938	12,973	9,369	23,444	17,569
Families headed by women ³	6,695	9,499	1,593	2,233	5,102	7,266
Mother in labor force.....	3,562	5,551	643	1,020	2,919	4,532
Mother not in labor force.....	3,133	3,947	950	1,213	2,183	2,735
Other families headed by men ³	661	807	93	104	568	702
White children, total	56,903	51,500	16,940	14,574	39,963	36,926
Mother in labor force.....	21,194	23,915	4,459	5,191	16,735	18,724
Mother not in labor force.....	35,244	26,894	12,424	9,305	22,820	17,589

Husband-wife families.....	52,336	44,932	15,975	13,208	36,361	31,724
Mother in labor force.....	18,865	20,206	4,083	4,553	14,782	15,653
Mother not in labor force.....	33,471	24,727	11,892	8,656	21,579	16,071
Families headed by women ³	4,102	5,878	908	1,288	3,194	4,589
Mother in labor force.....	2,329	3,710	376	639	1,953	3,071
Mother not in labor force.....	1,773	2,168	532	650	1,241	1,518
Other families headed by men ³	465	690	57	78	480	613
Black children, total.....	8,054	7,905	2,381	2,144	5,673	5,761
Mother in labor force.....	4,015	4,360	1,031	1,062	2,984	3,299
Mother not in labor force.....	3,849	3,439	1,315	1,056	2,534	2,383
Husband-wife families.....	5,335	4,318	1,683	1,205	3,652	3,113
Mother in labor force.....	2,810	2,597	775	694	2,035	1,903
Mother not in labor force.....	2,525	1,721	908	511	1,617	1,210
Families headed by women ³	2,529	3,482	663	913	1,866	2,569
Mother in labor force.....	1,205	1,763	256	368	949	1,395
Mother not in labor force.....	1,324	1,718	407	545	917	1,173
Other families headed by men.....	190	106	35	26	155	80

¹ Preliminary.

² Children are defined as "own" children of the family head and include never married sons, daughters, stepchildren, and adopted children. Excluded are other related children such as grandchildren, nieces, nephews, cousins, and unrelated children.

³ Widowed, divorced, separated, and never married family heads.

Note: Due to rounding, sums of individual items may not equal totals.

Source: Department of Labor.

**TABLE 3.—NUMBER OF EARNERS IN FAMILIES AND INCOME
IN 1976 BY TYPE OF FAMILY**

[Numbers in thousands]

Number of earners and family income	Husband- wife families	Families headed by divorced, separated, widowed, and never- married—	
		Women	Men
Number of families:			
Total.....	47,497	7,713	1,500
<hr/>			
No earners.....	4,865	2,067	204
1 earner.....	15,410	3,513	689
2 earners or more.....	27,223	2,133	606
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Percent:			
Total.....	100.0	100.0	100.0
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No earners.....	10.2	26.8	13.6
1 earner.....	32.4	45.5	45.9
2 earners or more.....	57.3	27.7	40.5
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Median family income:			
Total.....	\$16,350	\$7,211	\$12,860
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No earners.....	6,570	3,794	5,703
1 earner.....	13,829	7,513	11,917
2 earners or more.....	19,345	12,396	16,742

Note: Due to rounding, sums of individual items may not equal totals.

Source: Department of Labor.

