Understanding ERSEA

2015
National Indian Head Start Directors Association
Annual Conference

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Goals

- Develop an understanding of the changes to Part 1305 of the Head Start Performance Standards
- Develop a greater understanding of the systems and services that contribute to a strong ERSEA system
- Identify ways to strengthen ERSEA efforts
The Cycle of ERSEA

ELIGIBILITY: based on Community Assessment, 1305 and HS Act requirements

RECRUITMENT process designed to reach those eligible for enrollment

ATTENDANCE of enrolled children is monitored and analyzed throughout the year

ENROLLMENT: Recruitment and Selection criteria supports an active waitlist to ensure full enrollment

SELECTION process for all eligible applicants; supported by recruitment strategies

ELIGIBILITY FINAL RULE

Administration for Children and Families
U.S. Department of Health and Human Services
So Why The New Regs?

- Streamlines ERSEA regulations
- See them all in one place
- Strengthens the procedures we use for enrollment
- Aligns Head Start with practices that are in the field

Timeline

- NPRM March 18, 2011
- Published in the Federal Register on February 10, 2015.
- OHS Webinar March 5, 2015
- Effective March 12, 2015
- Staff Trained June 10, 2015
- Governing Bodies Trained September 9, 2015
- Monitoring begins October 2015
When is the rule effective?

March 12, 2015

The new provisions will be in FY2016 Monitoring Protocol, which means it will be used for Monitoring Reviews 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.
1305 ERSEA REGULATIONS

- 1305.1 Purpose and Scope
- **1305.2 Definitions**
- 1305.3 Determining Community Strengths and Needs
- **1305.4 Determining, verifying, and documenting eligibility**
- 1305.5 Recruitment of children
- 1305.6 Selection Process
- 1305.7 Enrollment and re-enrollment
- 1305.8 Attendance
- 1305.9 Policy on fees

Sub-sections in 1305.4

a) Process overview
b) Age eligibility requirements
c) Income eligibility requirements
d) Additional allowances for programs
e) Additional allowances for Indian tribes
f) Categorical eligibility requirements
g) Migrant and seasonal eligibility requirements
h) Verifying age
i) Verifying income
j) Verifying categorical eligibility
k) Eligibility duration
l) Records
m) Program policies and procedures on violating eligibility determination regulations
n) Training
New Provisions

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)

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

<table>
<thead>
<tr>
<th>Added</th>
<th>Revised</th>
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<tbody>
<tr>
<td>✓ Accepted</td>
<td>✓ Enrollment</td>
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<tr>
<td>✓ Enrolled</td>
<td>✓ Family</td>
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<tr>
<td>✓ foster care</td>
<td>✓ Head Start eligible</td>
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<tr>
<td>✓ homeless children</td>
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<tr>
<td>✓ Migrant or Seasonal Head Start Program</td>
<td></td>
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<tr>
<td>✓ Participant</td>
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<tr>
<td>✓ Relevant time period</td>
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<tr>
<td>✓ Verify</td>
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### Process overview
Process overview

INTERVIEW REQUIREMENT

Process overview

INTERVIEW OPTION
Staff must create an eligibility determination record for each participant.
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

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 categories 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
     - [ ] Over income
     - [ ] Counted as part of 30% maximum for non-AI/AN programs
     - [ ] Counted as part of the 49% maximum for AI/AN programs
   - [ ] Other, please explain: ______________________

5. Staff signature: ______________________________
6. Date of eligibility verification: ________________

The Paperwork Reduction Act of 1995 (Pub. L. 104-13) Public reporting burden for this collection of information is estimated to average ?? hours per response, including the time for reviewing instructions, gathering and maintaining the data needed, and reviewing the collection of information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.
## Age eligibility requirements

<table>
<thead>
<tr>
<th>Early Head Start</th>
<th>Head Start</th>
<th>Migrant and Seasonal</th>
</tr>
</thead>
</table>
| A child must be an infant or a toddler younger than 3 years old. | A child must:  
- 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. | A child must be younger than compulsory school age by the date used to determine public eligibility. |
| A pregnant woman may be any age. | | |

## 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**

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.

Verifying income

<table>
<thead>
<tr>
<th>W-2 forms, pay stubs, or pay envelopes</th>
<th>No income to report</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff must:</td>
<td>Staff may accept a written declaration to that effect, if staff:</td>
</tr>
<tr>
<td>• Use all family income for the relevant time period;</td>
<td>• Describes efforts made to verify income; and,</td>
</tr>
<tr>
<td>• State the family income for the relevant time period; and,</td>
<td>• Explains how the family’s income was calculated; or,</td>
</tr>
<tr>
<td>• State whether the pregnant woman or child qualifies as low-income.</td>
<td>• Seeks information from third parties, if the family consents.</td>
</tr>
</tbody>
</table>
Verifying categorical eligibility

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.

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.
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

Training modules must:
- Include methods on how to collect information;
- Incorporate strategies; and,
- Explain program policies and procedures.
Training (continued)

<table>
<thead>
<tr>
<th>Management and staff</th>
<th>Governing body and policy council</th>
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<tbody>
<tr>
<td>• 90 days after the rule becomes effective; and, as soon as possible but,</td>
<td>• Within 180 days after the rule become effective; and,</td>
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<td>• Within 90 days of hiring new staff</td>
<td>• Within 180 days of a new term</td>
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Policies and procedures

A program must establish policies and procedures that include actions taken against staff who intentionally enroll ineligible families.
The following are some examples of possible scenarios an interviewer may be faced with when trying to determine family income:
Eligibility Scenarios

John & Cathy come to fill out an application for their son Ricky. They tell the interviewer that they have an older son that is married and does not live with them. How many would be in the family?

• 3 - The older son would not count because he is not living in the household.
A parent comes to fill out an application for her daughter Jennifer. She says that she has another child, Lucy, that lives in the home. Lucy works at McDonalds on nights and weekends. Should Lucy's wages count in the family income?

- No
- Only the income of the parents would count for family income.
A mother comes to fill out an application for her son Donnie. She says that her and her husband recently divorced and they decided to split up their twin boys, Donnie and Ronnie. Ronnie now lives with her husband in an apartment just across the road from her house. How many should count in Donnie’s family?

- 2 – The mother and Donnie
Eligibility Scenarios

A married couple comes to fill out an application for their son. The father states that he worked as a coal miner until 2 months ago when he was fired for stealing. He says that he is currently drawing unemployment wages. The mother states that she works at the airport. Obviously, the mother’s income should be counted. But what should the interviewer use to verify the father’s income and how should it be calculated?

- Only the unemployment proof for 1 month. It should be multiplied by the number of pay periods for one year. (i.e. Pay stub for 2 week period would be multiplied by 26)
Eligibility Scenarios

Betty comes to fill out an application for her daughter Linda. She says that she is divorced from Linda’s father and got married again last month to a doctor in Hazard. She also has another child that she adopted two years ago. How many are in the family?

• 4 – Betty, Linda, the other child and the new husband
Kellie arrives at the center and wants to fill out an application for her two nephews. She provides documentation showing that she receives Kinship Care money for both of them. She says she works part time but does not have any check stubs with her. How many would be in the family? Should the interviewer ask Kellie to bring her check stubs back at another time or should she just write down the amount Kellie tells her?

- Both children would be families of “1”. Since the children are in Kinship Care, no other income verification is needed.
Tina and Rocky live together but are not married. They have one child together, Pete. But Rocky also has two other children that live with them that are from his first marriage. Tina comes to fill out an application for their son Pete. How many are in the family?

- 5 – Even though Tina and Rocky are not married, he is still a parent to Pete. This means that his other kids would count in the family.
Eligibility Scenarios

A foster parent named Wanda and her 17 year old foster child, Annie, arrive at the center. The foster parent says that they have come to fill out an application for Annie’s child. Wanda states that Annie and her child live with her (Wanda) and Annie does not work. Whose income should be counted and how many are in the family?

• 2 – Annie and the child. Since Annie does not work, her income would be “0”.
Eligibility Scenarios

A father comes to fill out an application for his son. When asked about his income, he tells the interviewer that he has been working at Wal-Mart for the past 3 months. He also says that he worked at Arby's for the previous 5 years before taking the job at Wal-Mart. How should his income be calculated?

• It can either be last year’s tax forms or the interviewer can take his Wal-Mart income for 1 month and multiply by 12.
Eligibility Scenarios

Jill comes to fill out an application for her daughter. She tells the interviewer that she doesn’t work and that her mother pays all of her bills including the rent for her apartment which totals $1,200 per month. Should Jill be asked to fill out a “0” income form? Should the family income be $1,200 or should it be $0.00?

• Yes, the parent would need to fill out the “0” income form. According to the scenario, she does not have any income because the money she receives is a “gift”.
Recruitment

*Recruitment* means the systematic ways in which a Head Start program identifies families whose children are eligible for Head Start services, informs them of the services available, and encourages them to apply for enrollment in the program.

Reference 1305.5(a)-(c)

Questions to consider

- Is the Community Assessment reviewed annually to identify those in greatest need for Head Start/Early Head Start services?
- Is the recruitment plan and process effective in reaching those children and families?
- Is the wait list reviewed regularly for complete and incomplete files?
- Does the program maintain contact with families on the wait list?
Selection

*Selection* means the systematic process used to review all applications for Head Start services and to identify those children and families that are to be enrolled in the program.

Reference 1305.6 (a)-(e)

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Questions to Consider

- Does your selection criteria clearly define the types of children and families who will be given priority for enrollment?

- How do you know the selection criteria is effective in enrolling the families in greatest need?
Enrollment

*Enrollment* means the official acceptance of a family by a Head Start program and the completion of all procedures necessary for a child and family to begin receiving services.

Reference 1305.7 (a)-(c)

Questions to consider

- Is the enrollment process efficient?
- Does the process support a smooth transition into the program for children and families?
- Are teachers prepared for new children?
- Are vacancies filled within 30 days?
- Does the wait list support filling vacancies in a timely manner?
Program attendance means the actual presence and participation in the program of a child enrolled in an Early Head Start or Head Start program.

Reference 1305.8 (a)-(c)

Questions to consider

- Is daily attendance monitored and followed up on?
- Is the monthly average attendance monitored and followed up on for averages below 85%?
- Are children with chronic absenteeism identified?
Management Systems Grid

<table>
<thead>
<tr>
<th>Eligibility</th>
<th>Recruitment</th>
<th>Selection</th>
<th>Enrollment</th>
<th>Attendance</th>
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<td>Program</td>
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<td>Fiscal Management</td>
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Gallery Walk: Aspects of ERSEA

- Outreach
- Recruitment
- Marketing
- Customer Service
Thank you.