



Wisconsin Shares Child Care Subsidy Program

Policy Manual – Chapter 1 Eligibility

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Division of Early Care and Education

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1.1 Wisconsin Shares Child Care Subsidy Program

1.1.1 Program Purpose

The purpose of the Wisconsin Shares Child Care Subsidy Program is to assist low-income families with a portion of the cost of quality child care while they are working or participating in activities that will lead to work, including the Wisconsin Works Program (W-2), the FoodShare Employment and Training Program (FSET), Tribal Temporary Assistance for Needy Families (Tribal TANF), or an eligible educational activity.

This section last updated 10/24/2016

1.1.2 Statutory Authority

The Wisconsin Shares Child Care Subsidy Program is regulated under Wisconsin Statutes sections 49.141 through 49.161 and specifically section 49.155, and Wisconsin Administrative Code DCF Chapters 101 and 201. The program is delivered at the local level through contracts with tribes, county agencies, and Income Maintenance (IM) consortia with approval to include Child Care in their IM service delivery model. In Milwaukee, the eligibility component of the program is delivered through the Department of Health Services, Milwaukee Enrollment Services (MilES), through a contract with the Department of Children and Families. The authorization component is delivered through the Department of Children and Families, Milwaukee Early Care Administration (MECA). In addition, one nonprofit agency delivers child care services for children of migrant farmworkers.

This section last updated 10/30/2017

1.1.3 Local Program Administration

Local agencies must establish safeguards to prevent employees, consultants, or governing bodies from using their positions for purposes that are, or give the appearance of being, motivated by a desire for private gain for themselves or others, such as those with whom they have family, business, or other ties as specified in Wis. Stat. ss. 946.10 and 946.13.

Local Administrative Agency responsibilities for program administration include, but are not limited to, the following:

- Providing a Child Care Coordinator for the county, tribe, or Child Care Consortium.
 - The Child Care Coordinator serves as the point of contact for the department regarding EBT CSAW enhancements, program integrity, and other information that is to be shared with other direct service staff.
 - The Child Care Coordinator is responsible for additional security privileges within EBT CSAW as assigned.

- The Child Care Coordinator must attend, in person or via telephone, all scheduled Child Care Program Committee (CCPC) meetings that occur quarterly.
- Ensuring that each new Child Care Worker and Child Care Coordinator completes the Department's New Worker Training during the first six months of employment.
- Responding to requests for program information.
- Ensuring that eligibility is accurately determined, including a review of a family's eligibility every 12 months and when a change in the family's circumstances is reported that may affect eligibility or the amount of child care needed
- Assessing the family's need for child care according to Wisconsin Shares policy.
- Providing information to parents regarding resources including Child Care Resource and Referral Agencies to assist in identifying potential child care providers.
- Establishing authorizations for subsidized child care in the automated system for eligible children.
- Maintaining child care provider records in the designated automated systems.
- Entering child care provider prices in the Department's designated automated system when new providers submit written prices and when a provider submits a written price change.
- Assigning an automated system security officer for agency staff and providers. In addition to approving access, the security officer must also notify the Department on designated forms to end access for individuals who no longer have a business need to access the automated systems.
- Representing the Department in Fair Hearings.
- Monitoring program expenditures.
- Establishing sanctions and overpayments as described in policy.

This section last updated 01/31/2018

1.1.4 Confidentiality

All case information is confidential. No person may use or disclose information concerning applicants and participants of the Wisconsin Shares Child Care Subsidy Program for any purpose that is not related to the administration of the program. Exceptions to this requirement will only be granted by the Department.

Certain case information is highly confidential and subject to additional safeguarding. Please refer to the Electronic Case File (ECF) Handbook sections 1.7.1 and 1.7.2 for additional information on scanning Restricted Documents.

The laws governing the protection of highly confidential information are stricter than the laws governing protection of other confidential information that is obtained to administer the program. The disclosure and use of highly confidential information is limited to others on a bona fide need to know basis only. A person or program in possession of such highly confidential information shall not release it except as authorized by the individual. A person or program who receives such highly confidential information shall not retain the information unless implementation of additional safeguards can and will occur.

When obtaining highly confidential information such as medical diagnosis from a service provider, the agency worker must obtain a signed release of confidentiality (form DCF-F-369-E Confidential Information Release Authorization).

This page last updated 10/24/2016

1.2 Definitions

This section has been moved to the Glossary. See the Glossary icon in the online manual or the Glossary PDF.

This section last updated 08/01/2018

1.3 The Application Process

This section applies to all Wisconsin Shares Child Care cases unless otherwise specified in sections 1.7 or 1.8.

This section last updated 10/24/2016

1.3.1 Application Process

Wisconsin Shares Child Care cases must be managed within the applicant's county of residence unless the applicant's county of residence is within a Child Care Consortium that is pooling its caseload and has been approved by the Department. In that instance, the child care case must be managed within the Child Care Consortium in which the family resides.

This section last updated 10/24/2016

1.3.2 Request for Assistance (RFA)

To begin the process of applying for child care assistance, an individual may call the local agency, may apply in person at the local agency, or may apply online through the ACCESS website. The following sections describe the details of the process of applying for Wisconsin Shares Child Care for each method.

The filing date and the Request for Assistance (RFA) have the same meaning.

This section last updated 10/30/2017

1.3.2.1 Apply by Telephone

On the date the applicant contacts the agency by telephone, the agency must complete 1, 2, or 3 below:

1. Complete Client Registration in CARES Worker Web (CWW) with a signature according to either a. or b. below:
 - a. Generate the registration form through CWW and complete one of the following:
 - i. Collect a telephonic signature and either mail the printed form to the applicant or leave the form at the front desk for the applicant to pick up; or
 - ii. Print the CWW Application/Registration form and either mail it to the applicant to review, sign, and return or leave the form at the front desk for the applicant to review, sign, and return.
 - or;**
 - b. Print DCF-F- 2835 form and either mail it to the applicant to complete, sign, and return, or leave it at the front desk for the applicant to complete, sign, and return.

The filing date/RFA date is the date the agency receives the signed DCF-F-2835 form, signed CWW Application/Registration form, or a telephonic signature.

The agency must schedule the interactive interview to occur no later than five (5) business days after the date the agency receives the signature. The applicant has the option to reschedule the appointment to a time that better fits his or her schedule, if requested.

If the applicant fails or declines to sign the DCF-F-2835 form, or the registration form that is generated by CWW, the agency must still schedule the interview to occur no later than five (5) business days and the filing date will then be established as the date of the interactive interview.

2. Complete the interactive interview immediately and do one of the following:
 - a. Collect a telephonic signature and generate a current Case Summary. The worker must mail the Case Summary to the applicant unless the applicant prefers to pick it up at the agency;
 - or;**

- b. Generate and print the Case Summary and mail it to the applicant to review, sign, and return unless the applicant prefers to complete the signature at the agency.
3. If the applicant prefers to skip the registration signature and process, advise the applicant that the filing date will be the date of the interactive interview. Schedule the interactive interview to occur no later than five (5) business days after this contact. The applicant has the option to reschedule the appointment to a time that better fits his or her schedule, if requested.

This section last updated 10/30/2017

1.3.2.2 Apply in Person

When an individual applies in person, the local agency must complete 1, 2, or 3 below:

1. Complete the client registration driver flow in CWW and immediately continue through the interactive interview. Generate and print the Case Summary, provide the Case Summary to the applicant to review and sign, and provide a copy of the signed Case Summary to the applicant.
2. Complete the client registration pages in CWW and schedule the interactive interview. The agency must either:
 - a. Print the CWW Application/Registration form, collect the written signature and provide a signed copy of the form to the applicant, and schedule an interactive interview;
 - or;**
 - b. Print DCF-F-2835 form and collect the signature on this form, provide a signed copy of the form to the applicant, and schedule an interactive interview.

The filing date/RFA date is the date the agency receives the signed form DCF-F-2835 or signed CWW Application/Registration form. The agency must schedule the interactive interview to occur no later than five (5) business days after the date the agency receives the signature. The applicant has the option to reschedule the appointment to a time that better fits his or her schedule, if requested.

3. If the applicant prefers to skip the registration signature and instead complete the interactive interview immediately, only the Case Summary signature needs to be collected. The filing date and the interview date are the same date.

This section last updated 10/30/2017

1.3.2.3 Apply Online Through ACCESS

ACCESS applications for Wisconsin Shares Child Care are routed to the county of residence and must be processed at the county of residence, with the exception of counties that are in a Child Care Consortium. Child Care Consortia will determine routing rules for their own counties.

When an applicant applies for child care assistance through ACCESS, the agency must schedule the interactive interview to occur no later than five (5) business days after the receipt of the ACCESS application. The filing date for requests that are received through ACCESS are set to the date the applicant submits the online form, unless the ACCESS request is submitted after 4:30 p.m. If the ACCESS request is submitted after 4:30 p.m., the filing date is set for the next business day, according to the CARES calendar.

If the applicant contacts the agency to reschedule the interview, it may be rescheduled to the next available appointment time to accommodate the applicant's needs.

This section last updated 9/28/2015

1.3.3 Program Add

If an individual has another assistance program open and requests child care assistance before an existing program is due for a renewal, the individual must complete the Request for Assistance (RFA) process through ACCESS, by phone, or in person as outlined in section 1.3.2, and the interview and signature requirements outlined in 1.3.4 through 1.3.7.

This section last updated 10/30/2017

1.3.4 Interactive Interview

The agency must schedule an interactive interview for each application, renewal, and Wisconsin Shares Child Care program add to an existing case.

The interview must be documented in CWW on the Application/Review Interview Details page and a Case Summary must be generated upon completion of the interview. The Case Summary must always be presented to the customer for review. The Case Summary is essential for meeting the legal requirement that the applicant has an opportunity to review the responses that the worker entered on their behalf, as well as receiving information about rights and responsibilities.

Intake interviews may be held either face-to-face or by telephone. The agency must hold a face-to-face interview if the applicant requests a face-to-face interview or if the applicant has had a previous Wisconsin Shares Intentional Program Violation (IPV).

For telephone interviews, the agency must contact the applicant at the scheduled interview time with the telephone number that was confirmed in the interview appointment notice.

If the first attempt to contact the applicant is unsuccessful, the agency must attempt to contact the applicant again within 15 minutes of the first call. If the second attempt is unsuccessful, document in case comments that the applicant was unavailable at the appointment time and indicate when the follow up call was made. The Notice of Child Care Missed Interview (NCMI) informs the applicant that the interview was missed and informs the applicant to contact the agency to reschedule the interview. The NCMI letter is generated by CWW when:

- There is a Wisconsin Shares Child Care Request recorded in CWW and the request is less than 30 days old;
- The child care indicator box is checked on the Integrated Client Scheduler (ICS) appointment detail page;
- The status at the end of the appointment date is marked as scheduled, waiting, or abandoned;
- The appointment type is one of the following:
 - EO – Eligibility Review/Office
 - IF – ES Intake Interview/Office
 - IP – ES Intake Interview/Phone
 - IR – ES Intake Interview/2nd
 - MP – ES Intake Interview 2nd Phone
 - RP – ES Eligibility Review/Phone
 - IN – Intake/No Phone

If the ICS is not used to schedule appointments, the agency is strongly encouraged to manually generate this letter.

During the interview, the agency must advise the applicant of the verification items that he or she will need and the change reporting requirements.

At the conclusion of the interview the Good Cause Notice DCF-F-DWSP2018, must be provided to the applicant.

This section last updated 10/30/2017

1.3.5 Application/Review Interview Details Page

In CWW, the agency must document on the Application/Review Interview Details Page the interview method that was conducted (telephone or face-to-face). The agency must make sure that a Case Summary was generated and either provided or sent to the applicant following the interview.

This section last updated 10/24/2016

1.3.6 Signature Requirements

A signature is required from the applicant for every application, renewal, and Wisconsin Shares Child Care program add. The signature requirements for the Wisconsin Shares Child Care Subsidy Program are as follows:

- The electronic signature that is submitted through ACCESS Apply for Benefits (AFB) satisfies the signature requirement to set the application filing date/Request for Assistance (RFA) and also meets the signature requirement at the conclusion of the intake interview.
- A telephonic signature received during the RFA is a valid form of signature for setting the filing date and meets the signature requirement at the conclusion of the interactive interview.
- A telephonic signature is a valid form of signature on the Case Summary following an intake interview, or a renewal interview completed by telephone.
- With a new application, if the intake interview occurs simultaneously with the phone request, a telephonic or written signature on the Case Summary meets the signature requirement.
- The electronic signature that is submitted through ACCESS Renew my Benefits (RMB) satisfies the renewal signature requirement that follows the renewal interview, however, the interview must be documented in CWW on the Application/Review Interview Details page.
- When a renewal interview is completed, either a telephonic or a written signature is needed on the Case Summary when the Wisconsin Shares Child Care renewal interview is completed. However, if there has been either an ACCESS AFB or RMB, no additional signature is needed at the conclusion of the interview.
- If a written Request for Assistance (RFA) signature has been collected on form DCF-F-2835 (Wisconsin Shares Child Care Registration form), the signature requirement has been met.

This section last updated 10/30/2017

1.3.7 Initial Eligibility Determination

The agency must determine eligibility without delay after the individual's verification requirements are complete. Upon receipt of the required verification from the individual, CWW will set eligibility to begin on the first of the month of the application filing date.

This section last updated 10/24/2016

1.3.8 Child Care Eligibility Closed for a Calendar Month or Longer

If Wisconsin Shares Child Care eligibility is closed for one calendar month or longer, the individual must re-apply for Wisconsin Shares Child Care and must meet the initial financial eligibility threshold of 185% FPL.

This section last updated 10/24/2016

1.4 Non-Financial Eligibility Requirements

This section applies to all Wisconsin Shares Child Care cases unless otherwise specified in sections 1.7 or 1.8.

This section last updated 10/24/2016

1.4.1 Assistance Groups (AG)

One of the first components of non-financial eligibility is to determine the individuals that are to be included in the Assistance Group (AG). The AG includes any of the following individuals who reside in the same household:

- An individual who is a parent, according to the Wisconsin Shares Child Care definition caring for a child
- The individual's dependent children
 - Includes ~~ing~~ 18-year-olds residing with his or her parents, ~~who live at home~~ who are enrolled in attend high school, and are expected to graduate by their 19th birthday
 - ~~Note: 18-year-old teen parents may apply on their own and are not required to be included in their parent's case~~
 - Includes minor teen parents dependent children of the individual's and their dependent children residing with the teen's parent
- The individual's spouse or any non-marital co-parent
 - The spouse's dependent children
 - The non-marital co-parent's dependent children

When paternity has been established for a child in the Wisconsin Shares Child Care Assistance Group, the father is presumed to continue residing in the household, unless a child support referral has been made. Likewise, any parent is presumed to continue to reside in the household unless a child support referral has been made.

If an adult, biological, adoptive, or custodial parent of a child is living in the household, the Wisconsin Shares Child Care Assistance Group must not include another adult who resides in the same household unless the other adult is the spouse of the custodial parent, paternity has been established between the other adult and the child, or the other adult has guardianship of both the child and the biological, adoptive, or custodial parent. Domestic partners who do not have a child in common are not treated as married and therefore are not included in the Assistance Group.

Examples of individuals to be included in the Assistance Group:

Example: A grandmother, an adult mother, and the adult mother's baby live in the same house. The AG consists of the adult mother and her baby. The applicant is not the grandmother. The grandmother is not in the AG unless the grandparent has guardianship of both the adult mother and her dependent child.

Example: A grandmother has guardianship of her 2-year-old granddaughter. The child is reunited with her mother and the mother will now also reside in the grandmother's home. Once the adult mother moves into the house, the AG must change because the mother and grandmother cannot be in the same AG, even though the grandmother has court-ordered guardianship. Eligibility for the grandmother must end and the mother must apply for Wisconsin Shares Child Care.

Example: A grandparent or other adult has legal guardianship of the adult parent and the adult parent's dependent child. The AG consists of the grandparent/guardian, the adult parent, and the child. The applicant is the grandparent.

This section last updated 08/01/2018

1.4.1.1 Incarceration

An individual who is in a Wisconsin Shares Child Care Assistance Group and who is incarcerated for 30 calendar days or less will remain in the Wisconsin Shares Child Care Assistance Group, unless a child support referral has been made.

An individual who is in a Wisconsin Shares Child Care Assistance Group and who is incarcerated for more than 30 calendar days is excluded from the Assistance Group. The Assistance Group must cooperate with child support requirements, as necessary.

An individual who is living in the home under a restricted release, such as work release, home monitoring, and other alternatives to incarceration, is not incarcerated for Wisconsin Shares purposes. The individual's membership in the AG is determined according to household relationships, and if included in the AG, their income is counted and Approved Activity requirements apply.

1.4.1.2 Shared Placement of Children

Each parent with shared placement has the option to apply for Wisconsin Shares Child Care subsidy to assist with the cost of child care for the time that the child in common is residing within his or her household. Each custodial/placement parent will have his or her own case number, but the child will be assigned a unique PIN number that will be used in both Wisconsin Shares Child Care Assistance Groups.

Examples of cases with shared placement:

Example: Melissa is an adult and has one child who is in her home on a shared placement basis. The child spends part of the week with her father and part of the week with the mother. The AG consists of mom and her child.

Example: Jessica and Mathew have shared placement of Megan, age 11. Mathew lives with Betty and they have one child together. Jessica's AG consists of herself and Megan. Mathew's AG consists of himself, Megan, Betty, and their one child in common.

This section last updated 10/24/2016

1.4.2 Applicant Age

The applicant for Wisconsin Shares Child Care Subsidy must be at least 18 years of age unless the minor applicant:

- Is living in a group home licensed by the State of Wisconsin or an approved and supervised independent living situation, **and**
- Is a high school student or is enrolled in an equivalent program approved by the Wisconsin Department of Public Instruction;
- or**
- The applicant is married.

This section last updated 10/30/2017

1.4.3 Ages of Eligible Children

In order to be eligible for Wisconsin Shares Child Care Subsidy, the child for whom the parent is requesting care must be:

- At initial eligibility or renewal, under age 13, or
- For a child turning 13 within their eligibility period, under age 14, or
- Under age 19 if the child has a verified special need and the child is not capable of caring for him or herself physically or mentally.

This section last updated 10/30/2017

1.4.4 Wisconsin Residency

Applicants must be residents of Wisconsin and intend to remain in Wisconsin unless the applicant is a migrant farmworker. See section 1.7 regarding migrant farmworkers.

This section last updated 10/24/2016

1.4.5 U.S. Citizen or Qualified Immigrant

The beneficiary of the Wisconsin Shares Child Care subsidy must be a child who is either a United States citizen or a qualified immigrant. The child's immigration status or citizenship must be verified.

Example: Juanita and Carlos work full time, but are not U.S. citizens or qualified immigrants. Juanita has applied for child care for their two school-aged children, who are U.S. citizens. The AG consists of Juanita, Carlos, and the two children.

This section last updated 10/30/2017

1.4.6 Social Security Numbers (SSN)

As a condition of eligibility, applicants must provide or apply for a Social Security Number (SSN) for any child for which they want Wisconsin Shares Child Care authorizations and subsidy payments. Any child who does not have an SSN or an SSN Application filed with the Social Security Administration (SSA) will not be eligible for Wisconsin Shares Child Care authorizations.

If the applicant has provided verification of an SSN application that was filed with the SSA to initially qualify for Wisconsin Shares Child Care, the SSN must be provided to the agency when the number is received and no later than 90 days after the SSN application.

If an SSN is not provided after 90 days, the child without an SSN is no longer eligible. The Permanent Demographics page in CWW must be updated and eligibility must be re-run. This child will then be an included child in the assistance group, but not an eligible child, and the authorization for that child must end. Eligibility may continue for other children in the Wisconsin Shares Child Care Assistance Group for whom a valid SSN has been provided.

Parents are not required to provide an SSN for themselves.

This section last updated 10/24/2016

1.4.7 Child Support Cooperation

As a condition of eligibility, each parent in the Wisconsin Shares Child Care Assistance Group must cooperate with the Child Support Agency (CSA) for all of his or her minor biological or adopted children over the age of 60 days, unless a good cause exception has been granted for a particular child.

Relatives or non-relative adults caring for a child are not required to cooperate with child support for a child that is not their biological or adopted child.

This section last updated 10/30/2017

1.4.7.1 Failure to Cooperate with the Child Support Agency

The CSA determines child support cooperation for all individuals. The CSA will notify the Wisconsin Shares administrative agency and the applicable parent if they have determined that the parent is not cooperating, along with their justification for the decision.

Within seven (7) calendar days of the receipt of the notice of non-cooperation from the CSA, the local Child Care agency is required to send a Notice of Action Needed (also known as the Verification Checklist) to the individual informing him or her of the child support non-cooperation determination and informing the individual that he or she has seven (7) business days from the issuance date on the Notice of Action Needed to cooperate with the CSA or file a good cause claim. The Notice of Action Needed includes a link to the electronic format of the Good Cause Claim form (DCF-F-DWSP2019).

If, on the eighth (8th) business day, the individual is still not cooperating with the CSA and has not filed a claim for good cause with the local agency, an instance of non-cooperation is recorded and the entire Wisconsin Shares Child Care Assistance Group is not eligible for an authorization or subsidy until cooperation with the CSA occurs or until the individual files a good cause claim.

If an individual fails three (3) or more times to meet the child support cooperation requirements without good cause, the Assistance Group is not eligible for Wisconsin Shares Child Care for a period of at least six (6) months **and** until all of the members of the Assistance Group cooperate with the CSA.

CWW has been enhanced to allow the Child Care agency to track instances of non-cooperation.

This section last updated 9/28/2015

1.4.7.2 Exemptions to Cooperating with the Child Support Agency

Parents with a child that is younger than 60 days and parents with unborn children are exempt from cooperating with the CSA for that child. ~~Foster parents, subsidized guardians, interim caretakers, and relatives with court-ordered placement who receive a kinship care payment are also exempt from the child support cooperation requirements for the children placed in their care.~~ **Relatives or non-relative adults caring for a child are**

not required to cooperate with child support for a child that is not their biological or adopted child.

This section last updated 08/01/2018

1.4.7.3 Good Cause Notice

A Good Cause Notice (DCF-F-DWSP2018) must be provided to all Wisconsin Shares applicants and participants at the following times:

- At application for Wisconsin Shares Child Care;
- When a child is added to the Assistance Group;
- When a parent leaves the Assistance Group;
- At the annual eligibility review for Wisconsin Shares Child Care; and
- When a participant discloses to his or her eligibility or authorization worker circumstances that may meet the good cause criteria.

The Good Cause Notice describes the requirement to cooperate with child support, the right to claim good cause as an exception to the cooperation requirement, and the criteria for good cause.

If the parent is exempt from cooperating with child support per 1.4.7 or 1.8.2, and the parent has no other biological or adopted children which require cooperation with child support, the agency does not need to provide the parent with the Good Cause Notice.

This section last updated 01/31/2018

1.4.7.4 Good Cause Criteria

The criteria for good cause are as follows:

- Cooperation is reasonably anticipated to result in either physical or emotional harm to the child, including threats of domestic abuse or child kidnapping.
- Cooperation is reasonably anticipated to result in either physical or emotional harm to the parent, including domestic abuse.
- Cooperating with the CSA would make it more difficult for the individual to escape domestic abuse or unfairly penalize the individual who is or has been victimized by such abuse, or the individual is at risk of further domestic abuse.
- The child was conceived as a result of incest or sexual assault.
- The parent is considering whether to terminate parental rights and has sought the assistance of a public or licensed private social services agency not more than three months ago.
- A petition for the adoption of the child has been filed with a court, except this

does not apply as a good cause exemption from the responsibility to make payments under an existing court order.

This section last updated 10/30/2017

1.4.7.5 Good Cause Claim

Good cause claims for not cooperating with the CSA for Wisconsin Shares Child Care cases are determined by the county and tribal agencies that administer the Wisconsin Shares Child Care Subsidy Program. If the parent is also participating in the Wisconsin Works (W-2) program, the Financial and Employment Planner (FEP) determines good cause. (See Operations Memo 15-13)

The local county or tribal agency that administers the Wisconsin Shares Child Care Subsidy Program shall provide a Good Cause Claim form (DCF-F-DWSP2019) to any applicant or participant upon request. The Good Cause Claim form describes the good cause criteria and the documentation that will be needed to support a good cause claim.

The form must be returned to the agency within seven (7) business days from the issuance date of the Notice of Action Needed when the applicant or participant has requested the form during a period of non-cooperation with the CSA. When completing the Good Cause Claim form, the applicant or participant must specify the circumstances that meet the good cause criteria for not cooperating.

Upon receipt of the Good Cause Claim form, the local agency must notify the CSA within two (2) days (through an automated process) that no further child support action may be taken until the local agency determines whether good cause exists.

If an individual is cooperating with the local agency in furnishing evidence and information to be used in determining the good cause claim and other eligibility criteria are met, Wisconsin Shares Child Care subsidy shall not be denied, delayed, reduced, or discontinued pending the determination of the good cause claim.

This section last updated 01/31/2018

1.4.7.6 Good Cause Claim Documentation and Supporting Evidence

The local agency shall require the individual to submit at least one document of corroborative evidence and a statement specifying the circumstances that the applicant or participant believes provide sufficient good cause for not cooperating. The applicant or participant must submit supporting evidence to the local agency within 20 days from the date the Good Cause Claim form was signed. The local agency must encourage the applicant or participant to submit as many types of supporting evidence as possible, and must inform the individual that if assistance is needed in obtaining evidence, the worker will assist him or her. The worker must make every reasonable effort to obtain specific documents or information that the individual is having difficulty obtaining.

If an applicant or participant does not submit sufficient evidence to substantiate the good cause claim, the local agency shall notify the individual that additional evidence is required and shall outline the types of evidence that may be used.

The good cause claim may be supported with any of the following types of documents:

- Court, medical, criminal, child protective services, social services, psychological, school, or law enforcement records regarding domestic abuse or physical or emotional harm to the parent or child.
- Medical records or written statements from a mental health professional that pertain to the emotional health history, present emotional health status, or prognosis of the parent or child.
- Birth certificates, medical records, or law enforcement records that indicate that the child may have been conceived as a result of incest or sexual assault.
- Court documents or other records that indicate that a petition for the adoption of the child has been filed with a court.
- A written statement from a public or private social services agency that the parent is being assisted by the agency in deciding whether to terminate parental rights.
- Written and signed statements from others with knowledge of the circumstances on which the good cause claim is based, including, but not limited to, statements from neighbors, friends, family, or clergy.
- Any other supporting or corroborative evidence.

This section last updated 09/28/2015

1.4.7.7 Good Cause Claim Investigation

The applicant or participant must cooperate with the investigation by the local agency.

The local agency must investigate any good cause claim based on anticipated harm, even when the claim is credible without corroborative evidence and when the agency knows corroborative evidence is not available. Good cause must be found when the individual's statement and the agency's investigation satisfy the agency that good cause exists.

The local agency may investigate any other good cause claim when the individual's statement and the corroborative evidence do not provide sufficient information to make a determination. The individual must cooperate with the investigation by the agency.

The local agency may contact the child support agency during any good cause claim

investigation. The agency is not allowed to contact the individual alleged to have committed acts that are the basis of a good cause claim.

This section last updated 09/28/2015

1.4.7.8 Good Cause Determination

The local agency must determine if good cause exists within 45 calendar days of the date the Good Cause Claim form was signed unless an extension has been granted because more time is necessary to obtain evidence. The worker may, with supervisory approval, determine that more time is needed due to difficulty in obtaining corroborative evidence. If the good cause claim is based on domestic abuse, and no corroborative evidence is currently available, the local agency may permit the applicant or participant to submit evidence to the local agency within 60 days from the date the Good Cause Claim form was signed. If the local agency grants up to 60 calendar days to submit evidence for a claim of domestic abuse, the agency shall determine if good cause exists within 85 calendar days from the date the Good Cause Claim form was signed.

The CSA must be given the opportunity to review and comment on the findings of the local agency prior to the final determination on good cause by the agency. The agency must consider any recommendations from the CSA.

This section last updated 10/20/2015

1.4.7.9 Determination that Good Cause Does Not Exist

If the local agency determines that the individual does not have good cause for failing to cooperate with child support, the local agency must promptly notify the individual of the determination and the right to a Fair Hearing based on the agency's decision. If the parent is participating in both Wisconsin Shares Child Care and W-2, the parent can request a W-2 Fact Finding of the W-2 agency's decision. The individual then has 10 calendar days from the date of the notice that good cause does not exist to withdraw the Wisconsin Shares Child Care application, request the Wisconsin Shares Child Care case be closed, or request a Fair Hearing or W-2 Fact Finding of the agency decision before the CSA proceeds with child support services.

After the individual has had 10 calendar days and if the individual did not request a Fair Hearing of the agency decision, the agency must notify the CSA that it may proceed with child support services and require the cooperation of the individual.

If the individual requests a Fair Hearing based on the local agency's decision, the agency shall instruct the CSA to suspend child support services during the Fair Hearing process.

This section last updated 01/31/2018

1.4.7.10 Determination that Good Cause Exists

If the local agency determines that the individual does have good cause for failing to cooperate with the CSA, the agency must promptly notify the individual of the determination and the basis for the determination in writing.

The agency must also either:

1. Direct the CSA to suspend all further case activities if the individual did not request that the CSA proceed without his or her cooperation; **or**
2. Notify the CSA that it may proceed with child support services if the individual requested that the CSA proceed without his or her cooperation.

This section last updated 09/28/2015

1.4.7.11 Good Cause Disputes

An individual whose good cause claim was denied or who disputes a decision by the local agency may petition the local agency for a Fair Hearing. If the good cause determination was made by the W-2 agency, the parent may request a W-2 Fact Finding.

The CSA must be given reasonable notice and may participate in any Fair Hearing resulting from a good cause investigation or good cause determination.

~~In the event that a parent who is also participating in W-2 disputes a good cause denial, only the W-2 Fact Finding process would review the facts of the good cause claim. A fair hearing would not be held to review a good cause determination made by the Financial and Employment Planner (FEP).~~

Pursuant to Wis. Admin. Code DCF s. 102.10(4), in the event that a W-2 Fact Finding and a Fair Hearing are based on the same issues and facts, the Fair Hearing decision shall be controlling in the W-2 review.

This section last updated 08/01/2018

1.4.7.12 Ongoing Agency Review of Good Cause Determinations

The local agency must review good cause determinations that are based on circumstances subject to change at each review of eligibility or upon new evidence. Good cause determinations based on permanent circumstances do not need to be reviewed again. If the local agency determines that good cause for failing to cooperate with the CSA no longer exists, the individual must be allowed 10 calendar days before cooperation requirements are imposed to request that the Wisconsin Shares Child Care case be closed or request a Fair Hearing.

This section last updated 09/28/2015

1.4.8 Participation in Approved Activities

Every parent or related adult who is responsible for caring for a child in the Wisconsin Shares Child Care Assistance Group must participate in an approved activity in order for the Assistance Group to be eligible for Wisconsin Shares Child Care authorizations and subsidy payments.

The following lists all of the acceptable approved activities that qualify an individual for the Wisconsin Shares Child Care Subsidy Program.

This section last updated 10/24/2016

1.4.8.1 Learnfare

Participation in the Learnfare school attendance requirements. Within the Wisconsin Shares Child Care Subsidy Program, Learnfare includes the teen parent whose parent is enrolled in W-2.

This section last updated 09/28/2015

1.4.8.2 High School

Individuals under 20 years of age and enrolled in a high school or participating in a course of study meeting the standards established by the state superintendent of public instruction for a high school equivalency.

If the individual is under the age of 18, he or she must meet one of the following requirements:

- Residing with his or her custodial parent
- Residing with a kinship relative who may or may not be receiving the Kinship Care benefit
- Residing in a foster home
- Residing in a subsidized guardianship or interim caretaker home
- Residing in an independent living arrangement that is approved by a licensed or public child welfare agency and is supervised by an adult; the supervised living arrangement must be documented in CWW case comments
- Married

Online high school equivalency courses are contingent upon the child care authorizing agency's approval. The student's satisfactory progress must be documented by scanning the grade report in ECF and the agency must record case comments in CWW. Satisfactory progress is assumed if the student has passing grades for the term, or if passing grades are not achieved there must be documentation that the student took part in the required classes and performed the required work.

Note: The 24-month limit does not apply to participation under this section. The 24-month restriction applies only for high school equivalency students who are age 20 or older.

This section last updated 12/30/2015

1.4.8.3 Employment

Participation in an activity which produces income, such as:

- Regular employment.
- Self-employment.
- Employer-sponsored training.
- Apprenticeship.
- Sheltered employment.
- Participation in the Transform Milwaukee Jobs Program (TMJ) or the Transitional Jobs Program under Wis. Stat. s. 49.163.
- Participation in the Trial Employment Match Program (TEMP). (TEMP is a W-2 Employment Position, but is included in the employment category for Wisconsin Shares.)
- Participation in an AmeriCorps employment program as long as the stipend equals Wisconsin minimum wage.

This section last updated 10/30/2017

1.4.8.3.1 Employed by a Child Care Provider

If the employer is a child care provider or a business owned or managed by a provider, each of the following requirements must be met:

- The employer must have a Worker's Compensation insurance policy for its employees unless legally exempt.
- The employer must comply with Wisconsin minimum wage law for all employees.
- The employer must file a Wisconsin New Hire report on the employee within 30 days of the hiring date.
- The employer must report wages to Unemployment Insurance unless exempt.

This section last updated 10/30/2017

1.4.8.3.2 Self-Employment

A self-employed individual:

- Carries on a trade or business as a sole proprietor or an independent contractor; or
- Is a member of a partnership that carries on a trade or business; or
- Is otherwise in business for him or herself (including a part-time business).

Parents who operate self-employment businesses must file taxes with the IRS in order to participate in the Wisconsin Shares Program. Filed IRS tax documents for the most recent tax year must be provided for parents who wish to receive Wisconsin Shares Child Care Subsidy while self-employed.

Income is reported to the IRS by the process of filing taxes. Workers should request verification that the tax forms were submitted if the document is questionable.

Proof of filing taxes may include:

- Email confirmation if the parent filed online
- A tax form signed by the tax professional who filed on behalf of the parent
- A canceled check if taxes were owed after filing
- Bank statements clearly showing a deposit from the IRS
- Transcript of tax return from the IRS
- Other verification at agency discretion

Self-employed parents who have not filed taxes because the business has not yet operated in a calendar year and the subsequent tax season has not occurred must provide a Self-Employment Income Report form (SEIRF) (~~form DCF F-DWSP2131 or~~ form DHS F-00107) for the last 30 **calendar** days.

SEIRFs may also be submitted for months when the previous year's filed IRS tax documents do not represent the current income for the business. Additionally, when a new business is six (6) months old, a SEIRF must be provided so that an accurate authorization can be written. See Chapter 2 for information about authorizations for self-employment.

If IRS tax documents or SEIRFs appear questionable or need clarification, local agency staff must follow up with the parent and request additional verification, such as documentation of receipts, contracts, or expenses. Also see section 1.6. Any additional verification requirements must be documented in CWW case comments.

Self-employment as an unregulated child care provider is not allowable as an approved activity for Wisconsin Shares Child Care Subsidy eligibility.

This section last updated 08/01/2018

1.4.8.3.3 On-Call Employment

Participation in on-call employment is an approved activity. On-call employment is employment in which the employee may be called on short notice to work an uncertain work schedule, examples are: substitute teachers or on-call health care staff.

Documentation must include employment verification and a work schedule. For periodic episodes of increased work, the parent must contact the agency within 10 calendar days of the occurrence to request additional child care hours.

This section last updated 10/24/2016

1.4.8.4 Participation in a Tribal TANF Program

Participation in a Tribal TANF program based on activities assigned on the Individual Self-Sufficiency Case Plan.

The 24-month education limit does not apply to individuals in a Tribal TANF placement if the education is part of their approved plan.

Wisconsin Shares Child Care Subsidy may be available for study time if it is part of the Self-Sufficiency Case plan.

This section last updated 12/23/2015

1.4.8.5 Participation in a W-2 Placement

Participation in a Wisconsin Works (W-2) Placement and corresponding activities assigned on an Employability Plan (EP).

The 24-month education limit does not apply to individuals in a W-2 placement if the education is part of the EP.

Wisconsin Shares Child Care Subsidy may be available for study time when it is included on the EP.

This section last updated 10/30/2017

1.4.8.6 FoodShare Employment and Training Program (FSET)

Participation in the job search or work experience component of the FSET program.

This section last updated 09/28/2015

1.4.8.7 Basic Education

Participation in basic education, including English as a second language course; literacy tutoring; high school or course of study meeting the standards established by the state superintendent of public instruction for the high school equivalency.

Note: Study time shall not be included in the activity schedule, however, if the parent has a verified disability, time spent with a tutor can be included in the activity schedule for basic education. There may be an exception for parents participating in Tribal TANF or W-2; see 1.4.8.4 and 1.4.8.5.

Eligibility requirements for Basic Education:

- If the basic education is high school or equivalent and the parent is age 19 or younger (a teen parent), education can be a standalone approved activity. Please see Section 1.4.8.2 on High School.
- If the basic education is high school or equivalent and the parent is age 19 or younger (a teen parent), the activity will not count against the parent's 24-month limit for basic education. Please see Section 1.4.8.2 on High School.
- If the basic education is high school or equivalent and the parent is age 20 or older, the parent must be working at least 20 hours per month throughout the semester to maintain eligibility for education-related child care and the activity will count toward the parent's 24-month limit for basic education.
- If the basic education program is English as a second language or literacy tutoring, the parent must be working at least 20 hours per month regardless of the parent's age. The activity will count toward the parent's 24-month limit for basic education.
- Local agencies do not have discretion to require more than 20 hours per month of employment.
- The child care agency must determine that participation in basic education will facilitate the individual's efforts to maintain employment. The agency must document this decision in CWW case comments.
- Other than a parent age 19 or younger (a teen parent) attending high school or equivalent, participation in basic education under this section is limited to no more than 24 months during the lifetime of the parent. The 24 months need not be consecutive. The 24 months must be recorded in the CSAW system Parent Education Tracking page.
- School and work schedules are required for all individuals.
- The student's satisfactory progress must be documented by scanning the grade report in ECF and updating CWW case comments. Satisfactory progress is assumed if the student has passing grades for the term, or if passing grades are not achieved, there must be documentation that the student took part in the required classes and performed the required work.

- **Note:** Future authorizations cannot be withheld or denied for a previous semester's lack of progress or attendance.

This section last updated 01/31/2018

1.4.8.8 Technical College or Course of Study Leading to Employment

Participation in a course of study at a technical college, or educational courses that provide an employment skill, as determined by the agency, and would help the individual's efforts to maintain employment.

Note: Study time shall not be included in the activity schedule, however, if the parent has a verified disability, time spent with a tutor can be included in the activity schedule for Technical College or Course of Study Leading to Employment. There may be an exception for parents participating in Tribal TANF or W-2; see 1.4.8.4 and 1.4.8.5.

Eligibility requirements for this activity:

- The child care agency must determine that participation in this activity will facilitate the individual's efforts to maintain employment. The agency must document this decision in CWW case comments.
- The individual must be working at least 20 hours per month throughout the entire period of education. Work study can be considered to meet the employment requirement when work study is a component of the financial aid package.
- Local agencies do not have discretion to require more than 20 hours per month of employment.
- Participation in education is limited to no more than 24 months during the lifetime of the parent. The 24 months need not be consecutive. The 24 months must be recorded in the CSAW system Parent Education Tracking page.
- School and work schedules are required for all individuals.
- Field placement, such as unpaid student teaching and unpaid internships, do not meet the employment criteria of this section, but may be included as part of the educational activity if school credits are awarded for completion.
- The student's satisfactory progress must be documented by scanning the grade report in ECF and updating CWW case comments. Satisfactory progress is assumed if the student has passing grades for the term, or if passing grades are not achieved, there must be documentation that the student took part in the required classes and performed the required work.
 - **Note:** Future authorizations cannot be withheld or denied for a previous semester's lack of progress or attendance.

This section last updated 01/31/2018

1.4.8.9 Online Education

Participation in courses delivered online qualify as part or all of a parent's basic or post-secondary education activity regardless of whether the course requires specific log-in times or is entirely self-paced.

The course credit hours documented by the educational institution and the schedule provided by the parent are only part of the determination of hours eligible for authorization. The worker must also consider any shared placement or child school schedule, and approved activity schedule of a second parent in the Assistance Group. Authorized hours should also reflect any work schedule of the parent who is the online student.

Note: Study time shall not be included in the activity schedule, however, if the parent has a verified disability, time spent with a tutor can be included in the activity schedule for online education in order to assist the individual in passing the class. There may be an exception for parents participating in Tribal TANF or W-2; see 1.4.8.4 and 1.4.8.5.

In addition to existing criteria for basic education or technical college education, online education must:

- Be provided by an accredited educational institution.
- Provide credit hours for the completed course for either high school or post-secondary purpose.
- Course enrollment must be documented by letters or other documents provided by the educational institution.
- Authorizations for self-paced online education are limited to one hour per week per enrolled credit, plus reasonable travel time. Additional hours can be authorized for summer school if the institution documents that the course is delivered over an accelerated period with more hours of instruction provided per week.
- Travel time is the time between the provider location and the location that the parent logs into the course.
- The parent must inform the authorization worker of the location of the computer that will be used for logging into the course. If this is any location but the parent's home, the worker should consider the reasonableness of the location, and must require verification if questionable.
- The parent must provide a planned log-in schedule for the worker's use in establishing an authorization that considers the school schedule as well as factors such as a child's shared placement or the child's school schedule, or a second parent's overlapping approved activity.

- Once child care is authorized for a semester, students must report if a class is cancelled or they withdraw from a class so that authorizations can be adjusted.
- The student's satisfactory progress must be documented by scanning the grade report in ECF and updating CWW case comments. Satisfactory progress is assumed if the student has passing grades for the term, or if passing grades are not achieved, there must be documentation that the student took part in the required classes and performed the required work.
 - **Note:** Future authorizations cannot be withheld or denied for a previous semester's lack of progress or attendance.

This section last updated 01/31/2018

1.4.9 Exception to the Approved Activity Requirement

A parent who is a member of a two-parent or three-generation Wisconsin Shares Child Care Assistance Group may be exempt from the approved activity requirement if he or she is medically certified by a physician, psychiatrist, or psychologist as both:

- Unable to care for children, **and**
- Unable to participate in any approved activity.

This exception may be temporary or permanent depending on the medical certification. The Wisconsin Shares Child Care authorizations and subsidy amounts must be needed so that the other individual(s) in the Wisconsin Shares Child Care Assistance Group can participate in their approved activities.

Example: Mary and John have 6-month-old twins who need Wisconsin Shares Child Care subsidy so that Mary can keep her employment. John drove a delivery van for UPS but is now temporarily not able to work due to a back injury. His doctor wrote a letter to verify that John's back injury specifically prohibits him from being able to take care of his children due to a lifting restriction and that he cannot work at any job. Mary and John meet the non-financial requirement for participation in approved activities for two-parent families.

Example: Sarah and her husband Jerome, minor teen daughter Fanta, and Fanta's baby live in one household. Fanta attends high school, her father Jerome works full time, second shift. Sarah, Fanta's mother is not employed and has a history of alcohol and drug abuse. If Sarah is not able to work and not able to care for her grandchild, she must obtain a written statement from a doctor, psychiatrist, or psychologist that she cannot work and cannot care for the child.

This section last updated 10/24/2016

1.4.10 Approved Activity Search Periods

Some parents may be eligible to receive Wisconsin Shares Child Care Subsidy while searching for an approved activity for a limited time period up to three months if all other eligibility requirements are fulfilled.

This section last updated 01/31/2018

1.4.10.1 Eligibility for Approved Activity Search Period

Eligible parents who experience a permanent loss of employment or a permanent loss of another approved activity will be offered an opportunity to receive at least the same level of child care assistance for up to three months in order to search for an approved activity. If a parent does not state they intend to use this child care to search for another approved activity, the approved activity search period must be denied.

The Activity Search is only available to parents who currently have ongoing child care eligibility. Parents who are applying for initial eligibility cannot enter into an Activity Search as their initial approved activity. This includes eligible parents that are added to an ongoing case during the 12-month certification period (otherwise known as a “person add”). Those parents cannot enter into an Activity Search as their initial approved activity.

Parents are not limited to one Activity Search period during the 12-month eligibility period; however, a parent must be engaged in an approved activity as outlined in 1.4.8 or 1.4.9 between Approved Activity Search periods.

Parents are required to report the loss of an approved activity within 10 calendar days as stated in 1.9.1. If the loss of the approved activity is reported untimely, the Activity Search still must be granted.

This section last updated 01/31/2018

1.4.10.2 Starting and Ending an Approved Activity Search Period

The Activity Search period will begin the month after the permanent approved activity loss occurs.

The Activity Search period may remain in place for up to three months and the level of child care assistance cannot be reduced, unless one or more of the following conditions applies:

- The parent declines the three-month Activity Search period. Parents that decline cannot receive the three-month Activity Search period after declining. If declined or if the parent fails to respond to the offer, it must be recorded in CARES Worker Web (CWW) case comments.

- The Activity Search period cannot exceed the Wisconsin Shares Child Care eligibility renewal date. Therefore, the Activity Search period may be less than three months.

Example: If a family has an eligibility period spanning from January 1 to December 31, and a parent reports a permanent loss of approved activity to the local agency on October 6, the Activity Search would begin on November 1 and end on the eligibility renewal date of December 31.

- The Activity Search period may be less than three months if the parent begins an approved activity during the Activity Search period. Parents are required to report changes, including beginning an approved activity, within 10 calendar days of the change. (See 1.9.1)

Example: If a parent begins an Activity Search on July 1 and reports beginning an approved activity on August 5, the Activity Search will end on August 31.

- The Activity Search period may be less than three months if eligibility fails for any other financial or non-financial reason. Examples include, but are not limited to: the family moves out of state, or fails to cooperate with the Child Support Agency.

Note: If eligibility fails and then reopens within 30 calendar days, the parent may return to the three-month Activity Search period to utilize any remaining Activity Search time. A new three-month Activity Search period must not be established when the case reopens.

- If the parent decides to discontinue the Activity Search period, it may be ended earlier than three months.

In two-parent or three-generation families, if more than one parent is in an Activity Search period, eligibility will end on the earliest Activity Search End date.

If the parent has not begun an approved activity at the end of the three month Activity Search period, the eligibility and the authorization will be ended systematically. The worker is not required to take action.

This section last updated 01/31/2018

1.5 Financial Eligibility Requirements

This section applies to all child care cases unless otherwise specified in sections 1.7 or 1.8.

1.5.1 Gross Income

To determine eligibility for the Wisconsin Shares Child Care Subsidy Program, count all available earned and unearned income for the child care Assistance Group in the child care budget, except as detailed for income under sections 1.5.2, 1.5.3, and 1.5.4.

Income is available if the individual has a legal interest in it and has the legal ability to make it available for support and maintenance. Income is presumed to be available, unless proven unavailable. This policy refers to settlements and other income that a person may be granted, but may not actually receive for several years. This policy does not apply to deductions to earned income withheld by an employer, including but not limited to: taxes, child support payments, health insurance deductions, health savings accounts, wage garnishments, etc.

Income is unavailable if the individual cannot access it for a calendar month or more. The individual must verify that the income is unavailable. The individual may verify that income is unavailable by a letter from an agency or the source stating when the individual will receive the income. Verified unavailable income must not be counted in determining financial eligibility.

Example 1: Michelle was injured in a slip-and-fall accident at a store in November 2016. After a lengthy trial, the store is found guilty of negligence, and Michelle is awarded \$750,000 for pain and suffering. When Michelle applies for Wisconsin Shares Child Care in April 2018, she tells her worker about the unearned income. However, the store's insurance company is not going to pay Michelle until November 2018. Michelle provides the letter that the insurance company sent her as verification, and this income is not counted until November 2018.

Example 2: Jonathan applies for Wisconsin Shares Child Care in November 2017. Jonathan's ex-wife has primary placement of their child, JoEllen, but Jonathan is requesting child care for the days that JoEllen is with him. Jonathan's employer withholds funds from his paycheck for child support. Jonathan's gross income, before any deductions or withholdings, is used to determine his eligibility for Wisconsin Shares Child Care.

1.5.1.1 Maximum Gross Income for Initial Eligibility

The gross income limit for new applicants and Assistance Groups that have closed for more than one calendar month is 185% of the Federal Poverty Level (FPL).

1.5.1.2 Maximum Gross Income for Ongoing Cases

The maximum gross income threshold is 200% of the Federal Poverty Level (FPL).

This section last updated 10/24/2016

1.5.2 Income that is Included in the Financial Eligibility Test

Income that is counted towards the Wisconsin Shares Child Care budget includes, but is not limited to:

- Money, wages or salary; for individuals enrolled in Trial Employment Match Program (TEMP), Transform Milwaukee Jobs (TMJ), or Transitional Jobs (TJ) include the portion of the wage that is unsubsidized according to the Employer Agreement Form.
- Income from self-employment: the sum of net earnings as reported to the Internal Revenue Service (IRS) plus depreciation expenses, personal business and entertainment expenses, personal transportation costs, purchases of capital equipment, and payments on the principal of loans
- Dividends
- Interest on savings or bonds
- Income from estates or trusts
- Net rental income or royalties
- Supplemental Security Income (SSI)
- Social Security payments (including old age, survivorship, and disability)
- Pensions and annuities
- Unemployment insurance
- Worker's compensation
- Alimony and other maintenance payments
- All of the Wisconsin Shares Child Care Assistance Group's monthly child or family support payments if the amount is greater than \$1,250 per month
- Veteran pensions
- Private student loans that are **not** used for tuition or books
- Educational aid including grants and scholarships that are **not** used for tuition and books
- Capital gains income from selling securities and other property, rental income, and royalties

- Any other amounts paid to members of the Wisconsin Shares Child Care Assistance Group, unless the income is excluded as provided in sections 1.5.3. and 1.5.4

This section last updated 10/30/2017

1.5.3 Income that is Not Included in the Financial Eligibility Test

The income types listed below are excluded from the Wisconsin Shares Child Care budget:

- Overpayment collections that are withheld from Social Security, Unemployment Compensation or other programs that do not base eligibility on income and assets
- Child Support Payments: Court-ordered child support or family support payments if the aggregate amount paid to the Wisconsin Shares Child Care Assistance Group members is \$1,250 or less per month. **Note:** If the aggregate amount exceeds \$1,250 per month, the entire amount is counted as income in the Wisconsin Shares Child Care budget.
- Earned Income of Minor Dependents
- Earned Income Credit (EIC), income received under the federal/state EIC, or payments made by an employer under the federal advanced EIC
- State and federal tax refunds and Homestead Credit Payments
- Education Programs: Higher Education Act of 1965 (PL 89-329) and the Employment Skills Advancement Program
- Educational Aid: educational aid received under a state or federal program or scholarship funds used for tuition and books
- Work Study Income
- Income received for Foster Care, Kinship Care, Subsidized Guardianship, or Adoption Assistance payments
- Loans (not including educational aid)
- Reverse Mortgage Loan Proceeds (1993 Wisconsin Act 88)
- Job Access Loans
- In-Kind Income: non-cash reimbursements such as meals, clothing, housing, and garden produce
- Benefits for students aged 18 years old
- W-2 payments (CSJ, W-2 T, CMC, ARP, ~~or~~ TSP, **or CMF+** payments), Emergency Assistance payments, and Wisconsin Shares Child Care subsidy payments

- The wage subsidy portion of income from Trial Employment Match Program (TEMP), Transform Milwaukee Jobs (TMJ), or Transitional Jobs (TJ)
- Reimbursements: money paid to the individual to reimburse actual expenses incurred or paid, or both. May include a per diem allowance for travel, uniforms, transportation, out-of-pocket expenses, medical reimbursements, or reimbursement for a volunteer's out-of-pocket expenses incurred in the course of his/her work
- Gifts: Cash gifts, such as for birthdays, graduation, and holidays
- Earmarked Funds (previously titled "Windfalls"): Any amount received that is earmarked and used for the purpose it was paid, such as back medical bills from an accident or injury, funeral and cemetery costs, and replacement or repairs. For medical services which can be provided only at a future date: Disregard any amount earmarked for those services, provided there is a signed agreement specifying: the source and amount of the settlement; the purpose for which it is earmarked; that the amount is held in its own account; and that it is agreed to and understood that if all or part of the settlement is used for a purpose other than for what it is earmarked, that amount used will be considered available income and counted when determining eligibility and copayments.
- Federally-Funded Benefits: Any income from sources required to be disregarded by federal or state law. Such sources include, but are not limited to: Nutrition Program benefits from National School Lunch Act (PL 79-396), Food Stamp Act of 1977 (PL 88-525), Child Nutrition Act of 1996 (PL 89-642); Indian Tribal Federal Settlements; Housing Act of 1949 (PL 81-171); Older Americans Act (PL 89-73); Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (PL 91-646); Robert T. Stanford Disaster Relief and Emergency Act (PL 93-288); Housing and Community Development Amendments of 1978 (PL 95-557), however, wages from the act may be counted as income; Low Income Energy Assistance Act of 1981 (PL 97-35); Old Age Assistance Claims Settlement Act (PL 98-500); Workforce Investment Act: WIA for Adults, Rapid Response, and Dislocated Workers, National Emergency Grants, Trade Adjustment Act, unless specifically earmarked for child care expenses; Refugee Resettlement Reception and Placement income for Iraqi and Afghan immigrants who have been granted Special Immigration Visas (SIVs) under Section 1059 of the National Defense Authorization Act (PL 109-163).

This section last updated 08/01/2018

1.5.4 Limited Income Exclusions from the Financial Eligibility Test

The following types of income are excluded as income in the Wisconsin Shares Child Care budget under the limited circumstances as detailed below:

- AmeriCorps and or VISTA (PL 93-113): Exclude income if the stipend amount divided by the number of hours of activity equals less than minimum wage.
- Operation Fresh Start: Disregard Operation Fresh Start income unless the agency director verifies that participants are receiving the equivalent of minimum wage. If the Operation Fresh Start participant is receiving minimum wage or more, count the income in determining gross income.
- Indian Tribal Judgment Funds Use or Distribution Act (PL 93-134): Disregard per capita shares and income of \$2,000 per year or less.
- Rehabilitation Act of 1973 (PL 93-112): Disregard wages, allowances or reimbursements for transportation or personal assistance services costs paid to reasonably accommodate an employee, such as a vehicle modification made to accommodate a disability or a payment by the Division of Vocational Rehabilitation to support a rehabilitation plan.

This page last updated 10/30/2017

1.5.5 Monthly Income Calculations

Unless otherwise stated in sections 1.5.5.1, 1.5.5.2, or 1.5.5.3, monthly income is budgeted prospectively by making the best estimate of income based upon the information available. When converting income to monthly income:

- Weekly income is multiplied by 4.3 to get a monthly income amount.
- Biweekly income is multiplied by 2.15 to get a monthly income amount.
 - Paid every other week (for example every other Thursday with 26 paychecks a year).
- Semi-monthly income is multiplied by 2 to get the monthly income amount.
 - Paid twice a month (for example on the 1st and 15th of the month with 24 paychecks a year).

Example: Convert income received on a weekly basis to a monthly amount: $\$7.50 \times 40$ hours = \$300 per week. Then, multiply the weekly amount by 4.3 weeks to arrive at an average monthly income: $\$300 \times 4.3$ weeks = \$1,290 per month.

This section last updated 10/24/2016

1.5.5.1 Contractual Income

- Contractual income that is annual income (intended to provide support for the entire year), and is not paid on an hourly or piecework basis, must be prorated over 12 months.

Example: Joe works for a public school as a teacher's aide. Joe has worked there for the last 3 years and receives a 9.5-month contract every August. He earns \$13,480.50 annually. He lives off his salary as a teacher's aide for the full year and does not supplement his income during the summer. Average his income over 12 months: $\$13,480.50 \div 12 = \$1,123.40$ per month.

- Contractual income that is not annual income (intended to provide support for the Wisconsin Shares Child Care Assistance Group for only a portion of the year), and is not paid on an hourly or piecework basis, must be prorated over the period the income is intended to cover.

Example: Nancy works for the public school as a part-time nurse. She receives a contract for 10 months every August. She earns \$10,000 per school year. In the summer, she supplements her income as a lifeguard at the city pool. Average Nancy's school year income of \$10,000 by 10 months. $\$10,000 \div 10 = \$1,000$ per month for the school year. Then for the summer months calculate her income by her summer earnings.

This section last updated 09/28/2015

1.5.5.2 Fluctuating Income

- If the amount of regularly received income varies, use an average.

Example: Harold is a salesman and receives a commission payment every quarter. His last commission check was \$150. Divide \$150 by three (3) months and average it over the three months.

- Income that is normally obtained, but received on an irregular basis, is to be averaged over the period between payments.

Example: Felicia is a salesperson who doesn't always receive a commission check every quarter. She did not receive a commission last quarter. Her last check was \$200 and was received six (6) months ago. Divide the \$200 by six (6) months and count \$33.33 per month as her income until she reports receiving another commission check.

- If neither the amount nor the frequency is consistent or predictable, count it only for the month in which it is received as non-recurring income.

Example: Rau is a salesman and he receives a sales commission check whenever his company determines that their profits will allow them to pay out commissions. Rau has not received a commission check for 9 months although before that he was getting them

on a quarterly basis. Rau reports that he received a \$175 check this month, but doesn't know when he will receive one again. \$175 is this month's income.

This section last updated 09/28/2015

1.5.5.3 Non-Recurring Income

Income that is received on a one-time basis is to be budgeted in the month that it is received. Examples of this include lottery winnings, a one-time bonus, or a lump sum payment.

This section last updated 09/28/2015

1.5.5.4 Self-Employment Income

Self-employment income for Wisconsin Shares Child Care eligibility is defined in statute as the sum of net earnings reported to the Internal Revenue Service and depreciation expenses, personal business and entertainment expenses, personal transportation costs, purchases of capital equipment, and payments on the principal of loans.

The expenses noted above are invalid expenses for Wisconsin Shares Child Care and are added to the net income field in CWW during the Wisconsin Shares Child Care eligibility determination.

CARES Worker Web will calculate the monthly self-employment income for the Wisconsin Shares Child Care Assistance Group when the self-employment page is completed. CWW has a field to enter depreciation expenses. Add together personal business and entertainment expenses, personal transportation costs, purchases of capital equipment, and payments on the principal of loans and enter it in the CC Only Invalid Expenses field.

Example: John has been a self-employed construction worker for several years. He generally works many hours during the summer months, and very little during the winter. He applies for Wisconsin Shares Child Care Subsidy in November and provides an IRS tax form for the previous year to verify his yearly income and expenses. His total yearly self-employment income minus his total yearly allowable expenses and excluding the invalid self-employment expenses for child care from his expenses is divided by 12 to determine a monthly income average. Based upon his monthly income he may meet financial eligibility criteria.

John reports on January 7th that he has not worked since December 30th. This is a normal fluctuation in his business so there would be no change in the income budgeted, however, John's eligibility for child care ends due to his non-participation in an approved activity.

This section last updated 10/24/2016

1.5.6 Asset Testing

Total liquid assets belonging to the Assistance Group shall not exceed \$25,000.

Verification of the family's liquid assets is self-declared and no further verification is necessary when a parent states that their liquid assets do not exceed the limit. If a family claims to have \$25,000 or more in liquid assets, the local agency must request documentation of the liquid assets to ensure that eligibility is correctly denied.

The applicant shall have seven (7) business days to provide verification of their claimed liquid assets. If verification is provided and demonstrates liquid assets of \$25,000 or more, the entire assistance group will fail financial eligibility. If the family fails to provide verification within seven business days, the case will fail for failure to provide verification.

If either the family provides verification that demonstrates they do not have \$25,000 in liquid assets or they incorrectly answered "yes" to the asset test and subsequently self-declare that they do not exceed the liquid asset limit, the family shall pass the asset test.

Information about the family's liquid assets must be documented in the comments field on the CWW "Assets for Child Care" page unless the family initially indicates that they do not meet the asset limit.

Any business liquid assets encumbered by a legal entity, such as an LLC, shall not be included in the family's asset test.

Foster parents, subsidized guardians, interim caretakers, and relatives who have both a court order for placement of a child under Wis. Stat. Chs. 48 or 938, or substantially similar Wisconsin tribal law, and who receive a Kinship Care payment are not subject to the asset test. (See Glossary for "Receiving a Kinship Care Payment") However, if Wisconsin Shares Child Care subsidy is needed for any of their biological children, the asset test will be part of the eligibility determination.

The asset test is required at the initial eligibility determination and at each eligibility renewal.

This section last updated 08/01/2018

1.6 Verification Requirements

This section applies to all child care cases unless otherwise specified in sections 1.7 or 1.8.

This section last updated 10/30/2017

1.6.1 Documentation

Documentation means information recorded in case comments, or saved in ECF. Each item used in the Wisconsin Shares Child Care eligibility determination process must be documented. Photocopies of verification items should be marked with the date the document was received along with the initials of the agency staff person who obtained the documents.

If the document that was used to support the eligibility determination is scanned into the Electronic Case File (ECF), or if the verification occurred through a CARES data exchange, the worker is not required to record case comments in CWW to substantiate the data exchange. However, when there is no original or copy of the document such as when there is a collateral contact, worker observation, a home visit, or a verbal statement, a CWW case comment must contain enough information to describe the nature and source of the information.

This section last updated 10/30/2017

1.6.2 Authority to Request Information

The agency may request any additional information that is necessary and appropriate in order to make a correct eligibility decision. The agency does not need to verify an item that is not required or is not questionable.

A release of information is not required when the agency worker is assisting the client to obtain employment verification through collateral contact.

This section last updated 10/24/2016

1.6.3 Responsibility for Providing Verification

The Wisconsin Shares applicant has the primary responsibility for providing verification and resolving questionable information.

This section last updated 10/24/2016

1.6.4 Required Agency Assistance

If the applicant has made a reasonable effort and cannot obtain the information, the agency must assist the applicant in obtaining the verification. No signed release of information is needed when assisting the client to obtain this information.

If neither the applicant nor the agency can get the required verification by the 30th day from the application date, eligibility must be denied.

This section last updated 10/30/2017

1.6.5 Notice of Verification Required

The applicant must be informed in writing of the verification items that are needed along with a due date.

This section last updated 10/30/2017

1.6.6 Verification Due Date

The applicant has seven (7) business days from the date the “Notice of Verification Needed” was mailed to submit the needed verification to the agency. If verification has not been received from the applicant within seven (7) business days, the agency should run eligibility to generate a Denial Notice alerting the applicant the Wisconsin Shares Child Care request is denied.

If the applicant requests more time to provide the verification, the agency may extend the verification due date to not more than 30 calendar days from the application filing date. The need for more time may be an indication to the agency worker that the applicant requires assistance. See section 1.6.4.

This section last updated 10/30/2017

1.6.7 Applicant Refusal to Produce Verification

If the applicant is able to produce the verification, but refuses or fails to do so, eligibility must be denied.

This section last updated 10/30/2017

1.6.8 Contradictory or Questionable Information

If at any point an agency receives contradictory or questionable information regarding any eligibility item, the agency should request documentation to substantiate the parent’s claim and allow the parent seven (7) business days to obtain such documentation.

Questionable or contradictory verification or reporting must be resolved or referred for Front-End Verification according to the agency’s fraud plan.

This section last updated 10/30/2017

1.6.9 Required Verification

The agency must receive verification for all of the items listed in sections 1.6.10, 1.6.11, and 1.6.12 as specified, before the eligibility determination can be completed.

This section last updated 10/24/2016

1.6.10 Non-Financial Eligibility Verification

The following lists the non-financial eligibility items that must be verified and includes a list of document types that satisfy the corresponding requirement. The only sources of verification accepted and valid for Wisconsin Shares eligibility are those that are listed below.

- **Identity of the applicant and all parents in the Assistance Group:** A photo ID, (except those excluded by Wis. Stat. s. 66.0438) such as, but not limited to: Driver's license; state-issued ID card; Photo Employee ID card; Photo Student ID card; Military ID card; Native American ID card issued by a federally recognized tribe; Photo ID issued by USCIS; U.S. Passport; ~~or~~ data exchange with SCHIP-I; or verification of participation in the Safe at Home program (see CWW Process Help Chapter 77).
 - **Social Security Number (SSN) for children for whom assistance is requested:** Application for SSN on form SS-5; a letter from the Social Security Administration stating that the application has been received; hospital confirmation of the SSN application when it was completed at the hospital for newborns; verbal report of SSN by parent if verified by the SOLQ-I data exchange; Social Security card; Numerical Identification System (Numident) record.
 - **Date of Birth of each Assistance Group Member:** Certified copy of Birth Certificate; Driver's License; U.S. Passport; state-issued ID card; Certificate of Naturalization; Certificate of Citizenship; Native American ID card issued by a federally recognized tribe; Photo ID issued by USCIS; any unexpired immigration document that has a photo identification; CWW Birth Query (Wisconsin births); Medicaid Birth Record; SOLQ-I data exchange.
 - **Wisconsin Residency and Residence (home address):** Lease agreement; Utility bill for water, gas, electricity, or telephone that includes name and address; Mortgage receipt; Subsidized housing program approval document; Weatherization program approval document; Paycheck stub that includes name, address, and employer; current State of Wisconsin Driver's license; current Wisconsin ID card; current motor vehicle registration; school registration record; verification of participation in the Safe at Home program (see CWW Process Help Chapter 77); any other reliable document that verifies Wisconsin residency. Forms of identification as identified in Wis. Stat. s. 66.0438 that include the residence address cannot be used for address verification.
- Note:** Homeless individuals and families are exempt from having to provide verification for a home address, but must certify that they reside in Wisconsin and during the interview must certify that they intend to continue to reside in Wisconsin.
- **U.S. Citizenship of children:** Certified copy of Birth Certificate; U.S. Passport; data exchange with SCHIP-I; CARES Birth Query (Wisconsin births only); Native American ID card issued by a federally recognized tribe; Certificate of Naturalization; Certificate of Citizenship; Medicaid Birth as documented by a Wisconsin hospital.

- **Immigration status of children:** If the applicant is not a U.S. citizen or U.S. national he or she must present immigration documentation that the agency will verify through SAVE. Any documents issued by USCIS that contain a photo and are unexpired serve as verification of immigration status. Children of immigrants may have derivative immigration status based on parents' status.
- **Marital status:** Self-declaration is acceptable. If questionable, obtain a certified copy of Marriage Certificate or Judgement of Divorce or Legal Separation.
- **Placement of children:**
 - Shared Placement: Legal documents stating child placement; Self-declaration
 - Out-of-Home Care Placements:
Foster Care/Subsidized Guardianship/Interim Caretaker Placements: current Voluntary Placement Agreement; current Temporary Physical Custody order; current court order under Wis. Stat. Ch. 48 or 938 or any Wisconsin tribal law that is substantially similar to Wisconsin Stat. Ch. 48 or 938; a letter from the child's caseworker (county or tribal) that includes the name and address of the foster parent with whom the child is placed, plus the name and date of birth of the child, as well as the date the out-of-home care placement began, the date the out-of-home care placement will end (if applicable), and the name, date the letter was completed, and the telephone number for the caseworker; or DCF-F-5190-E.

Relatives with court-ordered placement of a child: current court order (any court order under Wis. Stat. Chs. 48, 54, or 938 or any Wisconsin tribal law that is substantially similar to Wis. Stat. Chs. 48, 54, or 938 is acceptable); a letter from the child's caseworker (county or tribal) for Wis. Stat. Ch. 48 or 938 or any Wisconsin tribal law that is substantially similar to Wis. Stat. Ch. 48 or 938 that includes the name and address of the relative with whom the child is placed, plus the name and date of birth of the child, as well as the date the court ordered placement with the relative began, the date the child's court ordered placement with the relative will end (if applicable), and the name, date the letter was completed, and the telephone number for the caseworker; or DCF-F-5190-E (when the placement was ordered under Wis. Stat. Ch. 48 or 938 or any Wisconsin tribal law that is substantially similar to Wis. Stat. Ch. 48 or 938).

Court orders from states other than Wisconsin are allowable as verification of a court order.

Please note that **voluntary** kinship placements for which the relative volunteered to have the child placed with him or her, or guardianships

under Wis. Stat. Ch. 54 or any Wisconsin tribal law that is substantially similar to Wis. Stat. Ch. 54 must be verified using the current court order only.

This section last updated 08/01/2018

1.6.10.1 Vital Record Documentation

Vital records are maintained by the Wisconsin Department of Health Services and are official records of births, deaths, marriages and divorce. These documents are referred to as Birth Certificates, Death Certificates, Marriage Certificates, and Divorce Certificates. Every time an official vital record is used in the eligibility process, it must be marked “Administrative Use Only” per Wis. Stat. s. 69.30(2).

When these documents are scanned at the local agency, the agency must photocopy the original document, stamp it with “Administrative Use Only” and then scan the document into Electronic Case File (ECF). Originals must be returned to the applicant.

Certificates of Naturalization and Certificates of Citizenship are not considered vital records, but must also be treated as vital records because they are also official documents.

This section last updated 10/24/2016

1.6.10.2 Verify Only Once

The items that are verified only once per lifetime are:

- Identity
- Social Security Number
- Date of Birth
- Citizenship

Verify “only once” means once per lifetime in CWW. To assure that these items are only verified once, the agency must scan copies of documents used to verify these items and upload them to the Electronic Case File (ECF), except when the information has been verified via data exchange.

If the information was auto-populated by data exchange, the item is verified. If the worker entered the verification code, the worker will need to confirm that the underlying data exchange actually occurred.

This section last updated 10/24/2016

1.6.11 Approved Activity Verification

The following lists the approved activity eligibility items that must be verified and includes a list of document types that satisfy the corresponding requirement. All parents in the Wisconsin Shares Child Care Assistance Group must be participating in a verified

approved activity. Frequently, items that verify income will also serve to verify the approved activity.

Parents can self-declare their activity schedules for employment, but the schedule must correspond to the pay stubs. Parents may also self-declare activity schedules for W-2, Tribal TANF, and FSET when the activities in the Employability Plan or Self-Sufficiency Plan do not have set times. Lastly, only online classes that do not have set times can be self-declared. All classes that have set class time require the parent to provide a copy of the class schedule. See Chapter 2 for further information on the authorization assessment.

Acceptable Sources of Verification for Approved Activity Types:

Employment: Dated pay stubs and pay statements for the immediately preceding 30 days must include the employer and employee name, rate of pay, and hours worked.

- If the individual is classified as exempt or salaried under the Fair Labor Standards Act, the hours worked may not be included on their pay stubs. If the hours are not included on the pay stubs, document the individual's stated hours worked on the Employment page in CWW.
- If the applicant or participant has recently started a job and has received only three (3) pay stubs in the preceding 30 days and submits all three (3) pay stubs for verification, then they have met the requirement of providing all the pay stubs for the preceding 30 days.

Sources include: Employer Verification Form – Earnings (EVF-E) with the employer's signature, number of hours of work per week, company name, and rate of pay; a letter from the employer bearing the employer's legible name, contact information, and signature, and includes the employee's name, rate of pay, and hours of work; employment verification obtained through The Work Number, and Equifax verification through the Federal Data Services Hub (FDSH) wage match (so long as the data is correct and reports on the approved activity income within the past 30 days).

Collateral contact with the employer is a valid form of approved activity verification when the agency worker is assisting the client to obtain earned income and employment verification. The worker must document the phone conversation in CWW case comments including the date and time, and name and phone number of the person that was contacted.

Local agencies may ask for pay stubs for the entire preceding 30 days when employment is not new and there is an expectation that pay checks would have been issued. The EVF-E carries the same validity of pay stubs, but if there is suspicion that it is being completed by the applicant instead of the employer the local agency must follow guidance in Section 1.6.8 Contradictory or Questionable Information.

Transform Milwaukee Jobs, Transitional Jobs, or Trial Employment Match

Program jobs: Verified by the Employability Plan in CARES, or through pay stubs.

Apprenticeships: A copy of the signed apprenticeship contract between the applicant, employer, and the Wisconsin Department of Workforce Development.

Self-Employment: Parents who operate self-employment businesses must file taxes with the IRS in order to participate in the Wisconsin Shares Program. Filed IRS tax documents for the most recent tax year must be provided for parents who wish to receive child care subsidy while self-employed. Tax documents must be provided at the annual review that follows the most recent tax filing season.

Self-employed parents who have not filed taxes because the business has not yet operated in a calendar year and subsequent tax season must provide a Self-Employment Income Report form (SEIRF) (~~form DCF-F-DWSP2131~~ or form DHS F-00107) for the last 30 **calendar** days.

SEIRFs may also be submitted for months when the previous year's filed IRS tax documents do not represent the current income for the business. Additionally, when a new business is six (6) months old, a SEIRF must be provided so that an accurate authorization can be written. See Chapter 2 for information about authorizations for self-employment.

If IRS tax documents or SEIRFs appear questionable or need clarification, local agency staff must request additional verification from the parent, such as documentation of receipts, contracts, or expenses. Any additional verification requirements must be documented in CWW case comments.

If the validity of the self-employment is questionable, seven (7) or more of the following conditions must be met by the individual:

1. The individual holds or has applied for an identification number with the Internal Revenue Service (IRS).
2. The individual has filed business or self-employment tax returns with the IRS based on such services in the previous year or, in the case of a new business, in the year in which such services were first performed, or has paid quarterly estimated taxes.
3. The individual maintains a separate business with his or her own office, equipment, materials, and other facilities.

4. The individual operates under contracts to perform specific services for specific amounts of money and under which the individual controls the means and methods of performing such services.
5. The individual incurs the main expenses related to the services that he or she performs under contract.
6. The individual is responsible for the satisfactory completion of services that he or she contracts to perform and is liable for a failure to satisfactorily complete the services.
7. The individual receives compensation for services performed under a contract on a commission or per-job basis and not on any other basis.
8. The individual may realize a profit or suffer a loss under contracts to perform such services.
9. The individual has recurring business liabilities or obligations.
10. The success or failure of the individual's business depends on the relationship of business receipts to expenditures.

If the parent does not meet at least seven (7) of the 10 conditions above, it is not self-employment for child care eligibility purposes. If this is the case, agency workers could explore whether the activity is not an approved activity or if it might be regular employment. Workers should use the acceptable sources of verification for employment noted in this section.

Wisconsin Works (W-2) Placement: Verified by the W-2 Employability Plan in CARES.

Tribal Temporary Assistance for Needy Families (TANF): Verified by the Individual Self-Sufficiency Plan, the applicant will be able to provide a printed copy.

FoodShare Employment & Training (FSET): Verified by the FSET Employment Plan in CWW (Worker Tools-FSET Tool-Employment Plan).

Learnfare: Verified by the Learnfare Case Management Plan in CARES.

HSED, GED, High School: Enrollment letter from school. The most current grade report for the student must be obtained to review for satisfactory progress; if passing grades are not achieved there must be documentation that the student took part in the required classes and performed the required work. If a teen parent will remain a dependent child on their parent's case, the agency must collect written documentation from education institution which identifies the high school graduation or high school equivalency requirements and the progress the teen parent has made; and based on

this information the documentation must show that the student is expected to achieve graduation or its equivalent by their 19th birthday.

Basic Education and Employment: Proof of school enrollment and class schedule and employment verification of at least 20 hours per month. The most current grade report for the student must be obtained to review for satisfactory progress; if passing grades are not achieved there must be documentation that the student took part in the required classes and performed the required work.

Technical College and Employment: Proof of school enrollment and class schedule and employment verification of at least 20 hours per month. The most current grade report for the student must be obtained to review for satisfactory progress; if passing grades are not achieved there must be documentation that the student took part in the required classes and performed the required work. Work-study is verified by the educational aid package or a letter from the school.

Online Education: Proof of school enrollment and class schedule and employment verification of at least 20 hours per month. The most current grade report for the student must be obtained to review for satisfactory progress or if passing grades are not achieved, there must be documentation that the student took part in the required classes and performed the required work.

This section last updated 08/01/2018

1.6.11.1 Employment Verification for Newly Employed Parents when the Employer Uses Equifax/The Work Number

When **all** of the following conditions have been met, Child Care eligibility may be determined based on the parent's statement of employment and/or income:

- The parent is newly employed;
- The parent's employer uses Equifax/The Work Number for employment verification;
- The parent has not yet received any pay stubs;
- The employer has refused to complete an EVF-E, send an acceptable letter, or confirm the parent's employment and/or income through collateral contact;
- The employment and/or income cannot be confirmed through any data exchange; and
- The employment and/or income cannot yet be confirmed through Equifax/The Work Number.

In situations where **all** of the above criteria have been met, the parent's word serves as temporary verification of employment and/or income until pay stubs or other acceptable written verification is available.

When eligibility is determined under this policy, the worker must continue to require verification and issue a Notice of Verification Required through CARES Worker Web (CWW).

A new case summary and signature are not needed if there is already a signature that satisfies the requirements of Section 1.3.6 Signature Requirements.

This section last updated 10/30/2017

1.6.11.2 Approved Activity Search Verification Requirements

Local agencies are not required to collect any activity logs or other documentation to verify the parent's Activity Search activity.

Parents cannot have consecutive approved activity search periods. Parents must engage in and provide approved activity verification of another activity as outlined in policy 1.6.11 and be determined eligible between search periods.

This section last updated 01/31/2018

1.6.12 Financial Eligibility Verification

The following lists the financial eligibility items that must be verified and includes a list of document types that satisfy the corresponding requirement. The only sources of verification accepted and valid for Wisconsin Shares eligibility are those that are listed below.

- **Earned Income of all adults in the Assistance Group:** Dated pay stubs and pay statements for the immediately preceding 30 days must include the employer and employee name, rate of pay, and hours worked.
 - If the individual is classified as exempt or salaried under the Fair Labor Standards Act, the hours worked may not be included on their pay stubs. If the hours are not included on the pay stubs, document the individual's stated hours worked on the Employment page in CWW.
 - If the applicant or participant has started a new job in the past 30 days and, as a result, does not have pay stubs for the entire 30-day period, but has all of the pay stubs for the new job that have been issued, then they have met the requirement of providing all the pay stubs for the preceding 30 days.

Sources include: Employer Verification of Earnings (EVF-E) form with the employer's signature, number of hours of work per week, company name, and rate of pay; a letter from the employer bearing the employer's legible name, contact information and signature and includes the

employee's name, rate of pay, and hours of work; earned income verification through The Work Number; or Equifax verification through the Federal Data Services Hub (FDSH) wage match (so long as the data is correct and reports on the approved activity income within the past 30 days).

As a last resort, collateral contact with the employer is a valid form of employment verification when the agency worker is assisting the client to obtain earned income and employment verification. The worker must document the phone conversation in CWW case comments including the date and time, and name and phone number of the person that was contacted. This form of verification may be coded as Collateral Contact in CWW.

If any form of employment verification appears questionable or the worker is suspicious of falsification of the documentation, the worker must document this in case comments and request a second form of verification.

- **Self-Employment:** Parents who operate self-employment businesses must file taxes with the IRS in order to participate in the Wisconsin Shares Program. Filed IRS tax documents for the most recent tax year must be provided for parents who wish to receive child care subsidy while self-employed.

Self-employed parents who have not filed taxes because the business has not yet operated in a calendar year and subsequent tax season must provide a Self-Employment Income Report form (SEIRF) (~~form DCF-F-DWSP2131~~ or form DHS F-00107) for the last 30 **calendar** days.

SEIRFs may also be submitted for months when the previous year's filed IRS tax documents do not represent the current income for the business. Additionally, when a new business is six (6) months old, a SEIRF must be provided so that an accurate authorization can be written. See Chapter 2 for information about authorizations for self-employment.

If IRS tax documents or SEIRFs appear questionable or need clarification, local agency staff must request additional verification, such as documentation of receipts, contracts, or expenses. Any additional verification requirements must be documented in CWW case comments.

- **Unearned Income for all Assistance Group members:** Unemployment Compensation award letter unless the income is auto-populated in CWW by the UI data exchange; divorce documents showing financial settlement,

maintenance, family support, or child support; documentation of court-awarded settlement; Social Security award letter; Veteran's Administration award letter; compensation award letter; Financial Aid award letter; other tax records showing unearned income, and documentation from any other source of income. ~~Proof of a Kinship Care payment, Foster Care payment, or Subsidized Guardian payment, or Interim Caretaker payment may be provided by verbal or written confirmation from the Child Protective Services (CPS) agency.~~

- **Proof of Natural or Adoptive Parent Income:** The eligibility worker must obtain the natural or adoptive parent income at the time the child was removed from the home. This information is available from the local Child Protective Services agency. This income information shall be noted in case comments and recorded on the Manual Eligibility page.

This section last updated 08/01/2018

1.6.12.1 Verifying Income from Employment that Ended Prior to Application Date

If an applicant's employment income ended prior to the application date, the local agency worker must determine whether information related to that employment income is needed.

If employment income ended in a month prior to the RFA, the agency does not need to require verification that the employment income ended unless there is a documented reason why the information is questionable (i.e. the agency reasonably believes the applicant continues to be employed).

Example 1: An application for Wisconsin Shares Child Care Subsidy is submitted in February 2017. The applicant states that she left her job at Shopko in December and started working at Target in January. She is requesting child care assistance starting in February. The applicant received their last check from Shopko in January. Verification is not necessary that employment ended at Shopko because the income was received in the month prior to the eligibility period. Verification of her employment at Target is required.

Employment income ending must be verified if it ended recently and it is reasonable to believe income will be received in a month for which eligibility is being determined.

Example 2: An application for Wisconsin Shares Child Care Subsidy is submitted on February 13. The applicant states her employment ended January 30 and her last paycheck will be received February 15. The applicant started a new job on February 1. Because the income from the ended employment is needed to determine eligibility for month one of the application period, verification is required of the income and that the employment ended as well as verification from the new employment.

This section last updated 10/30/2017

1.7 Migrant Farmworker Families

All eligibility requirements as stated in sections 1.4, 1.5, 1.6, 1.8, and 1.9 apply to migrant farmworker families that are served through a contracted nonprofit organization unless specifically exempted.

This section last updated 10/24/2016

1.7.1 Child Care Applications for Migrant Farmworker Families

Migrant farmworker families may apply for Wisconsin Shares Child Care Subsidy through the local agencies in their county or tribe of residence, or may apply for child care through a Department-contracted nonprofit organization that provides child care services to migrant families.

This section last updated 10/30/2017

1.7.2 Eligibility through the Migrant Child Care Contract (MCC)

The Contractor will conduct an in-person or telephone eligibility interview with each family. Once a child is determined eligible, he or she will remain eligible through the end of the migrant farmworker season. The Contractor will determine and verify financial and non-financial eligibility for children served under this contract based on Migrant Head Start eligibility criteria, as outlined below:

Financial Eligibility

1. The migrant farmworker family's annual income comes primarily from agricultural work.
2. The migrant farmworker family's annual income is less than 185% FPL for the family size and income.

The Contractor must verify financial eligibility based on income, and may use previous year tax forms, current pay stubs, work agreements (contracts), or other proof of income to determine the anticipated family income for the period (next consecutive three (3) months). If the family cannot provide tax forms, pay stubs, or other proof of income for the relevant time period, program staff may accept written statements from employers for the relevant time period and use the income information to calculate total annual income and FPL.

The child's eligibility file must contain a statement that identifies whether the family's income is below income guidelines for its size, and must list the family's size.

Non-Financial Eligibility

1. The child to be served is between the ages of birth through 12 years, or up to age 19 for children with special needs.
2. The child is a US Citizen or qualified immigrant.
3. The parents of the child meet the definition of migrant farmworker. This may be supported by a combination of proof that the parent is employed in migrant farm work and proof that the family has ~~resided outside of Wisconsin for ten (10) of the past twelve (12) months~~ temporarily left their principal place of residence outside of Wisconsin and come to this state for not more than 10 months in a year to accept seasonal employment in the planting, cultivating, raising, harvesting, handling, drying, packaging, processing, freezing, or storing any agricultural or horticultural commodity in its unmanufactured state.

Documentation Requirements for families served through the MCC

Each child served under this contract must have an eligibility file, which may be kept electronically. Each eligibility file must contain the following:

1. The Head Start application form
2. The date, time and method of the eligibility interview.
3. A copy of the child's birth certificate or other documentation to substantiate the child's status.
4. A copy of pay stubs or any other form of documentation as listed above in the financial eligibility section to verify household income.
5. A copy of documentation that identifies the family's poverty level at the time of application.
6. A copy of the child's individual attendance records.

Eligibility documentation and child attendance records must be kept for three (3) years after the last day the child was served.

This section last updated 08/01/2018

1.8 Foster Care, Subsidized Guardianship, Interim Caretaker, and Relatives with Court-Ordered Placement who Receive Kinship Care

Unless otherwise specified in this section, all requirements for these individuals remain as stated in sections 1.3, 1.4, 1.5, 1.6, and 1.9.

Wisconsin Shares Child Care does not allow categorical eligibility for any groups of family types. Foster care, subsidized guardians, interim caretakers, tribal placements,

and relatives with court-ordered placement who receive the Kinship Care payment must all complete the same eligibility determination process including verification of approved activity and income just as all other families are required to do.

This section last updated 10/30/2017

1.8.1 Financial Eligibility

The financial eligibility test for foster care, subsidized guardianship, interim caretaker, and relatives with court-ordered placement who receive a Kinship Care payment (see Glossary for “Receiving a Kinship Care Payment”) and children in tribal placement homes under a substantially similar Wisconsin tribal law, is based upon the child’s biological or adoptive parents’ income tested at 200% Federal Poverty Level (FPL) at the time the child was removed from the home. This income information is usually available from the Child Protective Services (CPS) agency that is involved in the case; the verbal or written statement regarding the income information from the social worker involved in the case is sufficient to document the biological or adoptive parent’s income. When determining the group size and income for the biological or adoptive family, include all parents and children in the home the day before the child was removed and all household income the day before the child was removed.

For the purpose of Wisconsin Shares policy, approval to receive the Kinship Care payment qualifies as receiving the Kinship Care payment. Being on the Kinship Care payment waitlist does not qualify as receipt of a Kinship Care payment. Proof of Kinship Care approval may be provided by written confirmation from or collateral contact with the Kinship Care Coordinator. Note that the confirmation must state that the Kinship Care payment has been approved. Stating that the family will probably receive the Kinship Care payment does not qualify as approval to receive a Kinship Care payment.

~~Being on the Kinship Care payment waitlist does not qualify as receipt of a Kinship Care payment.~~

If the biological or adoptive parents’ income exceeds 200% FPL, the eligibility worker must fail eligibility on the Manual Eligibility page in CWW and the financial eligibility test is then based on the caregiver household income and is tested at 185% FPL. With the exception of this financial eligibility variation, all other requirements under section 1.5 must be met for foster care parents, subsidized guardians, interim caretakers, and relatives with court-ordered placement who receive Kinship Care. If the caregivers’ household exceeds 185% FPL, there is no eligibility for child care subsidy.

Foster care parents, subsidized guardians, interim caretakers, and relatives with court-ordered placement who receive Kinship Care that need child care for their own children must meet all requirements as provided under section 1.5; there is no financial eligibility exception for their own children.

This section last updated 08/01/2018

1.8.2 Exemption from Cooperation with Child Support

Foster care parents, subsidized guardians, interim caretakers, and relatives with court-ordered placement who receive Kinship Care (see Glossary for “Receiving a Kinship Care Payment”) are not required to cooperate with child support for their foster care child, subsidized guardianship child, interim caretaker child, or child for whom they have court-ordered placement and receive Kinship Care as a condition of eligibility. (For any other relatives and non-relatives caring for children who are not their biological or adopted children, see 1.4.7.) With the exception of this non-financial eligibility variation, all other requirements under section 1.4 must be met for foster care parents, subsidized guardians, interim caretakers, and relatives with court-ordered placement who receive Kinship Care.

Foster care parents, subsidized guardians, interim caretakers, and relatives with court-ordered placement who receive Kinship Care must cooperate with the child support agency for their own children under section 1.4.7.

This section last updated 08/01/2018

1.8.3 Exemption from Providing Verification within 7 Business Days

Foster care parents, subsidized guardians, and interim caretakers are exempt from the non-financial requirement to provide verification within seven (7) business days as detailed under section 1.6. However, verification remains required within 30 days. Outside of this exception, all other requirements under section 1.6 still apply to foster care parents, subsidized guardians, and interim caretakers.

Foster care parents, subsidized guardians, and interim caretakers are not exempt from the requirement to provide verification within seven (7) business days when they are applying for child care assistance for their own children.

Relatives with court-ordered placement who receive Kinship Care are not exempt from the requirement to provide verification within seven (7) business days as required in section 1.6.

Foster care parents, subsidized guardians, interim caretakers and relatives with court-ordered placement who receive Kinship Care are always required to provide income verification as detailed in sections 1.5 and 1.6.

This section last updated 08/01/2018

1.8.4 Request for Assistance (RFA) via Child Welfare Agency

To assist foster parents, interim caretakers, and subsidized guardians in setting a Request for Assistance (RFA) date as soon as a child is placed in their homes, the

Division of Early Care and Education (DECE) and the Division of Safety and Permanence (DSP) have agreed that these individuals may sign the Wisconsin Shares Child Care Registration form (DCF-F-2835) at the time the foster care license is issued by the Child Welfare agency. The Child Welfare agency will keep the signed form on file and when a child is placed into the home, the Child Welfare agency will fax or deliver the signed form to the local Child Care agency. The RFA date is the date the form is received by the local Child Care agency.

Relatives who have a court order for placement under Wis. Stat. Ch. 48 or 938, or substantially similar Wisconsin tribal law, may also use this option for submitting a Wisconsin Shares Child Care Registration form (DCF-F-2835). Once the Kinship Care payment is received (see Glossary for “Receiving a Kinship Care Payment”), the Child Welfare agency will fax or deliver the signed form to the local Child Care agency. The RFA date is the date the form is received by the local Child Care agency.

All families may apply for Wisconsin Shares by phone, in person, or through ACCESS. However, this alternative option for getting the Wisconsin Shares Child Care Registration form (DCF-F-2835) to the Child Care eligibility agency is a way of assisting these individuals with making sure that the RFA date is established as soon as possible.

Please note that the date the local Child Care agency receives the form establishes the RFA date, not the date the form is signed.

This section last updated 08/01/2018

1.9 Ongoing Eligibility

Eligibility information must be reviewed at every 12-month review, and when a reported change is being processed on the case.

Also covered in this section are situations in which a Wisconsin Shares Child Care case closure can be confirmed after adverse action to apply the change to the next consecutive month.

This section last updated 10/30/2017

1.9.1 Reporting Requirements

Individuals receiving Wisconsin Shares Child Care Subsidy must report any changes in circumstances to the child care agency within 10 calendar days after the change if the changes may affect eligibility or impact the authorization. Changes in child care provider needs must be reported before the last business day of the current month for the following month.

Reporting changes that may affect eligibility in ACCESS RMC (Report My Changes) meets program requirements for reporting changes if timelines are met.

Participants of the Wisconsin Shares program are required to report the following changes by the 10th day after the change has occurred:

- A change of residence address
- A change in mailing address
- A change in the household members, including when someone moves into or out of the home
- A change in the relationship with a child in the household (i.e. adoption, paternity establishment or legal parentage, foster care, subsidized guardianship, interim caretaker, or kinship care)
- A change in marital status
- A change in the shared placement schedule of a child
- A change in monthly income, whether earned or unearned, (for example: a change in rate of pay or a change in the number of hours worked) which increases monthly income by \$250 or decreases the monthly income by \$100 or any increase in income that raises the Wisconsin Shares Child Care Assistance Group's monthly gross income above 200% of Federal Poverty Level (FPL)
- A change in child support and/or a change in family support that increases the aggregate amount of the support received for all household members to greater than \$1,250 per month
- A change in an individual's approved activity, such as
 - A change in approved activity schedule
 - Starting or ending an approved activity
 - A change in employer
 - Loss of employment
- A change in the need for child care
- A provider price discount
- A change in child care providers
 - If the parent intends to change to a new child care provider next month the change needs to be reported before the last business day of the current month in order to receive subsidy funds to the new provider, with limited exceptions. See Chapter 2.
- The child is no longer attending the child care provider

During ongoing eligibility, when any of these items are reported as changed or become unclear or are incomplete, further verification is required.

Questionable or contradictory verification or reporting must be resolved or referred for Front End Verification according to the agency's fraud plan. See 1.6.8 for Contradictory or Questionable Information.

This section last updated 01/31/2018

1.9.2 Annual Reviews

Eligibility must be re-determined annually. At the time of the eligibility re-determination the household income must not exceed 200% FPL to continue eligibility. Individuals receiving Wisconsin Shares Child Care Subsidy may initiate their annual review by contacting their agency, or online through MyACCESS. The interview may be completed in person or by telephone. The annual eligibility review, including the interview, must be completed in the county or tribe of residence, or within an approved child care consortium.

To complete the annual review, an interactive interview must be completed. The local agency worker must generate a new Case Summary and provide it to the participant. If the interview takes place by phone, the Case Summary must be provided to the participant after the interview. If the request for the review was completed through ACCESS, the electronic signature obtained in ACCESS meets the signature requirement; however, the Case Summary must also be generated and provided to the participant after the interview.

A summary of the renewal interview must be documented in CWW case comments describing the interview, signature type obtained, and verification requirements that remain to be met.

The applicant has seven (7) business days from the date the "Notice of Verification Needed" was mailed to submit the needed verification to the agency. If verification has not been received from the applicant within seven (7) business days, run eligibility to generate a Denial Notice alerting the applicant the Child Care eligibility has ended.

If the applicant requests more time to provide the verification, the agency may extend the verification due date to not more than one (1) month from the renewal date. The need for more time may be an indication to the agency worker that the applicant requires assistance. (See Section 1.6.6)

Upon completion of the review and verification requirements, a new authorization for Wisconsin Shares Child Care Subsidy may be written.

If the annual review is not fully completed by the last day of the 13th month the family will be required to reapply for child care assistance.

The words "review" and "renewal" both refer to the annual eligibility redetermination.
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This section last updated 10/30/2017

1.9.3 Case Transfers

The eligibility review date is not reset when a case transfers to a different county.

This section last updated 01/31/2018

1.9.4 Running with Dates after Adverse Action to Confirm Wisconsin Shares Child Care Closed for the Next Consecutive Month

Workers must run eligibility with dates after adverse action to confirm Wisconsin Shares Child Care closures for the next consecutive month for the following specific reasons:

- Any instance of Child Support non-cooperation;
- When the parent no longer resides in Wisconsin;
- When there are no eligible children in the household; or
- When the required verification was not returned within the seven (7) business day time frame from the date the Notice of Verification Needed was mailed.

When any of these above reasons occur, the agency worker must use the following process to close the Wisconsin Shares Child Care AG for the next consecutive month when running eligibility after adverse action:

- First, the agency worker must run without dates for recurring months and confirm;
- Next, the agency worker must change the Child Care request on the Child Care Request page in CWW back to "Yes" (leaving the dates as they appear);
- Finally, the agency worker must run with dates (using the begin date of the first day of the next consecutive month) to close the Wisconsin Shares Child Care AG for the next consecutive month.

Note: If the agency worker accidentally runs for recurring and forgets to change the Child Care request to "Yes," then when the agency worker runs with dates to confirm the Wisconsin Shares Child Care closure for the next consecutive month, Child Care will fail for "054" reason code and the agency worker will not be able to confirm the Wisconsin Shares Child Care AG closed. To fix this, the agency worker will need to change the Child Care request to "Yes" and then run with dates again to confirm the Wisconsin Shares Child Care closure for the next consecutive month for the correct closure reason.

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