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# Court: Suffolk must restore child care funds

July 30, 2012 by LAURA FIGUEROA / [laura.figueroa@newsday.com](mailto:laura.figueroa@newsday.com)



A federal judge has ruled that Suffolk County must temporarily restore child care benefits to roughly 1,200 children cut from the program earlier in the month.

Responding to a lawsuit filed in U.S. District Court in [Central Islip](#) by three low-income working families, Judge Joanna Seybert ruled on July 26 that the Suffolk [Department of Social Services](#) failed to provide parents with adequate information about why they were no longer eligible for the program. Seybert called that a violation of due process rights.

The weak economy has spurred increased demand for the program at the same time state funding has dropped, Suffolk officials said. The county has changed its income eligibility rules three times since January to reduce enrollment. The program provides stipends for child care expenses so that low-income parents can remain in the workforce.

Under the ruling, Suffolk must send notices to some 620 parents that include the income limit under the county's new eligibility requirements and an explanation of why the county believes a family does not meet the new poverty threshold.

Social Services Commissioner Gregory Blass said a revised letter would be sent soon, pending court approval of the new language.

The county also must retroactively pay for child care costs incurred by parents since July 14. Blass did not have an estimate of the total reimbursement, but said the average monthly stipend is \$641 per child.



Blass criticized the lawsuit, saying the letters were similar to those sent throughout the state.

He also said the retroactive payments would eat into the county's \$29.7 million in state funding, possibly leading to other cuts. That amount is down from \$33.8 million in 2007.

"This is going to cause funds to be depleted for the more desperately poor much sooner," Blass said. "People that were deemed ineligible are going to get it longer, while people who are eligible will receive less."

Attorneys for the Empire Justice Center and National Center for Law and Economic Justice, legal nonprofits representing the families, say the families had no way of knowing whether they were ineligible because the letters did not list the specific income requirements.

Under Suffolk's new standards for the program, approved by the state in June, families must be at or below the federal poverty line, meaning that the income for a family of four cannot exceed \$1,921 a month.

Last year, the ceiling was twice the poverty level or \$3,842 in monthly income for a family. The threshold was reduced to 185 percent in January, removing 360 children from the program, and to 150 percent in April, cutting another 568 children.

Antos said the suit only applies to those parents notified in July, not those previously cut.

"Hopefully going forward not only Suffolk but all continues will have to realize that their notices have to be more specific," Antos said.

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