

EHS/HS/ECEAP

Determining, Verifying, and Documenting Eligibility

****This procedure may be updated throughout the program year due to new Performance Standards and improvements in OESD Early Learning systems, and to provide clarification.**

(a) *Process overview.*

(1) Program staff must:

(i) Conduct an in-person interview with each family, unless paragraph (a)(2) of this section applies;

(ii) Verify information as required in paragraphs (h) and (i) of this section; and,

(iii) Create an eligibility determination record for enrolled participants according to paragraph (k) of this Section. HS 1302.12

(2) Program staff may interview the family over the telephone if an in-person interview is not possible or convenient for the family.

(3) If a program has an alternate method to reasonably determine eligibility based on its community assessment, geographic and administrative data, or from other reliable data sources, it may petition the responsible HHS official to waive requirements in paragraphs (a)(1)(i) and (ii) of this section.

All staff who have received training in determining eligibility will conduct in-person interviews with each family to complete and verify eligibility documentation. These interviews may be completed at the office, in the family home or another location. All families will be treated with dignity and respect throughout this process. Staff conducting in-person eligibility interviews will be trained annually on strategies to be sensitive on issues such as domestic violence, stigma and privacy.

Age Eligibility Determination:

(b) *Age requirements.*

(1) For Early Head Start, except when the child is transitioning to Head Start, a child must be an infant or a toddler younger than three years old.

Early Head Start may retain a child over 36 months provided they are transitioning to Head Start and a placement is not available. HS 1302.70

(2) For Head Start, a child must:

(i) Be at least three years old or, turn three years old by the date used to determine eligibility for public school in the community in which the Head Start program is located; and,

(ii) Be no older than the age required to attend school.

(3) For Migrant or Seasonal Head Start, a child must be younger than compulsory school age by the date used to determine public school eligibility for the community in which the program is located.

(h) *Verifying age.*

Program staff must verify a child's age according to program policies and procedures. A program's policies and procedures cannot require families to provide documents that confirm a child's age, if doing so creates a barrier for the family to enroll the child.

Staff trained to verify eligibility for children will verify age for children birth-5 years old. The date for compulsory school age is August 31st. Staff will request one of the following documents to verify age:

- Immunization Records
- Birth certificates
- Baptism records
- Medical records
- IFSP or IEP
- Medical record of birth/hospital record
- Foster care authorization record
- Adoption papers
- Passport
- Medical Card (DSHS, Military)
- TANF award letter

If attempting to collect any of the above documents is determined to create a barrier for the family to enroll the child, family statement verification may be accepted. This may only be used if the staff has done everything possible to gather other verification documents and all efforts must be documented. Staff will include a copy of the document used for verifying age when turning in all eligibility documentation.

Eligibility Requirements:

(c) Eligibility requirements.

(1) A pregnant woman or a child is eligible if:

- (i) The family's income is equal to or below the poverty line; or,
- (ii) The family is eligible for or, in the absence of child care, would be potentially eligible for public assistance; including TANF child-only payments, or,
- (iii) The child is homeless, as defined in part 1305; or,
- (iv) The child is in foster care.

(2) If the family does not meet a criterion under paragraph (c)(1) of this section, a program may enroll a child who would benefit from services, provided that these participants only make up to 10 percent of a program's enrollment in accordance with paragraph (d) of this section.

Eligibility for ECEAP EC PAO-38

(1) A child is at least 3 years old by August 31 of the school year and is not age eligible for Kindergarten AND is one of the following:

- (a) From a family with income at or below 110% of the FPL.
- (b) Qualified by a school district for special education services under RCW 28A 155.020. All children with an IEP meet this requirement and are considered ECEAP eligible regardless of income – however still count as over-income.
- (c) From a family that exceeds 110% of the FPL (over-income) and is homeless.
- (d) Has participated in Early Head Start (EHS) or a successor federal program providing comprehensive services for children from birth through two years of age, the early support for infants and toddlers program (ESIT) or received class C developmental services, the birth to three early childhood education and assistance program (Early ECEAP), or the early childhood intervention and prevention services program (ECLISPE).
- (e) Is a tribal child, temporarily defined by DCYF and ECEAP Tribal Workgroup, and at or below 100% SMI.

(f) From a family with income that exceeds 36% of the SMI (ESE) and impacted by specific prioritization factors identified by DCYF that are linked by research to school performance, within the limits set by DCYF and the State Legislature.

Children and pregnant women that are eligible for the program must meet at least one of the requirements using current Federal Poverty Guidelines. Eligibility must be verified by trained staff. If a family does not meet the criteria from (c)(1), and they are considered over income, the ERSEA Program Manager will determine if there is space in the program for placement to ensure that the program does not exceed 10% of its funded enrollment in this category. In order to determine if a family is eligible for services, staff will use the Office of Head Start definition to determine the family size. The family size is documented on the eligibility form.

Additional Allowances for Program:

(d) *Additional allowances for programs.*

(1) A program may enroll an additional 35 percent of participants whose families do not meet a criterion described in paragraph (c) of this section and whose incomes are below 130 percent of the poverty line, if the program:

(i) Establishes and implements outreach, and enrollment policies and procedures to ensure it is meeting the needs of eligible pregnant women, children, and children with disabilities, before serving pregnant women or children who do not meet the criteria in paragraph (c) of this section; and,

(ii) Establishes criteria that ensure pregnant women and children eligible under the criteria listed in paragraph (c) of this section are served first.

(2) If a program chooses to enroll participants who do not meet a criterion in paragraph (c) of this section, and whose family incomes are between 100 and 130 percent of the poverty line, it must be able to report to the Head Start regional program office:

(i) How it is meeting the needs of low-income families or families potentially eligible for public assistance, homeless children, and children in foster care, and include local demographic data on these populations;

(ii) Outreach and enrollment policies and procedures that ensure it is meeting the needs of eligible children or pregnant women, before serving over-income children or pregnant women;

(iii) Efforts, including outreach, to be fully enrolled with eligible pregnant women or children;

(iv) Policies, procedures, and selection criteria it uses to serve eligible children;

(v) Its current enrollment and its enrollment for the previous year;

(vi) The number of pregnant women and children served, disaggregated by the eligibility criteria in paragraphs (c) and (d)(1) of this section; and,

(vii) The eligibility criteria category of each child on the program's waiting list.

Additional Enrollment for ECEAP PAO-39

(1) A child is allowed to be enrolled in ECEAP as space is available if the child is at least three years old by August 31, is not age-eligible for kindergarten, and is from a family with income above 36% SMI but less than or equal to 50% SMI if the child is impacted by at least one other specific prioritization factor identified by DCYF and the State Legislature.

(2) Children allowed to enroll who turn three years old after August 31 of the school year must be from a family with income at or below 50% SMI or is impacted by at least one other specific prioritization factor; and have received services from or participated in ESIT, Early ECEAP, ECLIPSE or Early Head Start.

(3) Children allowed for enrollment according to sections (1) and (2) must not exceed 25% of total statewide ECEAP enrollment.

The program may enroll an additional 35% of participants whose families do not meet categorically eligibility and whose income falls between 101%-130% of the current Federal Poverty Guidelines. Permission to enroll a pregnant woman or child in category is required from the ERSEA Program Manager prior to providing a First Date of Service.

The program will ensure that recruitment is a systemic continual process to ensure that all pregnant women and children that are income and categorical eligible on the wait list are receiving services. The program will implement extraordinary recruitment efforts (see Recruitment Section of ERSEA Procedures) to ensure that the program is meeting the needs of income or categorical eligible pregnant women, children and children with disabilities before serving them in this category prior to using this additional allowance. Demographic data is available from the community assessment and the active current wait list to ensure that all recruitment activities to search for all qualifying pregnant women and children have been exhausted. The Selection Criteria worksheet reflects the prioritization of all income and categorical eligible pregnant women and children prior to this additional allowance. A report showing enrollment of all pregnant women and children in this category will be shared at Policy Council and the OESD Board. If extraordinary recruitment measures have been applied to fill a current vacancy and that vacancy remains, the ERSEA Program Manager will determine if there is space in the program for placement based on total enrollment.

Verifying Eligibility:

(i) Verifying eligibility.

(1) To verify eligibility based on income, program staff must use tax forms, pay stubs, or other proof of income to determine the family income for the relevant time period.

(i) If the family cannot provide tax forms, pay stubs, or other proof of income for the relevant time period, program staff may accept written statements from employers, including individuals who are self-employed, for the relevant time period and use information provided to calculate total annual income with appropriate multipliers.

(ii) If the family reports no income for the relevant time period, a program may accept the family's signed declaration to that effect, if program staff describes efforts made to verify the family's income, and explains how the family's total income was calculated or seeks information from third parties about the family's eligibility, if the family gives written consent. If a family gives consent to contact third parties, program staff must adhere to program safety and privacy policies and procedures and ensure the eligibility determination record adheres to paragraph (k)(2) of this section.

(iii) If the family can demonstrate a significant change in income for the relevant time period, program staff may consider current income circumstances.

(2) To verify whether a family is eligible for, or in the absence of child care, would be potentially eligible for public assistance, the program must have documentation from either the state, local, or tribal public assistance agency that shows the family either receives public assistance or that shows the family is potentially eligible to receive public assistance.

(3) To verify whether a family is homeless, a program may accept a written statement from a homeless services provider, school personnel, or other service agency attesting that the child is homeless or any other documentation that indicates homelessness, including documentation from a public or private agency, a declaration, information gathered on enrollment or application forms, or notes from an interview with staff to establish the child is homeless;

or any other document that establishes homelessness.

(i) If a family can provide one of the documents described in this paragraph (i)(3), program staff must describe efforts made to verify the accuracy of the information provided and state whether the family is eligible because they are homeless.

(ii) If a family cannot provide one of the documents described in paragraph (i)(3) to prove the child is homeless, a program may accept the family's signed declaration to that effect, if, in a written statement, program staff describe the child's living situation that meets the definition of homeless in part 1305 of this chapter.

(iii) Program staff may seek information from third parties who have firsthand knowledge about a family's living situation, if the family gives written consent. If the family gives consent to contact third parties, program staff must adhere to program privacy policies and procedures and ensure the eligibility determination record adheres to paragraph (k) of this section.

(4) To verify whether a child is in foster care, program staff must accept either a court order or other legal or government-issued document, a written statement from a government child welfare official that demonstrates the child is in foster care, or proof of a foster care payment.

Staff trained to verify family income must use all family income for the relevant time period to determine eligibility based on the current Federal Poverty Guidelines and State Medium Income.

Relevant time period means: (A) the 12 months preceding the month in which the application is submitted; or (B) during the calendar year preceding the calendar year in which the application is submitted, whichever more accurately reflects the needs of the family at the time of application. In order to determine whose income must be counted, use the definition of family from the Performance Standards: *Family* means all persons living in the same household who are supported by the child's parent(s)' or guardian(s)' income; and are related to the child's parent(s) or guardian(s) by blood, marriage, or adoption; or are the child's authorized caregiver or legally responsible party. If a family cannot provide tax forms, pay stubs or other proof of income, staff may accept written statements from employers, including individuals that are self-employed for the relevant time period and use information provided to calculate total annual income with appropriate multipliers.

Staff will complete the eligibility form that states what form(s) of income were used to verify eligibility and for what relevant time period. If there has been a significant change in family income that determines a family is eligible, staff may use current income to verify income eligibility. For example, significant changes could be the result of divorce, death, separation, loss of job etc. If a family reports no income for the relevant time period staff must complete a "Declaration of No Income" statement with the family that states why a family is in a "no income" situation and how their basic needs are being met. The staff and the family sign this statement. If information is needed from a third party, an "Exchange of Information" is completed and signed by the parent/guardian seeking the necessary information. Program staff will adhere to program safety and privacy policies and procedures and ensure the eligibility determination record meets Performance Standards. All copies of these documents will be uploaded to ChildPlus.

Staff must use documentation from either the state, local or tribal public assistance agency that shows the family either receives public assistance or that shows the family is potentially eligible to receive public assistance. If needed an Exchange of Information form is completed for release of information. For verification to determine if a family is homeless, use the Homeless Verification worksheet to determine if the family meets the definition. Both family and staff sign this form stating what determined their status as homeless. To verify whether a child is in foster care, program staff must accept either a court order or other legal or government issued document, a written statement from a government child welfare official that demonstrates the child is in foster care, or proof of a foster care

placement. If third party information is needed, an Exchange of Information may be used to access the documents necessary.

Please see the following table for all allowable and not allowable income sources. Income means total cash receipts before taxes from ALL sources.

Count for income:	Do NOT count as income:
Wages and Salaries	Withdrawals from banks
Net from non-farm self-employment	Sale of property
Net from Farm self-employment	House
Social security or Railroad payment	Car
Unemployment compensation	Tax Refund
Strike Benefit	Gifts
Workers' compensation	Loans
Veterans benefits	Lump-sum inheritances
Public Assistance (TANF)	One-time insurance payments
Training Stipends	Compensation for injury
Alimony	Employer/union paid health insurance
Child support	Employee fringe benefits
Military Family allotment	Food and housing for wages
Insurance or annuity payments	Food and fuel produce on farm
University Scholarships	Farm housing
Grants	Non-cash benefits (Medicare, Medicaid, Food stamps, School lunches, housing assistance)
Fellowships	
Assistantships	
Dividends	
Interest	
Net Rental Income	
Net Royalties	
Periodic receipts from estates or trust	
Net gambling or lottery winnings	

Eligibility Duration:

(j) *Eligibility duration.*

(1) If a child is determined eligible under this section and is participating in a Head Start program, he or she will remain eligible through the end of the succeeding program year except that the Head Start program may choose not to enroll a child when there are compelling reasons for the child not to remain in Head Start, such as when there is a change in the child's family income and there is a child with a greater need for Head Start services.

(2) Children who are enrolled in a program receiving funds under the authority of section 645A of the Act remain eligible while they participate in the program.

(3) If a child moves from an Early Head Start program to a Head Start program, program staff must verify the family's eligibility again.

(4) If a program operates both an Early Head Start and a Head Start program, and the parents wish to enroll their child who has been enrolled in the program's Early Head Start, the program must ensure, whenever possible, the child receives Head Start services until enrolled in school, provided the child is eligible. HS 1302.12 (j)

Eligibility duration ECEAP PAO-41 (5)

(5) Child applications remain valid for eligibility purposes for the school year for which the family applied.

(a) Contractors must re-verify eligibility for children who never attended ECEAP, whose initial application was in the previous school year (July 1 to June 30).

(b) Contractors must verify eligibility for siblings applying for subsequent years.

(c) It is not necessary to re-verify eligibility for children who attended ECEAP and are still age-eligible, except for eligibility for Working Day ECEAP as noted in PAO-40.

A child is eligible for Head Start services for two years except that this program may choose not to enroll a child when there are compelling reasons for the child not to remain in HS such as when there is a change in the family's income and there is a child with a greater need for HS services. If a child is transitioning from EHS to HS, eligibility must be verified with current documentation. The OESD will ensure, whenever possible the child receives HS services until enrolled in school, provided the child is eligible. If a child is enrolled for a 3rd consecutive year in Head Start, eligibility must be re-verified.

Records:

(k) *Records.*

(1) A program must keep eligibility determination records for each participant and ongoing records of the eligibility training for staff required by paragraph (m) of this section. A program may keep these records electronically.

(2) Each eligibility determination record must include:

(i) Copies of any documents or statements, including declarations, that are deemed necessary to verify eligibility under paragraphs (h) and (i) of this section;

(ii) A statement that program staff has made reasonable efforts to verify information by:

(A) Conducting either an in-person, or a telephone interview with the family as described under paragraph (a)(1)(i) or (a)(2) of this section; and,

(B) Describing efforts made to verify eligibility, as required under paragraphs (h) through (i) of this section; and, 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 information from third parties regarding the family's eligibility.

(iii) A statement that identifies whether:

- (A) The family's income is below income guidelines for its size, and lists the family's size;
- (B) The family is eligible for or, in the absence of child care, potentially eligible for public assistance;
- (C) The child is a homeless child or the child is in foster care;
- (D) The family was determined to be eligible under the criterion in paragraph (c)(2) of this section; or,
- (E) The family was determined to be eligible under the criterion in paragraph (d)(1) of this section.

(3) A program must keep eligibility determination records for those currently enrolled, as long as they are enrolled, and, for one year after they have either stopped receiving services; or are no longer enrolled

The program requires all documentation required and used to complete each individual families eligibility determination to be maintained in ChildPlus. These files are on a three year shredding schedule after a child exits the program.

Program Policies and Procedures on violating eligibility determination regulations:

(l) *Program policies and procedures on violating eligibility determination regulations.* A program must establish written policies and procedures that describe all actions taken against staff who intentionally violate federal and program eligibility determination regulations and who enroll pregnant women and children that are not eligible to receive Early Head Start or Head Start services.

If it is determined that staff intentionally violate Federal and program eligibility determination regulations, they will be required to participate in additional formal eligibility training and the program will provide increased monitoring of their eligibility determination. Staff signs an Annual Standards of Conduct Agreement that states they will follow Performance Standards and Procedures and that "Failure to abide by these standards of conduct may result in disciplinary action up to and including separation of employment". If a contractor (for example, a child care provider that is providing contracted services) intentionally violates Federal and program eligibility determination regulations, they will be mailed a contractor written notice of violation and the program will follow the termination clause in their contract.

Training on Eligibility:

(m) Training on eligibility.

(1) A program must train all governing body, policy council, management, and staff who determine eligibility on applicable federal regulations and program policies and procedures. Training must, at a minimum:

- (i) Include methods on how to collect complete and accurate eligibility information from families and third party sources;
- (ii) Incorporate strategies for treating families with dignity and respect and for dealing with possible issues of domestic violence, stigma, and privacy; and,
- (iii) Explain program policies and procedures that describe actions taken against staff, families, or participants who attempt to provide or intentionally provide false information.

(2) A program must train management and staff members who make eligibility determinations within 90 days of hiring new staff.

(3) A program must train all governing body and policy council members within 180 days of the beginning of the term of a new governing body or policy council.

(4) A program must develop policies on how often training will be provided after the initial training.

Staff that conduct eligibility determination will be trained within 90 days of any new staff's start date whose job it will be to determine eligibility. The ERSEA Program Manager will train Policy Council and the OESD Board within 180 days of the beginning of the term (November) of a new governing body or policy council. ERSEA Program Manager and ERSEA Coordinator Assistants will oversee training for staff who will determine eligibility.

Training will occur at a minimum annually and may need additional training as needed and determined by a supervisor or the ERSEA Program Manager.