

COVID-19 Policy-0720 Implementation of Childcare Services	RE: State policy – WD Letter 07-20, as amended
<i>Date effective: 03/01/2020</i>	<i>Date released: 04/29/2020</i>

COVID-19 WORKFORCE POLICY

Background: To offer guidance and assist individuals affected by COVID-19. On March 26, 2020, TWC issued new childcare policy guidance on COVID-19.

Policy: WFSDallas will follow the Texas Workforce Commission Guidance #07-20, as amended, and as it applies to the Child Care System serving Dallas County.

Childcare Absences Related to COVID-19

Chapter 809 Childcare Services rule §809.78(a) requires parents to ensure that children meet attendance standard for child care services. To provide relief to families that may have accumulated absences due to COVID-19, Boards must consider all absences beginning March 1, 2020, to be COVID-19 related until further notice from TWC.

Chapter 809.78(d)(1) requiring the written notices to parents and programs when a child reaches 15 and 30 general absences cumulatively within a 12-month eligibility period, is temporarily waived for all absences occurring on or after March 1, 2020 until further notice.

Effective March 1, 2020, Board must allow children to accrue COVID-19 related absences without affecting ongoing eligibility. “Non-swipes” or “Z days” are included in this exemption. Notice will be provided when this absence policy has concluded.

WFSDallas will continue to pay programs based on active referrals, including referrals for children who have accrued absences that exceed attendance standards.

Child Care Attendance Tracking

Child Care Licensing has issued guidance and plans to issue guidance through emergency rules, requiring that children be dropped off and picked up outside of child care facilities. Therefore, parents will be unable to enter a child care program facility unless a legitimate and compelling need exists.

Non-swipes will not count as absences as described above, however child care program must continue to report child attendance during this period.

TWC’s child care automated attendance system (CCAA) will continue to operate, and child care programs will make point of service (POS) devices available to parents to include the following measures:

- Provide POS devices outside locations where parents are dropping off children so parents may continue to record attendance,
- Ensure POS devices placed outside are protected from inclement weather,
- Reconnect devices at least daily to upload attendance to CCAA

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- Childcare programs may submit attendance through alternative methods (weekly electronic list of children in attendance, or scanned sign in sheets). As an alternative, utilize TWIST (Declaration of Services) or ChildCareGroup’s web portal for documenting attendance. Contractor will retain attendance reports.
- Childcare Contractor must submit weekly reports to the Board summarizing the percentage of children actually in attendance. Reports are due by Close of Business each Wednesday for the preceding week, beginning April 1, 2020, to include all of the following:
 1. Number of referrals that were active at any point during the preceding week,
 2. Number of children recorded as present at any point during the preceding week,
 3. Calculated percentage of children in attendance based on requirement 1 and 2.

In accordance with WD Letter 07-20, WFSDallas will ensure that contractor will make available information on health and safety suggestions to child care programs (Attachment 1).

Parent Share of Cost

TWC rule §809.19(a)(1)(C) requires Boards to set the Parent Share of Cost (PSOC) at an amount that is affordable and does not result in a barrier to families receiving assistance. Families affected by COVID-19 might be unable to pay PSOC due to loss of income, unforeseen health care expenses, inability to leave home because of self-isolation or quarantine, child care program closure or other COVID-19 related reasons. WFSDallas considers COVID-19 as an extenuating circumstance for families during which the PSOC is unaffordable.

On a case-by-case basis, WFSDallas will offer a fee reduction or no fee for the period of March 1 -31, 2020. This will cover the costs associated with parents who did not pay the PSOC. Contractor must have a procedure in place for the fee reduction or no fee during this period. Pending TWC guidance on PSOC beginning in April 2020, TWC is pursuing a federal waiver from the Office of Child Care which will temporarily suspend the PSOC.

Upon approval of the federal waiver, WFSDallas will make supplemental payments to child care programs to cover PSOC payments beginning in April 2020.

Interruptions in Parents’ Ongoing Participation in Work, Education, or Training

COVID-19 Related Temporary Changes in Activity

COVID-19 related events might lead to temporary change in a parent’s work, education or training status and do not affect a child’s ongoing eligibility for child care services. Such events may include, but are not limited to, the following:

A parent or household member diagnosed with or is suspected of having COVID-19

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A health official or medical professional directs a parent or family to self-quarantine

The parent’s employer or education and training provider closes or reduces employee’s hours because of illness or public health risk-mitigation

Closure of a child care program results in a parent being unable to work or participate in work, education, or training,

Closure of a school results in a parent having to miss work, education, or training in order to care for a school-age child under age 13 or a child with a disability under age 21.

Continued Care for Currently Enrolled Children

Contractor must be aware that if a parent is displaced from work, training, or education activities due to COVID-19, the displacement is considered a temporary status change, and care for enrolled children continues pursuant to 809.51 (a)(1), without being subject to termination.

Temporary Changes Exceeding Three Months

As described in 809.51, a temporary change in a parent’s ongoing status in work, education or training does not affect a child’s ongoing eligibility for child care services.

When a contractor becomes aware of a break in activity, related to COVID-19, if the parent is expected to return to work, education and/or training, contractor must treat that break as temporary, even if the break is longer than three months.

Contractor must not create *Activity Interruption* records in TWIST for temporary interruptions.

Parent Reporting of Changes Related to COVID-19

As required by 809.73, parents are not required to report temporary changes in ongoing participation in work, education or training.

Permanent Loss of Work, Education, or Training

Contractor must record the permanent loss of work, education or training for parents receiving childcare services described in Child Care Services Guide Section D 802, even if the permanent loss is due to COVID-19.

Continued care must be provided for a minimum of three months as required by 809.51(b). TWC is monitoring the COVID-19 situation and may issue future guidance to provide care beyond three months if labor market conditions warrant.

In accordance 809.71, parent must receive written notification at least 15 calendar days prior to any termination of child care services.

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COVID-19 and Child Care RedeterminationsIncome Calculations

Parents might increase their work hours due to COVID-19 (for example, as result of coworkers' inability to work or because of increased demand for services in the parents' occupation). These increased work hours might result in a temporary fluctuation of, and increase in, earnings.

Section 809.44(a) requires consideration irregular fluctuations in earnings and to ensure that temporary fluctuations in income do not affect eligibility. See section D-107 of the Child Care Services Guide. This flexibility must be provided to parents whose income has been affected by COVID-19.

Minimum Work-Hour Requirements

Parents who experience work interruptions might face reductions in work hours and find it to access eligibility documents and/or proof of minimum activity hours.

Section D-202a. of the Child Care Services Guide offers guidance on how to account for fluctuations in participation hours for situations that are outside of the parent's control. This flexibility must be provided to parents who work hours have been affected by COVID-19.

Extension of Redetermination Period

WFSDallas will extend a family's redetermination period date pursuant to 809.42(b) for three months from the original redetermination date due to extenuating circumstances such as:

- Parent is experiencing a COVID-19 related temporary interruption in work, education or training;
- Parent has become unemployed and is unable to find work due to COVID-19's effect on the local labor market; or
- Child Care Contractor is facing staffing shortages or office closures because of COVID-19 and they are unable to process re-certifications timely.

TWC will continue to monitor the COVID-19 emergency and may issue future guidance regarding extensions of eligibility redeterminations.

As noted above, WFSDallas will continue to process redeterminations as long as consideration is given to how work hours and income are calculated (as noted in the WD letter #07-20.)

WFSDallas will ensure that contractor staff document the reason for redetermination extensions in the TWIST Counselor Notes.

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Priority of Services

Children of essential workers will receive priority of service and access to an expedited enrollment process for child care financial assistance.

Payments to Child Care Programs**Ongoing Payments to Programs**

CCL began collecting information about COVID-19 related closures and reporting data to TWC on March 16, 2020 and that TWC will share the closure information with Boards as it becomes available.

For Child Care Programs that temporarily close or reduce operating capacity because of COVID-19, the child care authorization shall continue.

Children with active child care referrals at the time a child care program temporarily closes because of COVID-19, affected child care programs must be reimbursed based on each child’s authorized referral unless the parent requests that:

- Child care be suspended; or
- Child care be transferred to a new child care program or local workforce development area.

Child care payments due to temporary closures must be made at the reimbursement rate that was in effect at the time of closure.

School-Age Children Requiring Full-Time Care

School-age children might require full-time care during school closures. IF a school-age child requires additional full-time care, contractor must temporarily close the blended or part-time referral and create a new full time referral. Once the child returns to a regular school schedule, the contractor must close the full-time referral and create a part-time or blended referral. If a child care program closes, the contractor must leave the referral as it was when the closure occurred.

Documentation must be maintained of referral changes for children whose referrals are changed due to COVID-19. However, Boards are not required to send individual TWIST form 2450 or to enter TWIST Counselor Notes, but they must notify programs of COVID-19 related referral changes.

Circumstances Requiring Discontinuance of Child Care Program Payments

If parent requests a transfer to a new child care program, the Board/contractor must cease payments to the previous program and authorize payments to the new program. Transfers that are requested because of program closures or other special accommodations that are made because of COVID-19 must not count toward limitations on the number of transfers the Board allows.

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Additionally, if a child care program permanently closes, boards must end authorizations for care at that facility and work with the families to find placement with another eligible program. If acceptable care cannot be found, then the child’s care is suspended, and the child care referral is closed. The child’s current eligibility period remains, and the TWIST program detail remains open.

COVID-19 Child Care Program Closures Report

CCL will regularly provide TWC with data on program closures. TWC will share the reports with the local boards as the reports become available, which initially will be daily. Boards/contractor must monitor closures of CCDF-funded programs and use data to implement provisions of this guidance as well as to communicate about the local effects of COVID-19

On March 20, 2020, TWC will share data on all closed child care programs statewide, including programs that do not currently accept child care subsidies. Boards may use this data to inform planning, sharing the report with city, county authorities, hospital districts, and other stakeholders working to ensure availability of child care for essential workers.

Child Care Licensing Guidelines

Contractor must follow all applicable guidance from CCL and local health authorities, including the CCL emergency rules, with respect to program operations and public health measures.

Texas Rising Star Processes

Due to CCL emergency rules limiting access to child care programs and the rapidly evolving state and local directives, Contractor must postpone all required quarterly CCL screenings and assessments or visits for certified Texas Rising Star programs until further notice.

WFSDallas will extend assessments and monitoring visits with Texas Rising Star programs that were scheduled to occur on or after March 16, 2020. WFSDallas and its contractors will evaluate at three months to determine if additional time is needed, but not to exceed six months from the originally scheduled date. Guidance will be issued as needed regarding the Texas Rising Star assessments and visits.

For programs whose star level has decreased as a result of quarterly screening compliance issues, WFSDallas/contractors must conduct quarterly screenings as applicable to the program’s star level reduction time frame, to determine whether the program qualifies for having its star level increased to its previous level.

Contractors must ensure that the following COVID-19 related Texas Rising Star actions are documented in *TWIST Comments/Counselor Notes* and *Engage Event Log*:

- Extensions to certifications
- Rescheduling of assessments or monitoring visits

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- Postponed quarterly CCL screenings
- Other relevant information related to COVID-19 and the program’s ongoing status in Texas Rising Star

Public Health Guidance for Child Care Programs

Texas Department of State Health Services (DSHS) is working with the Centers for Disease Control and Prevention (CDC) in monitoring COVID-19. WFSDallas will share guidance with child care programs.

Action: During COVID-19, WFSDallas will implement the WD Letter 07-20 and as amended. Please see https://twc.texas.gov/files/policy_letters/07-20-twc.pdf and attachment 1 https://www.twc.texas.gov/files/policy_letters/attachments/07-20-att-1-twc.pdf

Questions: For any questions, related to this policy, please contact Demetria Robinson, Vice President at 214-290-1013.

Approved for Content:

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