


July 1, 2016

**MEMORANDUM**

**TO:** Community Based Care Organizations

**FROM:** Rodney J. MacKinnon, Executive Director, 

**SUBJECT:** IMPLEMENTATION OF THE NEW 12 MONTH SCHOOL READINESS  
ELIGIBILITY REQUIREMENTS – At-Risk Referrals

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The Child Care Development Block Grant (CCDBG) Act of 2014 establishes a 12-month eligibility period for school readiness (SR) families. The State is required to demonstrate that each child who receives assistance will be considered to meet all eligibility requirements for such assistance and will receive such assistance, for not less than 12 months before the State redetermines the eligibility of the child, regardless of changes in income (as long as income does not exceed the federal threshold of 85 percent of State median income (SMI)) or temporary changes in participation in work, training, or education activities. Additionally, the State has exercised the option to allow for a 3-month job search which includes a parent's non-temporary job loss or cessation of attendance at a job training or education program. Both requirements are included in House Bill 7053 which will be enacted on July 1, 2016. Accordingly, the purpose of this memo provides guidance on implementation of these requirements.

For all new and redetermined At-Risk children (billing group—BG1), the early learning coalitions and Redlands Christian Migrant Association (RCMA) are instructed to authorize 12 months of eligibility regardless of the time period indicated on the referral. For the relative caregiver at –risk billing group (BG3R), the authorization period will be 12 months or less. However, this does not mean that referring agencies should change current practice regarding time periods of referrals. The referring agency should continue to follow the agency's own current practice and policy when determining the length of the referral.

**New Eligibility Process for At-Risk Placements**

For at-risk children, early learning coalitions and RCMA will collect income documentation at the time the child's referral is submitted. Based on the family income, a parent copayment will be determined. However, the copayment may be reduced or waived on a case-by-case basis in accordance with section 1002.84(8), Florida Statutes (FS). If the at-risk family's income documentation is not available at the time the referral is submitted, the early learning coalition or RCMA will still provide SR child care funding for the child. The coalition and RCMA will coordinate with the referring agency to obtain the necessary income documentation.

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## **Implementation of 12-Month Eligibility Requirements for SR, July 1, 2016**

For at-risk children whose family income is at or below 85 percent of the SMI, the early learning coalition or RCMA shall inform the family that if the at-risk referral is not renewed during the 12-month eligibility period and income has not changed (and employment/educational training activities continue) since the initial eligibility determination, any copayment waiver will expire on the day after the referral's expiration. The at-risk child's SR child care funding will be continued for the remainder of the 12-month eligibility authorization under the billing group that aligns with the new purpose for care.

For at-risk children whose family's income is at or below 85 percent of the SMI and whose referral is not renewed during the 12-month eligibility period and a purpose for care (i.e., employment/educational activities, disability, etc.) is not established, the parent will be given 3 months to establish purpose for care under the at-risk billing group assigned. If the purpose for care is not reestablished by the end of the 3 month period, SR child care funding will be discontinued.

For at-risk children whose family's income is above 85 percent of the SMI at the end of the initial authorized referral period, the early learning coalition or RCMA shall inform the family that SR child care funding will be discontinued.

### **3-Month Purpose for Care Reestablishment Period**

School readiness children shall not be terminated prior to the end of the 12-month eligibility period based on a parent's non-temporary job loss or cessation of attendance at a job training or education program. Parents shall be provided a 3 month period to re-establish their purpose for care. The 3-month period will start on the last day of verifiable employment/training/education for working families or the last day of the referral period for at-risk families. If a parent does not establish a purpose for care at the end of the 3-month period, SR funding would be discontinued.

Statute refers to a break in service of 90 days as well as 3 months. For consistency purposes the early learning coalitions and RCMA should use 3 months unless that period is less than 90 days. Guidance will reference 3 months.

### **Parent Copayments**

The following requirements apply:

- Copayments will be assessed for all children.
- Once assessed an early learning coalition or RCMA may waive the copayment for an at-risk child or temporarily waive the copayment for child in accordance with section 1002.84(8), Florida Statutes and their approved SR Plan.
- Copayments shall not be increased during the 12-month eligibility period.
- Copayments shall be decreased during the 12-month eligibility period if a parent contacts the early learning coalition or RCMA requesting a decrease in their parent copayment due to a decrease in income or increase in family size.

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- Copayments for at-risk children that do not provide income documentation at the time the referral is submitted will be assessed a copayment at 200 percent of the FPL for the family size.

Please feel free to contact [OEL.Questions@oel.myflorida.com](mailto:OEL.Questions@oel.myflorida.com) or your local early learning coalition with any questions or comments.

## Implementation of 12-Month Eligibility Requirements for SR, July 1, 2016

### Frequently Asked Questions

**1. Which SR billing groups will the new 12-month eligibility requirement be applied?**

All at-risk SR referrals are subject to the 12-month eligibility requirement except for the relative caregiver billing group (BG3R). Also, all children eligible under economically disadvantaged (billing group BG8), Special Needs (billing group CF), and Child Care Executive Partnership (billing group CAPP) are subject to the 12-month eligibility requirement.

**2. For at-risk children, coalitions and RCMA will collect income documentation at the time the referral is submitted. What type of income documentation should accompany the referral?**

All earned and unearned income should be submitted when the referral is being processed.

**3. For at-risk children, what is the purpose of collecting the income documentation when the referral is being processed?**

The family copayment will be determined based on this income documentation.

**4. For at-risk children, is a coalition/RCMA expected to waive or reduce family copayments? No.**

In accordance with section 1002.84(8), FS, the coalition/RCMA may, on a case-by-case basis, waive the copayment. The coalition/RCMA may choose to do the following regarding copayment assessment:

- Waive the copayment for the entire initial 12 month authorization period (case-by-case basis).
- Reduce the copayment to the lowest fee for the family size (case-by-case basis).
- Set the copayment at the fee associated with the income and family size indicated on the coalition's/RCMA's sliding fee scale.
- If the family income is greater than 200 percent of the Federal Poverty Level (FPL), but less than 85 percent of the State Median Income (SMI), set the copayment at the fee for the family size.
- If the family income is greater than 85 percent of SMI, set the copayment at the fee that equals 85 percent of the SMI for the family size. The family will be informed during the processing of the referral that SR child care funding will be discontinued when the at-risk referral expires.

**5. If income documentation is not available when the at-risk referral is being processed, how should the coalition/RCMA proceed?**

The coalition/RCMA will proceed with placing the child(ren) into care. On a case-by-case basis, the coalition/RCMA may choose to do the following regarding copayment assessment:

- Waive the copayment for the entire initial 12 month authorization period;
- Reduce the copayment to the lowest fee for the family size;
- Set the copayment at the fee that equals 200 percent FPL for the family size with the option of re-accessing the copayment to a lower fee once the family submits income documentation either during the referral period or after the referral period if the family meets purpose for care for the remainder of the initial 12 month authorization.

## Implementation of 12-Month Eligibility Requirements for SR, July 1, 2016

**6. For at-risk children if the referral is renewed during the 12-month period, do we need to do a redetermination?**

No, the coalition/RCMA should obtain the new referral from the referring entity or family. The coalition will have to coordinate with the referring agency and the family to ensure the coalition is kept abreast of the referral status during the 12-month eligibility authorization. Documented communication between the ELC and the referring agency is acceptable proof of referral renewal (along with the new referral) during the 12-month eligibility period. If the parent is responsible for submitting the referral, then the parent will need to communicate with the ELC/RCMA.

**7. Does the coalition or RCMA count foster parent income?**

No, only the child’s income should be counted to determine the parent copayment.

**8. Is income documentation required to serve at-risk children?**

No (See #5)

**9. Can the parent copayment be waived or reduced on a case-by-case basis?**

Yes (See # 4 and 5)

**10. What is the big change?**

It is more important that income is collected so that families can be informed of what the parent copayment will be when their referral expires during the 12-month eligibility period. If you do not have the income then assess it on the income of a family of the same size at 200 percent of the FPL.

**11. What is the practical application of these changes?**

At-risk families will receive a 12-month eligibility however they are still subject to the “3-Month Purpose for Care Reestablishment Period” requirements when a referral expires.

**12. What are the income requirements?**

They remain the same, see below.

Eligibility Group	Income Eligibility	Countable Income
At-Risk In Home	Eligibility is not dependent on income, but if available should be used to calculate parent fee.	If available, count earned and countable unearned income from all household members who are a part of the family unit. Exclude income earned by children, including a concurrently enrolled high school student who has attained 18 years or a concurrently enrolled student with a disability who has attained 22 years
At-Risk Foster Care	Eligibility is not dependent on income, but if available should be used to calculate parent fee.	If available, count child(ren)'s income only

**Implementation of 12-Month Eligibility Requirements for SR, July 1, 2016**

Eligibility Group	Income Eligibility	Countable Income
At Risk Out of Home	Eligibility is not dependent on income, but if available should be used to calculate parent fee.	If available, count child(ren)'s income only
Protective Investigation In Home	Eligibility not dependent on income, but if available should be used to calculate parent fee.	If available, count all earned and countable unearned income from all household members who are a part of the family unit. Exclude income earned by children, including a concurrently enrolled high school student who has attained 18 years or a concurrently enrolled student with a disability who has attained 22 years.
Protective Investigation - Out of Home	Eligibility not dependent on income, but if available should be used to calculate parent fee.	If available, count child(ren)'s income only

**13. What is 85 percent of the State Median Income?**

Family Size	85% of SMI
1	29,068
2	38,012
3	46,955
4	55,899
5	64,843
6	73,787
7	75,464