

Reasons for Decision:

The appellant appealed that the appellant was found ineligible for a child care subsidy.

The appellant is a single parent whose reason for care is employment. In addition to the appellant's employment earnings the appellant is also in receipt of funds for CPP survivor benefits. The appellant does not dispute the income calculations used to determine the appellant's program eligibility. However, the appellant stated that the calculation to determine the appellant's eligibility has not been based on the appellant's actual cost of care, which is <amount removed> per month.

The subsidy program determined that based on the appellant's income the appellant is able to contribute <amount removed> towards child care costs. The appellant agrees that the appellant could afford to pay this amount; however, the appellant's child care cost is actually <amount removed> per month and therefore the appellant believes that the appellant should be eligible for a subsidy for the remaining amount of <amount removed>.

The decision letter sent to the appellant states the maximum cost of care for the purpose of subsidy calculation is to be \$376 per four week billing period. This is the regulated maximum amount a licensed child care centre can charge for a preschool child receiving 4-10 hours of care per day. In addition, licensed centres are allowed to charge an addition \$2.00 per day or \$40 per billing period which is not eligible to be subsidized. When the subsidy program calculates eligibility, the cost of care is calculated only on the regulated maximum amounts. Any additional fees charged for specialized programs are not taken into consideration.

The Child Care Subsidy Policy Section 3.02.01 states that:

- Any Non Profit Centre, Family Child Care or Group Child Care Home not in receipt of an Operating grant (unfunded facilities) and all Commercial Centres (these are not eligible for any grant funding) can have separate fees for non-subsidized families only. However, these separate fees cannot be lower than the fees charged to subsidized families.

After carefully considering all the written and verbal information the Board has determined that the appellant's eligibility for subsidy has been determined in accordance with *The Community Child Care Act* and the Regulation. The centre where the appellant has a child placed is an unfunded facility. Once it has been determined that the appellant does not qualify for a subsidy, then the facility which is providing care is not bound by the maximum cost of care provisions of The Community Child Care Regulation. The subsidy calculation to determine eligibility for subsidy must be completed based on the maximum cost of care and not the actual cost of care charged to an unsubsidized person. Therefore the decision of the director has been confirmed.

