

SECTION V - Your Rights and Responsibilities

Please: (1) read each section carefully; (2) make sure you understand each statement; (3) ask for clarification of any questions; and (4) sign and date at the bottom.

Welcome to the Child Care Assistance Program. This program is to support our families while they are working, attending school, participating in an approved activity, or participating in TANF. You may request a full copy of the Child Care Assistance regulations (8.9.3 NMAC) from your local office or obtain a copy at www.nmececd.org.

AGREEMENT TO PROVIDE INFORMATION

I agree to provide information needed to determine eligibility for benefits for myself and others for whom I am applying. I understand that my social security number is not required to receive benefits. I understand that I have to prove my eligibility and agree to do this. I give my permission to the New Mexico Early Childhood Education & Care Department (ECECD) to contact persons or agencies who have knowledge of my circumstances to obtain needed information which I may not be able to give or verify. I understand that all information given to ECECD is confidential and is restricted to ECECD employees who need it for the administration of programs for which I have applied and that this information will be used solely for the purpose of establishing eligibility, amount of benefits, or for providing services. I further understand that confidential information may be released to other agencies involved in the administration of federally assisted programs that provide income supplemental benefits

CLIENTS' RIGHTS

Application requirements. In order to decide if you can get childcare benefits, you must turn in a complete application and provide certain documents, including proof of countable income, proof of age, relationship and identity for your child and required information for all household members. See 8.9.3.10 NMAC.

If you do not provide all the required documents with your application, ECECD will send you a letter, telling you what documents you need to provide. You will have at least 14 (fourteen) days to turn in these documents. See 8.9.3.10(C) NMAC. ECECD must process your application within 10 working days of receiving all the required documents. See 8.9.3.16(C) NMAC. List of requirement documents can be found at www.nmececd.org/child-care-assistance/

Finding a Child Care Provider. ECECD promotes equal access. You have the right to select a provider of your choice. Visit <https://childcare.ececd.nm.gov/search> or call New Mexico Kids Resource and Referral at 505.277.7900 in Albuquerque or 1.800.691.9067 statewide for a list of providers. To view health and safety requirements met by the provider, history of violations of these requirements, and quality rating met by the provider, please visit <https://www.nmececd.org/child-care-services/child-care-licensed-and-registered-provider-inspection-surveys/>. Any concerns regarding your child care provider, to include abuse or neglect, please call 1-888-351-0037 or emailing at ChildCare.Complaint@state.nm.us.

Duration of benefits. If you qualify for benefits, ECECD must approve you for a 12-month eligibility period, unless you request a shorter time frame. See 8.9.3.11(B) NMAC. You may suspend your case at any time during your 12-month eligibility if you do not need child care. Your child care provider will not receive payment during this time. This request may be submitted by fax, e-mail, or telephone to the department. See 8.9.3.14(A) NMAC.

You will remain eligible for child care assistance if a temporary change in activity occurs. A temporary change in activity includes: 1) a limited absence from work for employed parents including for periods of family leave (including parental leave) or sick leave; 2) interruption in work for a seasonal worker; 3) a holiday or break for parents who are in school or participating in training program; or 4) reduction in work, training or education hours, as long as the parent is still working or attending training or education; 5) cessation of work or attendance at a training or education program less than three months. See 8.9.3.7(T)(3) and 8.9.3.11(B)(4) NMAC.

If the change in activity becomes non-temporary, your child care placement agreement with your provider may be closed but you will remain eligible for the 12-month eligibility. See 8.9.3.11(B)(5), 8.9.3.14(B), (C)(1) NMAC.

Complaints. You may ask to speak with a supervisor if you are dissatisfied with the services you have received or if have questions regarding your case that you feel your caseworker has not been able to address. You may also submit a complaint orally or in writing any time to a child care assistance office. See 8.9.3.23 NMAC.

Confidentiality. Your information will remain confidential and will only be released in the following circumstances: to you at your request; to someone who has written authorization from you; where the individual's involvement in the administration of federally assisted programs; or as requested in a subpoena. See 8.9.3.25 NMAC.

Civil Rights Statement. It is unlawful to discriminate against any applicant or recipient of any program administered by ECECD due to race, color, sex, age, religious creed, national origin, handicap or political beliefs. Complaint of discrimination may be filed with ECECD's central office, the U.S. Department of Justice, or the Civil Rights Commission in Washington, D.C.

Fair Hearing. You or your representative may request a Fair Hearing if you do not agree with any decision made on any matter concerning your case. You can have a friend or family members participate in the fair hearing with you. You may also be able to get free legal help. To learn more about free legal help, call NM Legal Aid at (833) LGL-HELP ((833) 545- 4357). The request for a Fair Hearing must be made in writing within 30 days from the date that the Department took action affecting your benefits. Please mail request to ECECD-Early Care, Education and Nutrition, PO Drawer 5619 Santa Fe, NM 87502-5619. You have the right to examine, prior to the hearing, your case record and documents used in the determination of the appealed action. You may elect to continue receiving benefits pending the outcome of the Fair Hearing. However, if the decision is not in your favor, you will be required to repay this money unless the hearing decision or Division Director authorizes otherwise. See 8.9.3.22 NMAC

