

**Sokaogon Chippewa Community Economic Support Agency
Child Care and Development Fund (CCDF)
Policies and Procedures
June 1, 2007**

INTRODUCTION

The Child Care Development Fund program is dedicated to enhancing the quality, affordability, and the availability of child care for families. The Sokaogon Chippewa Community Economic Support Agency is able to provide a number of different services to community members through the use of the CCDF program. The number one use of the funds is to assist low-income families in accessing quality child care for children when the parents work or participate in education or training.

CLIENT'S SERVED

Enrolled Sokaogon Tribal Members residing in Forest County, Wisconsin

NON-FINANCIAL ELIGIBILITY

1st all applicants must be determined ineligible for the State W-2 Child Care Program.
Tribal Enrollment Verification
Residency Verification
Social Security Number(s)
Child(ren) under age 13
Proof of Employment (Ex. Paycheck Stubs or Employer Statement with Number of Hours worked per week.)
Proof of Attending Educational Activity

CATEGORICAL ELIGIBILITY (CE)

Families that are actively participating in the Temporary Assistance to Needy Families (TANF) program are automatically eligible for CCDF.

FINANCIAL ELIGIBILITY

Applicants must meet the following requirements:
CCDF income guidelines are based on 250% of the Federal Poverty Level. (See Attachment A)

* Note: When the State W-2 Child Care Co-Payment Schedule for Licensed and Certified Care Rates and income limits are updated the Child Care and Development Fund Rates and Income Limits will automatically be updated.

Rules for counting income: Count all GROSS income received by all adult household members, prior to the month of application.

All countable income for all adult household members includes the following:

Wages, Salaries, Commissions, Bonuses, Profit Sharing and Tips
 Child Support
 Assistance Payments (SSI, TANF, General Assistance, C-Supplemental Income)
 Annuities
 Pensions
 Retirement
 Worker's Compensation
 Unemployment Benefits
 Strike Benefits
 Gambling of wagers (Lottery winnings, Bingo, or any other income from gambling)
 Spousal Impoverishment (Income received as a result of Spousal Impoverishment income allocation provision of ssHSS 103.07(1)(b)2, WI ADM code is direct income to the spouse.)
 Payments from government sponsored programs
 Land Contract
 Dividends, Interest, and Royalties
 Self-Employment Income (based on the IRS 1040 tax forms for personal income)
 Income from Rental Property
 Farm Income

DEDUCTIONS

Deductions	Amount
Work related expenses (per working adult)	100.00
Heating Expenses (propane or natural gas)	300.00
Electric	215.00
Shelter (Rent or Mortgage Payment)	500.00
Phone	30.00
Health Insurance	400.00
Dependent Care	200.00
Medical Expenses	over 50.00
Water	60.00
Trash	15.00
Education Tuition	\$5,000.00
Child Support Paid	Total Paid

INCOME EXEMPT

Minors **Earned** Income (under age 18)
 Full or part time high school student **Earned** income 18 & older

ELIGIBLE ACTIVITES

Full time employment 32 hours or more per week
Part-time employment 20 to 31 hours per week 1st, 2nd or 3rd Shift
Job training program
TANF Participants
Job Search (up to 15 hours per week)
Educational Activity (College or GED/HSED)

ELIGIBILITY REVIEW PROCESS

All cases will be reviewed every 6 months
All household income must be resubmitted to the agency for review

CLIENT RESPONSIBILITY

All clients currently participating with the CCDF Program are required to report any changes in regards to employment, income, assets, and household composition within ten (10) days of a change. When changes are not reported the benefits will be recalculated and the client will be required to repay any overpayment made.

B) CLIENT FRAUD AND INTENTIONAL PROGRAM VIOLATIONS (IPV)

A potential fraud situation occurs when an allegation contains information that a recipient is engaging in, or has engaged in conduct that places their eligibility to the benefit, or level of benefit, in question. The allegation usually claims that the recipient has failed to comply with the program eligibility criteria.

Two critical indicators of fraud are:

- Reluctance or refusal to provide needed information about income, resources, or relevant eligibility factors
- Failure to report changes in eligibility circumstances

Some examples of child care client fraud are as follows:

- Collaboration with a child care provider to receive undue payments (also provider fraud).
- Concealing income or assets by failure to report ownership of acquisition.
- Concealing circumstances or a change in circumstances which, if made known, would have resulted in a decrease or discontinuation of the child care benefit. For example, failure to report a change in family composition, such as the return of the absent parent to the home and is able to care for the child and the child continues to receive day care.
- Submitting false information or not reporting changes. For example: Increased wages weren't reported in order to remain eligible for child care and to keep the co-payment lower.
- Misrepresenting the number and relationship of members of the family unit. For

example: A child moved out of the mother's home and now lives with the father.

After first IPV offence case will be closed for six (6) months.

After second IPV offence case will be closed for one (1) year.

After third IPV offence case will be closed permanently.

An administrative hearing must be determined before an IPV can be established.

A parent will be determined no longer eligible for child care funds because of false information provided to ESA concerning income or eligibility or commit a serious violation of program requirements. Based on the severity of the offence the ESA may determine that the client's case be closed permanently.

CHILD CARE PROVIDER FRAUD

The ESA has the authority to pursue any entity in a civil or criminal action that receives funds to which they are not entitled. The responsibility of the ESA is to monitor and recover any overpayment amounts that resulted for any reason.

Some examples of child care provider fraud are:

- Reported hours of attendance are greater than the actual hours of attendance for a child(ren).
- Reported caring for more children than were in attendance.
- Billing for hours when a child was not at the child care facility.

OVERPAYMENTS

The ESA shall take all reasonable steps necessary to recoup or recover an overpayment paid to a child care provider.

An overpayment should be recovered from the **client** when:

- The authorized amount of child care would have been due to inaccurate reporting of income; the excess amount paid is considered an overpayment.
- The parent was absent from an approved program activity without good cause while the child(ren) was in child care. Good cause is determined on a case by case basis by the ES Caseworker.
- There would not have been eligibility if income, assets, the need for child care or the household composition had been reported accurately.

There are three different types of overpayments:

- **Inadvertent Client/Provider Error:** The client or the provider report incorrect information or fail to report information due to a misunderstanding or unintended error.
- **Administrative Error:** The administering agency commits an error and more

- benefits were issued than were entitled.
- **Intentional Program Violation:** The client or the provider willfully report information or fail to report information in order to receive more benefits and, as a result, is found guilty of IPV by an administrative hearing.

Claims against parents and providers must be established within thirty days of discovery of an overpayment. The ESA will provide a worksheet for mailing with the child care overpayment notice and describe how the amount of the overpayment was calculated.

Written notice must be sent to the parent when the parent is no longer eligible for child care stating the reasons for that determination. The notice shall specify when eligibility will end and inform the parent of their right to a fact-finding review. A ten (10) day written notice must also be sent to the parent and the provider indicating when the child care authorization will end. Authorization end date will be at the end of the current month.

DETERMINATION OF OVERPAYMENT PERIOD

A child care overpayment period begins with the calendar month in which the services were provided and the client was not entitled to receive benefits. The overpayment period begins with the weekly attendance period when the first day of the period falls into the first month of the overpayment.

Determine what months are overpaid based on if the overpayment began at the time of application or during an ongoing case. When information that makes a group ineligible or eligible for a lesser benefit is not reported at the time of application, all the benefits received are an overpayment. When information that makes a group ineligible or eligible for lesser benefits during an ongoing case, agencies have discretion in determining the overpayments are calculated beginning the first full week an incorrect payment occurred.

RECOVERY OF OVERPAYMENTS

Recovery of overpayments will be made regardless of the dollar amount.

If the client is at fault for the child care overpayment, child care payments will stop and not continue until balance of overpayment is paid in full. In the event of unsuccessful collection efforts by the ESA, child care will remain closed until payment is made in full.

RECOVERY OF OVERPAYMENTS MADE TO PROVIDERS

When a child care overpayment was due to error, recovery of the overpayment will be through the use of a repayment agreement. The agency must negotiate an amount of repayment for child care. Repayments should be negotiated in an amount that will repay the overpayment within a reasonable length of time (less than a 12-month period). Individuals from whom a child care overpayment is due will be required to complete and sign a repayment agreement.

When the client willfully reports incorrect information or fails to report information and as a result of an IPV finding an administrative hearing, the agency shall recover only the amount incorrectly paid on behalf of the recipient.

All overpayments made to providers must be collected whether due to error or fraud. It is recommended that ESA send a notice to providers with at least a 10-day notice of recovery of overpayments from future payments to the provider. Repayment agreements will be used for child care overpayments to providers.

In situations in which a provider provides care for children, pursuant to an authorization to do so, and the agency discovers that technically the family was not entitled to or eligible for that service, the provider is entitled to keep payments made to them for that care. In these situations, and depending on the individual case circumstances, recoveries should be pursued from the ineligible client.

CONFIDENTIALITY AND ROUTINE DISCLOSURE

It is important that confidentiality policies are adhered to. Do not unnecessarily divulge any information about the client, provider or reason for investigations. The ESA records or data are confidential and shall be open to public inspection or disclosure only to the extent the Administration for Children & Families permits.

The ESA may disclose information from that record to any official conducting an investigation, prosecution, or civil proceeding in connection with the administration of the Child Care and Development Fund program. The official must submit a written request to obtain information, their authority to request, the violation being investigated and the person being investigated. Do not apply this restriction to the district attorney or fraud investigator.

PROVIDER RESPONSIBILITIES

Providers must comply with the following standards:

- Standards and Check List
- TB Test
- Providers Health Report
- Physicians report with valid physicians signature
- Home visit by Child Care Coordinator
- Background Checks
- Random Drug Testing

Enforcement of these standards is:

- Providers that do not comply with the program requirements will not receive payment from the CCDF funds

PROVIDER PAY RATES

Provider pay rates are listed below

Provisional	\$1.50 per hour (\$60.00 max per child)
Certified	\$2.00 per hour (\$80.00 max per child)
Licensed Family	\$2.00 per hour (\$80.00 max per child)

PROVIDER NEEDS FOR QUALITY DAYCARE

Purchase orders may be given to providers for child care equipment that promotes a safe and healthy learning environment for children. The purpose of this is to promote early child education and safety awareness. The limit per provider, per fiscal year will be \$100.00. Examples of safety equipment are: smoke detectors, flashlights, batteries, gates, locks and ect. Example of learning materials are: books, music, computer games, puzzles and ect. Any questions on items allowable will be answered by the ESA.

POVIDER INITIATIVE

The provider initiative is a reward program to support providers. Base on the certification acquired the CCDF program is geared to promote provider education. For NEW providers that complete the twenty-four (24) hour certification class they will receive a \$50.00 stipend. For providers that receive Continuing Education Unit (CEU) they will receive \$10.00 stipend per credit (maximum \$100.00 per year).

COMMUNITY ACTIVITIES

The objectives of community activities are:

- To advertise the CCDF program
- To promote parental involvement
- To educate on availability of early child care
- To support cultural teaching and learning
- To encourage early child education (reading, writing, and arithmetic)

CHILD CARE RESOURCES/REFERRALS/COLLORBRATION WITH STATE AND TRIBAL AGENCIES

The tribal agency coordinates services with the following agencies to insure that each child has quality child care:

- The Sokaogon Chippewa Health Clinic
- Department of Health and Family Services
- Department of Workforce and Development
- The Sokaogon Chippewa Community's Family Services
- Project Bridges Resources and Referrals

- The Sokaogon Chippewa Community's Indian Child Welfare Agency
- A-binoojii Day Care
- Forest County Social Services
- Department of Justice

ADMINISTRATIVE HEARING

Administrative Hearing will be held at the client's request. The hearing will be to review the decision of the ESA for denials and or case closings. The request of an administrative hearing/appeal must be submitted in writing to the Sokaogon Chippewa Program Administrator within 45 days of the ESA decision. At the review all parties must be present, the ESA representative and the client. The Tribal Administrator will review the file ten (10) days before the hearing date. The Tribal Administrator has the authority to request any information regarding the ESA decision. Any information obtained from CARES will be considered final evidence in regards to the ESA decision. The hearing should last no longer than two (2) hours. The results of the hearing/appeal must be completed within sixty (60) days. A notice will be mailed to the client and a copy will be submitted to the ESA with the Administrator's decision.

ABBREVIATIONS

1. CARES - Client Assistance for Re-Employment and Economic Support
2. CCDF - Child Care Development Fund
3. CE - Categorical Eligibility
4. CEU - Continuing Education Unit
5. ESA - Economic Support Agency
6. IPV - Intentional Program Violation
7. TANF - Temporary Assistance to Needy Families