

# Service Industry Recovery (SIR) Child Care Frequently Asked Questions (FAQ)

## Eligibility – Enrollment

1. What documentation is needed for SIR child care as the discussion paper notes parents will self-attest, they need child care to continue working?

**A:** This program is designed for a fast enrollment so only basic documentation is required to receive SIR child care. Documentation required is a signed SIR child care application, proof of citizenship/immigration status for the children needing care, and proof of employment in a TWC-specified service industry.

2. Will there be minimum requirements for the numbers of hours worked per week for SIR child care?

**A:** Yes. Parents will be required to self-attest they are meeting the 25/50 weekly work requirement for SIR child care that is currently in place for At-Risk child care.

3. What if a parent is working part-time in an identified service industry and part time in another industry or attending school/training?

**A:** Parents may be eligible for SIR child care if working part time in a TWC-specified service industry and part time in another job, or if a parent is working part time in an identified service industry and enrolled in school/training.

4. Why does the application not require the customer to note hours worked? Where would a parent that has two jobs report the second job? And, if one job is SIR and one not, does the 25 hours need to be all in a SIR job or can it be the combination of the two jobs?

**A:** Hours worked is done by self-attestation, so the application does not require this information. If a parent has multiple jobs, only proof of one job in a TWC-specified service industry is required.

5. Will siblings be allowed to enroll in SIR child care at a later date in the 12-month eligibility period?

**A:** If SIR child care funds are available, the Board may enroll siblings. If no SIR child care funding is available, siblings may be placed on a manual waiting list. Based on availability of SIR child care funds, siblings can be added and provided child care for the remaining time in the current SIR child care 12-month eligibility period.

6. If a parent is eligible for SIR child care, but no longer needs care after a 9-month timeframe, do we enroll another family for the full 12 months or just the remaining three months?

**A:** Enrollment in SIR child care will be based on the available funding at the local level. If care is no longer needed, the SIR child care will end for that child. SIR child care eligibility is for a full 12 months or until it is no longer needed, whichever end date is first.

7. If a parent attests to meeting income guidelines, but the documentation provided for verification reflects they are not, do we still enroll them?

**A:** Staff should discuss the discrepancy with the parent. The Contractor may need to review the consequences for providing false or misleading information and determine if the parent has experienced a permanent change of income that would explain the parent's self-attestation. The outcome of the determination should be clearly documented in TWIST *Counselor Notes*.

8. While parents must self-attest to meeting the 25/50 participation requirement for household, does a household requesting a reduced participation requirement due to the second parent not being able to care for child(ren) due to a medical incapacitation need to provide proof of inability to care for child(ren) by a physician?

**A:** When a two parent household applies for SIR child care and one parent is unable to meet the participation requirement due to medical incapacitation, according Child Care Services Guide D-202.d, Boards have the option to reduce one parents activity requirement to zero hours based on acceptable documentation provided by applicants. The documentation accepted to verify reduction in participation hours is in accordance with local policies/procedures.

9. Should staff update other TWIST tabs besides Identity & Family tabs within the Intake Common?

**A:** Staff should update TWIST with all the information made available through SIR child care application. If the family has not received Child Care Services previously, the Characteristics and Military tabs may also need to be updated to add a Program Detail.

10. Should staff zero out the Income tab?

**A:** Since income calculation is not required for SIR child care and there is no requirement that the parent provide the amount of the household income. Local procedure will determine if the Income tab should be zeroed out.

## SIR Child Care Documentation

11. Does a 1070/2052 have to be sent to a parent who applied for SIR child care, but does not qualify due to not working in an eligible industry?

**A:** The SIR child care applicants should receive notification if they are not eligible to receive Child Care Services and they should also be notified of their right to appeal the denial. The processes for informing the parent of their ineligibility and the parent's right to appeal would be the same as At-Risk enrollment denials.

12. Will parents be required to sign any of the other CCS forms?

**A:** No other signed forms are required to receive SIR child care, but SIR recipients should be provided the following after eligibility is determined:

- Parent Rights
- Information on Attendance Standards
- Information about selecting a provider
- Information about developmental screenings

13. Board is aware that per the FAQ only the following are required to be submitted prior to eligibility determination for SIR child care:

- Proof of employment in a qualifying occupation
- Proof of citizenship/legal immigration status for children needing care
- Completed and signed SIR Child Care Enrollment Form

However, would the following also be required:

- Parent(s)/applicant's proof of identity
- Proof of child(ren)'s age (those needing care)
- Proof of special needs (if applicable) – Note, application does not address this need; could we modify?

**A:** The only documentation required for SIR child care is a signed SIR child care application, proof of citizenship/immigration status for the children needing care, and proof of employment in a TWC-specified service industry. Proof of identity for the parent/caregiver and documentation of age for the child(ren) are not required. If inclusion services are needed, documentation is required as outlined in the Child Care Services Guide, B-706. Additional questions cannot be added to the application.

14. For cash paid individuals, would it be acceptable to contact the employer to verify the employment's service industry or must we require parents have their employer complete an Employment Verification Form?

**A:** Documentation is required, examples of acceptable documentation are an Employment Verification Form or a signed letter of employment. These documents may be used as proof of employment in a qualifying occupation when a cash-paid family applies for SIR child care.

15. Board has a two-parent family applying for At-Risk child care and SIR child care at the same time. The family was determined over-income based on reported income from the application (about \$2,000 over for a family size of 3) for At-Risk child care and was sent a not-eligible letter. Staff will ask family for proof of employment in the SIR industry, but as only one parent is required to work in an SIR industry, may not receive documentation on both parents. Additionally, paystubs may not be submitted, we may receive an employer letter/verification. Since Board is aware from the At-Risk application, family is over-income, how should Board proceed for SIR child care.

**A:** When speaking with the parent, they should be advised that based on the information provided on their At-Risk child care application, they are also above the income limits for SIR child care. If the family confirms they are self-attesting that they are below the income limit for SIR child care, the Contractor may proceed with enrollment. It should be thoroughly explained to the parent that if they are providing false or misleading information they may be investigated for suspected fraud and be required to repay the child care funds. The outcome of the determination should be clearly documented in *TWIST Counselor Notes*. If the family is enrolled and fraud is suspected the Board may choose to begin fraud-fact finding.

16. Is documentation of in loco parentis required for SIR child care?

**A:** Boards must be aware that a child is eligible for SIR child care if the parent (including an individual standing in loco parentis) is currently employed or entering employment as a SIR worker as defined in WD 15-21, Change 1. In loco parentis documentation, as outlined in the Child Care Services Guide D-105.c, would be required for SIR child care when the child's natural parent, adoptive parent, or stepparent is not available to care for the child.

### At-Risk/Initial Job Search to SIR

17. If a parent is in Initial Job Search child care and finds employment in an identified service industry, do they qualify for SIR child care?

**A:** This is allowable however, TWC cautions moving a parent from Initial Job Search child care that has continuity of care, into SIR child care because this program does not offer continuity of care at the end of the 12-month eligibility period. The family would need to be made aware (and sign SIR child care application) that after 12 months of SIR child care, they may be placed on the waiting list and during that time, child care would be unavailable. This should be documented in *TWIST Counselor Notes*. Additionally, a parent moved to SIR child care from any other type of care cannot have a family income above 75 percent of SMI based on the income eligibility guidelines for SIR child care.

18. If a parent finds out about SIR child care, and elects to voluntarily discontinue their At-Risk child care, and sign up for SIR child care (which does not have a copayment), is this allowed?

**A:** This is allowable. However, TWC cautions against moving a parent from At-Risk child care that has continuity of care, into SIR child care because this program does not offer continuity of care at the end of the 12-month eligibility period. The family would need to be made aware (and sign SIR child care application) that after 12 months of SIR child care, they may be placed on the waiting list and during that time, child care would be unavailable. This should be documented in *TWIST Counselor Notes*. Additionally, a parent moved to SIR child care from any other type of care cannot have a family income above 75 percent of SMI based on the income eligibility guidelines for SIR child care.

19. If a family is moved from Initial Job Search or At-Risk child care into SIR child care, are they given a new 12-month eligibility period or is it a continuation of the previous eligibility period they have been moved from?

**A:** SIR child care would begin with a new 12-month eligibility period. For example, if a parent is moving from At-Risk and has received four months of At-Risk child care, if moved to SIR child care, the family would receive a new 12-month eligibility period.

20. Our local Board policy will be to track a parent outside of the waiting list in TWIST when they are pulled from the At-Risk child care waiting list and placed into SIR child care. That way, when we pull from the At-Risk child care waiting list, parent will not lose their place. If this occurs, and we pull from our At-Risk child care waiting list and a parent comes up to be pulled and is already in SIR child care, do we establish eligibility for At-Risk child care at that time using current income and establish a PSOC for the remainder of the 12 months or do we bring them into At-Risk child care using current income, but keep their PSOC as \$0 (as determined under SIR child care)? Are we to create a new 12-month eligibility timeframe with a new Program Detail or do we continue the remainder of the unused SIR 12 months in At-Risk child care instead?

**A:** The Board can reach out to the family and offer At-Risk child care at the option of the family and calculate the PSOC amount based on current income. Clear case notes would need to be entered that the family voluntarily chose to end their 12 months of SIR child care. The SIR child care Program Detail would be closed and an Low Income Program Detail opened and a PSOC would apply.

If the family chooses to stay in SIR child care for the remaining 12 months of eligibility available with zero PSOC, the family will have to reapply and return to the waiting list and be served in order. Board may develop a local process that enables you to track families in SIR child care who came up on the waiting list for At-Risk enrollment, but choose to stay in SIR child care for the full 12 months and then outreach them closer to the end of their SIR child care timeframe. Those decisions can be made at the local level.

21. Parents wanting to be transitioned from At-Risk child care to SIR child care, is it acceptable to proceed with change following verbal request and entry in case note or must parent request in written format?

**A:** Staff should caution against moving a parent from At-Risk child care that has continuity of care, into SIR child care because this program does not offer continuity of care at the end of the 12-month eligibility period. At-Risk customers would need to sign SIR child care application and be made aware verbally that after 12 months of SIR child care, they may be placed on the waiting list and during that time, child care would be unavailable. This should be documented in TWIST *Counselor Notes*. Additionally, a parent moved to SIR child care from any other type of care cannot have a family income above 75 percent of SMI based on the income eligibility guidelines for SIR child care. Exiting At-Risk child care customers Program Details should be terminated per 151-Voluntarily Withdrew before being enrolled in SIR child care.

## Two-Parent Households

22. Do both parents in a two-parent household have to be employed in a TWC-specified service industry?

**A:** No. If one parent can provide proof that they are working in a TWC-specified service industry and require child care to work, they may qualify. The household will still have to self-attest to meeting the 50 hours per week participation requirement for a two-parent household.

23. What if one of two parents lose their job during the 12 months, is activity at any level for the other ok to complete the 12 months?

**A:** Correct, this would be considered a reduction in hours which is defined as a temporary change and no activity interruption would be needed.

24. Board is questioning a two-parent household as being as being over-income. The parent has submitted two check stubs. Parent states she usually does not make this much, but there are no YTD totals on the check stubs. Based on the check stubs and what parent reports her husband makes, they would be over income. Do we continue to go off of the parent's self-attestation noting they make less than the allowable amount even though documentation proves otherwise?

**A:** If the parent confirms they are self-attesting that they are below the income limit for SIR child care, the Contractor may proceed with enrollment. It should be thoroughly explained to the parent that if they are providing false or misleading information they may be investigated for suspected fraud and be required to repay the child care funds. The outcome of the determination should be clearly documented in *TWIST Counselor Notes*. If the family is enrolled and fraud is suspected the Board may choose to begin fraud-fact finding.

## Job Loss/Activity Interruptions

25. Is SIR child care allowed to continue if a parent changes jobs during the 12 months and they are no longer in a TWC-specified service industry?

**A:** Yes. Child care eligibility is determined at the beginning of the 12-month eligibility; there is no ongoing requirement for parents to remain employed in the service industry sector, so child care would continue.

26. What if a SIR worker loses their job during the 12-month eligibility period? Can they receive an Activity Interruption?

**A:** Yes. Activity Interruptions and three months of continued care are required for parents that become unemployed during their eligibility period. To continue child care for the remainder of the SIR 12-month eligibility period, only participation at any level is required. Parents do not have to return to a job in one of the specified service industries.

## Waiting List

27. The Board has a waiting list for At-Risk child care. For the parents that are eligible for SIR child care that are on the waiting list, do we leave them on a manual waiting list for our regular program?

**A:** This process will be based on local Board procedures.

## Board to Board Transfers

28. Will parents receiving SIR child care who need to transfer to another Board area need TWC approval?

**A:** No. This can be handled between Board areas.

## Appeals

29. If parent appeals, can care continue during the appeal process?

**A:** Yes. However, the parent will have to be made aware that they could be responsible for the cost of care if the termination is upheld as outlined in Child Care Services Rule §809.75. As standard practice, this should be documented in TWIST *Counselor Notes*.

## SIR Child Care General Questions

30. Will SIR child care expenditures be tracked outside of TWIST?

**A:** No. TWIST has been updated to include a new Special Projects code value for SIR child care (13-Service Industry).

31. When will SIR child care be effective?

**A:** SIR child care will be effective August 1, 2021.

32. How does SIR child care differ from Initial Job Search child care?

**A:** SIR child care is specifically for those actively employed or entering employment in a TWC-specified service industry. Initial Job Search is for those who are not employed and require child care to seek employment.

33. How do Board's budget for the 12 months? Do we accrue the expected child care costs for 12 months until all funds are committed?

**A:** Yes.

34. Can parents who are under recoupment for fraud apply and receive SIR child care immediately or do they need to pay the amount owed prior to receiving services?

**A:** Since this category is under protective services, parents that owe recoupment that are eligible can receive SIR child care. At the end of the SIR child care 12-month eligibility period, these cases would be handled as normal, and in order to apply for At-Risk child care, recoupment procedures would again apply.

35. Are parents who are on a 60-day mandatory waiting period because they were discontinued due to parent share of cost or absences need to comply with the 60-days before they can receive SIR child care?

**A:** Since this category is under protective services, parents that are in the 60-day mandatory waiting period that are eligible can receive SIR child care.

36. Are parents required to report changes?

**A:** Yes. Parents should be provided parent rights and responsibilities after they have been enrolled in the program along with their notification of eligibility.

37. When determining if Board is meeting performance for FY21, do we include those participating in Initial Job Search child care as part of FY21 performance? Also, since SIR child care has its own budget and performance numbers, Board assumes SIR child care does NOT count toward “regular” performance for FY21, but should be tracked separately to determine if Board is meeting the performance and expenditures specific to SIR child care, is that correct?

**A:** Yes, Initial Job Search child care is included in your “regular” FY21 performance Target. And SIR child care is tracked separately (with Target – please see below) and does not count in your “regular” performance Target.

***Draft SIR Child Care Targets were shared in the webinar on BCY22 Child Care Performance Targets on Friday, September 17, 2021. Final SIR Child Care Targets will be approved in an upcoming Commission Meeting.***

## SIR Child Care Funding Dates

38. How long will SIR child care funding be available?

**A:** The new SIR child care funding contract (CCX) will be available until March 31, 2023.

39. How long can SIR child care applications be accepted?

**A:** Boards should consider their local enrollments into SIR child care and set a cut-off date for applications so a full 12 months of eligibility can be provided before March 31, 2023.

For example, in order to provide a full 12 months of child care, a Board would need to have all enrollments occur with an eligibility start date of March 31, 2022.

40. In reviewing the FAQ document, it states 12-month eligibility is required. What if Board approaches the end of the contract and we have funds leftover? Wouldn't it be better to offer a portion of the 12 months to a parent, instead of allowing money to remain unused? For example, what if we have families drop out after March 31, 2022 and Board needs to replace them to continue to expend the funds? Can we enroll families for less than 12 months?



**A:** No, a full 12 months of child care must be offered. CC&EL is currently reviewing funding options and expect that additional money will be available so further discussions are taking place to address this and other child care programs.

41. If the family chooses to be determined eligible for At-Risk child care with a PSOC (using current income), do we continue the remainder of the 12 months eligibility left over from what was not used with SIR child care or does a new 12-month eligibility period start?

**A:** A new 12-month eligibility period would begin when family is redetermined for At-Risk child care. It would not be a continuation of the SIR child care timeframe.

## NAICS Codes

42. The Board is seeking TA identifying if the following employment/careers are eligible for the SIR child care funds.

- Banks
- Law Firms
- Accounting Firms
- Plumbers
- Electricians
- Landscaping
- Cosmetologist
- Barbers/Hairstylist
- Health Care
- Paramedics/EMTs
- Car Washers
- Non-Profit Organizations

**A:** NAICS are determined by the primary business activity of an establishment, not the parent's occupation within the establishment. Per WD 15-21, Change 1 only parents currently employed or entering employment at an establishment where the primary business activity is in one of the following TWC-specified service industries: Arts, Entertainment, and Recreation or Accommodation and Food Services or Retail Trade (NAICS 44-45, 71, and 72) qualify for SIR child care. For example, any employee that works at an amusement park would be employed in an eligible service industry, regardless of their occupation at the establishment. You can search for industries on the website: [U.S. Bureau of Labor Statistics \(bls.gov\)](https://www.bls.gov) to determine the NAICS.

43. Staff is receiving several inquiries regarding if parents working in the hair industry will qualify for SIR child care.

448150	Clothing Accessories Stores	Wig and hairpiece stores	<a href="#">View SIC</a>
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Also, will a self-employed, tea distributor, qualify?

**A:** NAICS are determined by the primary business activity of an establishment, not the parent’s occupation or position within the establishment. Per WD 15-21, Change 1 only parents currently employed or entering employment at an establishment where the primary business activity is in one of the following service industries: Arts, Entertainment, and Recreation or Accommodation and Food Services or Retail Trade (NAICS 44-45, 71, and 72) qualify for SIR child care. It has to be determined if the “hair industry” and “tea distributor’s” company fall under any of the above categories. The NAICS in the screenshot above is for the approved industry, Retail Trade: 44-45. However, if the parent works specifically in the hair industry (hairdresser/hairstylist) their NAICS would be 81 and this is not at an acceptable industry for SIR child care eligibility. The self-employed individual will provide their NAICS on the Schedule C when filing their taxes. The NAICS provided on the taxes will be used to determine if they are eligible for SIR child care. You can search for industries in the search box on the website: [U.S. Bureau of Labor Statistics \(bls.gov\)](https://www.bls.gov) to determine the NAICS.

44. What about businesses who use a staffing entity? Should the Board consider the NAICS code of the staffing agency, or of the employer at which the parent is placed?

**A:** The intent of SIR child care is to assist parents in the TWC-specified service industries (NAICS 44-45, 71, and 72). For service industry employers that use a staffing entity, **we would like to clarify that if a parent has been placed through a contracting or staffing entity, Boards should consider the NAICS code of the business at which the parent was placed to work.** You can search for industries on the website: [U.S. Bureau of Labor Statistics \(bls.gov\)](https://www.bls.gov) to determine the NAICS.

45. Board is requesting clarification on the following types of employment to see if they would be eligible for SIR child care.

- UPS, FedEx, USPS -drivers
- Amazon – drivers and distribution
- Cosmetology/Salon

**A:** NAICS are determined by the primary business activity of an establishment, not the parent’s occupation within the establishment. Per WD 15-21, Change 1 only parents currently employed or entering employment at an establishment where the primary business activity is in one of the following service industries: Arts, Entertainment, and Recreation or Accommodation and Food Services or Retail Trade (NAICS 44-45, 71, and 72) qualify for SIR child care. For example, any employee that works at an amusement park would be employed in an eligible service industry, regardless of their occupation at the establishment. You can search for industries on the website: [U.S. Bureau of Labor Statistics \(bls.gov\)](https://www.bls.gov) to determine the NAICS.

46. What about industries who have cafeterias in their business such as hospitals, colleges, etc. as their NAICS will be tied to their main business.

**A:** This parent would not be eligible. The parent must be employed in one of the industries specified. Per WD 15-21, Change 1 only parents currently employed or

entering employment in one of the following industries: Arts, Entertainment, and Recreation or Accommodation and Food Services or Retail Trade (NAICS 44-45, 71, and 72) qualify for SIR child care. Parents, such as cooks or cafeteria workers, that are employed by other industries like hospitals, colleges, schools, or child care facilities do not qualify because NAICS are determined by the primary business activity of an establishment, not the parent's occupation within the establishment. If further guidance is needed for specific situations, please email [childcare.programassistance@twc.texas.gov](mailto:childcare.programassistance@twc.texas.gov).

## Non-Traditional Hours

47. Can SIR child care use relative care? Board is anticipating this because of non-traditional hours.

**A:** Yes, families eligible for SIR child care may select any eligible provider (including a relative provider listed with Child Care Regulation) as long as the provider meets requirements as outlined in TWC Chapter 809.

48. SIR applicants often require non-traditional hours child care options. How do can parents locate options for these requests?

**A:** Board/Contractor should direct SIR child care applicants to the Availability Portal where they can search for providers in their area who offer this type of child care: <http://find.frontlinechildcare.texas.gov/>

49. Our Board does not have many options for parents seeking non-traditional hours child care. How do we incentivize local child care providers to offer this type of child care?

**A:** The 2021 Market Rate Survey includes information on the percentage differences charged by child care providers who offer non-traditional hours child care (evenings, overnight or weekends) versus regular hour child care. Information on non-traditional hours child care can be found on page 13 of the 2021 Market Rate Survey: [2021 Texas Child Care Market Rate Survey - TXICFW \(utexas.edu\)](#).

Boards may have a policy to reimburse providers offering non-traditional hours child care at a higher rate to account for market rate differences. Given the scarcity of non-traditional hours care, Boards may also use differential rates to help build the supply of providers that offer such care.