

WORKFORCESOLUTIONS
G R E A T E R D A L L A S

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| Policy Number: S0508, change 9 | RE: Texas Administrative Code 809.41, 809.42, 809.44, 809.49 and 809.19, Child Care Services Guide, WD Letter 22-20 |
| Date Issued: 10/22/2020 | Effective Date: 10/1/2020 |

GENERAL ELIGIBILITY REQUIREMENTS

Background

In accordance with State and Federal regulations, the following policy applies for establishing eligibility requirements for child care services.

Policy

Except for a child receiving or needing protective services as described in §809.49, for a child to be eligible to receive child care services, the child shall (see §809.41):

- (1) Meet one of the following age requirements:
 - (A) Be under 13 years of age; or
 - (B) At the option of the Board, be a child with disabilities under 19 years of age; and
 - (C) A US citizen or a legal immigrant as determined under applicable federal laws, regulations, and guidelines; and
- (2) Resides with:
 - (A) A family within the Board's area:
 - (i) whose income does not exceed 85 percent of the state median income for a family of the same size;
 - (ii) whose assets do not exceed \$1,000,000 as certified by a family member; or
 - (iii) that meets the definition of experiencing homelessness as defined in §809.2.
 - (B) A parent who requires child care in order to work or attend a job training or educational program; or
 - (C) A person standing in loco parentis for the child while the child's parent is on military deployment and the deployed military parent's income does not exceed the limits set forth in the subparagraph (A) of this paragraph.

Income Exclusions

Specifically, family income does not include:

- (1) Medicare, Medicaid, SNAP Benefits, school meals, and housing assistance;
- (2) Monthly monetary allowances provided to or for children of Vietnam veterans born with certain birth defects;
- (3) Needs-based educational scholarships, grants, and loans; including financial assistance under Title IV of the Higher Education act – Pell grants, Federal Supplemental Educational Opportunity grants, Federal Work Study Program, PLUS, Stafford loans, and Perkins Loans;
- (4) Individual Development Account (IDA) withdrawals for the purchase of a home, medical expenses, or educational expenses;
- (5) One time cash payments, including tax refunds, Earned Income Tax Credit (EITC) and the Advanced EITC, one-time insurance payments, gifts, and lump sum inheritances;

- (6) VISTA and AmeriCorps living allowances and stipends;
- (7) Noncash or in-kind benefits (employer-paid fringe benefits, food, or housing received in lieu of wages);
- (8) Foster care payments and adoption assistance;
- (9) Special military pay or allowances, including subsistence allowances, housing allowances, family separation allowances, or special allowances for duty subject to hostile fire or imminent danger;
- (10) Income from a child in the household between 14 and 19 years of age who is attending school;
- (11) Early 401(k) withdrawals from qualified retirement accounts specified as hardship withdrawals as classified by the IRS;
- (12) Unemployment compensation;
- (13) Child support payments;
- (14) Cash assistance payments, including TANF, SSI, Refugee Cash Assistance, general assistance, emergency assistance, and general relief;
- (15) One-time income received in lieu of TANF cash assistance;
- (16) Income earned by a veteran while on active military duty and certain other veteran's benefits, such as compensation for service-connected death, vocational rehabilitation, and education assistance;
- (17) Regular payments from Social Security, such as Old-Age, and Survivors Insurance Trust Fund;
- (18) Lump sum payments received as assets in the sale of a house, in which the assets are to be reinvested in the purchase of a new home (consistent with IRS guidance);
- (19) Payments received as a result of an automobile accident insurance settlement that are being applied to the repair or replacement of an automobile; and
- (20) Any income sources specifically excluded by federal or regulation.

Any income that is not listed above as an exclusion from income is included as income.

The maximum gross income level for eligibility is set at 85% SMI. The Board will follow updated poverty guidelines as issued in State and Federal policy. The Board maintains an existing policy of eligibility determination and redetermination every 12 months. This policy has been modified to allow flexibility to streamline the implementation of the childcare rule changes, including the option to extend the eligibility period for families currently in care in order to allow sufficient time to train contractor staff and make parents aware of the new eligibility requirements. This policy allows for 45 days extension of the eligibility period.

Action Required

This policy should be distributed to all affected staff.

Contact

Inquiries regarding this policy should be directed to **Connie Rash, Senior Vice President, Resource Development and Deployment at 214.290.1008.**

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| Approved for Content: | |
| <i>Connie Rash</i> | |
| Signature | Date |
| <i>Ami P. Belli-Pena</i> | |
| President's Signature | Date |