

### DCF Guidance Order #3

#### Wisconsin Shares Child Care Subsidy information for local agencies related to COVID-19

Certain DCF Administrative Rules have been suspended by Governor Evers during this public health emergency. Some of the rules that have been suspended relate directly to Wisconsin Shares.

Admin Rule	Wisconsin Shares Child Care Policy and Process Handbook Section
<p><b>DCF 201.039(1)(a):</b> Eligibility determination and redeterminations</p>	<p><b>2.4.2.1 Authorizations Based on Assessment Results</b>                      An authorization worker must assess an Assistance Group's child care needs and the authorization must be based on the assessment at all the following times:</p> <ul style="list-style-type: none"> <li>• Initial eligibility</li> <li>• Annual Renewal</li> </ul>
<p><b>DCF 201.039(1)(b):</b> Duration of authorizations.</p>	<p><b>2.4.2 Length of Authorization</b>                      Authorization assessments ensure that an authorization is written to meet the child care needs that allow a parent to engage in their approved activity. Authorization workers must write authorizations for the longest duration possible: up to the next renewal or the next expected change (see <a href="#">2.3.8</a>). Longer authorizations reduce fluctuations in the monthly subsidy amount and copayment calculation.</p>
<p><b>DCF 201.039(1)(c):</b> Required new assessment and authorization during a parent's 12-month eligibility period.</p>	<p><b>2.4.2.1 Authorizations Based on Assessment Results</b>                      An authorization worker must assess an Assistance Group's child care needs and the authorization must be based on the assessment at all the following times:</p> <ul style="list-style-type: none"> <li>• Initial eligibility</li> <li>• Annual Renewal</li> <li>• When the parent selects a new provider;</li> <li>• When school-age children transition from summer break to the fall school year;</li> <li>• When an eligible adult or minor teen parent is added to the case;</li> <li>• When one (1) calendar month or more has passed since the parent's previous authorization ended;</li> <li>• At the end of the 24-month education time limit (see <a href="#">1.3.8.7</a> and <a href="#">1.3.8.8</a>);</li> <li>• When the child care needs no longer align with the provider's hours of operation.</li> </ul>
<p><b>DCF 201.039(5):</b> Care provided in a child's home.</p>	<p><b>2.3.4 In-Home Child Care</b>                      Authorizations can be written for child care provided in the child's own home under any one (1) of the following circumstances as long as the in-home child care provider is certified:</p>

Admin Rule	Wisconsin Shares Child Care Policy and Process Handbook Section
	<ul style="list-style-type: none"> <li>• Three (3) or more children from the same family are receiving Wisconsin Shares Child Care subsidy and are being cared for;</li> <li>• Other licensed or certified care is not available within a reasonable geographic area;</li> <li>• Child care is needed during hours when no other care is available, such as second and third shift hours, and weekend care; or</li> <li>• A child’s special need could only be met in his or her home.</li> </ul>
<p><b>DCF 201.039(6):</b> No parents or household members</p>	<p><b>2.3.2 Authorizations for Children Whose Parent is a Child Care Provider</b>  The Wisconsin Shares Child Care Subsidy Program does not allow an authorization to be written to a provider for child care services when the provider is the parent of the child. Parents who are certified or licensed child care providers may not receive a Wisconsin Shares Child Care authorization for their own children to attend their child care program. Parents who are child care providers may apply for a waiver to send their child(ren) to another child care provider in some situations, per Wis. Admin. Code DCF s. <a href="#">201.039(7)</a>.</p> <p>The waiver request must be made in writing using the <a href="#">Request for Waiver of Eligibility Restrictions for Child Care Assistance form (DCF-F-432-E)</a>. If approved, the waiver will allow the local agency to write an authorization for the provider’s child(ren) to receive care at another regulated provider. The waiver shall be approved or denied by the local agency within 10 business days of the receipt of the completed waiver application. Waivers must be granted for individual children if they meet the criteria outlined in Section <a href="#">4.2.2</a>.</p> <p><b>2.3.3 Authorizations for Children Who Live with a Child Care Provider</b>  The Wisconsin Shares Child Care Subsidy Program does not allow an authorization to be written to a provider for child care services when the provider lives in the same house as the child. Any adult in the home who is also a child care provider may not receive a Wisconsin Shares Child Care authorization for a child who resides with them in the same household to attend their child care program, regardless of whether the adult is in the assistance group. A child who lives with a child care provider who is not their parent can attend a different child care provider without a waiver.</p>
<p><b>DCF 201.039(7):</b> Authorization criteria for a child care provider's child.</p>	<p><b>4.2.2 Children Who Reside in the Household of a Child Care Provider</b>  Children who reside in the household of a licensed or certified child care provider may not be authorized to receive care at the center operated by the provider with whom the child resides (per Wis. Stat. <a href="#">s.49.155(3m)(d)1</a>), regardless of whether the provider is the child’s parent or another other adult in the household. If a provider requires child care for their own child, they must apply for and receive a waiver. The waiver authorizes care for the provider’s child(ren) at another provider. The waiver request shall be in writing on the form provided by DCF (<a href="#">DCF-F-432-E</a>). The waiver shall be granted or denied by the local agency within 10 business days of receipt of the completed waiver application. Waivers must be granted for individual children under the following circumstances:</p>

Admin Rule	Wisconsin Shares Child Care Policy and Process Handbook Section
	<ul style="list-style-type: none"> <li>• The parent/provider is a foster parent.</li> <li>• The parent/provider is a kinship care relative with a court order for placement and is receiving a kinship care benefit for the child.</li> <li>• The parent/provider is a legal guardian receiving subsidized guardianship payments for the child.</li> <li>• The child has a special need and the child’s parent/provider is unable to care for the child at the provider’s own home or group center, as verified by a physician or other qualified medical professional.</li> <li>• The child’s parent is a dependent minor parent who is enrolled in high school or a course that is approved by the state superintendent of public instruction for granting a high school graduation equivalency and resides with a person who is considered a parent and also a child care provider.</li> </ul> <p>The waiver may be granted in the following situation, but additional criteria must be met.</p> <ul style="list-style-type: none"> <li>• The parent is requesting child care assistance to participate in an approved activity in Wis. Stat. <a href="#">s. 49.155(1m)(a)</a>, other than providing child care. This does not apply to certified providers (<a href="#">per DCF 201.039(8)</a>) who are not allowed to hold outside employment during the facility's hours of operation. Require the activity to be outside the hours of operation with proper verification.</li> </ul>
<p><b>DCF 201.039(8):</b> Employee of certified provider.</p>	<p><b>2.3.1 Parental Choice</b> Parents have the right and responsibility to choose a regulated child care provider for their child within limits set by Wis. Stat. s. <a href="#">49.155(4)(a)</a>.</p> <p>However, parents that are employed by a certified child care provider are not eligible for an authorization to the location where the parent is employed. Parents who are child care providers may apply for a waiver to send their child(ren) to another child care provider in some situations per Wis. Admin. Code DCF s. <a href="#">201.039(7)</a>.</p>
<p><b>DCF 201.039(9):</b> Maximum hours per day.</p>	<p><b>2.4.8 Maximum of 75 Authorized Hours Per Week</b> A child’s total authorized hours cannot exceed 75 hours per week. This includes a child in two (2) Wisconsin Shares Child Care Assistance Groups and/or authorized to more than one (1) provider. CSAW will not allow authorizations for more than 75 hours of child care per week. It is only when the hardship policy requirements are met that staff with the Child Care Coordinator profile in CSAW may write an authorization for more than 75 hours of child care per week (see <a href="#">2.4.9.1</a> and <a href="#">1.1.3</a>)</p>

In addition, the following guidance is being shared to ensure that important services to families continue throughout the COVID-19 crisis.

1. Parents can be granted additional authorized hours without the need to provide verification. This could be for school age children who now need authorizations during the school day as well as non-school age children when the parent needs to pick up extra hours at work.
  - Agency workers have discretion to either add school closed days to existing authorizations for school age children or to end current authorizations and create short-term authorizations. Short term authorizations

can be written to the end of the school year or to the date school is expected to resume. If the auth is written to the date school is expected to resume and school does not resume at that time, authorizations can be extended as necessary.

2. Parents with existing eligibility who are temporarily laid off or are otherwise unable to participate in their approved activity are eligible for TBRK for up to 3 months. The existing authorization can remain in place, and can be used to pay the child care provider regardless of the child's attendance.
3. Parents who had a renewal due by March 31 have had their renewal date automatically extended to June 30. Authorizations can be extended without the need to complete a renewal authorization assessment.
4. If during this public health crisis a child care provider with Wisconsin Shares is providing care at an alternate location the authorization does not need to be ended and reinstated for the new location as long as it is with the same provider (i.e. ABC Childcare location 001 moves children to ABC Childcare location 003).
5. If a child care provider with Wisconsin Shares authorizations temporarily closes during the public health crisis the authorization does not need to be ended, the parent can continue to pay the provider and no overpayment will occur.