



ELIGIBILITY FINAL RULE



Administration for Children and Families
U.S. Department of Health and Human Services



» **The Head Start Eligibility Final Rule** was published in the Federal Register on February 10, 2015.

When is the rule effective?



March 12, 2015

The new provisions will be in FY2016 Monitoring Protocol, which means it will be used starting October 1, 2015.

What does the rule do?



The final rule:



- Provides a roadmap for programs on how to determine eligibility;
- Describes documents program may accept to prove eligibility; **and,**
- Requires programs to retain records and to train staff.

New Provisions



NEW!

Except for the following provisions listed, this rule reiterates current requirements in the HSPPS or in the Head Start Act.

New Provisions in the Final Rule on HS Eligibility:

- 1) Option for telephone interview
- 2) Eligibility determination records
- 3) Allowance for serving homeless children
- 4) Written declarations

New Provisions (continued)



NEW!

Other new provisions:

5) Third party verification

6) Program policies and procedures (including actions for violating regulations)

7) Training for Staff and Governing Bodies

Definitions



Added	Revised
<ul style="list-style-type: none">✓ Accepted✓ Enrolled✓ foster care✓ homeless children✓ Migrant or Seasonal Head Start Program✓ Participant✓ Relevant time period✓ Verify	<ul style="list-style-type: none">✓ Enrollment✓ Family✓ Head Start eligible

Process overview



Process overview



NEW!

**INTERVIEW
REQUIREMENT**

Process overview



NEW!

INTERVIEW OPTION

Process overview



VERIFY INFORMATION



Process overview



NEW!

ELIGIBILITY DETERMINATION RECORDS

Staff must create an eligibility determination record for each participant.



NEW!

What must an eligibility determination record include?

- Copies of documents used to verify eligibility
- Statement that program staff has made reasonable efforts to verify information
- Statement that identifies eligibility determination
e.g. Income or categorical eligibility

Eligibility worksheet



OMB XXX: Expires: XXX

Head Start Eligibility Verification



1. Child's name: _____

2. Child's date of birth: _____

3. This child is eligible to participate in the program. Yes No

4. Check the applicable category of eligibility for this child:

SSI

Homeless

Foster Care

Public assistance

Income (check box that applies):

Below federal poverty guidelines

Between 100-130% of federal poverty guidelines
(no more than 35% of enrolled children may fall into this category)

Over- Income

Counted as part of 10% maximum for non-AI/AN programs)

Counted as part of the 49% maximum for AI/AN programs)

4. What documentation was used to determine eligibility?

Income Tax Form 1040

W-2

TANF documentation

Pay stub or pay envelopes

Unemployment

Written statements from employers

Foster care reimbursement

SSI documentation

Other

If Other, please explain: _____

Documentation of no income: _____

5. Staff signature: _____ Date of eligibility verification: _____

6. Staff name: _____ Title: _____

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Age eligibility requirements



Early Head Start	Head Start	Migrant and Seasonal
<p>A child must be an infant or a toddler younger than 3 years old.</p> <p>A pregnant woman may be any age.</p>	<p>A child must:</p> <ul style="list-style-type: none">• be at least 3 years old; or,• turn 3 by the date used to determine eligibility in the public school system; and,• not be older than compulsory school age.	<p>A child must be younger than compulsory school age by the date used to determine public eligibility.</p>

Income eligibility requirements



A pregnant woman or child is eligible, **IF:**



- The family's income is **equal to or below the poverty line; or,**
- The family is eligible for **public assistance.**



What is public assistance?

Consistent with long standing Head Start practice and guidance, public assistance means:

TANF or SSI



Programs may enroll up to **10%** of their enrollment with over-income families.



Additional allowances for programs



A program **may enroll an additional 35% , IF** the program:

- Implements outreach and enrollment policies and procedures to ensure its meeting the needs of eligible pregnant women and children; **and,**
- Establishes criteria that ensures eligible pregnant women and children are served first.

Additional allowances for programs



IF, a program chooses to **enroll an additional 35% of participants**, it **MUST** be able to report:

- How it is meeting the needs of eligible families;
- Outreach and enrollment policies and procedures;
- Efforts to be fully enrolled;
- Policies and procedures and selection criteria;
- Current and previous enrollment;
- Number of pregnant women and children served; **and**,
- The eligibility criteria category of each child on the waiting list.

Additional allowances for tribes



A tribe **may fill more than 10%** of its enrollment with participants whose incomes exceed low-income guidelines or who are not categorically eligible, **IF a majority of their enrollment (51%) is income or categorically eligible.**

Categorical eligibility requirements



A family is **categorically eligible, IF:**

- ✓ The child is **homeless;**
or,
- ✓ The child is in **foster care.**



Migrant or Seasonal eligibility requirements



A child is eligible for Migrant or Seasonal Head Start, **IF:**

- The family is income eligible; **or,**
- The family is categorically eligible; **and,**
- The family's income comes primarily from agricultural work.

Verifying income



W-2 forms, pay stubs, or pay envelopes

Staff must:

- Use all family income for the relevant time period;
- State the family income for the relevant time period;
and,
- State whether the pregnant woman or child qualifies as low-income.

No income to report



Staff may accept a **written declaration** to that effect, if staff:

- Describes efforts made to verify income; **and,**
- Explains how the family's income was calculated; **or,**
- Seeks information from **third parties**, if the family consents.

Verifying categorical eligibility



NEW!



A family can present one of these to prove eligibility:

- Court order;
- Other legal document or government issued document;
- Written statement from official or homeless provider, school personnel;
or
- Any other document.

Verifying categorical eligibility



To verify homelessness, a family may declare that it is homeless, if staff, in a written statement :

- Describes efforts made to verify the child is homeless; **and,**
- Describes the child's living situation and the specific condition under the homeless definition.

NEW!



Eligibility duration



If a child is eligible and is participating in a program, he or she will remain eligible through the end of the succeeding program year.

Training



NEW!



Training modules must:

- Include methods on how to collect information;
- Incorporate strategies; and,
- Explain program policies and procedures.

Training (continued)



NEW!

Management and staff	Governing body and policy council
<ul style="list-style-type: none">• 90 days after the rule becomes effective; and, as soon as possible but,• Within 90 days of hiring new staff	<ul style="list-style-type: none">• Within 180 days after the rule become effective; and,• Within 180 days of a new term

Policies and procedures



A program must establish policies and procedures that include actions taken against staff who intentionally enroll ineligible families.

NEW!



Thank you