



# Understanding ERSEA

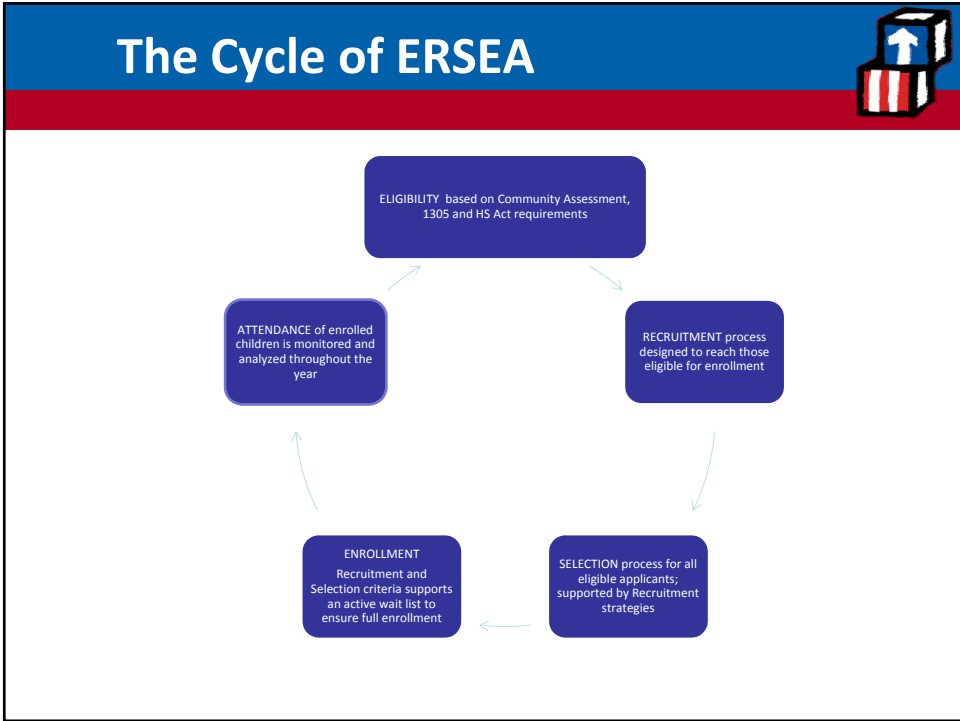
**2015  
National Indian Head Start Directors Association  
Annual Conference**

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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*



## ELIGIBILITY FINAL RULE

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

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## 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

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## 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

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## 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.

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## 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.

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## 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

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## 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

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## 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

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## 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

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## Definitions



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

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## Process overview



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## Process overview



**NEW!**

**INTERVIEW  
REQUIREMENT**

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## Process overview




**NEW!**

**INTERVIEW OPTION**


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## Process overview



**VERIFY INFORMATION**



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## Process overview





**NEW!**

**ELIGIBILITY DETERMINATION RECORDS**

Staff must create an eligibility determination record for each participant.




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## 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


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## Eligibility worksheet

OMB XXX-XXXX-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:

<input type="checkbox"/> SSI <input type="checkbox"/> Homeless <input type="checkbox"/> Foster Care <input type="checkbox"/> Public assistance	<input type="checkbox"/> <i>Income (check box that applies):</i> <input type="checkbox"/> <i>Below federal poverty guidelines</i> <input type="checkbox"/> <i>Between 100-130% of federal poverty guidelines (no more than 35% of enrolled children may fall into this category)</i> <input type="checkbox"/> <i>Over- income</i> <input type="checkbox"/> <i>Counted as part of 10% maximum for non-AI/AN programs</i> <input type="checkbox"/> <i>Counted as part of the 49% maximum for AI/AN programs</i>
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4. What documentation was used to determine eligibility?

<input type="checkbox"/> Income Tax Form 1040 <input type="checkbox"/> W-2 <input type="checkbox"/> TANF documentation <input type="checkbox"/> Pay stub or pay envelopes <input type="checkbox"/> Unemployment	<input type="checkbox"/> Written statements from employers <input type="checkbox"/> Foster care reimbursement <input type="checkbox"/> SSI documentation <input type="checkbox"/> Other If Other, please explain: _____
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Documentation of no income: \_\_\_\_\_

5. Staff signature: \_\_\_\_\_ Date of eligibility verification: \_\_\_\_\_

6. Staff name: \_\_\_\_\_ Title: \_\_\_\_\_

THE PAPERWORK REDUCTION ACT OF 1995 (Pub. L. 104-13) Public reporting burden for this collection of information is estimated to average 77 hours per response, including the time for reviewing instructions, gathering and reviewing the data needed, and reviewing the collection of information. We 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.

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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"> <li>• be at least 3 years old; <b>or</b>,</li> <li>• turn 3 by the date used to determine eligibility in the public school system; <b>and</b>,</li> <li>• not be older than compulsory school age.</li> </ul>	<p>A child must be younger than compulsory school age by the date used to determine public eligibility.</p>

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## 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**.

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## What is public assistance?

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

**TANF or SSI**

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## 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.**

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## Categorical eligibility requirements


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

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



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## Verifying income

W-2 forms, pay stubs, or pay envelopes	No income to report 
<p>Staff must:</p> <ul style="list-style-type: none"> <li>• Use all family income for the relevant time period;</li> <li>• State the family income for the relevant time period;</li> <li style="padding-left: 20px;"><b>and,</b></li> <li>• State whether the pregnant woman or child qualifies as low-income.</li> </ul>	<p>Staff may accept a <b>written declaration</b> to that effect, if staff:</p> <ul style="list-style-type: none"> <li>• Describes efforts made to verify income; <b>and,</b></li> <li>• Explains how the family's income was calculated; <b>or,</b></li> <li>• Seeks information from <b>third parties</b>, if the family consents.</li> </ul>

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## 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.

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## 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!**



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## 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.

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## Training



**NEW!**





Training modules must:

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

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## Training (continued)

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

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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.

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## T/TA



- 1305 ERSEA Regulations (on ECLKC)
- Eligibility Final Rule: Frequently Asked Questions (on ECLKC)
- OHS Eligibility Final Rule Webinar (on ECLKC)
- PowerPoint (on ECLKC and FHI360)
- Program Instructions (on ECLKC)
- Policy Clarifications (on ECLKC)
- ERSEA Monitoring Protocol (on ECLKC)

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## Eligibility Scenarios



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.**



## Eligibility Scenarios



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.**



## Eligibility Scenarios



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**



## Eligibility Scenarios



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.**

## Eligibility Scenarios



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)

## 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?

## Attendance



*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

	Eligibility	Recruitment	Selection	Enrollment	Attendance
Program Governance					
Planning					
Communication					
Record Keeping and Reporting					
Ongoing Monitoring					
Self-Assessment					
Human Resources					
Fiscal Management					

- ## Gallery Walk: Aspects of ERSEA
- Outreach
  - Recruitment
  - Marketing
  - Customer Service



