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State of Wisconsin
Governor Tony Evers

TO: **Child Care Eligibility and Authorization Workers
and Supervisors
Income Maintenance Supervisors
Income Maintenance Staff
Training Staff
Child Care Coordinators**

DECE/BELP OPERATIONS MEMO

No: 19-32

DATE: 09/09/2019

Wisconsin Shares Child Care

FROM: Kath McGurk, Director
Bureau of Early Learning and Policy
Division of Early Care and Education
Department of Children and Families

SUBJECT: Hardship Authorizations During a State of Emergency

CROSS REFERENCE: [Wisconsin Shares Child Care Policy and Process Handbook](#)
Section 2.4.9.1
Wis. Admin. Code DCF s. [DCF 201.039\(10m\)](#)

EFFECTIVE DATE: Immediately

PURPOSE: The purpose of this Operations Memo is to inform local agencies how to proceed with child care authorizations when the Governor declares a state of emergency.

BACKGROUND: The Child Care and Development Block Grant (CCDBG) requires states to include in their state plan policies and procedures to ensure the continuity of care during declared emergencies. When the Governor declares a state of emergency, under Wis. Stat. s. [323.10](#), children are eligible for a second authorization to another regulated child care provider when the original child care provider is located within the area of a state of emergency and the provider is temporarily closed due to the state of emergency.

POLICY: The following updates will be incorporated into the next Wisconsin Shares Child Care Policy and Process Handbook release.

Section 2.4.9.1 Authorizations in Situations of Hardship

Families experiencing unforeseen circumstances that are no fault of their own and that inhibit them from utilizing the originally authorized child care provider during the current month may be eligible for a new authorization to a different child care provider location during the current

month if continuing with the original child care provider would cause a hardship for the family. Families may be eligible for a second authorization in situations of hardship when the subsidy amount has been loaded to the EBT card in the current month for a previously authorized child care provider if the family's situation meets the criteria of this policy. The request for this additional authorization must be made by the parent within 10 days of the start of the unforeseen circumstance.

In order to be eligible for an authorization in this situation, the Wisconsin Shares Child Care Assistance Group must meet one (1) of the following situations and the situation must create a legitimate and unforeseen hardship for the child or children to continue to attend the current child care provider location for the remainder of the current month:

- The child is relocated from his or her current residence so the family can escape domestic abuse and it is not reasonable to travel to the current child care provider location.
- The child is ill and is not able to attend his or her current child care provider due to that illness, but another child care provider will allow the child to attend child care at his or her facility. This may be a chronic or temporary illness not otherwise qualified under special needs.
- There is alleged abuse or neglect of the child by his or her current child care provider and a complaint has been made to the appropriate certification or licensing agency.
- The child is expelled from his or her current child care provider for behavior issues.
- The child's special needs are no longer being met by the current child care provider (for example, a teacher who supported the child has suddenly left the child care facility).
- The safety of the parent or child is threatened by remaining at the current child care provider.
- The family is evicted from their current home and it is not reasonable to travel to the current child care provider location.
- A formerly homeless family finds stable housing and it is unreasonable to use the current child care provider.
- There are sudden changes in a parent's approved activity location which makes the use of the current child care provider unreasonable.
- There are sudden changes in a parent's approved activity schedule and the provider's hours of operation do not accommodate the family's need for child care.
- One (1) parent passes away or unexpectedly leaves a two-parent or multi-generational Wisconsin Shares Child Care Assistance Group and the current child care provider either does not have the facility capacity to handle the additional hours of the family's child care need, or the hours of operation of the child care facility no longer supports the family's need for child care.
- There is damage to the child care facility that creates an unsafe environment for children, such that it is impossible for them to continue to attend the same provider.
- The child care provider is temporarily closed and is located within an area affected by a state of emergency that has been declared by the Governor.
- The child care provider has a voluntary, unforeseen permanent closure and the family needs to attend an alternate provider.

- The provider does not allow the child(ren) to attend due to circumstances that are outside of the parent's control (for example, the center has reached their regulatory capacity or provider-to-child ratios).
- The child care provider's regulation is suspended or revoked by a regulatory authority.

Upon request, DCF Wisconsin Shares policy staff may approve limited situations of hardship at their discretion. Local agencies that receive a request which does not fall under the criteria above but is demonstrated to be a hardship on the family, should email the Wisconsin Shares Subsidy and Technical Assistance staff for review and approval or denial.

In situations where a hardship authorization is granted due to circumstances regarding the child (for example, the child is expelled from his or her current child care provider for behavior issues), all other children on the case may also change providers as long as those children were attending the same child care center as the child receiving the hardship authorization.

The local agency will determine the duration of the subsequent authorization for the new child care provider location. Subsequent authorizations do not need to be for a full month depending on the circumstance and point in time in the current month that the hardship is requested.

Any cases that are being reviewed for a possible hardship authorization must be documented on the CSAW Hardship page. Local agencies **must** utilize this page for each situation that is reviewed. When the local agency denies a hardship request, a Hardship Denial Notice must be mailed to the parent. The Hardship Denial Notice includes the reason(s) for the denial as well as appeal rights to the decision.

Note: Agencies must send cases involving foster or other placement children to the Child Care Subsidy and Technical Assistance Line for approval or denial.

These processes must still be followed when the provider is located within an area affected by a state of emergency that has been declared by the Governor.

CONTACTS:

For Wisconsin Shares Child Care policy questions outside of Milwaukee County contact your Bureau of Regional Operations (BRO), Child Care Coordinators at BROCCPolicyHelpDesk@wisconsin.gov.

For Child Care CARES/CWW and CSAW Processing Questions statewide, and policy questions in Milwaukee County, contact the Child Care Subsidy and Technical Assistance line at: childcare@wisconsin.gov or (608) 422-7200.

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