

Date of Issue:
June 21, 2004
Office of Issue: AWI FG 04-020
Reference: Welfare Transition Transitional Childcare

Final Guidance Welfare Transition Transitional Childcare

Of Interest To:

Workforce Florida, Inc., all Regional Workforce Boards, and other entities engaged in implementing programs under the Temporary Assistance to Needy Families program and the Welfare Transition program.

Subject

Revised guidance regarding Transitional Childcare (TCC). Provisions for limited childcare assistance for individuals who are classified as transitional; time limits for the qualification of Up-Front Diversion childcare and Relocation Assistance childcare; clarification regarding sanctions and TCC.

Background

During the 2000 legislative session, Chapter 445.032, Florida Statute, established eligibility and time limit provisions for TCC. The provisions of TCC have been further limited by the Florida Administrative Code (FAC) and the Temporary Assistance for Needy Families (TANF) State Plan. The FAC, 65A-4.218, further clarify eligibility requirements and time limits connected to the receipt of TCC.

Program Guidance

TCC is available as a support service to persons who leave Temporary Cash Assistance (TCA) with employment, for applicants of TCA who have been redirected from cash assistance through Up-Front Diversion, and for individuals who have received Relocation Assistance. According to the Federal Regulations, 45 CFR 260.31, TCC is not considered a form of assistance because TCC recipients are required to be employed during the receipt of the supportive service. To meet the requirements of the Federal Regulations, the Florida Statutes and the FAC, eligibility requirements have been clarified and limitations regarding the receipt of TCC have been provided as guidance for the RWBs to establish local operating procedures regarding local TCC referrals. TCC is available for up to two years depending on funding availability and local operating procedures.

I. Eligibility

A. General Eligibility

Definition of General Eligibility. TCC is a support service available to Welfare Transition (WT) participants who leave the WT program with employment, to

applicants of TCA who are diverted from on-going cash assistance through Up-Front Diversion, as well as Relocation Assistance recipients. Former recipients of TCA, Relocation Assistance recipients and diverted applicants of TCA must meet general eligibility criteria to receive TCC:

1. Individuals must be employed;
2. A child under the age of 19, included in the grant calculation, must remain in the home. This includes children who would be included in the grant except the child receives Supplemental Security Income (SSI); and
3. The family's income must remain below 200% of the [Federal Poverty Level](#) at all times.
4. The family has a need for TCC.

Each population of individuals eligible to receive TCC has specific eligibility criteria as well.

Demonstration of Need. Families who leave the receipt of TCA may or may not have a need for TCC to retain employment. For example, a single parent who is employed part-time during school hours may not need TCC if the child(ren) are school age. If a two-parent family's TCA is terminated due to employment, the family is eligible for transitional services. The family may or may not require TCC depending on the employment and educational schedules of the parents. The RWB should review the family's need for TCC.

B. Welfare Transition Participant Eligibility for TCC

In addition to the general eligibility requirements, individuals who have left the WT program must meet specific eligibility requirements. According to FAC 65A-4.218 and 445.032, F.S., former TCA recipients who leave cash assistance and have earned income due to employment may receive TCC to support job retention. **The participant must have secured employment prior to case closure by DCF. The participant's case should have closed with earned income in conjunction with one of the following reasons:**

1. The earned income was budgeted by DCF, and the amount of earned income terminated recurring TCA;
2. The participant requested and received Cash Assistance Severance Benefit;
3. The participant "opted not to receive cash assistance";
4. The participant's TCA time limit expired; or
5. The participant began to receive or there was an increase in child support payments.

This does not mean that the TCA case must be closed in the FLORIDA system with a specific reason code on the AWAA or IQAA screens, it only means the case closes for one of the above reasons and employment began prior to the TCA case being closed. The case must have closed for a reason other than a sanction. If the participant's case is terminated by DCF, and the participant subsequently reports employment that started prior to case closure, the participant may be able to receive TCC. These situations should be reviewed on a case-by-case basis.

C. Up-Front Diversion Recipient Eligibility for TCC

Individuals who are applying for TCA may receive Up-Front Diversion instead of receiving recurring cash assistance. Florida Statutes provide for individuals who are diverted from TCA through Up-Front Diversion to receive TCC for up to two years as long as the family's income does not exceed 200% of the Federal Poverty Level. Individuals diverted from on-going cash assistance have 90 calendar days from the Up-Front Diversion process start date to secure and provide verification of employment to the RWB provider to be eligible to receive TCC.

- Once an applicant has started the eligibility process for Up-Front Diversion, (s)he may receive applicant childcare for 30 days. The start date of the 30-day applicant childcare is determined by the date entered on the 2073 (A), The Up-Front Diversion Screening Form. For more information regarding the determination of the Up-Front Diversion start date, please see the [Up-Front Diversion Guidance Paper](#).
- The Up-Front Diversion process start date is also the start date of the 90-day time period the individual must secure employment to receive TCC. If the recipient of Up-Front Diversion does not obtain and provide verification of employment within 90 calendar days from the start date of the Up-Front Diversion process, (s)he is not eligible to receive TCC.
- If employment is not secured during the first 30 days of the 90-day time frame the Up-Front Diversion recipient would be responsible for obtaining needed child care. However, if employment is secured during the remainder of the 90-day time period, (s)he would be eligible for TCC if all other factors of eligibility were met.

D. Relocation Assistance and TCC

Florida Statute 445.021 states families receiving Relocation Assistance may obtain TCC. Obtaining employment is a critical component of the Relocation Assistance process. Once the individual arrives in the receiving community and has requested services from the receiving One-Stop Career Center, (s)he may receive 30 days of job search childcare if (s)he is not employed. The individual who receives Relocation Assistance and is not employed may receive TCC only if employment is obtained within 90 days after receipt of the Relocation Assistance.

II. Transitional Childcare Tracking and Transitional Childcare for Job Search

Once an individual is eligible to receive TCC, childcare may be provided for **up to** two years:

- If the individual remains employed;
- If the individual loses employment but secures subsequent employment within the two year time frame;
- If the family's income remains below 200% of the poverty level;

- If a child included in the grant calculation under the age of 19 years remains in the home. This includes children who would be included in the benefit except they are receiving SSI;
- If the family has a need for TCC; and
- Depending on local operating procedures, resource allocation and funding availability.

Florida Statutes created provisions for eligible individuals to receive TCC to retain employment or job search for up to two years. However, the provision of TCC for job search activities has been limited by the FAC. FAC 65A-4.218 limits **transitional job search childcare**:

- To 30 calendar days; and
- To individuals who lose employment due to good cause.

A. Tracking Transitional Childcare Eligibility and Receipt

Individuals who are receiving TCC must be tracked for continued employment. Because the individual is receiving an on-going support service referral, (s)he must provide proof of continued eligibility. In some of the regions, the RWB and the local School Readiness Coalition have developed a local operating procedure regarding the notification of employment termination. However, it is ultimately the responsibility of the RWB provider to monitor continued employment, request documentation of continued employment and track continued employment in OSST. If the individual fails to provide documentation or verification of continued employment, the TCC referral should be terminated utilizing the Notice of Change in Child Care Status, AWI 5235. The form should be distributed to both the IV-C agency and the transitional participant.

The RWB should develop a local operating procedure regarding the determination of continued employment, including documentation and tracking. Individuals who are receiving TCC or transitional support services should be required, at minimum, to provide documentation of continued employment at the job follow-up intervals (30, 60, 90, 180 days) provided in OSST. This is a good opportunity to provide support services, enter job follow up information and conduct retention measures.

B. Limitation of Job Search TCC

Individuals receiving TCC may lose employment for various reasons. While tracking the continued employment of the transitional participant, it may be discovered that the participant lost employment due to a good cause reason. If the individual loses employment due to a good cause reason, (s)he may receive TCC for up to 30 calendar days to complete job search activities. The 30 calendar days begin the date the childcare referral is dated by the referral provider (DCF or the RWB provider). According to the FAC, good cause reasons for the termination of employment include:

1. The position ends (i.e. job layoffs, business closure);
2. Job requirements are illegal or against the moral or religious beliefs of the individual;

3. Working conditions or job duties could be harmful to the physical or mental health of the individual;
4. Sexual or racial discrimination or harassment on the job;
5. Change in job requirements for which the individual is not qualified
6. Change in hours or location of employment that is not feasible due to childcare or transportation arrangements; or
7. Family or health problems of the individual or children requiring an extensive period of time off, which the parent is unable to arrange with the employer.

If the participant reports termination due to good cause, a self-attestation will be sufficient documentation. The RWB should develop a process in the local operating procedure for securing good cause reason documentation. The RWB should define diligent job search to ensure the participant is utilizing the 30-day TCC referral to obtain employment.

If the participant does not secure employment prior to the 30 day time period, (s)he can continue to job search. However, childcare through the TCC referral process will not be available. If the participant secures employment prior to the two year TCC time period (or other locally determined TCC time period) expiring, TCC may be provided (depending on local operating procedure and funding availability).

III. Work Penalty Sanctions

Sanctioned individuals are not eligible for TCC during the sanction period. In the past, if a participant lifted the sanction with compliance and provided documentation of employment, (s)he was eligible to receive TCC. According to Florida Statutes, a participant whose assistance is terminated due to a work program sanction is not eligible for TCC. A Welfare Transition participant's case must close with earned income to receive TCC. If a participant lifts the work sanction, does not return to assistance and subsequently obtains or provides documentation of employment, (s)he should be provided with referrals to agencies for community assistance, including but not limited to the IV-C Agency in the area. Because the participant's TCA did not terminate with one of the approved reasons, (s)he is not eligible for TCC.

Protective Payee

If a sanctioned participant of the WT program has secured a protective payee to receive cash assistance for the family's children and subsequently obtained employment, (s)he is not eligible for TCC. If the sanctioned participant reports the employment to the RWB provider, (s)he should be advised to comply to lift the sanction. Individuals under a level two or three sanction must serve the penalty period prior to complying to lift the sanction, as well as receiving support services to comply to lift the sanction.

IV. Local Operating Procedure

The Florida Statute allows the providers of the program flexibility when providing TCC to transitional participants. The RWB can develop a local operating procedure to outline the provision of services to transitional participants. Information that may be included:

- Defining diligent job search for individuals who lose employment due to good cause reasons and receive job search childcare;
- Defining diligent job search for individuals who are applying for TCA and being reviewed for Up-Front Diversion eligibility;
- The frequency participants must provide documentation to prove on-going employment to receive TCC;
- The type of documentation or verification that will be accepted regarding continued employment to receive TCC;
- The length of time TCC referrals will be provided. TCC is available based on Florida Statute for up to two years. However, TCC is not an entitlement and should be based on the availability of funds. Therefore, the RWB should implement time limited childcare referrals and reviews of case status; and
- The provision of retention services and activities to assist participants in retaining employment and moving up the career ladder.

V. Forms

The TCC forms can be found on the AWI [Welfare Transition](#) website.

Childcare Authorization and Referral	AWI 5002
Notice of Change in Childcare Status	AWI 5235

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