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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: 19-39
Date: 10/16/2019

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: Updates to Activity Break Period Policy for Wisconsin Shares Child Care

CROSS REFERENCE: [Wisconsin Shares Child Care Policy and Process Handbook](#),
Section 1.3.9 Exception to Approved Activity
Section 2.4.3.4 Authorizations During an Approved Activity Search
Period
Section 2.4.3.5 Authorizations During a Temporary Break Period
[45 C.F.R. s. 98.21](#)
[Wis. Stat. ss. 49.155\(1m\)\(a\), 49.155\(1\)\(cm\)](#)
[Wis. Admin. Code. DCF s. 201](#), including [Final Rule CR 18-088](#)

EFFECTIVE DATE: November 1, 2019

PURPOSE: The purpose of this Operations Memo is to introduce changes to the Wisconsin Shares Child Care Approved Activity Search Period (ACTS) policy and the Temporary Break Period (TBRK) policy.

BACKGROUND: In Fall 2017, the Department of Children and Families (DCF) implemented several key provisions of the Child Care and Development Block Grant (CCDBG). One of these changes was to allow a parent who had permanently lost their approved activity to retain eligibility and an authorization at the same number of hours for a period of up to three (3) months to allow the parent time to find a new approved activity. This policy was referred to as the ACTS policy.

In Fall 2018, DCF implemented another key provision: the temporary break policy. This change was to allow parents who were temporarily absent from their approved activity to maintain eligibility and an authorization at the same number of hours, also for a period of up to three (3) months. This policy was referred to as the TBRK policy. These two (2) policies are referred to collectively as Activity Break Periods. A thorough review of these policies was completed following implementation, and several key sections of policy have been updated.

POLICY: The following updates will be published in the Wisconsin Shares Child Care Policy and Process Handbook with the next release. Each of the separate ACTS and TBRK policies have been combined into sections that include both ACTS and TBRK. Policy changes and new policy are highlighted in yellow. New policy is effective November 1, 2019.

Some sections have been moved, removed, or reformatted; these changes are not highlighted in the new sections.

PREVIOUS POLICY

To review the previous policy, please refer to the [Wisconsin Shares Child Care Policy and Process Handbook](#), version March 2019. The previous Handbook Sections were:

- 1.3.9.2 Approved Activity Search Periods;
- 1.3.9.2.1 Eligibility for Approved Activity Search Periods;
- 1.3.9.2.2 Starting and Ending an Approved Activity Search Period;
- 1.3.9.3 Temporary Break Periods;
- 1.3.9.3.1 Eligibility for a Temporary Break Period;
- 1.3.9.3.2 Starting and Ending a Temporary Break Period;
- 1.3.9.4 Consecutive Permanent Losses or Temporary Break Periods;
- 2.4.3.4 Authorizations During an Approved Activity Search Period; and
- 2.4.3.5 Authorizations During a Temporary Break Period.

NEW POLICY

1.3.9.2 Activity Break Periods

Federal requirements in the Child Care and Development Block Grant (CCDBG) requires states to provide three (3) months of continued assistance following a permanent loss of approved activity. CCDBG also requires states to allow a parent to retain eligibility during a temporary absence from their approved activity. These policies are intended to support continuity of care for the child during a parent's permanent loss of or temporary absence from an approved activity.

The Approved Activity Search Period (ACTS) and Temporary Break Period (TBRK) are collectively referred to as Activity Break Periods. For additional criteria that a parent has to meet in order to be eligible for ACTS or TBRK, see Section 1.3.9.2.1.

Parents who are eligible for an Activity Break Period are able to retain eligibility and maintain any authorizations at the same number of hours for a period of up to three (3) months following a permanent loss or temporary break in their approved activity. An ACTS period may be ended earlier than three (3) months if the parent is completing an annual eligibility renewal or when one (1) of the other criteria in Section 1.3.9.2.3 are met.

Note: If a parent is absent or expected to be absent from their approved activity for less than 30 calendar days, they are still considered to be actively participating in their approved activity. A gap of less than 30 calendar days does not need to be evaluated for either TBRK or ACTS; the parent's approved activity status would remain the same.

Parents must continue to meet all financial and non-financial eligibility requirements during this 3-month period. Agency workers must not require parents to provide verification of a job ending or of a parent starting a temporary break unless it is questionable whether the parent has resumed or permanently lost the approved activity and did not report it. Parents are also not required to provide job search logs or other verification of searching for an approved activity during an ACTS period.

Permanent Break (ACTS)

Wis. Stat. s. 49.155(1m)(a) states that an individual who is eligible to receive a Wisconsin Shares Child Care subsidy may remain eligible for that subsidy for a period of three (3) months after the individual permanently ceases participation in the approved activity or until the local agency re-determines the individual's eligibility, whichever is earlier (see 1.3.9.2.3).

A parent must not expect to return to the same approved activity in order to be eligible for an ACTS period.

Temporary Break (TBRK)

Per 45 C.F.R. s. 98.21 and Wis. Stat. s. 49.155(1)(cm), if a child was eligible at their most recent eligibility determination (application or renewal) the child must be allowed to remain eligible and receive benefits at the same level following a parent's reported temporary break in approved activity. A temporary break is defined as a parent's time-limited absence from an approved activity due to:

- Illness,
- The need to care for a family member,
- A student or holiday break,
- An interruption in work for a seasonal worker who is not working between regular industry work seasons, or
- Any other cessation of an approved activity as long as the parent continues to be employed or enrolled in the approved activity and the absence does not exceed three (3) months.

A parent who meets the above criteria may be eligible for a TBRK period.

1.3.9.2.1 Eligibility for an Activity Break Period

A parent must have ongoing Wisconsin Shares Child Care eligibility, including a verified approved activity, at the time of the permanent loss or temporary break in approved activity in order to be eligible for an Activity Break Period.

Parents who are applying for Wisconsin Shares Child Care must have a verified approved activity at application and are not eligible for an Activity Break Period. This includes parents added to an ongoing case (Person Add). Parents must have completed the application process [including interview, verification, and confirmation of eligibility in CARES Worker Web (CWW)] with an approved activity prior to experiencing the permanent loss or temporary break in approved activity in order to be eligible for an Approved Activity Search Period (ACTS) or Temporary Break Period (TBRK).

Parents are not eligible to begin or continue an ACTS period at their annual eligibility renewal. Parents are eligible to continue a TBRK period that had already started prior to the renewal (see 1.3.9.2.2) after they complete the renewal; however, parents are not allowed to start a new TBRK period the month following a renewal.

Example 1: Harper calls the local agency on April 12 to complete her annual eligibility renewal. She currently has an authorization for her son, Mason. Her annual eligibility renewal is due April 30. Harper informs the agency worker that she just had a baby, and will be on maternity leave from April 1 – June 30. Because TBRK cannot start at renewal, Harper does not have an approved activity for May, the month following her renewal. Even though she has completed her renewal, her eligibility must be ended on April 30 due to lack of approved activity.

Parents must continue to meet all financial and non-financial criteria during an Activity Break Period, including reporting changes within 10 calendar days of the change (see 1.8.1). This includes reporting the start or end of an approved activity, a return to the same approved activity, or a change in child care need.

As stated in Section 1.3.9.2, both federal regulations and state law require local agencies to allow parents to maintain eligibility following a permanent loss or temporary break in approved activity. Parents are not required to have an authorization in order to maintain eligibility.

However, parents must indicate that they anticipate needing child care during or after an ACTS or TBRK period. A parent may choose not to have an authorization during the ACTS or TBRK period; however, no new authorizations can be written during an ACTS or TBRK period if the parent does not have an authorization for that child at the start of the permanent loss or temporary break (see 2.4.3.4).

Example 2: Jamie reports to the agency worker on May 24 that she lost her job on May 15. Jamie has two (2) children, Alanna and Jasmine, but does not have an authorization for either child. The agency worker informs Jamie that she may maintain eligibility for up to three (3) months, but that Alanna and Jasmine will not be eligible for authorizations during that time because they did not have authorizations in place at the time of the job loss. The agency worker asks Jamie if she anticipates needing child care when she finds a new approved activity. Jamie states that she would like to keep her Wisconsin Shares Child Care eligibility until she can find a new job, and that she does anticipate sending her children to child care when school starts in the fall if she has found a new job by then. The agency worker changes Jamie's Approved Activity Status in CWW to ACTS for June, even though Jamie's children do not have authorizations.

A parent may report a temporary or permanent change in their approved activity over the phone, in person, or through ACCESS. When the local agency receives the reported change information, the local agency must contact the parent to inform them that they can continue to be eligible and can continue using any existing authorization(s). The agency worker must ask the parent if they anticipate needing child care during or after the ACTS or TBRK period before placing the parent in the ACTS or TBRK activity in CWW. The agency worker may contact the parent by telephone to obtain this information or ask the question using the Notice of Proof Needed. Agency workers must send the Notice of Proof Needed if they attempt to contact the parent by phone but are unable to reach them.

Process: Agency workers must include the following text (or text substantially similar) as a note on the Notice of Proof Needed: *"You may be able to keep your Wisconsin Shares Child Care eligibility and any subsidy authorizations you have following this change in approved activity. Your subsidy amount may increase, but you will still be responsible for paying the difference*

between the subsidy amount and the price your child care provider charges. Please contact your local agency if you are interested in this. Failure to respond to this request will result in your Wisconsin Shares Child Care eligibility ending."

Parents are not eligible for an ACTS or TBRK period after declining the offer. The following circumstances are considered to be declining an ACTS or TBRK period.

- Parents who state they do not anticipate needing child care during or after an ACTS or TBRK period.
- Parents who state they no longer want to maintain Wisconsin Shares Child Care eligibility or otherwise indicate that they will reapply at a later time.
- Parents who do not respond to the agency worker's verbal or written request on the Notice of Proof Needed of whether they anticipate needing child care following a reported change. Parents have seven (7) business days to respond to the Notice of Proof Needed.

Process: If the parent's response (or lack of response) to either the phone call or the Notice of Proof Needed meets one of the circumstances above, the agency worker must change the Approved Activity Status in CWW to "No" and the parent's eligibility for Wisconsin Shares Child Care will end according to adverse action (see 1.8.4). The authorization will systematically end on the last day of the last month that the child had eligibility. Agency workers do not need to manually end the authorization early unless the parent indicates they no longer need the authorization (see 2.4.3.4).

Example 3: On August 26, Naomi calls the local agency to report that she had a baby and is on maternity leave from her job. Her maternity leave started August 15 and she expects to return to work on October 15. She currently has an authorization for her older child, Jodie. The agency worker informs Naomi that she may maintain eligibility for up to three (3) months, and that Jodie's authorization may remain at the same number of hours during that time. The agency worker asks Naomi if she will continue to use child care for Jodie until she returns to work. Naomi indicates that she does not need child care during this time, and that she will reapply for Wisconsin Shares Child Care when she returns to work. The agency worker changes Naomi's Approved Activity Status in CWW to "No" and Naomi's eligibility for Wisconsin Shares Child Care ends on September 30 (according to adverse action). Jodie's authorization will also systematically end on September 30; the agency worker does not need to update the authorization end date unless Naomi indicates that she will not need child care in September.

Example 4: George reports through ACCESS on Saturday, March 2, that he lost his job on February 25. On Monday, March 4, when the agency worker receives the report, she pends the Approved Activity Status in CWW and adds a note to the Notice of Proof Needed to see if he needs the ACTS period. George does not respond to the local agency within seven (7) business days. George's worker changes the Approved Activity Status to "No" and runs eligibility to close Wisconsin Shares Child Care. If George later calls to request the ACTS period, the agency worker must inform George that he is no longer eligible and must be in an approved activity in order to reapply for Wisconsin Shares Child Care.

Parents are not limited to one (1) ACTS or one (1) TBRK period within their 12-month eligibility period; however, a parent must be engaged in a verified approved activity between each ACTS or TBRK period. If a parent reports a new approved activity during an ACTS or TBRK period, but does not verify it, the parent is not eligible for a new ACTS or TBRK period based on the unverified approved activity. However, the parent is eligible to continue utilizing the remainder of

the original ACTS or TBRK period. A new approved activity must be verified in order for a parent to receive a subsequent ACTS or TBRK period.

Once an ACTS or TBRK period has been established, agency workers should not pend or change the Approved Activity Status in CWW until a new approved activity has been verified. Parents will need to verify a new approved activity by the end of their ACTS period (or TBRK period, if the temporary break changed to a permanent break during this period) in order to maintain Wisconsin Shares Child Care eligibility.

Process: The agency worker should pend on the Employment page for verification of new employment, and **not** update the Approved Activity Status page. If verification is not received, the agency worker should enter a verification code on the Employment page indicating that the information was not verified (i.e. NV-Not Verified, QV-Questionable Not Verified, etc.), but should still **not** update the Approved Activity Status page because a parent does not need another verified approved activity until the end of the ACTS or TBRK period.

ACTS and TBRK periods cannot be consecutive. Parents cannot be in an ACTS period and then immediately follow it with a TBRK period, and parents cannot be in a TBRK period and then immediately follow it with an ACTS period. There must be a verified approved activity between ACTS or TBRK periods, even if the months of ACTS or TBRK are consecutive. There is not a minimum number of days that a parent must be engaged in an approved activity in order to qualify for a new ACTS or TBRK period, but the approved activity must be verified. If any verification received appears questionable, local agencies must follow the guidance in Section 1.5.8.

Example 5: Celeste is in an ACTS period from November 1 – January 31 following a job loss in October. On December 9, Celeste reports that she obtained new employment, but only worked for a week. Celeste provides the only paystub she received to verify the employment on December 12. The agency worker updates the Approved Activity Status in CWW to EMPL for December and runs with dates to confirm eligibility for December. Next, the agency worker goes back to the Approved Activity Status page in CWW and updates the Approved Activity to ACTS for January. The agency worker runs and confirms eligibility. Although it appears that Celeste had consecutive ACTS period (November to January and January to March), she did have verified employment between the two (2) ACTS periods.

A parent who expects to be temporarily absent for more than three (3) months is eligible for TBRK; however, the parent will only be eligible for Wisconsin Shares Child Care for the first three (3) months of the temporary break. Eligibility and any existing authorizations will end systematically at the end of the third month if the parent has not reported a return to his or her approved activity.

Parents engaged in Self-Employment (see 1.3.8.3.2) **are** eligible for an ACTS or TBRK period the same as parents who are regularly employed. For authorization policy in these situations, see 2.4.3.4.

If the parent is employed by a temporary employment agency (or “temp agency”), and the parent reports that their job assignment has ended, the agency worker must ask follow-up questions in order to determine if the parent is eligible for an ACTS or TBRK period. If the parent expects to receive a new assignment within the next 30 calendar days, the parent’s Approved Activity Status in CWW should continue to be Employment (EMPL). If the parent does not expect to receive a new assignment in the next 30 calendar days, does not know when their next assignment will be, or reports that they are no longer employed with the temp agency, the case can be evaluated for an ACTS or TBRK period.

Teen parents enrolled in high school, parents employed through the school district, and parents participating in other school-year-based approved activities are eligible for a TBRK period while school is not in session for the summer.

Parents participating in basic education (see 1.3.8.7) or post-secondary education (see 1.3.8.8) who are also employed may be eligible for a TBRK period during semester breaks. If the break is less than a month (i.e. winter break, spring break, or a break between fall or spring semester and summer semester), the parent is still considered to be in their approved activity and the Approved Activity Status in CWW does not need to be updated.

Parents participating in basic or post-secondary education who are also employed (Approved Activity Status of EMGE or EMTS in CWW), but lose their employment are eligible for an ACTS period. This is because they are no longer meeting the 20 hours per month work requirement to be eligible for Basic Education (see 1.3.8.7) or Technical College or Course of Study Leading to Employment (see 1.3.8.8). Parents who are eligible for an ACTS period under this policy may maintain the same number of authorized hours during the ACTS period (see 2.4.3.4)

Parents who are participating in basic or post-secondary education and are still employed but are no longer meeting the 20 hours per month work requirement would be considered to only be employed (EMPL as the Approved Activity Status in CWW). These parents are not eligible for ACTS because they are still working. Although the parent may continue participating in basic or post-secondary education, the parent does not meet the work requirement so the approved activity must be changed to employment (EMPL). Parents who experience a decrease in approved activity hours (i.e. no longer qualifying for education as an approved activity) may maintain the same number of authorized hours based on continuity of care (see 2.4.2.2).

1.3.9.2.2 Starting an Activity Break Period

Both an Approved Activity Search Period (ACTS) and a Temporary Break Period (TBRK) begin the month following the start of a reported permanent loss or temporary break in approved activity. If the parent reports a permanent loss or temporary break in an approved activity untimely, the ACTS or TBRK period must be granted; however, the begin date will be backdated. A change in approved activity reported and verified during an ACTS or TBRK period must be entered in CARES Worker Web (CWW) with a begin date of the month that the reported change starts (this allows CSAW to display the correct approved activity when the parent requests a new authorization).

Example 1: Roxanne reports to the agency worker on June 28 that she lost her job on June 21 and indicates that she wants the ACTS period. The agency worker enters the ACTS activity in CWW with a July begin date. The ACTS period is set for July 1 – September 30. On August 12, Roxanne reports that she obtained new employment starting August 15. The agency worker pends the Employment page for verification of her new employment. On August 29, Roxanne provides the verification and the agency worker updates the Approved Activity Status to EMPL with August begin dates.

Example 2: Maranda reports a permanent loss of activity on June 15, but the last day she worked was April 20. Maranda's ACTS period will be backdated to start on May 1 and will end on July 31. Maranda must have a verified approved activity entered in CWW for the month of August by July 31 in order to remain eligible for Wisconsin Shares Child Care.

An ACTS period cannot begin at application or renewal. Parents must be engaged in an approved activity when applying for Wisconsin Shares Child Care and when completing an annual renewal (see 1.3.9.2.1).

Example 3: Shannon applies for Wisconsin Shares Child Care on July 25 because she is searching for a job, but she hasn't started a job yet. Shannon is not eligible for Wisconsin Shares Child Care because she does not have an approved activity at application.

Example 4: Luna calls the local agency on January 4 to complete her annual renewal. Her annual renewal is due January 31, and she has authorizations for her children, Aurora and Asher. Luna tells the agency worker that she just lost her job on January 1 and will be looking for new work. Because ACTS cannot start at renewal, Luna does not have an approved activity for February (the month following her renewal). The agency worker updates her Approved Activity Status in CWW to "No" for February, and her Wisconsin Shares Child Care eligibility ends systematically on January 31.

A TBRK period also cannot begin at application or renewal, but can cross a renewal period.

Example 5: Gabriella begins a TBRK period in September to care for her sick mother. Her TBRK period is September 1 – November 30, and her annual renewal date is October 31. When Gabriella calls on October 21 to complete her annual renewal, the agency worker leaves TBRK as her Approved Activity Status for November. Gabriella can remain in the TBRK period until November 30 (the end of the 3-month period) as long as she provides all other information necessary to complete her annual renewal.

Example 6: On March 17, Noah calls to complete his annual renewal for Wisconsin Shares Child Care, which is due March 31. However, he is having surgery on March 29 and will be off of work for the next three (3) months. Because TBRK cannot begin at renewal, Noah does not have an approved activity for April (the month following his annual renewal). The agency worker updates his Approved Activity Status in CWW to "No" for April, and his Wisconsin Shares Child Care eligibility ends systematically on March 31.

If a parent begins a TBRK period and that temporary break status changes into a permanent loss of an approved activity, the parent may continue to use the remainder of the TBRK period to search for another approved activity if any remainder of the three (3) months is available. Agency workers should leave TBRK as the Approved Activity Status in CWW, unless the parent reports and verifies a new approved activity before the end of the 3-month TBRK period or requests that the local agency end his or her Wisconsin Shares Child Care eligibility (see 1.3.9.2.3).

Example 7: In April, Aparna goes on maternity leave. She has an authorization for her child, Barakaa, and is placed in a TBRK period from May 1 – July 31. However, in June she reports to her agency worker that she will not be returning to her job. Aparna can use the remainder of her TBRK period (June and July) to search for a new approved activity. The agency worker leaves the Approved Activity Status as TBRK and does not change it to ACTS. Aparna must find a new approved activity by the end of July in order to remain eligible for Wisconsin Shares Child Care.

1.3.9.2.3 Ending an Activity Break Period

As stated in Section 1.3.9.2, parents who are eligible for an Approved Activity Search Period (ACTS) or Temporary Break Period (TBRK) must be allowed to maintain Wisconsin Shares Child Care eligibility and any current authorizations may remain at the same number of hours for a period of up to three (3) months following the permanent loss or temporary break from their approved activity.

However, an ACTS period cannot cross a parent's annual eligibility renewal. CARES Worker Web (CWW) will fail the Assistance Group (AG) for a lack of approved activity for any months

following the annual eligibility renewal date if a new approved activity is not entered on the Approved Activity Status page. This includes prospective months (see Example 3 below). TBRK periods are allowed to cross the annual eligibility renewal (see 1.3.9.2.2).

In order to support the eligibility policy, CWW automatically sets an Activity Break Period once the worker updates the Approved Activity Status page with either ACTS or TBRK and confirms eligibility. The Activity Break Period will either be for three (3) months or, for ACTS, for the period remaining until the parent's annual eligibility renewal if the renewal due date is prior to three (3) months.

CWW will also systematically end eligibility during the 12-month eligibility period at the end of the 3-month ACTS or TBRK period if an approved activity has not been entered for the month following the end of the 3-month period. If the parent does not report a new approved activity, the worker does not need to take any action to end eligibility.

An ACTS or TBRK period **may end** earlier than the 3-month period set in CWW if:

- The parent begins **a verified** new approved activity during an ACTS period or **reports that** they have returned to their approved activity during a TBRK period.
- The parent contacts the local agency and requests that the agency worker end the ACTS or TBRK period **or otherwise indicates that they no longer want to receive Wisconsin Shares Child Care.**
- Eligibility fails for any financial or non-financial reason. Examples include, but are not limited to, the family moving out of state, failing to cooperate with the Child Support Agency, **or a new parent moving into the household who is not participating in an approved activity.**
- Another parent in the Assistance Group (AG) reaches the end of his or her ACTS or TBRK period in a two-parent or three-generation family.

Process: Agency workers are not required to manually override the ACTS or TBRK period in CWW in these situations; updating the case according to the change is sufficient for ending the ACTS or TBRK period.

Parents must be in an approved activity beginning the month following the end of the ACTS or TBRK period in order to remain eligible for Wisconsin Shares Child Care.

Note: Even if the parent has an expected return date following a temporary break, the agency worker must not end the TBRK period in CWW until the parent reports that they have returned to their approved activity. Circumstances could change before the parent returns to their approved activity which would require different worker action and create duplicate work. The same policy applies to authorizations (see 2.4.3.4).

New employment or other approved activity following an ACTS period must be verified (see 1.5.11). A parent must report when he or she returns to an approved activity following a TBRK period, but this does not need to be verified. However, an increase in income, change in work hours, or change in child care need following a TBRK period must be reported (see 1.8.1).

Example 1: Molly is in an ACTS period from January to March and her husband Peter is in an ACTS period from February to April. If Molly does not start a new verified approved activity by the end of March, eligibility will end because at that time, there is one (1) parent in the AG who is not engaged in an approved activity.

Example 2: On August 20, Jolene reports that she is going on maternity leave starting August 22 and indicates that she will be returning to work on September 28. The agency worker updates her Approved Activity Status to TBRK beginning in September. The agency worker should leave the TBRK period as September 1 – November 30 until Jolene reports that she has returned to work.

Example 3: On September 6, Anya reports that she lost her job on August 28. Her annual eligibility renewal is due on October 31. Anya's ACTS period should be from September 1 to November 30, but because an ACTS period cannot cross renewal, her eligibility will end October 31 if she does not have a verified approved activity entered in CWW for November. The agency worker changes the Approved Activity Status to ACTS in CWW for September and runs eligibility. When the agency worker runs eligibility, they see that September and October are passing, but November is failing for lack of approved activity. This is correct due to Anya's renewal due date of October 31. Anya will need to have a verified approved activity entered in CWW for the month of November by October 31 in order to complete her annual eligibility renewal and remain eligible for Wisconsin Shares Child Care.

Example 4: Regina reports on July 1 that she will be on maternity leave beginning July 6. Regina's annual eligibility renewal is due on September 30. The agency worker updates her approved activity to TBRK for August and a TBRK period is created for August 1 to October 31. As long as Regina completes her annual eligibility renewal by September 30 (or completes a late renewal by October 31), her TBRK period can continue until October 31. If Regina completes a late renewal, she must have an approved activity entered in CWW for November or her Wisconsin Shares Child Care eligibility will end October 31.

There are some situations where Wisconsin Shares Child Care eligibility may fail but then reopen within a calendar month of eligibility ending, such as when a parent has failed to cooperate with child support but then starts cooperating again, or when non-financial verification was not provided but is subsequently provided to the local agency (see 1.2.8). If Wisconsin Shares Child Care eligibility fails, but reopens within a calendar month, the parent is allowed to continue in their ACTS or TBRK period for the remainder of the 3-month period. For process related to this policy, see Process Help 76.1.

An ACTS or TBRK period will systematically end on the last day of the 3-month period. If a parent's renewal is also due on the last day of the ACTS or TBRK period, the parent will need a new approved activity or a return to the same approved activity entered in CWW for the month following the renewal due date in order for eligibility to continue. This is true whether a parent completes a timely or late renewal; the month following the renewal due date must have an approved activity. The approved activity can only be TBRK for the month following the renewal due date if the parent started the 3-month TBRK period prior to the renewal due date.

Example 5: Leonard is in a ACTS period from October 1 – December 31. Leonard's annual eligibility renewal is also due on December 31. Leonard does not complete his annual eligibility renewal by December 31, and his Wisconsin Shares Child Care eligibility ends on December 31. On January 10, Leonard calls the local agency to complete his late renewal. Leonard must have an approved activity for January at the time that he completes his renewal on January 10 in order for Wisconsin Shares Child Care eligibility to reopen.

Example 6: Raquel is in a TBRK period from January 1 – March 31. Raquel's annual eligibility renewal is due February 28. Raquel does not complete her annual eligibility renewal, and her Wisconsin Shares Child Care eligibility ends on February 28. On March 10, Raquel calls the local agency to complete her late renewal. Raquel's renewal is completed with TBRK as her approved activity for March and Wisconsin Shares Child Care eligibility reopens for March.

However, April and May eligibility will still fail if Raquel does not have an approved activity entered in CWW for April.

For policy and system functionality regarding authorizations during an ACTS or TBRK period, see Section 2.4.3.4.

2.4.2.1 **Mandatory Authorizations Based on Assessments Results**

An authorization worker must ~~assessments must be completed at the following times;~~ an Assistance Group's child care needs and the authorization must be based on the assessment results at all the following times:

- Initial eligibility
- Annual Renewal

~~In addition, an authorization assessment must be completed at the following times; and the authorization must be based on the assessment results:~~

- When the parent selects a new provider;
- When school-age children transition from summer break to the fall school year;
- When an eligible adult or minor teen parent is added to the case;
- When ~~there is a one (1) calendar month gap or more between the end of one has passed since the parent's previous authorization ended and the start of another authorization;~~
- At the end of the 24-month education time limit (see 1.3.8.7 and 1.3.8.8);
- When the ~~need for~~ child care ~~needs has changed and~~ no longer aligns with the provider's hours of operation.

Example 1: Jessie has two (2) school-aged children. The first authorizations for both children begin on January 1 and end on May 31. Jessie does not need child care during the month of June because the children will visit their grandmother that month. However, Jessie needs child care authorizations beginning on July 15. Jessie's worker must complete ~~a new an~~ authorization assessment and the ~~authorization authorized hours and the length of the authorization~~ must be based on this assessment because more than ~~a one (1)~~ calendar month has passed since the previous authorizations ended.

Example 2: From July 15 through August 31, Arturo's school-aged children need full-time child care. When school starts in September, the child care need will change based on the school day, so ~~a new an~~ authorization assessment is required. The ~~authorization authorized hours~~ must be based on the assessment results because the children are transitioning from summer break to the fall school year.

When completing an authorization assessment while the parent is in an Approved Activity Search Period (ACTS) or Temporary Break Period (TBRK), the agency worker must use the same parent approved activity schedule as the previous authorization. However, the authorized hours could be reduced based on the assessment results during an ACTS or TBRK period.

Example 3: Roberta is in an ACTS period when Jackson, the father of her child moves into the home. Roberta and Jackson's child, Craig, has an authorization for 35 hours per week. Because Jackson is an eligible adult in the Assistance Group, an authorization assessment is required.

The new overlap between Roberta's previous schedule and Jackson's schedule is 20 hours. Craig's authorization must be reduced to 20 hours following the authorization assessment.

Section 2.4.3.4 Authorizations During an Activity Break Period

As stated in Section 1.3.9.2, federal regulations require states to provide up to three (3) months of continued assistance following a permanent loss of approved activity or temporary break in approved activity. These policies are intended to support continuity of care for the child during a parent's permanent loss of or temporary absence from an approved activity.

During an Approved Activity Search Period (ACTS) or Temporary Break Period (TBRK), agency workers must allow the parent to continue using the current authorization or request a reduced authorization. If an existing authorization ends during a break period, agency workers must offer the parent an authorization for up to the same number of hours as the child's previous authorization.

Parents are not eligible for an increase in hours (including additional school closed days [see 2.4.4.4.1]) during an ACTS or TBRK period. This also includes a parent's change in schedule in a two-parent or three-generation household.

In a two-parent or three-generation household in which more than one (1) adult is participating in an ACTS or TBRK period, the local agency must maintain authorizations at the same number of hours until all parents are again engaged and participating in approved activities. Authorized hours cannot be increased if there is a change in one parent's schedule or other change resulting in an authorization assessment (see 2.4.2) during the ACTS or TBRK period.

Example 1: Cora is in a TBRK period, and her husband, Finn, is in an ACTS period. Their child, Leo, has an authorization for 20 hours per week. Finn obtains new employment and provides financial verification, while Cora remains in a TBRK period. The authorization worker completes an authorization assessment using Cora's previous schedule and Finn's new schedule. The authorization assessment shows that Leo would be eligible for an authorization of 40 hours per week based on the new overlap. However, Leo's authorized hours can only be 20 hours per week (or less at the parent's request) during Cora's TBRK period because authorized hours cannot be increased during a TBRK period.

Example 2: Penelope is in an ACTS period. Her child, Hazel, has a school-year authorization of 10 hours per week for before and after school care. When school lets out for the summer, Penelope wants to send Hazel to the full-time summer camp program at her child care provider and is requesting 40 hours per week based on her previous work schedule. However, Hazel is not eligible for an increase in hours due to Penelope being in an ACTS period. Penelope can use the 10 hours per week based on Hazel's previous authorization for summer camp because it is at the same provider and location, but she will need to pay the remainder of the child care cost out of pocket.

Example 3: Kristine has a school-year authorization for her child, Ingrid, when she loses her job. Kristine is placed in an ACTS period from November 1 – January 31. In December, Ingrid's school is closed for several days due to inclement weather. Kristine calls to request additional school closed hours. However, because Kristine is in an ACTS period, no additional hours can be added to Ingrid's authorization. Kristine's request for additional school closed hours is denied.

Parents may maintain eligibility even if their child does not have an authorization in place at the start of the permanent loss or temporary break (see 1.3.9.2.1).

However, children who do not have authorizations in place prior to the start of the parent's permanent loss or temporary break in approved activity are **not** eligible for a new authorization during the ACTS or TBRK period. The intent of ACTS and TBRK is to continue benefits at the same level during a time of change in the parent's approved activity. If the child does not have an authorization at the time of the change, then there are no benefits to continue at the same level.

Example 4: Khloe has three children: Sydney (age 2), Ja'mal (age 5), and Demarcus (age 8). Khloe has an authorization for Sydney but does not have authorizations for her school-age children. On May 9, she reports that she lost her job on May 7 and also requests authorizations for Ja'mal and Demarcus starting in June when school ends. Because Ja'mal and Demarcus did not have authorizations at the start of Khloe's loss of employment, they are not eligible for authorizations during Khloe's ACTS period. However, Khloe can choose to maintain Sydney's authorization at the same number of hours until the end of her 3-month ACTS period.

Example 5: Rhonda has two children: Roberta (age 6) and Chad (age 8). She does not have authorizations for the children during the school year, but she does have authorizations for June 9 – August 31 for both children. On May 8, Rhonda reports that she lost her job, and is placed in an ACTS period for June 1 – August 31. Because Rhonda had the summer authorizations in place prior to the permanent loss of approved activity, she is able to keep the summer authorizations for her children.

The only exception to this policy is if eligibility was confirmed open for Wisconsin Shares Child Care within the past 30 calendar days and the parent was in the process of selecting a provider or providing authorization assessment information when the permanent loss or temporary break occurred. In this situation, the child would be eligible for an authorization based on the parent's previous work schedule and any other relevant authorization assessment information that was already provided.

Example 6: Josie has an approved activity of working full-time and is determined eligible for Wisconsin Shares Child Care. Josie begins the authorization assessment process, but still needs to choose a provider. Before Josie can choose a provider, she is laid off from her job. Josie's child is still eligible for an authorization, and the authorization assessment of hours must be based on Josie's work hours in addition to other relevant authorization assessment information that was in place prior to the end of her employment.

Example 7: Samantha does not have an authorization in place for her school-age child during the school year. She is terminated from her job at the same time school lets out for the summer. Because Samantha did not have an authorization for her school-age child prior to losing her job, her child is not eligible for an authorization. However, Samantha can keep her Wisconsin Shares Child Care eligibility if she anticipates sending her child to child care after she finds a new approved activity. If Samantha chooses to maintain Wisconsin Shares Child Care eligibility, the agency worker would update Samantha's Approved Activity Status in CWW to ACTS but would not create any new authorizations.

Parents engaged in ongoing Self-Employment (see 1.3.8.3.2) who are operating at a loss (see 2.4.3.7) and choose to end their self-employment or take a temporary break from their self-employment, are eligible for an ACTS or TBRK period to maintain eligibility but are not eligible for an authorization. Due to the self-employment operating a loss, the authorization at the time of the loss would be zero hours and there would be no level of child care assistance to continue.

Parents who are engaged in new self-employment (see 2.4.3.6) who are not subject to the minimum wage calculation, parents engaged in ongoing self-employment who are not operating

at a loss, and foster parents engaged in new or ongoing self-employment (see 2.4.3.8) are eligible to maintain their authorizations during an ACTS or TBRK period.

The 24-month education time limit (see 1.3.8.7 and 1.3.8.8) does not count for parents engaged in basic or post-secondary education as described in Section 1.3.9.2.1 during an ACTS or TBRK period. Parents can continue utilizing child care while they attend classes during the ACTS or TBRK period.

When a parent is placed in an ACTS or TBRK period, agency workers should leave the existing authorization in place unless the parent requests a change. If the agency worker does need to create a new authorization during an ACTS or TBRK period, the agency worker must enter the authorization with the same parent schedule as the previous authorization and override the Approved Authorization Hours in CSAW, if necessary, to maintain authorization hours. For more information, see the CSAW Authorizations - Processing Various Change Scenarios User Guide).

The parent has the option to utilize authorization hours during whichever hours they prefer as long as the provider is open and regulated during that time. Authorization assessments must still be completed during an ACTS or TBRK period (see 2.4.2).

Example 8: Mariana is open and ongoing for Wisconsin Shares Child Care, and has an authorization for her child, Paulo. Mariana is working third-shift when she loses her job, and Paulo's authorization is for overnight care. Mariana contacts the local agency, and the agency worker places her in ACTS. The agency worker does not need to update Paulo's authorization unless Mariana requests fewer hours or changes child care providers. Mariana can continue using the same number of authorized hours to send Paulo to child care during the day while she looks for a job. Mariana will need to discuss the child care schedule with her child care provider.

2.4.3.4.1 Ending Authorizations During or Following an Activity Break Period

Wisconsin Shares Child Care eligibility will end systematically at the end of the third month in CARES Worker Web (CWW) if a parent has not started a new verified approved activity or returned to their approved activity by the end of an Activity Break Period (see 1.3.9.2.3). Authorizations will end systematically in CSAW on the last day of the last month in which the child was eligible if there is no eligibility for the following month. Authorization workers do not need to take any action to end authorizations following an Approved Activity Search Period (ACTS) or Temporary Break Period (TBRK).

If Wisconsin Shares Child Care eligibility closes or fails in CWW for a different reason during an ACTS or TBRK period (see 1.3.9.2.3), the authorization will also end systematically in CSAW at the end of the last month of the child's eligibility. If Wisconsin Shares Child Care eligibility is closing according to Adverse Action (see 1.8.4), authorization workers do not need to take action to end an authorization earlier unless the parent indicates that they do not plan to use child care.

If Wisconsin Shares Child Care eligibility closes and reopens in CWW within one (1) calendar month, the authorization worker will need to recreate or extend the end date on the previous authorization in CSAW as the authorization will have been systematically ended when eligibility ended.

If a parent who is in a TBRK period intends to return to their approved activity prior to the end of the 3-month period, the authorization should remain in place until the parent reports that they have returned to their approved activity, unless there is an expected change within that period

(see 2.3.8). An expected return to an approved activity prior to the end of the 3-month period should not be considered an expected change for the purposes of ending authorizations.

Example 1: Adeline reports on January 12 that she had a baby and is on maternity leave until February 28. The agency worker updates her Approved Activity Status in CWW to TBRK for February 1 – April 30. Adeline has an authorization for her older child, Phoebe. The agency worker leaves the original end date of June 7 in place for Phoebe's authorization as the authorization will be ended systematically on April 30 when eligibility ends if Adeline does not report she has returned to work by April 30. Adeline will need to report if she returns to work before April 30 and if she has a change in child care need following her return to work.

Example 2: Mia loses her job on March 10 and the agency worker places her in an ACTS period from April 1 – June 30. Mia's child, Milo, has an authorization with an end date of Mia's annual renewal date, August 31. The agency worker does not need to update Milo's authorization (unless Mia requests changes to the authorization). If Mia does not have a verified approved activity by June 30, Mia's eligibility in CWW and Milo's authorization in CSAW will systematically end on June 30.

Agency workers must complete an authorization assessment at the end of an ACTS or TBRK period. If a TBRK period crosses a renewal, an authorization assessment must be completed for the month following the end of the TBRK period and the authorized hours must be based on the assessment results. This would be considered their renewal authorization assessment (see 2.4.2.1) because the authorization assessment completed at renewal may not have been reflective of their child care needs after they return to their approved activity.

If the end of a parent's ACTS or TBRK period is within their 12-month eligibility period (not crossing renewal), an authorization assessment must be completed for the month following the end of the 3-month period, but parents have the option to continue using the same number of authorized hours based on continuity of care (see 2.4.2.2).

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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