



ELIGIBILITY DETERMINATION & ENROLLMENT MANUAL

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INTRODUCTION

Welcome to EarlyLearn NYC. You are now an integral part of New York City's Administration for Children's Services (ACS) mission to provide an integrated, high-quality early care and education system that:

- Raises program standards and expected child outcomes, ensuring programs are developmentally focused
- Encompasses important support services for all children and families
- Increases coordination of service delivery among systems and government agencies
- Economically integrates early care settings for both low-income and middle-income families

In order to meet the goals set forth in EarlyLearn NYC, it is important for each program to understand their program model type as well as the various eligibility regulations associated with each model. This guide was created to assist you by providing an overview of these concepts and step by step instructions on how to determine a family's eligibility for subsidized child care services and successful enrollment of children into your program. This guide also includes information on the recertification process.

EARLYLEARN NYC - ELIGIBILITY GUIDELINES

The information provided in this guide reflects the eligibility guidelines for non Temporary Assistance for Needy Families (TANF) families. Parents or caretakers receiving TANF, also known as Cash Assistance (CA), that are engaged in an approved work activity must be referred to their respective Human Resources Administration (HRA) Job Center (Cash Assistance office) where their eligibility will be determined.

*Note - Families in receipt of SSI do **not** need to have their eligibility approved at an HRA Job Center in order to be enrolled in a Head Start program.*

Guidelines:

- All applicants must live in one of the five boroughs of New York City, unless the child(ren) resides in a certified foster home outside of NYC.
- Each EarlyLearn NYC contractor/program is responsible for determining eligibility.
- A parent's ability to choose and monitor care for their children must be respected. Parents should receive information from EarlyLearn programs on: types of care available, regulatory standards, how to choose a provider, and how to file a complaint if they feel that a provider is violating the laws and regulations governing child care. In accordance with the New York City Health Code, all EarlyLearn NYC programs shall provide parents with the NYC Department of Health and Mental

Hygiene brochure on how to get information on early care and education in New York City.

- Preventive, Protective, and Employed Foster Care families must use licensed care.
- Any family eligible for EarlyLearn NYC shall not be denied the use of the service and/or discriminated against on the basis of race, sex, religion, or any other factor prohibited by law.
- The period of eligibility for EarlyLearn NYC services varies depending on the program model type and the family's reason for care.
- According to New York State Regulations, ACS ECE Resource Area and HRA Job Center staff are responsible for child care eligibility. However, the local Head Start program remains responsible of certification of Head Start eligibility.
- Parents should be informed that all disclosed information related to eligibility is subject to verification.
- Programs are expected to maintain confidentiality of all information received and keep materials secured at all times.

ELIGIBILITY CATEGORIES AND CRITERIA

Children must meet subsidized Child Care or Head Start criteria, and in some instances, meet both the Child Care and Head Start eligibility criteria (dually-eligible) in order to be enrolled in an EarlyLearn NYC program. The model types and the eligibility criteria for each model are provided below.

Child Care:

In order to be eligible for Child Care services, a child shall be between the ages of 6 weeks – 13 years of age (18 years if the child has a documented special need). The Child Care Development Block Grant has an income limit of 200% of the State Income Standard (SIS). However, if additional City funding is available, Children’s Services allows families to exceed the State maximums, as follows:

- 275% SIS for a family of 2
- 255% SIS for a family of 3
- 225% SIS for a family of 4 or greater

The family must also document a reason for care. The reasons for care include:

- Employment
- Training/Education
- Child Welfare (Protective, Preventive, Employed Foster Care)
- Receipt of Domestic Violence Services

Head Start:

In order to be eligible for Head Start services, a child shall be either 3 or 4 years of age and shall meet one or more of the following criteria:

- Family income below 100% of Federal Poverty Level (FPL)
- Receiving TANF or SSI
- Homeless (as defined by the McKinney-Vento Act)
- Child is a foster child

In addition to families meeting one of the above listed eligibility criteria, programs with Head Start funding may serve families with incomes above 100% of FPL, up to maximum of 10% of their funded enrollment. After priority is given to those meeting the above criteria, and in addition to the 10% over-income, programs with Head Start funding may also serve a limited number of families with incomes between 100% and 130% of FPL (up to a maximum of 35%).

Within these broad eligibility requirements, contractors are expected to develop selection criteria, based on the needs of the community, to determine which families’ applications will receive preference for enrollment.

Note: Federal Poverty Level and State Income Standard are equivalent.

Dual Child Care/Head Start:

In order to be eligible for a dual slot, a child must meet the Head Start age and income requirements.

- Child must be pre-school age (3 years or 4 years)
- Family income below 100% of FPL
- Recipient of cash assistance through TANF

The family must also document a reason for care. The reasons for care include:

- Employment
- Training/Education
- Child Welfare (Protective, Preventive, Employed Foster Care)
- Receipt of Domestic Violence Services

Universal Pre-Kindergarten (UPK) Funding:

Funding is integrated into the EarlyLearn NYC contract. A child is eligible for UPK if he or she resides in New York City, and will be 4 years old by December 31st of the school year.

Redirection of Non-Head Start/Child Care Eligible Families:

ACS programs prioritize families eligible for Head Start and/or Child Care in their UPK program enrollment. While non-Head Start/Child Care eligible families can join UPK waitlists at ACS programs, ACS programs must first meet their contractual obligation before enrolling non-Head Start/Child Care eligible children in their UPK program. ACS programs are required to provide non-Head Start/Child Care eligible families the contact information to find other community-based organizations and public school UPK options. For more information about public school UPK options, families should call the DOE Office of Student Enrollment (718-935-2009).

CHILD CARE ELIGIBILITY

Child Care subsidized services are funded by several Federal, State and local resources. Each funding stream has eligibility requirements for the differing types (modalities) of care. ACS, as the local social service district for New York City, is the recipient of the New York City allocation of the Federal Child Care Development Block Grant, and governs the eligibility requirements for subsidized child care.

Age Eligibility

- Eligible children are between the ages of 6 weeks – 13 years of age (18 years if the child has a documented special need). Contracted center-based care is for children between the ages of 6 weeks and up to 5 years of age (kindergarten eligible). Contracted Family Child Care is for children between the ages of six (6) weeks and up to four (4) years of age (UPK eligibility).

For purposes of determining eligibility, a “Child Care Services Unit” is defined as any/all adults (18 years of age or older) and children residing in the same household.

Application Form for Child Care Subsidy

CS 925 The Application for Child Care Subsidy (see Attachment A) is the basic form to be completed and submitted to the ACS/ECE Resource Area together with the required documents for financial and/or social eligibility. This application is to be used for families that are dually eligible (Head Start and Child Care) and those that will occupy child care only slots.

CS 925A Instructions for Completing the Application Form (See Attachment B) provides detailed guidelines on how to accurately complete the form.

The Applicant may fill out and submit the completed form to the child care program for review of entries and to check the completeness of required documents to substantiate financial and/or social eligibility.

Note: The CS 925 is for low-income families. Cash Assistance families should be referred to their assigned HRA Job Center for eligibility determination. Protective, Preventive, and employed Foster Care families must utilize an ECE-002 referral process.

Who completes the CS 925 Application Form?

The CS 925 is completed by the applicant or an authorized representative.

The applicant is the person applying for child care services. He/she may be a:

- Parent - natural or adoptive parent.
- Caretaker Relative is any person who is a parent or other relative who exercises responsibility for the day-to-day care of, and who lives with, a child. Relatives falling into this category are **limited** to the child's father, mother, adult siblings, grandparents, great-grandparents, aunts, uncles, great uncles, great aunts, the child's first cousins, and stepparents and stepsiblings. An adult with legal authority is any adult who has an Order of Guardianship or an Order of Custody.
- Non-legally responsible adult caretaker is any adult with children in his/her care but who is not a caretaker relative as defined above and does not have either an Order of Guardianship or an Order of Custody. No financial or social eligibility is determined for these individuals. Care is provided based on the needs of the child.

DOCUMENTS REQUIRED FOR CHILD CARE SUBSIDY APPLICATIONS

I. REQUIRED DOCUMENTS TO BE SUBMITTED BY ALL APPLICANTS

- Proof of Birth for every child in the home under age 18 (birth certificate, baptismal record, alien registration card)
- Proof of Address (ex. NYC ID, NYS Driver's License, current utility bill, lease, etc.)
- Public Assistance/Medicaid Card (if applicable)
- Proof of child's Alien Registration Status, if not born in the U.S. (alien registration card, INS form I-94, etc.)

II. REQUIRED DOCUMENTS FOR FINANCIAL AND SOCIAL ELIGIBILITY

1. Employment

Pay Stubs

- Bi-weekly or Semi-Monthly - last two (2) current and consecutive pay stubs (if pay does not fluctuate); last six (6) current and consecutive pay stubs (if pay fluctuates)
- Weekly – last 4 current and consecutive pay stubs (if pay does not fluctuate); last 12 current and consecutive pay stubs (if pay fluctuates)

CS 1069 Form - Referral to Employer for Income Information (accepted only when pay stubs are unavailable or insufficient)

- Self-Employed – Form 1040 and appropriate schedules - **should be referred to the Resource Area for eligibility determination and processing**

2. School/Vocational Training

- CS 1082 - Vocational Training Verification

Note: A letter from the training institution on official letterhead is also acceptable.

3. Domestic Violence

- Documentation from the agency providing domestic violence services to the family is required and should include days and hours attended.

Note: If the applicant is a caretaker, they must complete the Caretaker Relative Statement in addition to the above required documents.

4. Preventive/Protective Services / Foster Care

- ECE-002 Referral for Early Care and Education Services

Note: More detailed information about required documents can be found in the Child Care Subsidy Application Instructions (CS 925A).

SOCIAL AND FINANCIAL ELIGIBILITY CONSIDERATIONS

Eligibility for subsidized child care is based on programmatic and financial considerations. Families requesting child care services must establish that:

1. All families must have a documented “reason for care” (social eligibility).
and
2. Families receiving subsidy because they are low-income and are working, in an approved educational/vocational activity or need child care to attend domestic violence services, must fall within the Federal/State income limitations on either a “no cost” or “fee paying” basis (financial eligibility).

In determining financial eligibility for child care, the applicant is considered under any one of the following statuses:

1. Income Support Status

Income Support Status describes families (adults and/or children) in receipt of cash assistance from the Temporary Assistance to Needy Families (TANF) or the Safety Net programs. These services are also referred to as public assistance (PA), Temporary Assistance (TA), or income maintenance.

- If a parent, caretaker, or child is in receipt of PA/TANF, they are automatically financially eligible for a child care subsidy.
- No fees are assigned to families receiving TANF / Cash Assistance / Safety Net / or PA.

2. Income Eligible Status

Income Eligible Status describes families who are not in receipt of benefits from a TANF / Safety Net/ PA program, and the family’s income is equal to or less than the maximum income eligibility level.

- A family’s gross income and family size will be used to determine whether it is financially eligible for child care subsidies.
- Fees for child care are based on a fee schedule that utilizes a sliding fee scale.
- Foster care families and caretaker families are assigned a minimum fee (refer to latest fee schedule – Attachment C).
- Fees are attached to the youngest child receiving child care unless the youngest child is a Head Start child. In families where there is more than one child receiving care, fees are paid to the provider caring for the youngest child.
- When employment is an applicant’s reason for care, they must document income equal to or greater than the minimum wage (\$8.75/hour).

Note: The minimum wage will increase to \$9.00 per hour on December 31, 2015.

The following applicants who work outside the home are exempt from earning minimum wage:

- Applicants on public assistance
- Self employed and has potential for growth in earnings to produce such income within a reasonable period of time.
- Companion for the elderly
- Worker with disabilities
- Federal criminal investigator
- Fishermen
- Newspaper deliverer
- Newspaper employee of limited circulation newspapers
- Seaman on other-than-American vessels
- Switchboard operator

3. Status Without Regard to Income

Individuals and families who are socially eligible for Protective and Preventive Services are determined eligible without regard to financial eligibility criteria.

SOCIAL ELIGIBILITY CRITERIA AND REQUIRED DOCUMENTS

REASONS FOR CARE

The following are the acceptable “reasons for care.”

1. Employment
2. Vocational Training, Education, or Rehabilitation
3. Domestic Violence
4. Preventive/Protective Services
5. Employed Foster Care

Note: If the child is in a two-parent household, both parents must have an acceptable reason for care.

1. EMPLOYMENT

Eligibility Criteria

Applicant must be employed for a minimum of 20 hours per week. Applicant must be earning at least the minimum wage. The authorized days/hours of child care must be reasonably related to the applicant’s work schedule.

- Hours of work vary from week to week
If an applicant’s number of hours worked varies from week to week, the employee must average 20 hours per week over a 12 week period.
- New applicant starting work
For persons starting new employment, the application may be taken 30 days prior to the start date and child care may be authorized to begin two (2) weeks prior to the employment start date.

Period of Eligibility

Child Care Programs

- For temporary work assignments, shortened eligibility is applied and ends when the work assignment ends
- Shortened eligibility is also applied for three (3) months when the applicant has new employment that has not yet begun

Required Documentation

- [] Pay Stubs Bi-weekly or Semi-Monthly - last two (2) current and consecutive pay stubs (if pay does not fluctuate); last six (6) current and consecutive pay stubs (if pay fluctuates)

Weekly – last four (4) current and consecutive pay stubs (if pay does not fluctuate); last 12 current and consecutive pay stubs (if pay fluctuates)

- [] CS 1069 Referral to employer for employee income information in instances where pay stubs are either unavailable or are insufficient

Note: The CS 1069 is also used to verify the start date for future employment that has not yet started.

2. VOCATIONAL TRAINING, EDUCATION, OR REHABILITATION

Eligibility Criteria

- Applicant must be enrolled full-time (12 semester hours), in an approved vocational training program, two-year college or educational program.
- Training program must have a specific vocational objective; Adult Basic Education (ABE), English as a Second Language (ESL), or a General Equivalency Diploma (GED).
- Vocational and two-year college programs must be approved or licensed by the NYS Board of Higher Education, the NYC Department of Education, or the NYC Department of Employment. If a client receives a government grant or stipend such as PELL, TAP, etc. it can be assumed that the school/program is approved.
- Enrollment in more than two consecutive Vocational Training Institutions (non-degree), when in care, **does not** meet eligibility criteria.
- The authorized days/hours of care must be reasonably related to the training activity.

Additional Vocational Training Info

- **Applicants Starting Training**
Child care may be authorized to begin two (2) weeks prior to the training start date.
- **Two-Year College**
Two-year colleges include a two-year full-time degree granting program at a community college, a two-year college, or an undergraduate college with a specific vocational goal leading to an associate degree. Two-year college students may be authorized for a period not to exceed 30 calendar months. This period begins on the day the child(ren) enter service and ends when the applicant has had 30 months of child care. Remediation courses such as pre-college work, GED, and English as a Second Language (ESL) are not counted towards the 30 month limit.

Period of Eligibility

- Child care services may be authorized for the duration of the program, but not to exceed one (1) year.
- If at least one child in the family is pre-school age and enrolling in a Dual Child Care/Head Start program, the length of eligibility is equal to the two (2) year Head Start eligibility period, regardless of the documented reason for care.
- If at least one child in the family is pre-school age and enrolling in a Dual Child Care/UPK program, the length of eligibility is until the subsequent school year, regardless of the documented reason for care.

Required Documentation

[] ACD 1082 Vocational Training Verification

Note: A letter from the training institution on official letterhead is also acceptable. The letter must include the length of the program, projected date of completion, vocational objective or course of study, the number of credits or an official detailed class schedule, as well as documentation of grants, stipends, or scholarships received by the student.

3. DOMESTIC VIOLENCE

Eligibility Criteria

- Domestic Violence – An applicant is eligible when a parent is referred for child care services, from a social service or preventive agency, in order to participate in services for domestic violence.

Period of Eligibility

- For domestic violence, child care services may be authorized for up to (1) year, unless a shorter period is specified.

4. PREVENTIVE/PROTECTIVE SERVICES

Eligibility Criteria

- Children referred for protective or preventive services by ACS and/or a contracted preventive services agency are eligible for care.
- In a multi-child family, if one child is authorized for Preventive/Protective reasons, all children in the household may receive care.
- There is no family share/fee for protective cases. However, income information should be recorded for informational purposes only.
- Child care **must be** provided in a licensed facility.

Period of Eligibility

- Child care services may be authorized for the duration of the reason for care. Recertification is not required.

Required Documentation

- [] ECE-002 Referral for Early Care and Education Services

5. EMPLOYED FOSTER CARE

Eligibility Criteria

Foster children, directly referred by a voluntary foster care agency, stating that child care is needed because the foster parent is employed are eligible for care. ACS approval is needed for employed foster parents.

Period of Eligibility

- Child care services may be authorized for the duration of the reason for care.

Required Documentation

- [] ECE-002 Referral for Early Care and Education Services

Note: A current pay stub (or Employer Letter) is required as proof of employment.

FINANCIAL ELIGIBILITY CRITERIA AND REQUIRED DOCUMENTS

Financial eligibility for subsidized child care is based on gross income and family size. Refer to the latest fee schedule at the end of this section. The fee schedule is revised annually based on changes in the State Income Standard or Federal Poverty Level.

INCOME ELIGIBLE STATUS

1. EMPLOYMENT INCOME

Eligibility Criteria

- Applicant(s) must be employed for a minimum of 20 hours per week.

Required Documentation

If the gross pay does not vary, current and consecutive pay stubs for the last four (4) weeks

If the gross pay varies, current and consecutive pay stubs for the last 12 weeks

Or

CS 1069 - Referral to employer for employee semi-monthly income information in instances where pay stubs are either unavailable or are insufficient

Note: Pay stubs are the preferred documentation and are required for employees who receive them. The CS 1069 is only acceptable for new employment, for employees who are paid in cash, or when pay stubs do not include identifying information (i.e. name, number of hours worked, etc.) or are lost or stolen.

Reminder: Be sure to ask clients if they have any additional employers.

2. ALIMONY / CHILD SUPPORT

Required Documentation

Self-attestation of any Alimony/Child Support received is required on CS 925 or CS 1068.

Note: The applicant/client should provide a copy of the court order or other legal documentation when available.

3. UNEMPLOYMENT / WORKER'S COMPENSATION

Required Documentation

Current Benefits Rate Letter from New York State Unemployment Benefits indicating amount of weekly benefits to be issued.

- For Unemployment:
 - i. If the client has applied for unemployment and the amount of income is not known, the client must provide a letter from the New York State Department of Labor - Division of Employment Services Office indicating that the client has applied for unemployment compensation. A notarized letter from the client explaining how they are supporting themselves is also required.
 - ii. If the client is being supported by someone else, that individual must provide a notarized letter detailing the amount and/or kind of support being provided.
- For Worker's Compensation:
 - i. Copy of Worker's Compensation check
 - ii. Copy of current Worker's Compensation report
 - iii. Award Letter

4. SELF-EMPLOYMENT INCOME

Required Documentation

- [] Copy of the complete income tax return (1040) including the appropriate schedules
- For a new business, operating three (3) months or less, a notarized statement including:
 - i. date business began
 - ii. gross Income
 - iii. itemized deductions
 - iv. net income
 - v. total hours worked per week
 - vi. name and type of business
 - vii. address of business
- For a new business, operating for more than three (3) months, an accountant's statement on the accountant's letterhead including:
 - i. date business began
 - ii. gross income
 - iii. itemized deductions
 - iv. net income

5. SOCIAL SECURITY, SSI, DISABILITY, RETIREMENT, PENSION / ANNUITY INCOME

Required Documentation

- [] Copy of most recent check or pay stub
- [] Benefit Award Letter or official bank statement showing Direct Deposit

6. OTHER INCOME (DIVIDENDS, INTEREST INCOME FROM ESTATES OR TRUSTS, ROYALTIES, TIPS, COMMISSIONS, ETC.)

Required Documentation

- Dividends – a statement of earnings for the last quarter from the brokerage house, mutual fund, or company in which the stock is owned.
- Interest – a bank book with the interest entered within the last three months. Interest for a certificate of deposit of longer duration is included for the eligibility period in which the maturation occurs.
- Income from Estates or Trust – a statement within the last three (3) months from the executor of the estate or trust containing the amount and frequency of income and the name of the beneficiaries.
- Royalties – IRS Form Schedule E and/or a contract stating the percentage and frequency of income as well as a statement of earnings for the last three (3) months from the contractor.
- Tips/Commissions – Records of the amount of tips and commissions for the month:
 1. The same documentation as listed under Monthly Wages or Salary Before Deductions with specific details listed for tips and commissions (see CS 1069 or pay stubs)
 2. IRS 1040 – from the previous year
 3. When tips and commissions cannot be verified/documentated in any of the above, calculate 15% of the gross income and enter that amount

Employees who receive tips must earn at least \$8.75/hr through a combination of tips and a minimum cash wage paid by the employer. The minimum cash wage employers must pay is:

- Food Service Workers - \$5.00/hr
- Service Employees in Resort Hotels - \$4.90/hr
- Service Employees in all other establishments - \$5.65/hr

Note: Tips + Salary = \$8.75/hour

The minimum wage will increase to \$9.00 per hour on December 31, 2015.

FEE DETERMINATION

STATUS WITHOUT REGARD TO INCOME

- 1. Non-Legal Guardian / One Person Family – Pay minimum fee**
 - a. Only the child's income is considered towards financial eligibility.
 - b. If the child's income exceeds the state maximum per person, the child is ineligible for subsidized care.

- 2. Foster Care**

Foster care cases are charged minimum fees for subsidized child care services. The foster parent's employment must be verified.

- 3. Protective Service Cases**

Protective services cases do not have to meet the financial eligibility criteria requirements. However, income information must be recorded and verified for informational purposes.

- 4. Income Support/TANF (Cash Assistance Families)**

There is no fee for these families.

CONVERSION TO MONTHLY INCOME

To determine financial eligibility, all income must be converted to monthly amounts in the following manner. **Note:** Calculated fees should be rounded to the nearest whole dollar amount.

FREQUENCY	DESCRIPTION	CONVERSION METHOD/EXAMPLE
Weekly	paid once per week	Multiply by 4.33 Ex.: \$150 weekly income $\$150 \times 4.33 = \$649.50/\text{month}$
Bi-Weekly	paid every two (2) weeks	Divide by 2 and multiply by 4.33 Ex.: \$500 bi-weekly income $\$500 / 2 = \250 $\$250 \times 4.33 = \$1082.50/\text{month}$
Semi-Monthly	paid two (2) times per month	Multiply by 2 Ex.: \$300 Semi-monthly income $\$300 \times 2 = \$600/\text{month}$
Daily	paid each day worked	Total for week and multiply by 4.33 Ex.: 3 days work at \$30, \$22, and \$25 $\$30 + \$22 + \$25 = \77 $\$77 \times 4.33 = \$333.41/\text{month}$
Monthly	paid once per month	No conversion needed
Quarterly	paid every three (3) months	Divide by 3 Ex.: \$2400 quarterly income $\$2400 \text{ divided by } 3 = \$800/\text{month}$
Annually	paid once per year	Divide by 12 Ex.: \$10,000 annual income $\$10,000 \text{ divided by } 12 = \$833.33/\text{month}$
Seasonally	paid for work done on a seasonal basis	Annual total divided by 12

EXCLUSIONS FROM MONTHLY GROSS INCOME

Income Exempt List

The following types of income are excluded from the computation of monthly gross income:

1. Per capita payments to, or funds held in trust for, any individual in satisfaction of a judgment of the Indian Claims Commission or the Courts of Claims;
2. Money received from sale of property, such as stocks, bonds, a home, or a car (unless the person was engaged in the business of selling such property, in which case the net proceeds would be counted as income from self-employment);
3. Withdrawals of bank deposits;
4. Money borrowed;
5. Tax refunds;
6. Gifts;
7. Lump sum inheritances or insurance payments;
8. Capital gains;
9. The value of coupon allotments under the Food Stamp Act of 1964, as amended, in excess of the amount paid for coupons;
10. The value of USDA donated foods;
11. The value of supplemental food assistance under the Child Nutrition Act of 1966 and the special food service program for children under the National School Lunch Act;
12. Any payment received under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970;
13. Earnings of a dependent child under 18 years of age who is not legally responsible for the child or children for which child care assistance is sought (no inquiry shall be made);
14. Loans and grants, such as scholarships obtained and used under conditions that preclude their use for current living expenses;
15. Any grant or loan to any undergraduate student for educational purposes made or insured under Higher Education Act;
16. Home produce utilized for household consumption;
17. Payments made for child care services, or the value of child care services provided to a recipient of child care services provided under the New York State Child Care Block Grant program and under Title XX of the Social Security Act who is applying for or receiving any other services funded under any federal or federally assisted program that bases eligibility for such services upon need or the amount of benefits upon need;

18. Payments to foster parents.
19. Veterans Administration (VA) payments provided under Public Law 104-204 to Vietnam veterans' natural adult or minor children for any disability resulting from spina bifida suffered by such children and VA payments to covered birth defects to or on behalf of the adult or minor biological children of female Vietnam veterans.

PRIORITY CODES

When filling vacancies in your Child Care program, the following list of priorities should be the guide for placement and enrollment. In situations where competing families fall within the same priority category for service, the date of the certified application will determine which family will fill the vacancy.

Priority 1	<u>Protective Cases</u> – Referrals from ACS for protective reasons.
Priority 2	<u>Preventive Cases</u> – Referrals from ACS or Preventive Services Agencies for preventive reasons. Foster Care cases are also included in this category.
Priority 3	<p>Cash Assistance and Transitional Child Care</p> <p><u>Employment</u> – Cash Assistance (CA) recipients who are employed in an approved work activity or receiving transitional benefits.</p> <p><u>Training</u> – PA recipients who are in approved training/education program.</p> <p><u>Transitional Benefits</u> – A working client whose CA case was closed because of employment.</p>
Priority 4	<p><u>Homeless</u> – Families who are homeless. For child care eligibility, the family must also be employed.</p> <p><u>Domestic Violence</u> – Families receiving services due to domestic violence.</p> <p><u>Special Needs</u> – Child(ren) has a documented special need. Family must also have a documented reason for care (such as Employment).</p>
Priority 5	Employment – Employed parent/caretaker/relative.
Priority 6	Training/Education – Parent/caretaker attending an approved vocational/training program.
Note:	<ul style="list-style-type: none"> • If there are two parents in the household, both parents must have an acceptable reason for care (except for protective/preventive cases). • If there are two reasons for care, the lower priority (which is the higher number) applies. Example: If the mother works (priority 5) and the father is in training (priority 6), the case is considered priority 6.

HEAD START ELIGIBILITY

Federal policies with respect to Eligibility, Recruitment, Selection, Enrollment and Attendance in Head Start (ERSEA) may be found in Part 1305 of the Head Start Performance Standards. Additionally, revised requirements may be found in Sections 640 and 645 of the Head Start Act of 2007. A final rule on Head Start Eligibility amending two sections of Performance Standards Section 1305 took effect March 12, 2015. The changes codify statutory eligibility requirements revised in the Head Start Act of 2007 and strengthen many procedures programs use to determine eligibility. Programs should refer to the Performance Standards, in addition to this manual in order to ensure compliance with relevant regulations.

Process Overview

- Programs must conduct an in-person interview with each family applying to enroll a child in the Head Start program. If an in-person interview is not possible, program staff may interview the family over the phone and must record in the eligibility determination record why the in-person interview was not possible.
- Information must be verified, as described in subsequent sections of this manual.
- An eligibility determination record must be created for each enrolled participant.

Age Eligibility

- Children who will be three (3) by December 31st may enroll in Head Start in September of that year, provided your license permits enrollment of children younger than three (3).
- Children who turn 3 after January 1st may not enroll until their third birthday. All four year olds may enroll, but can be counted as UPK children only if they are four (4) by December 31st of the year for which they are enrolled in UPK.
- Children who turn five (5) during the school year may stay in your program until they are eligible for kindergarten.

Documents for proof of identity/age (any one): Birth certificate; Baptismal or other religious certificate; official hospital or other documented birth record; adoption record; or passport.

Program policies cannot require staff to collect documents that confirm a child's age if doing so creates a barrier for the family to enroll the child.

Income Eligibility/Categorical Eligibility

Age-eligible children are automatically (categorically) eligible for Head Start if:

- Their family is homeless, as defined in Section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C.11434a(2)).
- They are in foster care.
- The family is receiving public assistance (TANF or SSI).

Children/families not falling into one of these three categories are eligible for Head Start if their family income falls below 100% of the Federal Poverty Level (FPL). See Attachment D for a copy of the Head Start Income Guidelines.

Family: For a child, **family** means all persons living in the same household who are:

1. Supported by the child's parent(s)' or guardian(s)' income; and
2. Related to the child's parent(s) or guardian(s) by blood, marriage, or adoption; or
3. The child's authorized caregiver or legally responsible party.

Income: Income means, gross cash income and includes earned income, military income, veterans benefits, Social Security benefits, unemployment compensation and public assistance benefits.

Required Income Documentation (any one for each earner):

- Pay stubs or pay envelopes for relevant period

- Letter from employer, on company letterhead, signed and dated

- W-2

- Unemployment benefits award letter or correspondence from NYS Department of Labor

- Documentation for TANF or SSI recipients

- Child Support or Alimony check stubs or letter from person providing support or from court.

Note: Section 645(a)(3)(A) of the Head Start Act of 2007 requires that certain types of pay and allowances to members of the uniformed services **not be counted** as income for purposes of determining eligibility. Specifically, the following two pay/allowances are to be excluded:

- The amount of any special pay payable under section 310 of title 37, USC, relating to duty subject to hostile fire or imminent danger.
- The amount of basic allowance payable under section 403 of title 37, including any housing allowance.

Verifying Income

If the family can provide all W-2 forms, pay stubs or pay envelopes for the relevant time period, program staff must:

- Use all family income for the relevant time period to determine eligibility according to income guidelines,
- State the family income for the relevant period, and
- State whether the child qualifies as low-income

Programs may refer to the Child Care Employment Income Required Documentation (Page 18) for the minimum number of pay stubs/pay envelopes necessary for verifying income eligibility.

If the family cannot provide sufficient W-2 forms, pay stubs, or pay envelopes for the relevant period staff may accept written statements from employers and use the information provided to calculate total annual income with appropriate multipliers

For self-employed individuals, or others from whom you are unable to obtain documentation or third party verification (or when attempting to do so may cause undue hardship to the family), a program has the flexibility to accept signed, written declarations from families. Under such circumstances, program staff must still make reasonable efforts to verify the family's eligibility and describe these efforts in the eligibility documentation record. (See Attachment E)

If an applicant is claiming no income the program is responsible for discussing the situation with the family in order to understand their situation, and what sources of support are available to them to meet their on-going needs. The program needs to gather sufficient relevant evidence to make as informed a judgment as possible about the family's eligibility status. The program may accept the family's signed declaration if program staff describes efforts made to verify the information offered, including seeking information from third party, with the family's written consent, and adhering to safety and privacy policies and procedures. If the program then determines they accept the family's assertion that it has no income it can apply the selection criteria for determining whether to enroll the child. (See Attachment F)

One example of a family with no income is a mother with a three year old, both of whom live with the mother's parents. She is not receiving child support. Since it is only the income of the child's parents or guardians that is used for family income determination, this family would indeed have no income.

Note: The period of time to be considered for eligibility is the 12 months immediately preceding the month in which the application for enrollment of a child in a Head Start program is made, or for the calendar year immediately preceding the calendar year in which the application is made, whichever more accurately reflects the family's current needs.

Over-Income: In addition to families that are categorically eligible, or who meet the income threshold, a limited number of slots may be filled by “over-income” families. As a general rule, up to 10% of funded slots may be filled by families with incomes that exceed 100% of FPL. There is no upper limit on allowable income for these families, as long as the family meets the criteria that the Head Start program has established for selecting such children. **Additional Allowances for Programs**

Under certain limited circumstances (see HS Performance Standard 1305.4(d)) programs may enroll up to 35% of their total enrollment families with incomes between 100% and 130% of FPL. To do so, the program must:

- Establish and implement outreach and enrollment policies and procedures that ensure it is meeting the needs of categorically or income eligible children and children with disabilities before serving ineligible children; and
- Establishes criteria that ensure eligible children are served first.

Note: Programs that serve children under this provision have additional mandated federal reporting requirements. Prior approval from ACS ECE is required in order to enroll children in accordance with this provision.

Documenting and Verifying Categorical Eligibility:

Homeless:

Programs should include a residency question as part of the intake process. By asking this question of everyone, homeless families can be identified without undo stigma. Based on the response, it can be determined whether the family may meet the criteria for categorical eligibility and the specific criterion met. Program may then ask for a signed declaration from the family.

If a family is living in a homeless shelter, a written statement from the shelter or homeless services provider or other service agency attesting that the child is homeless or similar documentation from a public or private agency should be included in the eligibility documentation record. If the child meets one of the other criteria in the definition of a homeless child, clarifying information may be elicited through conversation during the intake process or collected subsequently from a third party with first hand knowledge of the of the applicant’s eligibility, with the explicit written consent of the applicant. Program staff must describe the efforts made to verify that the child is homeless including the specific condition under which that determination was made.

A sample residency questionnaire is included (see Attachment G).

A “**homeless child,**” as defined in the McKinney-Vento Homeless Assistance Act, is one who lacks a “fixed, regular, and adequate nighttime residence.” The definition goes on to specify examples, such as:

- Children who share housing of other persons due to loss of housing, economic hardship, or similar reasons; are living in motels, hotels due to lack of alternative

- accommodations; are living in emergency or transitional shelters; or are awaiting foster care placement;
- Children who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
- Children who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings.

In determining whether a child is living in “substandard” housing, Head Start staff must evaluate whether the child’s housing situation falls short of community standards or is of lower quality than the law prescribes. Staff should consider factors such as health and safety concerns, the number and age of occupants and the number of occupants per square foot.

Residence: While Head Start does not require proof of residence, the program should assure itself, using such procedures as it deems appropriate, that the child lives within the program’s service area. Since DOE requires proof of residence for children enrolled in UPK, the Head Start agency should obtain this documentation at initial enrollment.

Acceptable proof of residence includes: NYC ID card with address; Postmarked envelope with name and date; Drivers license; Utility Bill, Rent receipt or lease with name and home address; Correspondence from a government agency which contains name and street address.

Foster Care:

A family can prove categorical eligibility with a court order or other legal or government issued document or a written statement from ACS or a provider agency demonstrating the child is in foster care. If the family is referred to your program through the ACS ECE-002 Referral for Early Care and Education Services process, then the family’s case planner or caseworker would be able to provide the necessary verification; or you can contact the Special Referral Unit at ACS ECE and request verification at 212-835-7610.

Eligibility Duration

If a child has been found eligible and is participating in a Head Start program, he or she remains eligible through the end of the succeeding program year.

Note: Re-verification of eligibility (comparable to recertification in child care) is not required.

Eligibility Determination Records

Programs must keep eligibility determination records for each participant. The record must include:

- Copies of any documents or statements, including declarations, that are deemed necessary to verify eligibility

- A statement that staff has made reasonable efforts to verify the information by:
 - Conducting either an in-person or telephonic interview with the family
 - Describing efforts made to verify eligibility
 - Collecting documents required for third party verification, that includes
 - The family’s written consent to contact each third party
 - The third parties’ names, titles and affiliations, and
 - The information from the third parties regarding the family’s eligibility
- A statement that identifies whether:
 - The family’s income is below income guidelines for its size and lists the family’s size
 - The family is receiving public assistance
 - The child is homeless, including the specific condition under which the child was determined to be homeless
 - The child is in foster care
 - The family meets the over-income requirement
 - The family meets the alternative criteria (additional allowance)

Note: A program must keep eligibility determination records for children for the duration of their enrollment and for one year after they stopped receiving services or are no longer enrolled.

There is no standard application form for Head Start comparable to the CS-925. However, it is the program’s responsibility to have each applicant complete an application form.

Programs may choose to have applicants sign a statement attesting to the accuracy of the information and/or documents they submit for determining eligibility. This signature can be on the application itself or as a separate form, at the program’s discretion, and should also be kept on file. Whether programs require a signature or not, you should have policies on how you deal with families that are discovered to have provided inaccurate or fraudulent information and should be clear upfront with families about the consequences.

The Head Start agency’s eligibility determination procedure should provide for systematic review by a manager or supervisor of the work done and documents collected or completed by the worker doing the intake and initial determination. This level of oversight will help ensure that only eligible families are enrolled.

Selection Process

Each Head Start program must have a formal process for establishing selection criteria and for selecting children and families for enrollment. This plan must consider all eligible applicants for Head Start services. In selecting the children and families to be served, the Head Start program must consider the income of eligible families, the age of

the child, and the extent to which a child or family meets the criteria that each program is required to establish. (see Head Start Performance Standard 1305.3(c)(6))

Selection Criteria

Each program establishes rules to determine which eligible families will receive priority for enrollment and are based on family and/or community situations. Criteria must be objective so as to eliminate individual or personal judgments of staff members. Programs should use findings from their self-assessment, community assessment and Program Information Report in determining which criteria to implement, and how to rank them. Each factor is assigned a point value or weight, based on the emphasis given to that criterion.

Examples of criteria include, but are not limited to:

- Child's age (e.g. priority might be given to four (4) year olds so that they receive at least one (1) year of pre-school before kindergarten, and help program meet UPK targets)
- Child's biological risks, such as a child with sickle cell anemia or a sibling with documented disabilities
- Child with an identified or suspected disability
- Environmental risks, such as parental substance abuse or mental health issues, or documented or suspected child abuse or neglect
- Family income (e.g. higher priority might be given to families with income below 75% of FPL)
- Family type/size, such as single parent, teen parent, or grandparent(s) headed household
- Family needs, including literacy skills, adult education, and social supports.

Criteria must be approved by your Policy Council/Committee before they can be implemented.

ENROLLMENT

Maintain Full Enrollment

Each EarlyLearn NYC program is required to reach and maintain maximum enrollment by ensuring that each available seat is filled by an eligible child. Contractors should take all necessary actions to ensure their programs are fully enrolled. This includes developing and utilizing a marketing plan with regular community outreach events and information. Programs must also maintain a current and viable waiting list.

Center-Based Setting Enrollment Information

An infant or toddler is enrolled when he/she is certified eligible by ACS and begins attending the contractor's program site.

A pre-schooler funded by Head Start (Head Start or Dually Eligible) is enrolled when officially accepted by a program and has attended at least one class session or has received at least one direct service while pending completion of necessary documentation for attendance in the center.

A pre-schooler funded by Child Care (not Head Start) is enrolled when he or she is certified eligible by ACS and begins attending the contractor's program site.

Home-Based Family Child Care Setting Enrollment

Infants, toddlers, and pre-schoolers are enrolled when they are certified eligible by ACS and begin attending the provider home.

Universal Pre-Kindergarten (UPK) Enrollment

A child is enrolled when all required documentation has been received, approved, and entered in the NYC DOE's Basic Educational Data System by the State's deadline, typically in October.

ENROLLMENT – Child Care Only Programs

Center-based

Programs may only enroll children that have been certified eligible for a child care subsidy. The child may be on the program's reservation or waiting list. Programs can also enroll children who are determined eligible and are either on the citywide voucher waiting list or on the reservation/waiting list of another contract program. Programs may not enroll children who are enrolled with another program/provider. This is important because eligible parents sometimes elect to enroll in a program with immediate vacancies. If the family has already been determined eligible, then the program can enroll the child.

Center-based programs will enroll children via the **Web Enrollment System (WES)**. The WES manual provides detailed instructions on the mechanics of enrolling children. Programs will:

- Arrange start date with parent/caretaker
- Review reservation list to ensure fairness and equity (outstanding reservations should be reconciled – children on reservation should be enrolled or the reservations should be cancelled)
- Review program waiting list to ensure compliance with priorities for child care (programs should not routinely skip higher priority children when selecting children for enrollment; however situations such as age of child needed to fill a vacancy may be justifiable reasons for skipping children)
- Select a child from the waiting list. If the parent/caretaker refuses the placement or the program can't get in touch with the family, then the program should cancel the waiting list placement in WES
- After ensuring appropriate child selection, the Program should:
 - Select child in WES
 - Enter start date in WES
- Obtain parent fee information from either the parent's Placement Notice or, after the enrollment is completed in WES, via the Attendance module

Note: The program will also be responsible for unenrolling children who have dropped out of service or are no longer eligible.

Family Child Care – Family Child Care Network information is not available in WES at this time. Programs will enroll children and drop children via a manual process, as follows:

- FCC Networks will receive a monthly 1098 Report; the report lists all children enrolled, on reservation list, and on waiting list
- FCC Network will select the child from the reservation or waiting list and enter the enrollment start date and Provider ID number
- FCC network forwards the 1098 report to the respective Borough Resource Area
- The Resource Area makes the enrollment via ACCIS

- The program should obtain parent fee information from either the parent's Placement Notice or, after the enrollment is completed the fee will appear on the manual ACS-1 attendance form
- The FCC Network will enter drop dates for children no longer enrolled
- The 1098 Report also separates children who have been deemed ineligible; the FCC Network is responsible for unenrolling these children

ENROLLMENT – Head Start Only Programs

Once Head Start eligibility is established and selection criteria applied, programs may enroll children.

Children must be enrolled in a specific class, and programs must assure that class size regulations are met.

Class size is limited as follows:

- The physical space must provide for at least 35 sq. ft. per child, **and**
- If the majority of children enrolled are three (3) years old, the maximum enrollment is 17.
- If the majority of children enrolled are four (4) years old, the maximum enrollment is 20.

Class size is established based on the age composition at the start of the school year. For example, if the majority of children are three (3) years of age in September, then the maximum class size of 17 applies throughout the year, even after a majority of children have turned four (4). On an on-going basis throughout the year, programs have up to 30 days to fill a vacancy, giving preference to the family on the waiting list with the highest ranking based on the selection criteria.

Not less than 10% of the total number of children enrolled by each agency **will be children with disabilities** who are determined to be eligible for special education and related services (Head Start Act Section 640 (d)(1)).

Programs will enroll children via WES. The WES manual provides detailed instruction on the mechanics of enrolling children.

Programs will:

- Arrange start date with parent/caretaker
- Review reservation list to ensure fairness and equity (outstanding reservations should be reconciled – children on reservation should be enrolled or the reservations should be cancelled)
- Review program waiting list to ensure compliance with selection criteria priorities
- If a program selects a child from the waiting list and the parent/caretaker refuses the placement or the program can't get in touch with the family, then the program should cancel the waiting list placement in WES
- After ensuring appropriate child selection, the program should:
 - Select child in WES
 - Enter start date in WES
- The program will also be responsible for unenrolling children who have dropped out of service

ENROLLMENT – TANF/CASH ASSISTANCE (CA) RECIPIENTS

Parents or caretakers receiving Temporary Assistance for Needy Families (TANF), also known as Cash Assistance (CA), and engaged in an approved work activity must be referred to their respective HRA Job Center (Cash Assistance office) where their eligibility will be determined. Once eligibility has been established, the Child Care Provider Enrollment Supplement form (CS 274W) is completed by the parent/caretaker AND the program for ALL program types. While completing the form, a start date must be arranged with the parent/caretaker and provided on the form by the program in the Date Care Began section of the form. The parent/caretaker then returns the completed CS-274W to a Child Care Specialist at their respective HRA Job Center. The Child Care Specialist will make a reservation for the child reflecting the agreed upon start date. The program can enroll children in reservation status via the Web Enrollment System (WES).

Notes:

- Families in receipt of SSI do **not** need to have their eligibility approved at an HRA Job Center in order to be enrolled in a Head Start program.
- There are no fees for TANF/CA families.

Center-based - Programs may only enroll children that have been certified eligible for a child care subsidy. The child may be on the program's reservation or waiting list. Programs can also enroll children who are determined eligible and are either on the citywide voucher waiting list or on the reservation/waiting list of another contract program. Programs may not enroll children who are enrolled with another program/provider. This is important because eligible parents sometimes elect to enroll in a program with immediate vacancies. If the family has already been determined eligible, then the Program can enroll the child.

Center-based programs will enroll children via WES. The WES manual provides detailed instruction on the mechanics of enrolling children.

Programs will:

- Arrange start date with parent/caretaker (upon completion of CS-274W)
- Review reservation list to ensure fairness and equity (outstanding reservations should be reconciled – children on reservation should be enrolled or the reservations should be cancelled)
- Review program waiting list to ensure compliance with priorities for child care (programs should not routinely skip higher priority children when selecting children for enrollment; however situations such as age of child needed to fill a vacancy may be justifiable reasons for skipping children on the waitlist)
- If a program selects a child from the waiting list and the parent/caretaker refuses the placement or the program can't get in touch with the family, then the program should cancel the waiting list placement in WES
- After ensuring appropriate child selection, the Program should:

- Select child in WES
 - Enter start date in WES
- The program will also be responsible for unenrolling children who have dropped out of service

Family Child Care – Family Child Care Network information is not available in WES at this time. The Child Care Specialists at the HRA Job Center will directly enroll children via the Automated Child Care Information System (ACCIS). The program will be responsible for dropping the children via a manual process, as follows:

- FCC Networks will receive a monthly 1098 Report; the report lists all children enrolled, on reservation list, and on waiting list
- Dropping of TANF/CA children can be done at the HRA Job Center by a Child Care Specialist or the FCC Network can enter drop dates for children no longer enrolled on the 1098 Report
- The 1098 Report also separates children who have been deemed ineligible; the FCC Network is responsible for unenrolling these children