

DEPARTMENT OF CHILDREN  
AND FAMILIES  
201 East Washington Avenue, Room G200  
P.O. Box 8916  
Madison, WI 53708-8916  
Telephone: 608-266-8684  
Fax: 608-261-6972  
www.dcf.wisconsin.gov



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: 20-15

DATE: 06/10/2020

Wisconsin Shares Child Care

FROM: Junior Martin, Director  
Bureau of Program Integrity  
Division of Early Care and Education  
Department of Children and Families

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

**SUBJECT: Transition from Wisconsin Shares Child Care COVID-19 Temporary  
Policies and Processes**

**CROSS REFERENCE:** [Executive Order #72](#); [CCDF Frequently Asked Questions in Response to COVID-19](#); [Emergency Order #3](#)

**OBSOLETE:** Wisconsin Shares Guidance Order #3, Frequently Asked Questions on Shares Rules Order 21; Questions From County/Tribal Child Care Agency Conference Call 3/31/20; Questions from County/Tribal Child Care Agency Conference Call 4/7/20; Questions from County/Tribal Child Care Agencies 4/15/20

**EFFECTIVE DATE:** June 1, 2020

**PURPOSE:** This purpose of this Operations Memo is to provide guidance to local agencies for the reinstatement of several policies that were suspended during Executive Order #72.

**BACKGROUND:** In response to the novel coronavirus (COVID-19) outbreak, Governor Tony Evers issued Executive Order #72 declaring a public health emergency. Following the executive order, two waivers were granted which suspended several Administrative Rules for Wisconsin

Shares Child Care. The waivers have expired, and agencies should now begin a gradual transition back to ongoing policies. The effective date of this Operations Memo is June 1, 2020; however, some policies will not be reinstated until July 1, 2020 and some policies remain suspended until further notice.

**SUSPENDED POLICIES:** The following policies remain suspended until further notice. When the temporary process changes, Process Help will be updated and agencies will be notified.

#### **1.3.7.4 Good Cause Criteria**

During Executive Order #72, agencies were instructed to automatically grant good cause for noncooperation with the Child Support Agency if the parent was applying for Wisconsin Shares Child Care and had previous noncooperation entered or if the parent was open for Wisconsin Shares Child Care and was not cooperating. This process should continue to be followed as instructed in Process Help. The Division of Early Care and Education (DECE) is working with the Division of Family and Economic Security (DFES) to coordinate the return to standard policy.

#### **1.3.8.5 Participation in a W-2 Placement**

During Executive Order #72, Wisconsin Works (W-2) created a new component code for W-2 Employability Plans (EPs), *CX- COVID Related Social Distancing*. Income Maintenance (IM) workers were instructed to not authorize child care for this activity. However, if the parent's EP was updated to the CX code, but the parent had a prior authorization, the authorization could remain at the same number of hours based on continuity of care per Wisconsin Shares Policy and Process Handbook Section 2.4.2.2. Authorizations based on continuity of care to closed providers will be systematically ended the same as authorizations based on other approved activities.

#### **1.5 Verification Requirements**

A temporary process was implemented on April 11, 2020, to allow parents' self-declared information as the best available verification. This process will continue until agencies are notified otherwise. The C9-COVID 19 code is still available in CWW and should continue to be used as instructed in Process Help. DECE is working with the Department of Health Services (DHS) to coordinate the return to standard policy.

**REINSTATED POLICIES:** The following sections provide an overview of the policies that were suspended and how to return to previous standard policy. The return to standard policy is expected to be a gradual process that will take place as parents contact agencies to complete annual eligibility renewals or request new authorizations.

#### **1.3.9.2 Activity Break Periods**

Suspended policy: In the 3/31/20 Agency Conference Call FAQ, the Department advised that when a parent reports that they are not working due to COVID-19, workers should leave the approved activity in CARES Worker Web (CWW) as Employment (EMPL). If the parent did not return to work after the Safer at Home order was lifted, then the approved activity would need to be changed to an Activity Break Period if the parent still needed child care.

Reinstated policy: Standard policies for Activity Break Periods have been reinstated. Agencies must update the approved activity in CWW as appropriate when the parent contacts the agency to report that they are not working or when it becomes known to the agency.

If a parent reports that they are permanently unable to return to work or another approved activity and intend to continue using child care, workers must update the approved activity in CWW to an Approved Activity Search Period (ACTS).

If the parent reports that they are still temporarily not working and intend to continue using child care, then the approved activity must be updated to a Temporary Break Period (TBRK). As a reminder, TBRK should be used if the parent intends to return to the same approved activity at the time they are reporting the change, even if the break will last longer than three months. Parents with temporary breaks lasting longer than three months will still only be able to have TBRK as their approved activity for the first three months.

If the parent indicates that they do not need child care or otherwise indicates that they will reapply when they have a new approved activity, workers should update the Approved Activity Status in CWW to "No" and Wisconsin Shares Child Care eligibility will end according to adverse action. When eligibility is ending according to adverse action, workers can end the authorization manually if the parent is no longer utilizing care. If the parent is utilizing care until their eligibility ends, the authorization should remain in place and will be ended systematically when eligibility ends.

The return to standard policy is effective following the publication of this Operations Memo. Agencies are not being asked to contact parents to confirm if they are currently working; however, agencies are also not prohibited from proactively contacting parents. If agencies choose to proactively contact parents, eligibility should not be pended on the Approved Activity page in CWW. Instead, the next time a worker has contact with the parent, the worker must review the approved activity status and authorization needs with them and make adjustments if necessary.

### **1.8.3 Annual Renewals**

*Suspended policy:* During Executive Order #72, annual child care eligibility renewals that were due in March, April, May, or June 2020 were granted a one-time extension of three months.

*Reinstated policy:* Beginning with July 2020, extensions to annual child care eligibility renewals will no longer occur. March renewals are due in June, April renewals are due in July, May renewals are due in August, and June renewals are due in September. Any regularly scheduled renewals due July 31 have not been extended and are due in July.

All renewals must now be completed when they are due and in accordance with Section 1.8.3. Policies regarding reopening Wisconsin Shares Child Care eligibility if a renewal is completed within 30 days of eligibility ending remain in effect.

### **2.3.2 Authorizations for Children Whose Parent is a Child Care Provider, 2.3.3 Authorizations for Children who Live with a Child Care Provider, and 4.2.2 Children Who Reside in the Household of a Child Care Provider.**

*Suspended policy:* During the COVID-19 crisis, authorizations for children of providers or those who reside with a child care provider were allowed to the caregiver's child care program to help limit their potential exposure to the virus.

*Reinstated policy:* Authorizations to a provider who is the child's parent or who resides with the child are prohibited per state statute. These authorizations should be ended the next time the parent contacts their local agency (or the next renewal, whichever comes first).

### 2.4.2 Length of Authorizations

Suspended policy: For the months of March, April, May, and June, most authorizations were extended to align with the extended annual eligibility renewal date. This allowed authorizations to be longer than the original 12-month eligibility period.

Reinstated policy: Authorizations may only be written to the annual eligibility renewal date, not to exceed 12 months. These authorizations should be updated when the annual renewal is completed as required in Section 1.8.3 or when a situation occurs that meets the conditions for an authorization to be based on the authorization assessment results as required in Section 2.4.2.1.

#### 2.4.2.1 Authorizations Based on Assessment Results

Suspended policy: Emergency Order #3 temporarily suspended the policy that requires a new authorization assessment and authorization during a parent's 12-month eligibility period when one of the conditions described in the policy is met.

Reinstated policy: When one of the conditions listed in this policy section is met, an authorization assessment must be completed, and the authorization must be based on the assessment results. The return to standard policy is effective following the publication of this Operations Memo when parents contact the agency for authorization changes.

### 2.4.8 Maximum of 75 Authorized Hours Per Week

Suspended policy: Emergency Order #3 temporarily suspended the limitation of 75 authorized hours per week. This allowed a child to have two authorizations, one for a provider that was open and caring for the child, and another for a child care provider who formerly cared for the child but was temporarily closed or otherwise unable to care for the child.

Reinstated policy: Following the publication of this Operations Memo, no new authorizations shall be written to a temporarily closed child care provider, including authorizations to hold a slot. Backdating authorizations to a temporarily closed provider is also prohibited.

### 2.4.9 Changing and Ending an Authorization During a Month

Suspended Policy: During the COVID-19 crisis, authorizations were allowed to new providers during the month without the need to enter a hardship into the Child Care Statewide Administration on the Web (CSAW) system.

Reinstated Policy: Parents may only receive a new authorization during a month if they meet the criteria in Section 2.4.9. If the situation does not meet that criteria, a request for a new authorization may start the first of the next month.

For areas that are still affected by COVID-19, it is important to note some of the following relevant hardship criteria:

- 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.
- The safety of the parent or child is threatened by remaining at the current child care provider.
- 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).

In these situations, as well as the other situations listed in Section 2.4.9.1, a new authorization can be granted during the current month. The hardship request and approval or denial must be entered on the Hardship page in CSAW.

#### **2.4.11 Excessive Unexplained Absence**

**Suspended policy:** During Executive Order #72, parents were encouraged to pay their providers with Wisconsin Shares subsidy funds that were available in their EBT cards, even if the provider was closed or the children were not attending.

**Reinstated policy:** The policy requiring parents to report within 10 calendar days if the child has not attended within 20 consecutive calendar days and for providers to report if the child has not attended within 30 calendar days has been reinstated.

Upon receiving the notification from the child care provider that the child is not attending, the local agency must make multiple attempts to contact the parent before ending the authorization. The local agency must document these attempts in case comments.

#### **Temporarily Closed Providers**

**Suspended policy:** The Department completed ACH transfers for child care funds remaining on EBT cards for the months of March, April, May, and June to ensure that providers were paid regardless of children's attendance or the provider's open or closed status. The last ACH transfer of funds directly to child care providers of funds remaining on EBT cards will take place in June.

**Reinstated policy:** Beginning July 1, 2020, the Department will no longer transfer funds directly through ACH. Payments to temporarily closed providers will also no longer be allowed. DCF will systematically end authorizations to closed providers as of June 30, 2020.

**PARENT COMMUNICATION:** A Parent Letter will be mailed in mid-June to inform families of the return to existing program requirements and reminding parents to report changes. The letter also instructs parents to carefully review their authorization notices to ensure that their authorizations are correct and to not pay any Wisconsin Shares Child Care subsidy funds to a child care provider who is temporarily closed.

The letter will be available in the Electronic Case File (ECF) for workers to view. A copy of this letter is also attached to this Operations Memo.

**PROVIDER COMMUNICATION:** The following section provides information that workers may use to respond to questions from child care providers.

#### **Essential Worker Child Care Match Process**

In March 2020, the Department created a web submission form through the Department's website to help essential workers find open child care providers. Parents who submitted a request for emergency child care were contacted to verify if they were an essential worker in order to connect them with open child care providers. This process was open to any parent who self-identified as an essential worker and is not related to any ongoing Wisconsin Shares Child Care authorizations that the parent may have. Ongoing Wisconsin Shares Child Care

authorizations will **not** end solely because the parent is not an essential worker. **The Essential Worker Child Care Match Process is completely separate from the Wisconsin Shares Child Care Subsidy program.**

**Ending Authorizations**

The Department will use an automated process to end Wisconsin Shares authorizations to child care providers with a closed status in the Wisconsin Child Care Regulatory System (WISCCRS) on June 30, 2020. Providers must update their open or closed status in the Provider Portal and by contacting their licenser before June 30, 2020, in order to maintain authorizations that begin or continue in July. In the Parent Letter that will be mailed in mid-June, parents have been asked to not make payments with Wisconsin Shares subsidy funds to closed providers starting July 1. Parents will still receive authorizations to open providers and will need to initiate payments to their provider from their EBT card just as they did before the COVID-19 crisis.

Authorizations will end at any point if the parent no longer meets eligibility or authorization criteria. Child Care providers can view authorizations that are ending on their Monthly Authorization Information Provider Letter. Families will receive a Quarterly Subsidy Authorization Notice which includes any authorizations that are ending.

**ATTACHMENT:** [Example Parent Letter](#)

**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](mailto: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](mailto:childcare@wisconsin.gov) or (608) 422-7200.

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