

TEXAS WORKFORCE COMMISSION LETTER

ID/No:	WD 17-16
Date:	August 18, 2016
Keyword:	Child Care; TWIST
Effective:	October 1, 2016

To: Local Workforce Development Board Executive Directors
Commission Executive Offices
Integrated Service Area Managers

Conroy/Abaw for

From: Reagan Miller, Director, Workforce Development Division

Subject: Board Contract Year 2017 Federal Poverty Guidelines and State Median Income Amounts for Determining Eligibility and Parent Share of Cost for Child Care Services

PURPOSE:

To provide Local Workforce Development Boards (Boards) with Federal Poverty Guidelines (FPG) and state median income (SMI) amounts used to determine income eligibility and the parent share of cost for Board Contract Year 2017 (BCY' 17) child care services.

BACKGROUND:

Texas Workforce Commission (TWC) Child Care Services rule §809.41 requires Boards to establish family income limits—not to exceed 85 percent of SMI—for child care services.

TWC Child Care Services rule §809.19(a) requires Boards to set a policy that assesses the parent share of cost in a manner that results in it “being an amount determined by a sliding fee scale based on the family’s size and gross monthly income, and also may consider the number of children in care.”

PROCEDURES:

NLF: Effective October 1, 2016, Boards must use:

- the new BCY' 17 income data set forth in Attachment 1, Board Contract Year 2017 Income Limit Eligibility Code Card for Child Care Services, to determine eligibility for child care services; and
- the BCY' 17 income ranges set forth in Attachment 2, Income Ranges for Parent Share of Cost Assessment, to assess the parent share of cost.

LF: Boards may use the FPG or the SMI to determine income eligibility limits.

- NLF:** However, Boards must ensure that income limits do not exceed 85 percent of SMI.
- LF:** Boards may use the FPG or the SMI income ranges to assess the parent share of cost.
- LF:** Boards may adjust the parent share of cost amount for any FPG or SMI income range.¹
- LF:** Boards may continue to use the BCY'16 parent share of cost amount for each FPG or SMI income range for BCY'17 without Board action in an open meeting.
- NLF:** However, Boards must ensure that appropriate staff enters the updated parent share of cost amount that becomes effective October 1, 2016 (BCY'17), into The Workforce Information System of Texas (TWIST), using the *Share of Cost* tab in the *WDA Administration* screen with *Child Care Administration* selected from the menu.

Technical Assistance Bulletin 252, issued August 9, 2012, and entitled "Entering Board Contract Year Parent Share of Cost Amounts into the Workforce Information System of Texas," provides detailed information regarding entering the parent share of cost amounts in TWIST.

INQUIRIES:

Direct inquiries regarding this WD Letter to wfpolicy.clarifications@twc.state.tx.us.

ATTACHMENTS:

- Attachment 1: Board Contract Year 2017 Income Limit Eligibility Code Card for Child Care Services
- Attachment 2: Income Ranges for Parent Share of Cost Assessment

RESCISSIONS:

WD Letter 16-15 (as of October 1, 2016)

REFERENCES:

- United States Department of Health and Human Services Poverty Guidelines, Federal Register, Vol. 81, No. 15, published January 25, 2016
- United States Department of Health and Human Services State Median Income Estimates, LIHEAP IM 2016-03, published July 5, 2016
- Texas Workforce Commission Child Care Services Rules: 40 TAC, Chapter 809
- WD Letter 10-07, issued February 2, 2007, and entitled "Adoption of Local Workforce Development Board Policies in Open Meetings"
- TA Bulletin 252, issued August 9, 2012, and entitled "Entering Board Contract Year Parent Share of Cost Amounts into The Workforce Information System of Texas"

¹As required by TWC rule at 40 TAC §802.1(f) and as detailed in WD Letter 10-07, Board members must take such actions in an open meeting.

FLEXIBILITY RATINGS:

No Local Flexibility (NLF): This rating indicates that Boards must comply with the federal and state laws, rules, policies, and required procedures set forth in this WD Letter and have no local flexibility in determining whether and/or how to comply. All information with an NLF rating is indicated by “must” or “shall.”

Local Flexibility (LF): This rating indicates that Boards have local flexibility in determining whether and/or how to implement guidance or recommended practices set forth in this WD Letter. All information with an LF rating is indicated by “may” or “recommend.”