



STATE OF DELAWARE
STATE COUNCIL FOR PERSONS WITH DISABILITIES

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MEMORANDUM

DATE: July 23, 2012

TO: Ms. Sharon L. Summers, DSS
Policy, Program & Development Unit

FROM: Daniese McMullin-Powell, Chairperson
State Council for Persons with Disabilities

RE: 16 DE Reg. 47 [DSS Prop. Child Care Subsidy Program Tech. Eligibility Reg.]

The State Council for Persons with Disabilities (SCPD) has reviewed the Department of Health and Social Services/Division of Social Services' (DSS) proposal to amend a child care subsidy program eligibility regulation. There is one substantive change, i.e., clarification that parents/caretakers must be Delaware residents. Otherwise, the Summary of Proposed Changes section reflects the following rationale for amendments:

The name of the section is changed to more accurately indicate the content of the policy. This policy section is reformatted and clarifying language is also provided to make the rules easier to understand and follow. Specifically, this regulatory action adds the eligibility requirement that parents/caretakers must be Delaware residents. The applicable federal citation is also added to the policy section.

SCPD has the following observations and recommendations.

First, §3.C. refers to "(o)btaining status as a a sy lee." The error appears in both the printed and on-line version of the regulation. Based on the current Administrative Code version of the regulation, the reference should be "(o)btaining status as an asylee." The Webster's Dictionary definition of an "asylee" is attached.

Second, as noted above, the Summary of Proposed Changes indicates that the regulation is being reformatted for clarity. Unfortunately, while the current regulation contains punctuation, the proposed version omits corresponding punctuation. Consider the following:

- Subsection 1.A. should have a concluding period.
- Subsections 1.B. 1-6 omit semicolons and Subsection 1.B.7. should have a concluding period.
- Subsection 2.A. omits a semicolon; Subsection 2.B. should conclude with “; or”; and Subsection 2.C. should have a concluding period.
- Subsections 3.A. and B. lack concluding semicolons.
- Subsections 3.C.A. omits a concluding semicolon;
- Subsection 3.C.B. should conclude with “; or”; and
- Subsection 3.C.C. lacks a concluding period.

Third, the Division should consider converting Subsections 1.C., Pars. A-C, to Pars. 1-3. Compare Subsection 1.B., Pars. 1-7.

SCPD endorses the proposed regulation subject to consideration of the above recommended edits.

Thank you for your consideration and please contact SCPD if you have any questions or comments regarding our observations or recommendations on the proposed regulation.

cc: Ms. Elaine Archangelo
Mr. Brian Hartman, Esq.
Governor’s Advisory Council for Exceptional Citizens
Developmental Disabilities Council

16reg47 dss-child care eligibility 7-23-12

Webster's Online Dictionary

with Multilingual Thesaurus Translation

Asylee	[Definitions Only]
Earth's largest dictionary with more than 1226 modern languages and EVEL	



Specialty Definition: Asylee

Domain	Definition
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<u>Immigration</u>	An alien in the United States or at a port of entry who is found to be unable or unwilling to return to his or her country of nationality, or to seek the protection of that country because of persecution or a well-founded fear of persecution. Persecution or the fear thereof must be based on the alien's race, religion, nationality, membership in a particular social group, or political opinion. For persons with no nationality, the country of nationality is considered to be the country in which the alien last habitually resided. Asylees are eligible to adjust to lawful permanent resident status after one year of continuous presence in the United States. These immigrants are limited to 10,000 adjustments per fiscal year. (references)
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