

However, Boards must be aware that NEG-funded child care is not subject to Commission rules §809.272 and §809.273, regarding the child care appeals process. Boards must apply the WIA provisions in Commission rules, Chapter 841, Subchapters D and E, regarding the timeline and appeals process, for NEG-funded child care.

Child Care for Children Living with Noncustodial Relatives

Boards must be aware that the Commission has modified the definition of a parent, as set forth in Commission rule §809.2(6), for NEG participants. The modified definition, which is based on the Texas Health and Human Services Commission’s definition of a caretaker for purposes of TANF eligibility (1 TAC §372.102), includes relatives who are temporarily caring for a child until the child can be reunited with his or her parent(s).

An eligible relative includes an individual who is at least 18 years of age and is the child’s:

- grandparent;
- great-grandparent;
- aunt;
- uncle;
- sibling;
- second cousin (first cousin’s child or parent’s first cousin);
- nephew;
- niece;
- stepbrother; or
- stepsister.

The relationship extends to the:

- spouse of the listed relatives, even if the marriage has ended in death or divorce and regardless of when the child was born;
- degree of “great-great” for uncles, aunts, nephews, and nieces; and
- degree of “great-great-great” for grandparents.

ACTIONS REQUIRED:

Boards must ensure that appropriate staff is apprised of and complies with the requirements in this WD Letter.

INQUIRIES:

Direct inquiries regarding this WD Letter to the assigned contract manager for your local workforce development area.

Rescissions: None	Expiration: Continuing
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