



COMMONWEALTH of VIRGINIA

DEPARTMENT OF SOCIAL SERVICES

July 1, 2019

Temporary Assistance for Needy Families Manual

Transmittal # 66

This transmittal includes changes to the Temporary Assistance for Needy Families (TANF) Program and the Virginia Initiative for Employment not Welfare (VIEW) Program. The purpose of this transmittal is to provide new, clarified and revised guidance for both the TANF and VIEW Programs.

Unless otherwise stated, the provisions included in this transmittal are effective for all TANF eligibility determinations and VIEW Program assessments and reassessments completed on or after July 1, 2019.

Several changes are being made resulting from General Assembly actions. House Bill (HB) 2005 makes changes to the eligibility of an 18 year old. With this legislation, an 18 year old is eligible if attending secondary school or the equivalent. Whether or not the child will graduate prior to turning 19 is no longer a factor in eligibility.

HB 1746 changes the name of VIEW to the Virginia Initiative for Education and Work. The name change will assist in our outreach efforts with employers. More importantly, the name change recognizes the important role of education in the long-term self-sufficiency of participants. Education is the single largest factor in future earnings.

HB 1871 and Senate Bill (SB) 1145 allow for the provision of transitional child care to VIEW participants in the transition period when the customer is participating in education and training activities. Transitional child care was previously restricted to employed participants.

The Appropriations Act of 2019 authorized increases in payments. The new payment standards are included in Appendix II to Section 304. The maximum income screening levels were changed as well. (See Maximum Income Chart—Appendix I to Section 305). The manual refers to both a 185% screening and a maximum income screening. For consistency and in anticipation of future changes, we have adopted the maximum income screening terminology throughout the manual.

This transmittal begins a change in direction for VIEW. When implemented, the program emphasized employment and quick attachment to the workforce. With TANF reauthorization, there was a significant emphasis placed on the work participation rate and whether or not participants were in the correct combination of activities for the right number of hours. VIEW

Program outcomes have been typical of work-first programs-- very good results with job entry, but outcomes that are not as successful for job retention and wage progression.

To try to maintain our job entry results while increasing job retention and wages, a number of changes are being made which limit the emphasis on work participation rates and emphasize the long-term goals of our customers. The Department's mission statement is to help people "triumph over poverty" and so we must change our focus from immediate attachment to any employment to longer term career strategies. This transmittal begins this process by deemphasizing the work participation rate and emphasizing placement in activities that promote the movement of the participant towards achieving a living wage.

We have updated guidance regarding VIEW volunteers. Prior to this change, it was optional to serve volunteers, based upon the funds available in the local department. Virtually every local department has unspent VIEW funds, yet most are opting out of serving volunteers despite the availability of funds. It is no longer optional to serve VIEW volunteers.

We have changed the time limitations for some of the transitional VIEW services. Transitional medical/dental, work-related expenses, and emergency intervention will be available for the full 12-month transitional period.

The use of the hub information is not permitted in the TANF program. TANF guidance has been updated so that if citizenship is verified in another program such as Medicaid, it is not necessary to re-verify that information for TANF.

These changes are effective for July 1. New payment levels will be changed by a VaCMS mass change and new amounts for payments for the month of July will begin to be seen in the system prior to July 1. Eighteen year olds that were determined ineligible due to not graduating before age 19 may now be eligible if attending school as required.

This transmittal and manual are available on the Intranet through FUSION at <http://spark.dss.virginia.gov/divisions/bp/tanf/manual.cgi> and on the Internet at <http://www.dss.virginia.gov/benefit/tanf/index.cgi>.

Significant changes to the manual are as follows:

Page(s) Changed	Significant Changes
<p>Multiple Sections and Pages: Section 102.1; Section 201.1.B.2; Section 401.4.C, page 8; Section 701.2.D; Chapter 900, Table of Contents; Chapter 900, Introduction; Chapter 900, Headings; Section 901.2.G, page 2b; Chapter 1000, Table of Contents; Chapter 1000, VIEW Definitions, page 6; Section 1000.1, page 7; Chapter 1000, Appendices A, B, D, E, F, G, H, I, and J</p>	<p>An amendment to §§ 2.2-435.8, 2.2-2472, 63.2-100, 63.2-601, 63.2-608, 65.2-101, 65.2-500, 65.2-502, and 65.2-515 of the Code of Virginia changed the name of the Virginia Initiative for Employment not Welfare Program to the Virginia Initiative for Education and Work Program (VIEW). The name change emphasizes the purpose of the program which is to help families triumph over poverty by providing employment, education, and training opportunities. The name change was made throughout the manual.</p>
<p>Multiple Sections and Pages: Section 100.2; Section 101.2.A, page 1c; Section 103.1</p>	<p>The term “welfare” was removed and replaced with “public assistance”.</p> <p>The term “welfare” was removed and replaced with “social services”.</p> <p>The term “welfare” was removed and replaced with “assistance”.</p>
<p>Multiple Sections and Pages: Section 100.2; Section 101.2, page 1d.; Section 101.3; Section 104.3, page 2; Section 105.3.A., page 4; Section 106.3, page 5</p>	<p>The term “State” was removed and replaced with “Virginia”.</p>

Sections 201.1.A.1, page 1

An amendment to § 63.2-602 of the *Code of Virginia* changed the definition of a child for TANF categorical eligibility requirements from a child that is under the age of 18 years* or if 18, but not yet 19, is enrolled and attending a secondary school or vocational/technical school of secondary equivalency and is expected to complete the high school or vocational/technical program prior to or in the month he attains age 19 to a child that “is under the age of 18 years* or if 18, but not yet 19, is enrolled and attending a secondary school or vocational/technical school of secondary equivalency and is meeting the enrollment and attendance requirements as determined by the local school board”. The requirement to complete the high school or vocational/technical program prior to or in the month the child attains age 19 has been removed.

At Item B.2, an amendment to the *Code of Virginia* changed the name of the Virginia Initiative for Employment not Welfare Program to the Virginia Initiative for Education and Work Program (VIEW).

Section 201.1, page 3d

Guidance regarding the re-evaluation of medical forms has been updated for clarity and consistency purposes.

The requirement to re-evaluate based on new verification at the end of the anticipated duration or every 90 days has been changed. The total disability of the caretaker (as defined in H.1) or the need for the caretaker to act as a caregiver for a disabled family member living in the household (as defined in H.2) must be re-evaluated based on new verification at the end of the anticipated duration as originally noted on the medical form. If the duration indicated on the form is for more than 12 months, or is identified as permanent, a new form must be obtained every 12 months. If the medical form is incomplete, the eligibility worker must contact the medical professional to obtain the missing information before acting on the medical. The medical exam for which a medical evaluation is based, must have been conducted no more than 90 days prior to the date the medical professional signs the form.

Note: For the caretaker acting as a caregiver for a disabled family member living in the household, a task and reminder to obtain a new medical form must be set 30 days prior to the end of the anticipated duration as noted on the medical form or every 12 months, whichever occurs first.

The last paragraph was moved to the top of Section 201.1, page 3e.

<p>Multiple Sections: Section 201.2, page 3e; Section 201.3, page 4</p>	<p>The last paragraph in Section 201.1, page 3d, was moved to the top of Section 201.1, page 3e.</p> <p>The continuing eligibility requirements for a child have been updated to reflect the changes resulting from the amendment to § 63.2-602 of the Code of Virginia. An 18 year old child may be eligible if he is enrolled and attending a secondary school or vocational/technical school of secondary equivalency and is meeting the enrollment and attendance requirements as determined by the local school board.</p> <p>The requirement to complete the high school or vocational/technical program prior to or in the month the child attains age 19 has been removed. As long as all other eligibility criteria are met, the child will be eligible for assistance until the month in which completion of the school program occurs, or until the last day of the month in which his 19th birthday occurs, whichever comes first. In the case his 19th birthday is on the first day of the month, assistance will end on the last day of the prior month.</p> <p>A child 18 years old is not eligible if he is in college, or enrolled and attending a secondary school or vocational/technical school of secondary equivalency and not meeting the enrollment and attendance requirements as determined by the local school board, or not in school at all.</p> <p>If school attendance is not verified, or the child is not meeting the enrollment and attendance requirements as determined by the local school board, he will not be eligible for assistance.</p>
<p>Section 201.3.B.1</p>	<p>The term “State” was removed and replaced with “Virginia”.</p>
<p>Section 201.5, page 1a</p>	<p>At Item A, an example was added to clarify the information required to be stated in the Court Document in order for the Court Document to be used for TANF to establish relationship.</p> <p>For spacing purposes, the last paragraph at the bottom of the page was moved to the top of Section 201.5, page 2.</p>
<p>Section 201.5, page 2</p>	<p>For spacing purposes, the last paragraph at the bottom of Section 201.5, page 1a was moved to the top of the page.</p>

Section 201.8.B, page 1	The social security number requirements for newborns have been updated for clarity purposes. The guidance provided applies to all newborns when a request for assistance is made. For the provision in this section, a newborn has been defined as a child less than 8 weeks old at the time the request for assistance is made.
Section 201.12, page 7	Guidance regarding the family cap provision has been updated for clarity purposes. In this section, when speaking in terms of a month(s), this means calendar month. A new ten-month period will begin at reapplication when there has been at least a one month break in assistance prior to the date the client reapplies for TANF. If the household has continuously received TANF benefits prior to reapplication, the previous ten-month period will resume, even if the benefits are prorated based on the reapplication date.
Section 201, Appendix III, page 2	<p>The citizenship verification requirements have been updated for TANF applicants who are also Medicaid applicants or enrollees. The Federal HUB is not an acceptable verification source for the TANF Program. However, if citizenship has been verified by the Federal HUB for a Medicaid applicant or enrollee who is also a TANF applicant, citizenship will be considered verified for TANF. In the case of an individual who is not a Medicaid applicant or enrollee and has not provided the required documentation of citizenship by the 90th day after application, and for whom citizenship remains unverified on the Client Demographics screen, the EW must take action to remove the individual’s needs from the payment.</p> <p>If citizenship has been verified for Medicaid and the client is coded as “yes” under the “Verified by the Federal HUB” field on the Client Demographics screen, the EW must select “Certification of US Birth” from the Citizen Verification source drop-down. The EW must also document the case record to reflect that citizenship was verified using the Federal HUB for the individual who is also a TANF applicant, and therefore verification of citizenship is considered met for TANF.</p>
Section 201, Appendix IV, pages 1-2	<p>The procedures for setting a task and reminder to re-evaluate the need for a caretaker to act as a caregiver have been updated.</p> <p>The EW must set a task and reminder to re-evaluate the need for a caretaker to act as a caregiver 30 days prior to the end of the anticipated duration as noted on the medical form or every 90 days, whichever occurs first. (See 201.1H)</p>

Section 302.8, page 4c	<p>Guidance regarding the assistance unit of a minor parent has been updated to reflect the changes resulting from the amendment to § 63.2-602 of the <i>Code of Virginia</i>. The language in the exception was changed to “if the minor parent is 18, but not yet 19, and is a full-time student attending a secondary school or vocational/technical school of secondary equivalency and is meeting enrollment and attendance requirements as determined by the local school board”.</p> <p>The requirement to complete the high school or vocational/technical program prior to or in the month the child attains age 19 has been removed.</p>
Section 302.8.B, page 6	<p>Guidance regarding households with multiple groups of children has been updated for clarity purposes. When referencing cohabitating, the terms “man” and “woman” have been replaced with “a couple” to account for the inclusion of same-sex couples.</p> <p>A finalized adoption has been added as criteria for merging assistance units.</p>
Section 304, Appendix 2	The Standards of Assistance were increased as a result of the Appropriations Act of 2019.
Section 305.1, pages 1 and 2, Section 305.3, page 15, Section 602.5, page 5	The reference to the 185% screening was changed to the maximum income screening.
Section 305.1, page 2	At Item A.1.c, guidance regarding the earned income of a child was updated to reflect the changes resulting from the amendment to § 63.2-602 of the Code of Virginia. The requirement to complete the high school or vocational/technical program prior to or in the month the child attains age 19 has been removed, and the reference to full-time and part-time school enrollment was removed.
Section 305.1, page 3	At Item A.2.d.2, guidance regarding the earned income of a child was updated to reflect the changes resulting from the amendment to § 63.2-602 of the Code of Virginia. The requirement to complete the high school or vocational/technical program prior to or in the month the child attains age 19 has been removed, and the reference to full-time and part-time school enrollment was removed.
Section 305.2, page 12	We have removed the \$30 limit per calendar quarter for disregard of gifts for special occasions such as birthdays. Now, all such funds will be disregarded.

Section 305.3, page 15	<p>Reference to 185% of the standard of assistance was removed and replaced with the “maximum allowable income.”</p> <p>The reference to WIA (Workforce Investment Act) was update to WIOA (Workforce Innovation and Opportunity Act).</p>
Section 305.4, page 36a	At Item E.4., the last sentence stating cohabitant as “man and wife” was removed to account for the inclusion of same-sex couples.
Section 305.4, pages 39, 40, 41, 42a, Section 602.5, pages 6a and 6b	The examples were changed to reflect the new Standards of Assistance.
Section 305.4.G.1, page 43	Guidance on specific procedures to count certain types of “other income” is obsolete and was removed.
Section 305, Appendix 1	The Maximum Income Chart was revised with new amounts as a result of the Appropriations Act of 2019.
Section 305, Appendix 4	The chart indicating the amount of earnings needed for a quarter of Social Security coverage has been removed. In its place, we have provided a link to the Social Security Administration’s website which provides this information.
Section 401.1, page 2a	<p>At Item E.1.c., guidance has been added to address an exception to the 30-day application processing standard when required verifications are not received in the agency timely due to a delay in mail delivery by the United States Postal Service. An example has been added to allow the use of the postmark date to substantiate the delayed processing of the application.</p> <p>For spacing purposes, Item E.2. was moved from page 2a to page 2b.</p>
Section 401.1, page 2b	For spacing purposes, Item E.2., was moved to page 2b.
Section 401.4. E.2, page 9	<p>Items at E.2 were reformatted from one paragraph to lettered items.</p> <p>An additional notice to the client is not needed when a VTP job follow-up cannot be completed because the client fails or refuses to provide the required employment verification, and the VTP case closes. The system-generated Notice of Action provided when the VTP is approved serves as notice for VTP closures, except for closure at the client’s request and when a VTP recipient transfers to a new locality and is no longer eligible to receive the VTP. For these two exceptions, an adequate notice is required.</p>

Section 601.1	The <i>Code of Virginia</i> citation was updated. Section 63.1-249 has been repealed.
Section 601.1.A	The term “State” was removed and replaced with “Virginia”.
Section 601.2, page 2	The word “determine” was removed and replaced with “information” in the title of the section and in the first sentence of the section.
Section 601.3, pages 4 and 5	Items at 601.3.E.3.b through 601.3.E.3.e were inadvertently omitted in a prior transmittal. The items have been added back.
Section 602.3, pages 1 and 2	The term “grant” was replaced with “TANF payment”.
Section 602.3, page 1a	The term “granted” was replaced with “approved”.
Section 602.3 – 602.4, Heading, page 3	“Section 602.3” was removed from the heading of page 3. The page begins with Section 602.4.
Section 602.5, page 5	Reference to 185% of the standard of assistance was removed and replaced with the “maximum allowable income.” The term “grant” was replaced with “TANF payment”.
Section 602.5, page 6a	The term “grant” was replaced with “TANF payment”. The TANF payment calculations were updated to reflect current TANF payment amounts.
Section 602.5, page 6b	The TANF payment amount in Example 3 was updated for clarity and to reflect a current TANF payment amount.
Section 701.2, page 1	At Item B, a note was added to provide clarity regarding same sex marriages as it pertains to the TANF-UP program. At Item D, an amendment to the Code of Virginia changed the name of the Virginia Initiative for Employment not Welfare Program to the Virginia Initiative for Education and Work Program (VIEW).
Section 701.2.D	An amendment to the <i>Code of Virginia</i> changed the name of the Virginia Initiative for Employment not Welfare Program to the Virginia Initiative for Education and Work Program (VIEW).

<p>Section 701.3, page 2</p>	<p>At item A, the reference to assistance unit was replaced with “standard filing unit”.</p> <p>To account for same sex marriages, the reference to one able-bodied natural or adoptive mother and one able-bodied natural or adoptive father was changed to “two able-bodied natural or adoptive parents”.</p> <p>The note at Item A was re-worded for clarity.</p> <p>To provide clarity regarding TANF-UP cases where the only child in common is a capped child, an example has been added to the end of Item A.</p>
<p>Section 901.2, page 2b</p>	<p>At Item G, an amendment to the Code of Virginia changed the name of the Virginia Initiative for Employment not Welfare Program to the Virginia Initiative for Education and Work Program (VIEW).</p> <p>A note was added to describe the procedures for obtaining a new medical form for a caretaker acting as a caregiver for a disabled member living the household.</p> <p>Note: For the caretaker acting as a caregiver for a disabled family member living in the household, a task and reminder to obtain a new medical form must be set 30 days prior to the end of the anticipated duration as noted on the medical form or every 12 months, whichever occurs first.</p>
<p>Section 901.2, page 2c</p>	<p>At Item H, a note was added to provide clarity regarding the VIEW exemption for caring for a child under 12 months of age.</p> <p>Note: This exemption can apply to an individual that is caring for a child under 12 months of age, regardless of the relationship as long as the child resides in the home of the caretaker. An example was added.</p>

Section 901.2, page 3	<p>We removed the option to serve TANF recipients who are exempt from VIEW participation. Local agencies must serve TANF recipients who are exempt from VIEW program requirements and opt to volunteer provided the individual is able to participate for the required number of weekly hours.</p> <p>An individual who is exempt from VIEW participation due to a temporary medical condition and wishes to participate must provide a new Medical Evaluation form that states the individual is able to participate. Additionally, the form must list limitations, if any, affecting the individual's ability to participate.</p>
Section 901.11, page 10	<p>At Item B, the medical evaluation criteria were updated for consistency purposes.</p> <p>A Medical Evaluation (032-03-0654) completed by a medical professional will be used to verify the disability of the caretaker. (The client's disability will be considered total if the medical indicates that she cannot work 20 hours a week or more). The disability must be re-evaluated based on new verification at the end of the anticipated duration as originally noted on the medical form. If the duration indicated on the form is for more than 12 months, or is identified as permanent, identified as permanent, a new form must be obtained every 12 months. If the medical form is incomplete, the eligibility worker must contact the medical professional to obtain the missing information before acting on the medical. The medical exam for which a medical evaluation is based, must have been conducted no more than 90 days prior to the date the medical professional signs the form.</p> <p>For the caretaker acting as a caregiver for a disabled family member living in the household, a task and reminder to obtain a new medical form must be set 30 days prior to the end of the anticipated duration as noted on the medical form or every 12 months, whichever occurs first.</p>
Section 901.11, page 10a	<p>The first example was updated to reflect the revised requirements regarding the evaluation criteria for medical forms.</p>

Section 901.13, page 12	<p>Item # 3 listed in the criteria for terminating VTP was updated to reflect the changes resulting from the amendment to § 63.2-602 of the Code of Virginia; Item 3: There are no TANF eligible children in the home. Note: If the only eligible child(ren) in the home at the time the TANF case closed reaches the age of 18 (or has already reached the age of 18, but had remained eligible for TANF because he/she was enrolled and attending a secondary school or vocational/technical school of secondary equivalency) during the VTP period, the caretaker’s eligibility for VTP will not be affected.</p> <p>The requirement to complete the high school or vocational/technical program prior to or in the month the child attains age 19 has been removed.</p> <p>A new item was added to the criteria for terminating VTP. A client’s failure or refusal to provide employment verification required for a VTP job follow-up will result in VTP termination. No additional notice is required. The system-generated Notice of Action provided when the VTP is approved serves as notice for VTP closures, except for closure at the client’s request and when a VTP recipient transfers to a new locality and is no longer eligible to receive the VTP. For these two exceptions, an adequate notice is required.</p> <p>A VTP must not be terminated solely because a VTP Job Follow-up form is not returned. If the client provides employment verification showing he continues to meet VTP eligibility requirements, then the VTP must not be terminated.</p>
Section 900, Appendix II, pages 1 - 5	The VIEW payment calculations were updated to reflect news Standards of Assistance.
Chapter 1000, Table of Contents	<p>We replaced Roman numerals on page numbers i-iv with page numbers 1 through 4.</p> <p>We removed the VIEW brochures in Appendix E. Updated brochures will be added at a later date.</p> <p>We added Appendix J, Understanding Federal Participation – Examples, to the Table of Contents. The appendix was inadvertently omitted in a previous transmittal.</p>
Section 1000, VIEW definitions, page 4	We removed the term “welfare”.

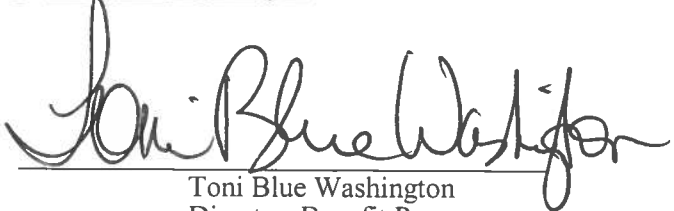
Section 1000, VIEW definitions, pages 1 - 6	We updated the definitions of Case Management, Core Work Activity, Exempt, Hardship Exception, Non-Core Work Activity, Virginia Independence Program, VIEW, and Work Activity.
Section 1000.1, page 7	The goal of the VIEW program is achievement of a living wage, measured by the ALICE threshold, which was developed by the United Way. Information regarding calculation of the work participation rate was moved to Appendix 1.
Section 1000.1, page 8	We have clarified that public service programs includes volunteer work being performed by the customer. Additionally, job search, including additional assignments to job search, may be assigned to the participant if appropriate.
Section 1000.1, page 9	We clarified that assignment to non-core work activities is appropriate if such activities will help the customer progress toward a living wage.
Section 1000.2, page 10	We have simplified the explanation of the participation requirement. Each VIEW participant is expected to participate in 35 hours of activities, or 30 hours per week if employed. The information regarding the calculation of the federal work participation rate has been moved to Appendix A.
Section 1000.3, page 14	The VIEW Annual Plan will no longer outline the procedures to meet the work participation rate, but will instead be how services are provided to meet the goal of a living wage.
Section 1000.4, page 15	We have removed the expectation that every local agency will achieve a work participation rate of 50%. Also, we have changed the language regarding job search. It will be the initial assignment only when appropriate.
Section 1000.4, page 16	We have clarified circumstances when assignment to initial job is appropriate.
Section 1000.4, page 17	As the definition of employment includes earning at least minimum wage, we have removed the phrase “and earning at least minimum wage” which previously appeared every time the term full or part-time employment was used.

Section 1000.6, page 19	<p>We removed the option to serve TANF recipients who are exempt from VIEW participation. Local agencies must serve TANF recipients who are exempt from VIEW program requirements and opt to volunteer provided the individual is able to participate for the required number of weekly hours.</p> <p>An individual who is exempt from VIEW participation due to a temporary medical condition and wishes to participate must provide a new Medical Evaluation form that states the individual is able to participate. Additionally, the form must list limitations, if any, affecting the individual's ability to participate.</p>
Section 1000.8, page 22	The assessment interview will focus on the skills and abilities of the participant needed to achieve a living wage. Previously the language referenced immediate employment.
Section 1000.13.A.3, page 36	<p>Items in Section 3 were re-lettered.</p> <p>We removed references to “earning at least minimum wage” when citing full-time employment because full-time employment is defined as “employment which is at least 30 hours per week at minimum wage or greater.”</p>
Section 1000.13, page 37	We have updated the registration requirement. The participant must register at Virginia Workforce Connection (vawc.virginia.gov). Previously, the participant had to register at the Virginia Employment Commission.
Section 1000.13, page 39	We removed language about how job search/job readiness counts in the work participation rate calculation.
Section 1000.13, page 40	We have clarified that regular rounding rules apply when recording hours of participation.
Section 1000.13, page 51	Rather than assigning the participant to two consecutive enrollments of three months each, the guidance has been updated so that the assignment to CWEP is for a period of up to six months.
Section 1000.13, page 53	We have removed the requirement that a CWEP assignment cannot be reduced below 20 hours per week.
Section 1000.13, page 56	We have clarified that public service programs includes volunteer work being performed by the customer.
Section 1000.13, page 57	We have removed the restriction that vocational education should not exceed six months.

Section 1000.13, page 58	We have updated the verification standard for vocational education and training to accept verification other than a signed statement from the instructor.
Section 1000.14, page 59a	To increase the availability of training, we have removed the requirement that prior to entering job skills training, participants must meet any education or technical requirements of the occupation for which they are receiving training.
Section 1000.14, page 61	We have removed the requirement that educational activities only be provided in conjunction with work.
Section 1000.15, page 62	We have clarified the treatment of hours for locally develop activities.
Section 1000.22, page 81	<p>Transitional Education and Training (TET) was corrected to read Transitional Employment and Training (TET).</p> <p>An amendment to §63.2-611 of the <i>Code of Virginia</i> allows child care assistance for education for former VIEW participants, as specified in TANF guidance at 1000.22.A.1 and Section 2.3 of the Child Care Subsidy Program Guidance Manual.</p>
Section 1000.22.A.1, page 81	An amendment to §63.2-611 of the <i>Code of Virginia</i> now allows VIEW participants whose TANF benefits are terminated to receive child care assistance for education provided the individual is 1) enrolled in an accredited public institution of higher education or other postsecondary school licensed or certified by the Board of Education or the State Council of Higher Learning for Virginia; 2) taking courses as part of a curriculum that leads to a postsecondary credential, such as a degree or an industry-recognized credential, certification, or license; and 3) is making satisfactory progress.

Section 1000.22.A.3-6, page 82	<p>A link to the State Council of Higher Education for Virginia was added.</p> <p>Language previously on the bottom of page 81 was carried over to page 82.</p> <p>The time limit for transitional medical/dental services, transitional work-related expenses, and transitional emergency intervention services was increased from a maximum of three months to a maximum of 12 months.</p> <p>For consistency purposes, wording at 1000.22.A.1 and A.6, Transitional Child Care Paid from Child Care Funds and Transitional Transportation, was changed from “Twelve Month Maximum” to “12-Month Maximum”.</p>
Sections 1000.22.B.2), page 83a and 1000.22.B.3), page 84	<p>The VTP Job Follow-up form and employment verification are due back by the 5th day of the 6th month. However, if employment verification is received by the last day in month six of the VTP period that shows the client continues to work at least 30 hours per week and is earning at least the federal minimum wage, but the VTP Job Follow-up form is not returned, the VTP must not be terminated. VaCMS allows the VTP case to be reinstated.</p>
Section 1000, Appendix A	<p>We have added Appendix A TANF Work Participation Rate, which explains how the work participation rate is calculated.</p>
Chapter 1000, Appendix E	<p>VIEW Brochures “Have You Heard About Benefits For Working Families”, “Leaving Welfare For Work Isn’t As Scary As It Seems”, and “Your Success is Waiting for You” were removed. The brochures will be replaced at a later date.</p>

Questions about this transmittal should be direct to regional program consultants or Mark Golden, TANF Program Manager, at (804) 726-7385, or mark.golden@dss.virginia.gov.


 Toni Blue Washington
 Director, Benefit Programs

100.1 LEGAL BASE - Virginia's Temporary Assistance for Needy Families (TANF) Program is based on Title IV-A of the Social Security Act as amended by the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996, the TANF State Plan, and on the Code of Virginia, Sections 63.2-600 through 63.2-618. PRWORA allows states to establish program requirements in any manner which will reasonably accomplish the purpose of TANF.* The purpose of TANF is to:**

- provide assistance to needy families so that children may be cared for in their own homes or in the homes of relatives;
- end the dependence of needy parents on government benefits by promoting job preparation, work, and marriage;
- prevent and reduce the incidence of out-of-wedlock pregnancies; and
- encourage the formation and maintenance of two-parent families.

State and federal law establishes the right of any individual:

- to apply for financial assistance;
- to have his eligibility for such assistance determined promptly and in conformity with law and established policy;
- if found eligible, to receive assistance promptly and in the amount determined according to established policy; and
- to appeal to the Commissioner of Social Services, if he is dissatisfied with the decision of the local department on his case.

100.2 ADMINISTRATION - Title 63.2 of the Code of Virginia mandates a local department of social services in every political subdivision of the State, or combination thereof, and specifies the duties and responsibilities of the local social services board and superintendent/director, as well as the methods of discharging these responsibilities.

The law also defines the general and specific duties and responsibilities of the **Virginia** Department of Social Services in relation to supervision of the local social services programs.

Within the framework of the statutes and the regulations of the State Board of Social Services, local boards of social services carry responsibility for the administration of social services programs in their respective localities. The **Virginia** Department of Social Services carries responsibility for supervision of local programs, consultative assistance to localities in the implementation of programs, and monitoring and evaluation to assure that the intent of the law and regulations is fulfilled on a statewide basis.

* Social Security Act, Sec. 404(a)(1)

** Social Security Act, Sec. 401(a)

In addition, the **Virginia** Department of Social Services carries direct responsibility for locating and securing support from responsible persons for children receiving TANF and, on application, providing this same service to non-**public assistance** clients.

100.3 FUNDING - The TANF Program is funded through a federal block grant and from State funds authorized by the General Assembly of Virginia.

100.4 RECORD RETENTION - The Virginia Public Records Act, §42.1-76, et seq. of the Code of Virginia places authority to issue regulations concerning retention and destruction of records with the Library of Virginia (LVA). The LVA General Schedule No. 15 governs records maintained by local social service agencies, including client case records. LVA General Schedule No. 02 governs locality fiscal records including purchase orders. While many records can be destroyed three years after case closure there are exceptions to that general rule. These exceptions include situations involving audits, investigations, court cases, and fraud or overpayments related to supportive services and emergency assistance among others.

Each local agency must designate a Records Officer who will be in charge of seeing that LVA regulations for record retention and destruction are followed. See <http://lva.virginia.gov/agencies/records/retention.asp> for information about establishing a Records Officer and for access to the specific schedules for record retention and disposition. The Library encourages agencies to contact the Records Analysis Services section at 804-692-3600 with questions about records management.

procedures to ensure that the person with a disability receives full and meaningful access to TANF programs and services.

Evidence of disability of a recipient or a household member in need of the recipient's care, including any indications that the person may have a disability, and all requests for reasonable accommodations shall be documented in the case file.

A. Examples Of Accommodations

Ms. A comes in to apply for TANF. She has a learning disability and is unable to complete the application. As a reasonable accommodation, staff assists her to complete the application.

Ms. B is not able to come to the office due to the nature of her disability. Staff arranges to obtain the information by phone.

Ms. C missed repeated appointments. It is determined that she has a mental illness preventing her from organizing information and keeping track of appointments. The staff phones her on the morning of an appointment to help her to remember to keep the appointment.

101.1 COMPLAINT PROCEDURES - Any person who believes that he has been subjected to discrimination on the basis of race, color, national origin, sex, age, religion, political affiliation, or disability has a right to file a complaint. Such a complaint may be filed also by a representative of the person allegedly discriminated against. Procedures below are to be followed:

- A. When the alleged discriminatory practice is on the part of the local department or its staff, the complaint is to be made in writing to the local **social services** board not later than 180 days from the date of the alleged discrimination. A complaint may also be filed with the Commissioner of the Virginia Department of Social Services, or with the Region III Office of Civil Rights. The written complaint must include:
1. The name of the person or persons felt to have been treated unfairly.
 2. The date and nature of the treatment received.
 3. The names of other persons, if any, who were present when this action allegedly occurred.
 4. Any other pertinent facts related to the complaint.
 5. The date the complaint is made.
 6. The signature of the person making the complaint.
- B. Each complaint received is to be investigated and corrective action taken if appropriate.
- C. If the person making the complaint requests a hearing before the local board, the request is to be granted and reasonable notice of the hearing given by the agency to those persons whose participation is necessary in a review of the questions raised in the complaint.

- D. Following the hearing, the local board will give the complainant a statement of the findings, and if the complaint is justified, a statement as to what corrective action will be taken.
- E. If the complainant is not satisfied with the findings of the local board, he may write within 30 days of the date of receipt of the board findings to the **Virginia** Department of Social Services.
- F. The **Virginia** Department of Social Services will make an investigation of the circumstances and advise the complainant in writing of its findings and of any action to be taken by the local department.

State staff in the regional offices have responsibility for reviewing and supervising local methods of handling complaints.

101.2 RECORDS, REPORTS AND REVIEWS - The local department is to maintain in its administrative file a record of each complaint, including the complainant's statement and a file of the investigations, findings and action taken. If there has been a hearing before the local board, the record should include a copy of the board's statement to the complainant.

From time to time, other reports may be required by the **Virginia** Department of Social Services to assure compliance with the Civil Rights laws.

The practices of a local department with respect to compliance are subject to review by a representative of both the State and federal agencies.

102.1 INTENTIONAL PROGRAM VIOLATION (IPV) means any action by an individual for the purpose of: 1) establishing or maintaining the family's eligibility for Temporary Assistance for Needy Families (TANF)* (diversionary and ongoing assistance) or Virginia Initiative for **Education and Work** (VIEW); or 2) increasing or preventing a reduction in the amount of the payment; or 3) establishing eligibility for VIEW supportive or transitional services.** For an IPV to exist, the action by the individual must be: 1) an intentionally false or misleading statement or misrepresentation; 2) a concealment or withholding of facts; or 3) an act intended to mislead, misrepresent, conceal or withhold facts or propound a falsity.*** Whoever obtains or attempts to obtain, or aids or abets any person in obtaining, by means of a willful statement or representation, or by impersonation, or other fraudulent device, assistance or benefits from TANF and other programs designated under rules and regulations of the State Board of Social Services is committing an IPV.

In determining whether an IPV exists, the worker must determine if the individual's actions were the result of a disability such that the person did not have the intent to make a false or misleading statement or misrepresentation. In such cases, an IPV cannot be found. Instead, the local agency will work with the individual to ensure that a similar problem does not arise in the future. This may require that the agency put in place steps to assist the individual to provide the worker with the needed information on a timely basis.

102.2 RESPONSIBILITIES OF LOCAL DEPARTMENTS - The local agency has the following responsibilities in relation to IPV:

- A. During the TANF application and VIEW assessment, the agency must ensure and document that a clear and full explanation is given to the applicant/ recipient of the eligibility requirements for the type of assistance and services being requested or received; of his responsibility to give complete and accurate information related to his eligibility and to report promptly and fully any changes in his circumstances; and of the provisions of the law with respect to knowingly giving false information or deliberately withholding information which would affect his eligibility for assistance or the amount thereof. The worker must explain fully to the recipient what types of changes in his circumstances would have an effect on the payment and services provided. At TANF application, the agency must explain IPV to the applicant/recipient and explain the Notice of Intentional Program Violations and Penalties (Form 032-03-0646). A copy is to be given to the applicant/recipient and a copy is filed in the eligibility record. The assistance unit must report all required changes within 10 calendar days from the date the unit knows of the change but is reported timely if reported by the tenth of the following month.
- B. The local agency must conduct an investigation of an allegation that an individual committed an intentional program violation, regardless of the TANF payment or VIEW Program status. A determination as to whether an IPV has occurred must be based on careful consideration of the

*45 CFR 235.112

**2002 Acts of Assembly, Item 362

***Code of Virginia 63.2-522

103.1 PURPOSE OF SAFEGUARDING OF INFORMATION AND SCOPE OF REGULATIONS – Mutual trust and confidence between client and worker are basic to an effective program of assistance and services. The client has a responsibility to provide the information which the agency needs to determine eligibility for assistance or to provide services. At the same time, the client has a right to expect that information given to the agency will be kept confidential and made use of only as needed in the administration of the public **assistance** program.

103.2 CONFIDENTIALITY

Federal law requires that client information be kept confidential. The local department may not release information about the client without the client's written consent except for purposes directly connected with the administration of public assistance programs, or by court order, except as outlined at 103.3, 103.4, 103.5, and 103.6.

A. Legal Basis for Confidentiality

1. Federal Privacy Act

Information from all federal agencies must be kept confidential. Local departments may not release information to any outside source, except as required for purposes of program administration.

2. Virginia Statutes and Regulations

The legal basis for this guidance includes state laws relating to privacy protection (Code of Virginia § 2.2-3803), data collection and dissemination (Code of Virginia § 2.2-3800), access to public assistance records (Code of Virginia § 63.2-102), access to health records (Code of Virginia 32.1-127.1:03), and regulations promulgated by the State Board of Social Services.

B. Release of Information

1. Release of Information Not Requiring Additional Written Permission

Based on the client's signature on the Request for Assistance or the Application for Benefits, information related to the TANF case, including information related to VIEW, may be given out or obtained in order to carry out the administration of the program without additional written permission from the client.

2. Release of Information Requiring Additional Written Permission

Except as provided for in 103.2B(1) above, the client must give additional written permission before case information is released to or obtained from an outside agency other than an agency of federal, state, or local government. The Confidentiality Form (032-01-0040) or the Consent to Exchange Information form (032-01-0005), also known as the Authorization to Use and Exchange Information form, should be used to secure written permission.

- A. State Hearing Authority - A comprehensive term used to designate the State Agency decision-maker in appeal cases; as such, it includes the Commissioner and duly qualified hearing officers of the **Virginia** Department of Social Services, in whom the Commissioner has reposed full authority to make binding decisions in appeal cases in the name of the State Hearing Authority.
- B. Hearing Officer - An impartial representative of the State Agency to whom appeals are duly assigned and by whom they are heard. He must not have been involved in any way with the agency action on appeal. The hearing officer is empowered with the authority specified herein to conduct and control hearings and to decide appeal cases.
- C. Hearings Manager - An individual who determines, promulgates and assures compliance with internal procedures, including processes for maintaining the Commissioner's review of fair hearings, necessary for an effective State fair hearing system. This individual also provides supervision and training to hearing officers and can hold hearings and render decisions for the Commissioner of Social Services.
- D. State Agency - This term, for purposes of this Chapter, refers to the Home Office and to the Regional Offices of the Virginia Department of Social Services. It is the responsibility of the State Agency to assure that appeal provisions are correctly administered, that decisions in appeal cases are consistent with established public assistance policies, and that such decisions are given prompt effect.
- E. Date of Hearing Decision - The date of the letter conveying the hearing officer's decision. This date should be the same as the postmark. If it is not and the recipients of the letter can verify that it is different, applicable time frames will be extended.

105.3 REQUEST PROCEDURES

- A. A fair hearing may be requested by an expressed indication by a claimant or by a person acting as his authorized representative (such as a relative, friend or attorney), to the effect that he wishes the opportunity to present his case to a higher authority because of dissatisfaction with its treatment by a local agency. An appeal may be requested orally or in writing.*

The right to make such a request is not to be limited or interfered with in any way. If a household makes an oral request for a hearing, the local agency must complete the procedures necessary to start the hearing process. The Notice of Appeal form must be made available to the household to facilitate appeal requests; however, completion of this form by the household is not required if a clear expression for a hearing has been made by some other method. Local agencies must help the claimant submit and process the request, and prepare the case, if needed. Information and referral services must be provided to help claimants make sure of any legal services available in the community that can provide legal representation at the hearing.

The freedom to appeal must not be prejudiced or limited in any way; local agency emphasis must be on helping the claimant to submit his request and on assisting in preparing his case, if necessary.

Although appeals to the State agency will normally be by use of the Appeal to the **Virginia** Department of Social Services form, a written request to the State agency by a claimant or his authorized representative, clearly indicating the wish to present his case to a higher authority will be considered a fair hearing request.

- B. An opportunity for a hearing shall be granted, upon such request made within the time limitation specified in Section 105.4 (below), to:

1. Any applicant whose claim for assistance is denied or not acted upon within the time standard specified for processing an application; or
2. Any recipient who is aggrieved by any agency action affecting his entitlement to or receipt of assistance or by agency denial of, or delay over 30 days in responding to, a request for adjustment in payment.

The applicant or recipient may also appeal the local agency's interpretation of law or policy as well as the equity and reasonableness of policies promulgated under the law, when the claimant is aggrieved by their application in his situation.

A hearing will not be granted, however, when either State or federal law requires automatic payment adjustments for classes of recipients unless the reason for an individual appeal is incorrect payment computation.*

* 22 VAC 40-295-110

106.3 DECISION ON APPEAL

- A. The hearing officer, following the hearing, prepares a written report of the substance of the hearing embodying his findings, conclusions, decision, and appropriate recommendations.
- B. The decision on appeal will be made by the hearing officer by whom the case was heard.
- C. Except when medical information is requested or other essential information is needed, the decision of the hearing officer shall be based exclusively on evidence and other material introduced at the hearing, and the official report of the substance of the hearing, together with all papers filed in the proceeding, and the findings and conclusions of the hearing officer. This constitutes the exclusive record for decision and such record shall be available to claimant or his representative at any reasonable time at the State Regional Office serving the local agency.
- D. The decision of the hearing officer, by virtue of the Commissioner of Social Services' delegation, shall be final and binding when tendered in writing to claimant and local agency, and shall be given positive effect regardless of whether review by the Commissioner has been requested.

If the claimant is found eligible for corrective payments, these will be made retroactively to the date the incorrect agency action on appeal became effective. The local agency will assure that administrative action to implement the fair hearing decision is taken no later than the 10th working day following the date on the hearing officer's letter conveying the decision, which is the date the decision is mailed.

If the decision of the hearing officer upholds the agency's action and results in a decrease in the TANF benefit, that decrease must be reflected in the month following the decision, or as soon as administratively possible. Since the assistance unit was notified of the agency's intention to decrease benefits at the time of the original action, no additional notice is needed when the decision of the hearing officer is implemented.

- E. The decision of the hearing officer shall be rendered within 60 days following the date the appeal is received by the local agency or the **Virginia** Department of Social Services. An exception to this is when the hearing officer grants the claimant or his/her representative an extension, or otherwise occasions a delay, not to exceed 30 days. This constitutes prompt and definitive administrative action and, for these purposes, the date of decision of the hearing officer is considered in relation to meeting the time requirement, and is unaffected by any subsequent request for review by claimant, his representative, or local agency to the Commissioner of Social Services.

201.1 ELIGIBILITY FACTORS

A. A child will be categorically eligible for TANF if he meets the following requirements:

1. Is under the age of 18 years* or if 18, but not yet 19, is enrolled and attending a secondary school or vocational/technical school of secondary equivalency **and is meeting the enrollment and attendance requirements as determined by the local school board.** (201.2)
1. Is living in the home of a parent or a relative (201.5) or is in foster care under certain conditions.
2. Is a resident of Virginia.*(201.6)
3. Is a citizen of the United States or an eligible alien.** (201.7)
4. The family is in need of financial assistance.* (302.3)

Exception: A child who meets all of the above requirements may be ineligible for assistance due to the family cap provision. (201.12)

B. To be eligible, a child who meets the requirements above, a parent, or a caretaker-relative other than the parent, must meet the following conditions:

1. Provide a social security number or proof of application for an SSN. (201.1, 201.8)
2. Participate, as required, in the Virginia Initiative for **Education and Work** Program unless otherwise exempt.*** (901.2)
3. Provide, or have provided on his behalf, a written declaration of citizenship or alien status.**** The declaration requirement is met for all members of the assistance unit when the applicant/recipient age 18 or older completes and signs the “Application for Benefits”. (201.7)

* Code of Virginia, Section 63.2-602
** Public Law 104-193
*** Code of Virginia, Section 63.2-608
**** Social Security Act, Section 1137(d)(1)(A)

Example 6: Client receives TANF for herself and three children. The client has cycled in and out of TANF/VIEW and reaches her 24-month and 60-month limits. If the children go to live with their father or any relative, no one can receive TANF for the children during the two year period of ineligibility due to the VIEW limit. Note: The client may become eligible to receive TANF assistance again during the two year period of ineligibility due to the VIEW limit if she becomes totally disabled or becomes needed on a substantially continuous basis to care for a disabled family member who is living in the household.

Example 7: Mr. and Mrs. X are in the same AU and each has 30 months on the 60-month clock. Mr. X moves out and does not receive TANF while he is gone. When Mr. X moves back in with Mrs. X, she has 50 months on her clock. Ten months later, the TANF case is closed because Mrs. X reaches the 60-month lifetime limit on her clock. Mr. X has 40 months on his 60-month clock at the time of the TANF case closure.

Subsequently Mr. X moves out, taking one of the children with him. He applies for TANF for himself and the child. The TANF application will be approved if all other TANF eligibility criteria are met. Mr. X may remain eligible until he has accumulated 60 months on his 60-month clock.

- C. Eligibility beyond the 60-month limit - An assistance unit may be eligible to receive additional months of TANF assistance beyond the 60-month time limit when either:
- 1) the caretaker (both caretakers in a two-parent TANF household) is totally physically or mentally disabled (according to a Medical Evaluation 032-03-0654 completed by a medical professional which shows that the client is unable to work 20 hours or more per week) and is not able to be self-supporting due to the disability; or
 - 2) the caretaker is needed on a substantially continuous basis to care for a family member who is living in the household. (The family member does not have to be included on the TANF payment.) The family member must have a verified physical or mental disability and must have caretaking needs that prevent the caregiver from being self-supporting. These “caretaking needs” include the need for attendance, supervision, and home care, and other needs related to the family member’s disability. A medical professional must complete a Statement of Required Presence of Caregiver form (032- 03-0020) to verify the family member’s condition, and the need for the caregiver to be available on a substantially continuous basis. If the disabled family member is out of the home for substantial portions of the day, the caregiver will not be considered to be needed on a substantially continuous basis. Additionally, if the caregiver is employed outside of the home, the caregiver will not be considered to be needed to care for the disabled individual on a substantially continuous basis. In both of these situations, the TANF benefits will not be extended beyond the 60th month.

See Appendix IV for instructions on continuing assistance beyond the sixty-month clock.

The total disability of the caretaker (as defined in H.1 above) or the need for the caretaker to act as a caregiver for a disabled family member living in the household (as defined in H.2 above) must be re-evaluated based on new verification at the end of the anticipated duration as **originally noted on the medical form. If the duration indicated on the form is for more than 12 months, or is identified as permanent, a new form must be obtained every 12 months. If the medical form is incomplete, the eligibility worker must contact the medical professional to obtain the missing information before acting on the medical. The medical exam for which a medical evaluation is based, must have been conducted no more than 90 days prior to the date the medical professional signs the form. Note: For the caretaker acting as a caregiver for a disabled family member living in the household, a task and reminder to obtain a new medical form must be set 30 days prior to the end of the anticipated duration as noted on the medical form or every 12 months, whichever occurs first.**

The TANF case is to be closed as soon as administratively possible upon verifying that the caretaker is no longer totally disabled or is no longer needed to care for a disabled family member living in the household.

When the disabled caretaker is eligible to receive Supplemental Security Income (SSI) or Social Security Disability Insurance (SSDI), additional verification of the disability will not be required.

When the disabled family member who requires a caregiver is eligible to receive SSI or SSDI, additional verification of the need for a caregiver for the disabled family member will be required annually. In addition, when the medical professional has indicated a specific duration that the caregiver will be needed, the eligibility worker will request verification of the need for the caregiver at the end of the anticipated duration as noted on the Statement of Required Presence of Caregiver form. If the individual subsequently becomes ineligible to receive SSI or SSDI and is no longer disabled, the TANF case is to be closed as soon as administratively possible.

201.2 AGE - The month, day, and year of the child's birth must be established and evidence thereof entered in the eligibility case record, except that, pending the securing of such evidence, assistance must not be denied an other-wise eligible child who is obviously under 12.

The following documents may be used to verify age:

- Birth certificate
- Notification of birth
- Hospital record
- Physician or midwife record
- Baptismal record
- School record
- Birth form VS95 from the State Bureau of Vital Records and Health Statistics

If the day and month cannot be established, July 1 is assumed to be the birth date.

Continuing Eligibility* - The child is eligible until he reaches the age of 18. He is eligible for the month in which his 18th birthday falls if he has not attained the specified age on the first day of that month.

An 18 year old child may be eligible if he **is enrolled and attending a secondary school or vocational/technical school of secondary equivalency and is meeting the enrollment and attendance requirements as determined by the local school board.** Verify with the school that the child is enrolled and the date he is expected to complete the program. The program is considered completed on the last day of final exams or, if exams are not required, the last day of scheduled classes. **As long as all other eligibility criteria are met, the child will be eligible for assistance until the month in which completion of the school program occurs, or until the last day of the month in which his 19th birthday occurs, whichever comes first. In the case his 19th birthday is on the first day of the month, assistance will end on the last day of the prior month.** The case record must be well documented in this area.

A child 18 years old is not eligible if he is in college, or **enrolled and attending a secondary school or vocational/technical school of secondary equivalency and not meeting the enrollment and attendance requirements as determined by the local school board,** or not in school at all.

201.3 SCHOOL ATTENDANCE* - To be eligible for assistance, children in the assistance unit under age 18, including minor parents, must comply with the compulsory school attendance requirement. School attendance must be verified by the client during the 30-day application processing period. (Note: A child who is 18 years old meets the school attendance requirement if he is **attending a secondary school or vocational/technical school of secondary equivalency and is meeting the enrollment and attendance requirements as determined by the local school board** as stated in Section 201.2 above.) **If school attendance is not verified, or the child is not meeting the enrollment and attendance requirements as determined by the local school board, he will not be eligible for assistance.**

For applications made during the summer months, verify that the child was in attendance at the end of the school year. If attendance cannot be verified, or if the child has moved to a new school system after the end of the school year, approve the case if otherwise eligible. Set a task and reminder in the VaCMS for the month school is scheduled to begin and verify attendance at that time. Allow the client 10 days from the beginning of the school year to provide verification of enrollment or attendance. If the client does not furnish the school enrollment form within the time frame, the child is considered truant. If school attendance is not verified, the child is considered truant and the EW should follow guidance at 201.3 C and D.

- A. Definition of Truancy - Truancy is defined as noncompliance with State compulsory school attendance requirements as determined by the local school division.**

Local school boards may set additional rules deemed necessary to carry out the intent of the compulsory attendance laws. Such rules may also be applied by the local school division in identifying children who are truant.

(Note: The Virginia Department of Education (DOE) provides the following guidance regarding truancy to local school systems: “In the absence of a legal definition, the Virginia Department of Education is using a proxy measure to report truancy: the number of students with whom a conference was scheduled after the student had accumulated six absences during the school year, in accordance with §22.1-258, Code of Virginia.” ***) The determination of truancy is always made by the local school system.

- B. Notification of Truancy - The “Learnfare” provisions of the Virginia Code establish responsibilities for both the local agency and local school system in addressing truancy. When the local school division determines that a child receiving TANF is truant, it will notify the local department of social services. When a child attends a private, denomination, or parochial school, the local agency must arrange with the school to receive notification when the child is truant.

School divisions will identify truant TANF recipients using one of the following methods:

1. **The Virginia** Department of Social Services provides all local school divisions with a list of all individuals ages five through 17. Per Learnfare requirements, this information is e-mailed to a designated contact person in each school division monthly. The Learnfare Coordinator’s Guide for School Systems can be accessed on Fusion under

* Code of Virginia, Section 63.2-606

** Code of Virginia, Sections 22.1-254 et seq.

*** Improving School Attendance: A Resource Guide for Virginia Schools, 2005.

<http://www.doe.virginia.gov/support/prevention/attendance-truancy/index.shtml>

The identity of the parent or other relative must be established prior to determining relationship. (Appendix III lists documentation that can be used to verify identity). Additionally, documentation that is adequate to trace the relationship of each child to the parent or caretaker relative must be provided. The case record must document the verification methods used to establish identity and each relationship.

The following documents may be used to establish relationship:

- Birth certificate
- Hospital certificate
- Adoption papers or court record of adoption
- Baptismal certificate
- Hospital or physician's record
- Church record
- Bureau of Vital Records/Health Statistics record
- Marriage record
- Court support and/or divorce orders which clearly identify the relationship of the caretaker/relative to the children
- Court document which clearly identifies an individual by name and relationship as a relative of the child

Example: Janie Reese applies for assistance for her niece, Thalia, after Mrs. Reese's sister-in-law, Ms. Johns, leaves town. Mrs. Reese provides the EW with the Court Order, signed by the judge, which lists Mrs. Reese's full name and the relationship as paternal aunt to Thalia. Therefore, relationship is considered established for TANF.

- Genetic testing report from a licensed and accredited laboratory identifying relationship based on DNA match that affirms at least 98% probability of relationship. Chain of custody for the DNA samples must be documented.

Documents must be adequate to trace relationship completely, except that, if the applicant is the mother, initial eligibility can be established based on birth verification for the child.

In the case of a relative who will be the caretaker (though not a father not married to the child's mother, or a relative of such a father), a notarized statement by an individual, other than the applicant/recipient, who has sufficient knowledge to attest to the relationship may be used to establish initial eligibility. A copy of the child's birth certificate or other documentation used to establish relationship must be obtained no later than the next renewal.

If the applicant is a father not married to the child's mother, or relative of such father, evidence of paternity must be provided. The following documents may be used as evidence of paternity:

- Court record establishing paternity
- Court order stating that child is living with paternal or maternal relative
- Birth certificate from any state where father's name is included

A father, not married to the child's mother, who does not have one of the documents listed above at the time of application, will be given a Referral to Division of Child Support Enforcement From Local DSS form (032-03-0431-00) and will be referred to the Division of Child Support Enforcement District Office so he can obtain DNA testing that will establish his relationship to the child. If the applicant father is otherwise eligible, and produces results of the DNA testing that verify relationship, the TANF application will be approved. If he is not able to establish relationship within the standard processing period, the application must be denied. The father will be required to reapply if he subsequently secures verification of relationship.

If the caretaker is a relative of the father who is not married to the child's mother, the relationship between the relative and the father must be established once evidence of paternity has been provided.

- B. Living in a Home* - A home is the family setting maintained, or in the process of being established, by the relative, as evidenced by the presence of the child. A home may exist in situations where the assistance unit lacks a fixed home address or is otherwise considered homeless.

A home exists even though the child or relative is temporarily absent from the customary family setting. A temporary absence based on admission or commitment to a psychiatric hospital or institution, including a psychiatric ward in a general hospital, or to a correctional facility, is limited to 30 consecutive days. Other temporary absences, including absences for other types of hospitalization, employment, education or training, vacations, or visits, are limited to 60 consecutive days. A parent or child who is absent from the home for longer periods cannot be considered to be living in the home.

Exception:

A parent who is absent from the home due to active duty in the uniformed services is considered living in the home and is not subject to the 60 consecutive day time limit.

The following individuals do not meet the living in a home requirement and are ineligible for TANF:

1. A parent or other caretaker who has been absent from the home for a period of 60 consecutive days (30 days if the absence is due to admission or commitment to a mental hospital or correctional facility).
2. A child who has been, or is expected by the caretaker to be, absent from the home for a period of 60 consecutive days (30 days if the absence is due to admission or commitment to a mental hospital or correctional facility). The child may be eligible in another assistance unit.

Exception: A newborn may be added to the AU as of his date of birth even if he remains in the hospital. If the newborn is still in the hospital 60 days after his birth, he will be removed from the AU. The child may be added back to the AU when he enters the home.

The caretaker must report to the local agency after it becomes clear to the caretaker that the caretaker or minor child will be absent from the home for 60 consecutive days (30 consecutive days in the case of a mental institution or correctional facility). (Refer to Section [401.2.B.2.a.1](#))

If the caretaker fails to report the change within the required time frame as described above, the caretaker or the child who is absent from the home is ineligible. If the absent child is the only child in the home, the case will also be ineligible. (See [502.4](#) regarding establishment of an emergency payee when the caretaker is absent from the home.)

201.7 SOCIAL SECURITY ACCOUNT NUMBER (SSN) - As a condition of eligibility, each applicant is required to provide an SSN or show proof of application for a Social Security number for each person for whom assistance is requested. An applicant must meet this condition prior to approval of the case. Only those members of the assistance unit who have met this condition are to be approved for TANF. The agency must refer each applicant/recipient who does not have an SSN or cannot provide proof of application for an SSN to the Social Security Administration (SSA) District Office. The agency must also discuss with the applicant the types of evidence of age, identity, and U.S. citizenship or alien status documents which the SSA will require prior to issuing an SSN.

- A. Obtaining a Social Security Number - For those individuals who provide SSNs prior to approval or at any other time the agency shall record the SSN in VaCMS and attempt to verify the SSN according to 201.8 E. As soon as all other steps necessary to approve an application are completed except for verification of the social security number the agency shall approve the application.

For those individuals who do not have an SSN, who do not know if they have a number, are unable to find a number and therefore cannot provide a number, or whose number appears to be questionable, the agency will direct the assistance unit to submit form SS-5, Application for Social Security Number to the Social Security Administration (SSA). The agency must advise the assistance unit where to file the application for an SSN and discuss what evidence the assistance unit will need to obtain a SSN.

Evidence needed to secure a Social Security number includes a U.S. public record of birth established before age five or other verification of birth, such as religious records whose validity is not questionable, or hospital records, if they can be verified by the SSA. While religious and hospital records will entitle the individual to an SSN, further proof of birth is required by the SSA to establish eligibility for Social Security benefits.

The agency shall advise the assistance unit that proof of the application for an SSN from SSA will be required prior to approval and suggest that the assistance unit member asks the SSA for proof of the application for an SSN. SSA has a form SSA-5028, Receipt for Application for a Social Security Number for this purpose. Local agencies may also devise their own form for this purpose; however, these must receive the approval of the Regional TANF Specialist.

- B. Assistance to Newborns - An electronic application for a social security number for the newborn will be made by the hospital before the mother is discharged. The parent should be able to provide the agency with verification that the social security number was applied **for when requesting assistance for the child**. If for some reason the parent cannot provide this information, the child can be added to the assistance unit, but the parent must provide the child's social security number or proof of application for the number, at the next case renewal, or within six months, whichever is later. **Note: For this provision, a newborn is defined as a child less than 8 weeks old at the time the request for assistance is made.**

201.12 FAMILY CAP PROVISION* - An additional child born during the period when a family is eligible for TANF is not eligible to have his needs included in the payment. The family cap provision applies to a child born while the family is eligible for TANF whether the parent's needs are included in the payment or not. Once a child has been capped, he continues to be capped during any subsequent period of eligibility subject to the provisions below.

For applications on or after July 1, 1995, the family cap provision applies to a child born after the ten full **calendar** months following the month in which the initial TANF payment was issued for the case. For new applications, the issuance of the initial payment is the date the payment shows on the Issuance Summary/Search screen under the "Issuance Date" field. For reapplications, the EW will need to determine if there has been a break in the receipt of TANF assistance. A new ten-month period will begin at reapplication when there has been at least a one month break in assistance prior to the date the client reapplies for TANF. If the household has continuously received TANF benefits prior to reapplication, the previous ten-month period will resume, **even if the benefits are prorated based on the reapplication date.** The ten-month period is a fixed period of ten calendar months and is not affected by suspensions. Months in which the household receives a VIEW Transitional Payment (VTP) will not count toward the ten-month period.

Example 1: Ms. Brown's application was approved August 3, 2017, and the issuance date of the initial payment was August 5, 2017. The first month of the 10 month grace period is September. The tenth month is June. Therefore, the effective date of the family cap provision for Ms. Brown is July 1, 2018. The family cap applies to an additional child born to her on July 1, 2018 or later while she is eligible for TANF.

If Ms. Brown's application had not been approved until August 30th and the issuance date of the first payment was September 1st, the 10-month period would have begun in October and ended in July, with the family cap applicable to a child born on or after August 1.

Example 2: Continuing with the previous example, Ms. Brown closes her case effective March 31st. Ms. Brown reapplies and is approved for TANF on April 10th. As she has received a TANF payment each month since the original case approval the previous August, the original ten-month period will resume. Her tenth month will still be June. Additionally, if Ms. Brown's application was not approved until May, the original ten-month period would resume because Ms. Brown applied in the month (April) immediately following the month of the case closure (March).

Example 3: Ms. Solos has been a recipient of TANF for the past three years. She has two children, one of whom is capped. In March 2017 her case was closed. She reapplies in July 2017 and reports that she is pregnant. Ms. Solos' case is approved for herself and the older child. Her younger child continues to be ineligible due to his capped status. Two months later, she gives birth to her third child. This child is not capped, since the child was born during the 10-month period following issuance of her initial payment.

* Code of Virginia, Section 63.2-604

- Official written statement or record from the hospital at which the individual was born, or from the attending physician showing U.S. place of birth.
- Written affidavit attesting to citizenship or naturalization. (**Note:** A written affidavit is only acceptable if no other proof of citizenship can be provided. The affidavit must be signed by at least two individuals, at least one of whom is not related to the applicant, who have personal knowledge supporting the claim of citizenship. The individuals signing the affidavit must both have proof of identity and their own citizenship. The applicant must provide a separate affidavit explaining why evidence of citizenship does not exist or cannot be obtained).

Client statement cannot be used to establish citizenship.

Note: Medicaid enrollees who do not provide proof of citizenship at application but whose citizenship is subsequently verified by the Federal Hub will automatically be coded “yes” under the “Verified by the Federal Hub” field on the Client Demographics screen in VaCMS. **The Federal Hub is not an acceptable verification source for the TANF Program. However, if citizenship has been verified by the Federal Hub for a Medicaid applicant or enrollee who is also a TANF applicant, citizenship will be considered verified for TANF. In the case of an individual who is not a Medicaid applicant or enrollee and has not provided the required documentation of citizenship by the 90th day after application, and for whom citizenship remains unverified on the Client Demographics screen, the EW must take action to remove the individual’s needs from the payment.**

If citizenship has been verified for Medicaid and the client is coded as “yes” under the “Verified by the Federal Hub” field on the Client Demographics screen, the EW must select “Certification of US Birth” from the Citizen Verification source drop-down. The EW must also document the case record to reflect that citizenship was verified using the Federal Hub for the individual who is also a TANF applicant, and therefore verification of citizenship is considered met for TANF. (See 201.7D)

C. Documentation of identity for U.S. citizens (additional documentation must be provided to establish citizenship. See acceptable documentation for citizenship only in B. above. Separate documentation of identity does not have to be provided if citizenship was verified by U.S. passport, Certificate of Naturalization, or Certificate of Citizenship since these serve to verify identity as well as citizenship).

- A state photo driver’s license
- A state issued photo ID card
- A school issued photo ID card
- U.S. Military ID card (active, reserve, retired)
- U.S. Military draft record
- U.S. Military dependent ID card
- U.S. Coast Guard Merchant mariner Card

Note: For a minor caretaker who is under 16 and is not receiving TANF as an eligible child in the home of his/her parent, the following can be used:

- Doctor, clinic, or hospital record
- School record
- Child care record

Client statement cannot be used to establish identity.

How To Continue Assistance Beyond the TANF 60-Month-Clock In VaCMS

A TANF case may receive beyond 60 months of TANF if the client makes a request and verifies a mental or physical disability. The case may also receive more than 60 months of TANF if the client is providing care on a substantially continuous basis for a relative living in the home that is physically or mentally incapacitated. If it is a two-parent household, both adults must be disabled or one adult caring for a disabled family member who is living in the household. The following instructions enable the assistance unit to continue to receive assistance beyond 60 months and the TANF 60-month clock continue to increment when the case is on-going, on a new application, or being rescinded, because the client is disabled or the client is providing care on a substantially continuous basis for a relative in the home that is disabled. Code VaCMS following the instructions below:

When the client has a disability, follow the steps 1-7 below.

1. From Data Collection, select Individual Information, then Questions.
2. From the Disability field, select “yes” from the drop-down and select the next button.
3. On the Disability - Details screen, enter the disability information for the individual and select the save and continue button.
4. Run eligibility for the case.
5. If all eligibility criteria are met, the Eligibility Result will display approved on the Eligibility Summary screen.
6. Certify and authorize the results.
7. The TANF 60-month clock will automatically continue to increment without requiring further action by the worker.

When the client is providing care for a disabled family member, follow steps 1-7 below.

1. From Data Collection, select Individual Information, then Client Demographics.
2. On the Client Demographics screen, select “yes” from the “Is the individual taking care of the disabled individual in the household?” drop-down.
3. Run eligibility for the case.
4. If all eligibility criteria are met, the Eligibility Result will display approved on the Eligibility Summary screen.
5. Certify and authorize the results.
6. The TANF 60-month clock will automatically continue to increment without requiring further action by the worker.
7. Set a task and reminder to re-evaluate the need for a caretaker to act as a caregiver **30 days prior to the end of the anticipated duration as noted on the medical form or every 12 months, whichever occurs first.** (See 201.1H)

Rescinding a closure after 60 months are already on the clock, because the client is physically or mentally incapacitated or a relative in the home is incapacitated for whom the caretaker is providing care on a substantially continuous basis. For this process, 60 months have to already be on the clock-and the TANF case closed.

1. From Data Collection, select Case Action, then reinstate from the “What Action Do You Want to Perform?” drop-down and select next.
2. On the Initiate Reinstatement screen, select a reinstatement reason from the “Reinstatement Reason” drop-down and select next.
3. From Individual Information, select Questions.
4. From the Disability field, select “yes” from the drop-down and select the next button.
5. On the Disability - Details screen, enter the disability information for the individual and select the save and continue button or;
6. On the Client Demographics screen, select “yes” from the “Is the individual taking care of the disabled individual in the household?” drop-down.
7. Run eligibility for the case.
8. If all eligibility criteria are met, the Eligibility Result will display approved on the Eligibility Summary screen.
9. Certify and authorize the results.
10. The TANF 60-month clock will automatically continue to increment without requiring further action by the worker.
11. Set a task and reminder to re-evaluate the need for a caretaker to act as a caregiver **30 days prior to the end of the anticipated duration as noted on the medical form or every 12 months, whichever occurs first.** (See 201.1H)

See Section 201.10 and 201.10.C.2. regarding cooperation with DCSE, Section 901.2 regarding the VIEW exemption criterion of caring for a child under 12 months of age and Section 401.1D regarding who must complete the application in a minor caretaker household.

In all instances when assistance is requested for the child of a minor parent, the minor parent must also be included in the assistance unit. (Note: the child of a minor parent does not have to be included in the assistance unit if assistance is requested only for the minor parent and siblings of the minor parent, if any).

When the minor parent and her child are the only children in the assistance unit, the case must be closed effective the month following the month the minor parent turns 18. (Exception: If the minor parent turns 18 on the first of the month, the case must be closed for the birthday month.) The 18 year-old may then apply for assistance for herself and her child, and, if approved, will be the caretaker on the new case and the TANF benefits will be issued in her name.

An assistance unit in which the minor parent is included as the only child on the case, but which does not include the minor parent's child, will be closed effective the month following the month the minor parent turns 18 (unless the case must be closed for the birthday month because the minor parent turns 18 on the first day of the month). **Exception: If the minor parent is 18 but not yet 19 and is a full-time student attending a secondary school or vocational/technical school of secondary equivalency and is meeting enrollment and attendance requirements as determined by the school.** (See 201.2)

1. Unmarried Minor Parent Living with Needy Parent(s) or Other Relative(s)
 - a. Minor Parent Living With One Needy Parent or Other Relative
 1. Cases in which the minor parent and her child live with a needy senior parent (including a step-parent), or other relative, will be formed with the needy parent or other relative as caretaker, and the minor and her child as children. The TANF payment will be in the name of the senior parent or other caretaker relative. Any siblings who have applied for or are receiving assistance will be part of the same assistance unit.
 2. Cases in which assistance is requested for the minor parent, but not for the minor parent's child, and the senior parent (including a step-parent) or other relative is needy, will be formed with the senior parent or other relative as the caretaker and the minor parent as a child. The minor's child does not have to be included in the assistance unit. The TANF payment will be in the name of the senior parent or other relative. Any siblings of the minor parent who have applied for or are receiving assistance will be part of the same assistance unit.

When the household consists of a married couple who each have a child(ren) of their own by a previous relationship and both parents request assistance for their child(ren), there will be one assistance unit with two caretakers. In the event there is a child(ren) born to the union of this couple, that child(ren) must be included in the assistance unit.

When a household consists of **a couple** cohabiting, each who have a child(ren) by previous relationships, there will be two separate assistance units. Should they have a child together, for whom paternity has been established **or an adoption has been finalized**, the child must be included in the assistance unit. The units must be merged as the new child is a sibling to both sets of children.

Note: When the woman is married to another man at the time of this child's birth, both of the men will be referred to DCSE. The man to whom she **is** married is the legal father and is considered the child's father until a court has determined that he is not. After the court has excluded the husband as the father, DCSE can proceed to determine the paternity status of the man named by the mother. The units must not be merged until paternity has been established by the court for the child in common.

When the household consists of a caretaker, his/her child(ren), and a child who is biologically related to the caretaker but has been adopted by someone other than the caretaker, there will be two separate assistance units. In order for the caretaker to receive assistance for the child who has been adopted, the child's adoptive parents cannot be in the home.

The requirement in [302.7](#) that all siblings of a child for whom assistance is requested must be included in the assistance unit applies to the multiple group households also.

Example: A grandmother has two grandchildren who are siblings and a niece living with her. She states she needs assistance for one of the grandchildren. Because the children are siblings, however, application must be made for both of them. The niece is not required to be part of the assistance unit.

If the grandmother requests assistance for the niece, however, the niece will be included in the same AU provided she meets the eligibility requirements. If the niece has income, that income will be counted in determining eligibility for the entire TANF AU.

Only one AU can be established for the two groups of children because the grandmother does not have legal responsibility for any of the children.

ASSISTANCE STANDARDS

GROUP II

Size of Assistance Unit	Standards of Assistance
1	\$197
2	289
3	363
4	434
5	513
6	573
7	640
8	715
9	779
10	848
Each person above 10	\$71
MAXIMUM REIMBURSABLE PAYMENT	\$544

ASSISTANCE STANDARDS

GROUP III

Size of Assistance Unit	Standards of Assistance
1	\$275
2	367
3	442
4	513
5	610
6	667
7	737
8	812
9	876
10	944
Each person above 10	\$71
MAXIMUM REIMBURSABLE PAYMENT	\$648

305.1 INCOME ELIGIBILITY

In order to meet the income requirements for the TANF Program, **compare** the assistance unit's countable income must be screened **to the maximum income amount** (prospective determination) to determine the assistance unit's need. Once the assistance unit is determined to be in need, calculate the TANF payment to determine if eligibility exists for the assistance unit. **To determine the anticipated income, use** one of the method's listed in Section [305.1.B.2.a](#).

A. Prospective Determinations (Screening at **Maximum Income Amount** and Standard of Assistance)

Income eligibility for all cases is based on a prospective determination which anticipates the total gross countable income of the assistance unit. The total gross countable income of the unit is screened at **the maximum income amount**. (Refer to Maximum Income Chart, [Appendix 1](#) to Section 305.) If the income of the assistance unit is equal to or less than the maximum income level, income is screened at the standard of assistance, allowing income disregards when appropriate.

A prospective determination must be conducted on applications/reapplications and ongoing cases whenever a change becomes known to the agency.

The gross income anticipated to be received during the month following the month the change became known to the agency must be screened at both **the maximum income amount** and the standard of assistance to determine if eligibility for the next payment exists. If the prospective determination of anticipated income represents less **or** more than a full month's income, the second month following the month the change became known to the agency must also be screened prospectively at both **the maximum income amount** and the standard of assistance.

1. **Maximum Income Screening**

Total gross countable income for this purpose includes all gross earned income of both adults and children in the unit; unearned income, such as net countable support, benefits, etc.; income of an excluded individual required to be in the unit; and any income deemed available to the assistance unit. The following income is disregarded in the **maximum income screening**:

- a. all income specifically disregarded in [305.4.A](#);

- b. for TANF-UP, unemployment compensation benefits;
- c. When a household consists of **a couple** cohabiting, each who have a child(ren) by previous relationships, there will be two separate assistance units. Should they have a child together, for whom paternity has been established **or an adoption has been finalized**, the child must be included in the assistance unit. The units must be merged as the new child is a sibling to both sets of children. If the income of the assistance unit exceeds **the maximum allowable income**, the case is ineligible for a payment.

Screening at the Standard of Assistance

The following procedures are applicable to the standard of assistance screening

- a. Applications, Including Persons Being Added to An Existing Assistance Unit

Once the total gross countable income of the assistance unit is determined to be less than or equal to **maximum allowable income**, income must then be screened at the standard of assistance in order to allow earned income disregards where applicable.

- b. All AUs will be allowed the following deductions from earned income:

The standard deduction*, the same amount used in the standard deduction for the SNAP program, and 20% of the remainder is deducted from the gross earnings.** (Refer to Section 305, [Appendix 3](#), Step 2, and to Section [305.3.B](#).)

Assistance Unit	Standard Deduction
1-3 members	\$164
4 members	\$174
5 members	\$204
6 or more members	\$234

- c. Ongoing Cases

Once the total gross countable income of the assistance unit is determined to be less than or equal to **the maximum allowable income**, income must then be screened at the standard of assistance in order to allow earned income disregards where applicable.

- d. The following income is disregarded when income is screened at the standard of assistance:
 - 1) all income specifically disregarded in [305.4.A](#);

*45 CFR 233.20(a)(3)(xiii)

**22 VAC 40-295-60

- 2) **the earned income of a child (under age 18 or, if age 18, but not yet 19, is a full-time student attending a secondary school or vocational/technical school of secondary equivalency and is meeting the enrollment and attendance requirements as determined by the local school board).**

If the assistance unit has income below the standard of assistance, the payment is calculated based on prospective budgeting.

B. Prospective Budgeting*

1. Budgeting Concept

In order to be eligible for TANF, a case must be eligible under income requirements. The amount of the payment which an assistance unit is eligible to receive will be calculated based on prospective budgeting.

Prospective budgeting is calculating the TANF payment using the anticipated income of the members of the assistance unit and the excluded persons required to be included in the assistance unit in the budget month. For purposes of determining the amount of the TANF payment and the amount of income to be counted, the payment month and budget month are the same.*

2. Income To Be Counted In Calculating the Payment

The payment is to be calculated using the methods listed below. The assistance unit's circumstances must be evaluated to determine which method(s) will provide the amount of income anticipated (best estimate) to be received in the payment month.

For purposes of determining the amount of income to be counted in calculating the payment, anticipated income means any income the applicant/recipient and local agency are reasonably certain will be received during the payment month. If the amount of income or when it will be received is uncertain, that portion of the assistance unit's income that is uncertain shall not be counted by the local agency.

"Reasonably certain" means that the following information is known:

- who the income will come from,
- in what month it will be received, and
- how much it will be (i.e., rate of pay, number of hours, frequency and payment cycle).

* 45 CFR 233.33

305.2 INCOME TO BE COUNTED - For the purpose of determining the amount of payment for an assistance unit, it is necessary to deduct the net countable income from the monthly standard of assistance applicable to the assistance unit. Net countable income is all income, both earned and unearned, which is available or expected to be available to members of the assistance unit, except for that portion specifically disregarded.

EXCEPTIONS:

- (1) Reimbursements for out-of-pocket expenses shall not be considered countable income. These expenses may include reimbursement for travel expenses, such as mileage; reimbursement to the caretaker of a child for child care expenses; reimbursements for expenses incurred as a volunteer, etc.
- (2) Money which belongs to another person that is handled by the client to pay expenses for that person is not considered available to the assistance unit. Example: Mrs. C. has a son in the Army who is currently in Germany. He sends her \$250 a month to pay his car payment of \$250 a month. None of this money is to be considered as income to Mrs. C.

Example:

Mrs. X and Mrs. Y live in the same house which is rented in Mrs. X's name. Mrs. Y gives Mrs. X an established portion of the rent each month. Mrs. X adds her portion to Mrs. Y's and pays the rent. Since this is a "shared shelter" arrangement, Mrs. Y's portion of the rent is not considered income to Mrs. X.

Note: This guidance is not intended to replace roomer/boarder and property rental situations.

- (3) **Nonrecurring monetary gifts** for special occasions, such as birthdays, Christmas, **graduation**, etc., will be disregarded.

There is some income that is not currently being received by the assistance unit but is considered available:

- A. Support from a spouse or parent (natural, adoptive, or stepparent) living in the home is assumed to be available to the spouse and dependent children under 21 who are also living in the home* (305.4 E. and F.) except that no part of an SSI or Auxiliary Grant payment or any income of a

*45 CFR 233.20(a)(3)(vi)

3. Profit from self-employment means the total income received, less the business expenses directly related to producing the goods or services and without which the goods or services could not be produced.* However, business expenses do not include:
 - a. net losses from previous periods;
 - b. federal, state, and local taxes;
 - c. money set aside for retirement purposes;
 - d. personal expenses, entertainment expenses, and personal transportation;
 - e. depreciation of equipment, machinery, or other capital investments necessary to the self-employment enterprise.

Note: If an individual who was self-employed incorporates his business, either by himself or with another individual, he is no longer considered self-employed. His wages or salary will be paid by the corporation and will be considered regular earned income, not self-employment income.

B. Disregarded Earned Income - As specified below, certain earned income of members of the assistance unit and excluded individuals required to be in the assistance unit must be disregarded in determining need of the assistance unit and amount of assistance to which the assistance unit is entitled. In addition, income disregarded under the provisions of other federal assistance programs must not be counted as income to the TANF assistance unit. The items listed below are disregarded during the **maximum allowable income** screening. Income disregards are to be applied to gross earned income in the order listed below.

1. All payments issued under the **Workforce Innovation and Opportunity Act (WIOA)**, including Job Corps payments,** to a student who is under age 18 or, if age 18, is a **full-time student**.
2. Other earned income of any eligible child who is a student* must be disregarded in the **maximum allowable income** screen, determination of need (for applicants) and payment computation.

* 22 VAC 40-295-60

** Public Law 105-220

1. Putative fathers outside the home – In cases involving absent putative fathers, cash contributions are counted as income in the amount received, minus the first \$100 each month, in establishing initial and continuing eligibility until such time as the contribution is redirected to the State. Note: If a notarized statement of paternity, a copy of an existing court order for support, or a Virginia birth certificate with the father's name exists in the case record, support received from such person, if absent, must be redirected to the State.
2. Other non-responsible persons – Cash contributions from non-responsible persons, such as cohabitants, are counted as income in the amount received or anticipated in establishing initial and continuing eligibility.

stepparent has. Countable income is to be deducted from the standard of assistance for the assistance unit.

- b. Stepparent Deeming Procedure Used When the Parent in the Home Refuses/Fails to Cooperate With DCSE - When it is determined that the parent of the TANF child(ren) has failed or refused to cooperate with DCSE, the stepparent's income must be deemed available to the assistance unit, calculating the deemed amount in accordance with 305.4.F.1.a.1) – 4). The deemed income, in addition to the income of the parent and child(ren) must be counted to determine the assistance unit's eligibility and **payment** amount.

Failure of the customer to verify the income of the stepparent will result in ineligibility of the case.

- c. Stepparent Deeming When the Parent Is Not in the Home With the Stepparent - The income of the stepparent will not be deemed when the natural/adoptive parent of the TANF children is not living in the home due to separation, divorce, death or incarceration. However, when the stepparent and the natural/adoptive parent are living apart due to military duty, employment, or other reason, and they both consider themselves to be living as husband and wife, they will not be considered separated and the income of the stepparent will be deemed.

If the stepparent is included in a TANF assistance unit, policies and procedures applicable to assistance unit members apply instead of the deeming procedures.

Note: A lump sum payment received by an eligible child's stepparent is considered available to the assistance unit as described at 305.4C.

Example 1:

Ms. P. is applying for TANF for herself and her 3 children. Ms. P. receives unearned income in the amount of \$50 per month, and each of the 3 children receives unearned income in the amount of \$50 per month, as well. Ms. P.'s husband (not the children's father) is employed and earns \$2,065 per month. Mr. P. has no other dependents.

1. To determine Ms. P.'s eligibility to be included in the AU:

Mr. P.'s income	\$2,065.00
Less \$90 deeming disregard	- 90.00
	\$1,975.00
Less standard of assistance for 1 (Group II)	- 197.00
Amount deemed available to Ms. P.	\$1,778.00
Standard of assistance for a 4-person AU	\$ 434.00

Since the portion of Mr. P.'s income which is deemed available to Ms. P. exceeds the standard of assistance for 4 persons, she is not eligible to be included in the AU.

2. To determine the 3 children's eligibility, and, if eligible, the payment amount:

Stepparent's (Mr. P.'s) income	\$2,065.00
150% of poverty guidelines for 2 (monthly)	<u>-2,058.00</u>
Amount exceeding 150% of poverty guideline	\$7.00
 Standard of assistance for a 3-person AU	 \$ 363.00
 Less total countable income (\$7.00-amount of Mr. P.'s income which exceeds 150% of poverty guidelines, plus \$50.-Ms. P.'s unearned income, plus \$150 the children's unearned income for a total of \$207 in countable income.	 <u>- 207.00</u>
Payment amount	\$156.00

Example 2:

Ms. J., who has been receiving TANF on behalf of herself and her 2 children reports that she remarried over the weekend. Ms. J. receives unearned income in the amount of \$100 per month. Her husband, Mr. J. is employed, with earnings in the amount of \$800 per month. Mr. J. has 3 children who live with his former wife, for whom he pays support in the amount of \$400 per month.

1. To determine Ms. J.'s eligibility to be included in the AU:

Mr. J.'s income	\$ 800.00
Less \$90 deeming disregard	<u>- 90.00</u>
	710.00
 Less standard of assistance for I (Group II)	 <u>- 197.00</u>
	\$ 513.00
Less support paid by Mr. J. to non-household dependents	<u>- 400.00</u>
Income deemed available to Ms. J.	\$113.00
 Standard of assistance for a 3-person AU	 \$363.00

Since the portion of Mr. J.'s income which is deemed available to Ms. J. is less than the standard of assistance for 3 persons, she is eligible to be included in the AU. Proceed to payment calculation, since Ms. J. is eligible.

2. To determine the payment amount:

Standard of assistance for a 3-person AU	\$ 363.00
Less countable income (Ms. J.'s unearned income)	<u>- 100.00</u>
Payment amount	\$ 263.00

Example 3:

Ms. L. is applying for TANF for herself and her 2 children. Her husband (not the children's father), Mr. L., is employed and earns \$2,074 per month. Mr. L. has 1 child, who lives in the household also.

1. To determine Ms. L.'s eligibility to be included in the AU:

Mr. L.'s income	\$2,074.00
Less \$90 deeming disregard	<u>- 90.00</u>
	\$ 1,984.00
Less standard of assistance for 2 (Group II) to include Mr. L. and his child	<u>- 289.00</u>
Income deemed available to Ms. L.	\$1,695.00
 Standard of assistance for a 3-person AU	 \$ 363.00

Since the portion of Mr. L.'s income which is deemed available to Ms. L. exceeds the standard of assistance for 3 persons, she is ineligible to be included in the AU.

2. To determine the 2 children's eligibility, and if eligible, the payment amount:

Stepparent's (Mr. L.'s) income	\$ 2,074.00
150% of poverty guidelines for 2 (monthly)	<u>- 2,058.00</u>
Amount exceeding 150% of poverty guidelines	\$ 16.00
 Standard of assistance for 2-person AU	 \$ 289.00
Less total countable income (\$44.00 -amount of Mr. L.'s income which exceeds 150% of poverty guidelines)	<u>- 16.00</u>
Payment amount	\$ 273.00

The two children are eligible for TANF. Though Mr. L.'s gross income exceeds 150% of poverty guidelines, his countable income does not exceed the standard of assistance for an AU of 2.

2. Deeming Income in Minor Caretaker and Ineligible Alien Cases* - Income must also be deemed to an assistance unit in the following situations. Applicable policies and procedures are explained below.
 - a. Minor Caretaker Living with Senior Parent(s) - When living together, the income of a senior parent(s) is to be deemed available to the minor caretaker's assistance unit." The senior parent's income must be considered available to the eligible child(ren) by applying the deeming procedure in Section 305.4.F.2.c. below. A stepparent's income is not deemed available to a minor caretaker's assistance unit.

Verify by statement from the senior parent, stepparent, or ineligible alien parent.

4. Payments for alimony and child support including wage assignments to individuals not claimed on the senior parent's, stepparent's, or ineligible alien parent's federal income tax return and not living in the household.

Verify by statement from the senior parent or the ineligible alien parent.

The amount remaining after the above deductions will be compared to the Standard of Assistance in determining the eligibility of the AU and the payment amount, if any.

Example 1: The parent of a minor caretaker applies for assistance for the minor caretaker's child. The senior parent explains that she is employed, is able to support her daughter, but does not feel that she should have to support her daughter's child. Because the child of a minor caretaker is not eligible for assistance unless the minor caretaker is also included in the AU, the senior parent must make application for both her daughter and the grandchild. TANF eligibility is determined as follows:

Gross Income of Senior Parent	\$ 1760
Less \$90 Deeming Disregard	<u>- 90</u>
	\$ 1670
Less Standard of Assistance for 1 person, Group III	<u>-275</u>
Group III Amount deemed available to AU	1395
Standard of Assistance for 2, Group III	\$367

\$1395 > **\$367** (SOA for 2) – AU is ineligible

Failure of the client to verify the income of the senior parent or the ineligible alien parent will result in ineligibility of the case.

In situations where the income of a senior parent(s) is being deemed available to more than one assistance unit, the amount to be deemed will be divided equally among the units for which the parent(s) is responsible.

Note: A lump sum payment received by a senior parent or an ineligible alien parent is considered available to the assistance unit as described at [305.4C](#).

*45 CFR 233.20(a)(3)(vii)

Maximum Income Chart

<u>Size of Assistance Unit</u>	<u>Group II</u>	<u>Group III</u>
1	\$394	\$549
2	577	733
3	727	885
4	867	1,025
5	1,025	1,220
6	1,146	1,334
7	1,281	1,475
8	1,431	1,625
9	1,557	1,751
10	1,696	1,888
Each person above 10	\$141	

Establishing Quarters

The term "quarter" means the 3-calendar-month periods ending with March 31, June 30, September 30 and December 31 of any year.

Social Security credits (formerly called "quarters of coverage") are earned by working at a job or as a self-employed individual. A maximum of four credits can be earned each year.

For 1978 and later, credits are based solely on the total yearly amount of earnings. All types of earnings follow this rule. The amount of earnings needed to earn a credit increases and is different for each year. The amount of earnings needed for each credit and the amount needed for a year in order to receive four credits are **found at the following Social Security Administration website:**
www.ssa.gov/oact/cola/QC.html

A current year quarter may be included in the 40-quarter computation. Use the current year amount as the divisor to determine the number of quarters available.

If you need to use quarters before 1978:

- A credit was earned for each calendar quarter in which an individual was paid \$50 or more in wages (including agricultural wages for 1951 - 1955);
- Four credits were earned for each taxable year in which an individual's net earnings from self-employment were \$400 or more; and/or
- A credit was earned for each \$100 (limited to a total of 4) of agricultural wages paid during the year for years 1955 through 1977.

If the applicant wishes to change any of the information he has provided or any information as it appears on the application, the EW must make the change in the VaCMS system.

- A. **Time Standard for Processing Application** - The local agency must complete the initial application process by the 30th calendar day following the application filing date. This time standard covers the day following the date of receipt of the signed application to the date the assistance payment is issued or the notification of denial of assistance is mailed to the applicant. (The applicant must be informed of the time standard at the time of application.) When the 30th calendar day following the application date falls on a weekend or holiday, the EW must complete the application process by the last working day prior to the 30th day.
1. Exception to the 30-day processing standard may apply when:
 - a. the applicant has limitations that hinder him from securing verifications. In this instance the local agency must assist the applicant in securing verifications. The BDOA will be the first of the month following the month of application.
 - b. an emergency beyond the agency's control occurs - If an agency delay occurs, and the application was otherwise eligible, the BDOA must be the date of application.
 - c. **required verifications were mailed timely by applicant but were not received by the agency due to delay in mail delivery substantiated by the postmark date.**

An "Interview Held Date" in the VaCMS allows an application to go beyond the 30-day processing standard. If required verifications are not received timely, the EW must take action to deny the application (run eligibility and certify and authorize the denied eligibility result).

Example 1: TANF application received March 19. An interview was held March 20, and verifications were requested by March 30. The EW entered the "Interview Held Date" on the Interview Details screen in the VaCMS. The applicant failed to provide the required verifications by April 18, the 30th day after the application date. The EW must take action to deny the application.

Example 2: TANF application received March 15. An interview was not held until April 10. Required verifications were requested by April 20. The EW entered the "Interview Held Date" on the Interview Details screen in the VaCMS. On April 14, the 30th day after the application date, the application remained in a pending status. The applicant failed to provide the required verifications by April 20. The EW must take action to deny the application.

Example 3: TANF application received March 1. An interview was held March 5th. Required verifications were requested by March 15th. On the 30th day, after the application date, the worker took action to deny the TANF application because the requested verifications had not been received. On April 1st the worker received the required verifications postmarked March 14th. The EW must take action to reinstate and process the application. Although the delay is not a client or agency caused delay, to ensure benefits are issued back to the application date, agency caused delay must be selected as the reason for overdue processing.

2. At no time should the application remain pending beyond 60 days after the application received date. The VaCMS will automatically deny applications not processed (certified and authorized) by the 60th day after the application received date.

If action is not taken within the 30-day processing standard, the EW must document the case to explain the cause for delay and the applicant must be notified via the notice of action of the status of his application, the reason for delay, and his right to appeal. Additionally, the EW will need to enter the reason for the delay – client or agency caused - in VaCMS on the 30th calendar day following the date of application. This will ensure that the case is correctly identified in the monthly timely processing statistics.

Each application must be disposed of by a decision of eligibility or ineligibility, supported by the facts recorded in the case record and on the appropriate comment screens in VaCMS.

Exception: Applications disposed of for reasons other than approval or denial will be treated in accordance with the provisions of Section 401.1(J), Disposition of Application under Special Conditions.

Upon action to approve or deny an application, the applicant must be notified immediately that assistance has been authorized, including the amount of the money payment, or that his application has been denied. The notice must include a statement of the reasons for the action and an explanation of the individual's right to appeal. The Notice of Action must be used to notify the applicant of approval, denial, or delay beyond the time standard.

1. A special allowance granted for a specific period (for example, correction of a prior underpayment) is terminated and the recipient has been informed in writing that the allowance shall automatically terminate at the end of the specified period.*
 2. When a recipient becomes a patient receiving skilled care, intermediate care or similar other long term hospitalization. Note: See guidance in 201.5.B. to evaluate continued eligibility.
 3. When a recipient requests termination of assistance by telephone or in writing. The written request must be signed and dated by the recipient. If the recipient fails to enter the date, the EW must enter the date such statement is received in the agency.*
 4. When a recipient provides a signed, written statement:
 - a) providing information which requires termination or reduction of assistance (but does not request closure of the case); and
 - b) indicating that the recipient understands that action to reduce or terminate assistance must be taken in response to the information provided and she waives her right to receive a timely notice.*
- B. Action Requiring Timely Notice - Federal regulations,** require that in certain cases of proposed action to terminate, or reduce assistance, the Advance Notice of Proposed Action must be sent to the client. The agency may use the Notice of Action for this purpose, unless benefits in both TANF and SNAP are being reduced or terminated simultaneously.

When a change requires both a reduction or termination in public assistance benefits and a reduction or termination in SNAP benefits, the local agency shall issue a single Advance Notice of Proposed Action for both the public assistance and SNAP action.*** Timely notice must be sent to the recipient whenever the case is determined to be ineligible and whenever the grant must be reduced or terminated based on a change in the circumstances reported by the client or from any other source, or when the client fails to verify a change as requested.

When the proposed action is to sanction a case for noncompliance with the Virginia Initiative for **Education and Work** (VIEW) program, advance notice must be given using the Advance Notice of Proposed Action (032-03-0018-29).

When the proposed action is to impose a penalty on a case for noncooperation with the Division of Child Support Enforcement (DCSE), advance notice must be given using the Advance Notice of Proposed Action (032-03-0018-29).

* 45 CFR 205.10(a)(4)(ii)
** 45 CFR 206.10(a)(4)(i)
*** 7 CFR 273.12(f)(4)(i)

The following procedures are to be followed in preparing the Advance Notice of Proposed Action Form:

1. The date the form is mailed to the recipient and the first day of the following month are not counted in the 10 days before the day the action becomes effective.
 - a. When the action being taken is a reduction, the effective date is the first of the following month.
 - b. When action is being taken to suspend or terminate benefits, the date of non-issuance is the first day of the following month.
 2. The notice must include a statement of what action the agency intends to take.
 3. It must include the reasons for proposed action. If the proposed action is to suspend assistance due to the inability to verify a change in the client's circumstances (see Section 401.2.B.2.), the Advance Notice of Proposed Action must also include a statement that if necessary verification is provided, assistance will not be reinstated if such verification renders the case ineligible
 4. In cases of grant reduction, the new amount of the grant must be entered.
- C. IPV Notice Requirements – Refer to Sections 102.5, 102.8 and 102.13 regarding notice requirements relating to IPV guidance and ADH procedures.
- D. Action Requiring Neither Adequate or Timely Notice - Neither a timely notice nor an adequate notice is necessary when:
1. The agency acts to reduce or terminate benefits which have been continued in the original amount during an appeal, and the hearing decision is adverse to the recipient.
 2. A VTP case closes due to one of the following reasons:
 - a. the employment hours become less than 30;
 - b. hourly pay becomes less than minimum wage;
 - c. all of the eligible children leave the home;
 - d. **a VTP job follow-up cannot be completed because the VTP recipient failed or refused to provide the required employment verification;**
 - e. in a two parent household when a parent who is receiving a VTP leaves the home; and
 - f. at the end of the 12-month VTP payment period. (Note: VaCMS will automatically close the VTP case at the end of the 12-month period.)

Exception: When a VTP case has been transferred and the new locality determines that the client is no longer eligible to receive the VTP, an adequate notice is required.

601.1 SUPPORT ENFORCEMENT PROGRAM

A. Legal Base

Legislation enacted by the 1974 session of the General Assembly* provided for the establishment of a statewide support enforcement program with a support enforcement unit to carry the responsibility for initiating and maintaining such program. Amendments to the Social Security Act** effective August 1, 1975, make mandatory, on a national level, a Child Support Enforcement Program and set forth certain procedures relative to the payment and collection of child support and the establishment of paternity. Subsequent amendments to the 1974 legislation expanded the program to include collection of support paid on behalf of caretakers included in the assistance unit and establishment and enforcement of health care coverage. The Division of Child Support Enforcement (DCSE) was established within the **Virginia** Department of Social Services to administer this program. Regional and district offices are located throughout the state. (See [Appendix III.](#))

B. DCSE Responsibilities

DCSE has the responsibility for:

1. pursuing support from the absent parent(s);
2. establishing paternity;
3. locating the absent parent(s) if whereabouts are unknown;
4. determining ability to support;
5. collecting and distributing support from absent parent(s);
6. pursuing court action to secure support from the absent parent(s);
7. establishing and enforcing medical support obligations;
8. determining noncooperation with DCSE.

C. Local Agency Responsibilities

Local agencies carry the responsibility for:

1. determining the ability to support by the stepparent in the home;

* Code of Virginia, Section **63.2-1901 - 63.2-1948**

** Public Law 93-647

601.2 REFERRAL OF CASE **INFORMATION** TO DIVISION OF CHILD SUPPORT ENFORCEMENT

Federal regulations specify that the local agency is responsible for reporting to the Division of Child Support Enforcement (DCSE) all identifying **information** regarding each absent parent including putative and legal fathers, to aid in the securing of support and establishing paternity for TANF cases. This information must be provided concurrent with action approving the application or adding a child to a case, and is reported to DCSE. The information is collected on the Absent Parent screens in VaCMS. The collected information is transmitted or forwarded to DCSE upon case approval or action to add a child.

Copies of documents, such as paternity statements, birth verifications, and court orders or divorce decrees, if available, are to be submitted at the time of case approval by attaching the legal document or supplement to the "Document Transfer Cover Form," form number (032-03-0275) and sending it via the courier pouch to the DCSE district office serving your locality.

A. Referral of TANF Cases

All TANF children with at least one parent absent from the home, including unestablished paternity, must be referred to the Division of Child Support Enforcement (DCSE).^{*} This referral is to be completed for each absent parent (AP), including legal fathers and putative fathers (whether the putative father is living in the home or not).

A 501 must also be completed for SSI children with at least one parent absent from the home upon case application or action to add a child to an existing assistance unit. System coding prevents children with an 'Excluded Child' Participation Status (SSI or AG Recipient) on the TANF- EDG Summary screen, to be transmitted to DCSE. This child will be considered Non-TANF and support collected for this child will be sent to the custodial parent.

Current support paid to DCSE and sent to the custodial parent for the SSI child will not display on the TANF Cases Current Collected Support report.

No referral to DCSE is to be completed for a deceased legal parent, a deceased putative father, TANF-UP parents, a court convicted legal parent living in the home who is doing unpaid community service, the caretaker's absent spouse who is not a parent of one of the children in the assistance unit, the absent parent of a child subject to the family cap provision, or the father of a child conceived by artificial insemination from an anonymous donor. In addition, no referral to DCSE is to be completed for an adoptive parent, a biological parent, or a putative father when there is a court ordered termination of Adoptive Parents Rights for a child. The client's statement is acceptable verification of the parent's status (reason for absence, including death), unless there is reason to question the information provided.

* 45 CFR 235.70

601.3 LEGALLY RESPONSIBLE PERSONS - Under Virginia law the following persons have legal responsibility for support:

- A. Husband, for wife*;
- B. Wife, for husband*;
- C. Parent, natural or adoptive, for child under 18, or child of whatever age who is incapacitated, unless such child is receiving federal or state assistance as permanently or totally disabled or is an adult qualifying for assistance to the blind.
- D. A stepparent residing with a child(ren) of the natural or adoptive parent is responsible for such child(ren) who are receiving assistance and the parent as long as the stepparent lives with the natural or adoptive parent. The stepparent and the natural/adoptive parent will be considered living together regardless of absences due to military duty, employment, or other absences of convenience, as long as they consider themselves to be living as husband and wife.

The stepparent's responsibility for the children does not exist once the natural or adoptive parent is absent from the home because of separation, divorce, or death.

- E. The father of a child born out-of-wedlock, if**
 - 1. the father and mother have made a written statement acknowledging paternity, under oath.
 - 2. the man, unrelated to any court action, voluntarily submitted to genetic blood testing which affirmed at least a 98 percent probability of paternity; or,
 - 3. the court enters judgment on the basis of other evidence that the man is the father. Such evidence as specified in Section 20-49.4 of the Code of Virginia is limited to the following:
 - a. that he cohabited openly or had sexual intercourse with the mother at the probable time of conception;
 - b. that he consented to or acknowledged, by a general course of conduct, the common use of his surname by the child;**
 - c. that he claimed the child as his child on any statement, tax return or other document filed by him with any local, state or federal government or any agency thereof;**

* Section 20-61, Code of Virginia

** Section 20-49.4, Code of Virginia

- d. results of medically reliable genetic blood grouping tests;**
- e. medical or anthropological evidence relating to the alleged parentage of the child based on tests performed by experts;**
- f. a true copy of an acknowledgement of paternity made on the Acknowledgement of Paternity Form (The Acknowledgement of Paternity Form, VS22, can be obtained from the local health department.)**
- g. an admission by a male between the ages of fourteen and eighteen, provided a court has entered an order establishing paternity of a child based on his admission of paternity under oath or upon such other evidences as may be sufficient to support a finding of paternity. (Note: In most circumstances, the Division of Child Support Enforcement will not pursue support from a minor parent for whom a court has established a support obligation as long as the parent is attending school in compliance with compulsory attendance laws.)**

602.1 REDIRECTION OF SUPPORT MONIES FROM NON-CUSTODIAL PARENTS - Federal regulations* state that in cases where an assignment of support is effective, support payments shall be made to Support Enforcement. The assignment is effective upon case approval. Therefore, any child support, including court ordered support, paid to the assistance unit from the non-custodial parent subsequent to case approval must be redirected to Support Enforcement. Once this support is redirected, it will not be considered in determining the amount of payment, until such time as the net support, when added to other countable income, is sufficient to meet the total needs of the assistance unit.

602.2 TREATMENT OF SUPPORT - There are three types of support that are routinely paid to TANF custodial parents which must be considered in determining initial and on-going TANF eligibility:

- A. Current support paid by the non-custodial parent on behalf of TANF eligible children in the AU. Current support paid directly to the client during the application process will be treated as income with the exception of a disregard of up to \$100. Following case approval, current support will be redirected to DCSE. Up to \$100 of the current support payment will be sent by DCSE to the client and will be disregarded in determining the on-going TANF benefit. (See 305.4(E)2 for treatment of support for SSI children and capped children not the AU, and for situations in which support must be prorated for eligible and non-eligible children).
- B. Arrearages paid by the non-custodial parent for periods in the past when the client received TANF. If, during the application process, arrearage payments are made directly to the client, and the period for which the payments are made was a time during which the client received TANF benefits, the payments will be treated as income. For an on-going case, the absent parent should make all child support payments directly to DCSE, including arrearage payments. Arrearage payments made on behalf of eligible children when the custodial parent received TANF on their behalf are retained by DCSE to discharge the non-custodial parent's debt to the state.
- C. Arrearages paid by the non-custodial parent for periods in the past during which the custodial parent did not receive TANF. Such an arrearage payment made directly to the client during the application process will be treated as income. For an on-going case, any arrearage payment which is made to DCSE for a period during which the client did not receive TANF will be sent by DCSE to the client. If the payment is non-recurring, it should be treated as lump sum payments in accordance with 305.4C. If recurring, such payments will be treated as unearned income. See guidance at 305.1(b)(2)a for determining the amount of unearned income to be counted when there is significant fluctuation from month to month in arrearage payments.

The following sections will outline when support received from a non-custodial parent in cash or in-kind is to be considered available to the assistance unit and counted accordingly. The term "total needs" used in the following is the statewide standard of assistance. The local worker's responsibility is limited to determining the amount of support received by the applicant/recipient from non-custodial parents, and determining eligibility and amount of assistance payment based upon the policy set out below.

602.3 SUPPORT FROM NON-CUSTODIAL PARENTS ABSENT FROM THE HOME - During the initial determination of eligibility, the first \$100 of current monthly child support received, or expected to be received, by the applicant will be disregarded in the eligibility screen and **TANF payment** calculation. If the amount received or expected to be received is less than \$100, the entire amount is to be disregarded. All remaining current support (net countable) will be considered as income for computing the amount of any payment made to the family for a period prior to the first TANF assistance payment. This procedure applies to A., B., C., and D. below.

*45 CFR 302.32 (A)

If the family is determined to be otherwise eligible according to policy, assistance must be **approved** without delay. Child support received from non- custodial parents during the application processing stage, less the first \$100 of total support received, or expected to be received, will be considered as income to the A.U. for any payment made to the family for a period prior to case approval. The disregard of the first \$100 of child support is also applicable to support received, or expected to be received, from a putative father during the application processing stage. Additionally, this disregard will be applied to support from the putative father subsequent to case approval until the recipient redirects such support to the Division of Child Support Enforcement.

A. Absent Parent or Acknowledged Father

Determine the amount of support received from the non-custodial parent.

1. Subtract the first \$100 from the total child support received to determine net support.
2. If net support when added to other countable income is sufficient to meet the total needs of the assistance unit, eligibility does not exist.
3. If such support when added to other countable income, is insufficient to meet total needs of the assistance unit, the budget will be computed showing total needs minus other countable income. The support received will not be counted as income after case approval. The applicant/recipient must be advised that all future support received must be forwarded to Support Enforcement. See [305.4.E.2.](#) for exceptions.

- B. Absent Spouse of the Caretaker who is a Relative Other Than Parent of Eligible Children
Determine if the absent spouse of such caretaker is paying support and/or alimony and the amount contributed. If the amount being paid, when added to other countable income of the caretaker, equals or exceeds that individual's needs, the caretaker will be excluded in determining the amount of assistance payment. If the amount is insufficient when considered as above, the caretaker will be eligible to be included in the assistance unit. Support/Alimony received by the caretaker must then be combined with gross support being received from the absent parent of the eligible children. (See Section 305.4.E.2 regarding the calculation of the initial payment(s)). Future support/alimony payments received after case approval must be paid to the Division of Child Support Enforcement and this income will be disregarded. The amount of assistance payment will be computed based on total needs minus countable income, up to the maximum reimbursable amount. (Refer to 302.2.) If the caretaker is receiving alimony only, (support not commingled with child support) this is to be retained by the assistance unit and counted as income to the unit. The \$100 disregard is not applicable.
- C. Absent Spouse of the Parent of the Eligible Children - Support or alimony paid to an eligible child's parent in the assistance unit (this parent must be in the assistance unit unless one of the criteria in 302.6.D. exists) must be considered as income to the unit. Combine the support/alimony of the eligible child's parent with support received from the absent parent of the child. The first \$100 of total gross support received by the parent and eligible child(ren) will be disregarded in determining eligibility. If the net amount being received, when added to other countable income, equals or exceeds the appropriate standard of assistance, eligibility does not exist. (See Section 305.4.E.2 regarding the calculation of the initial month's payment(s)). If the amount is insufficient when considered as above, future payments received after case approval must be paid to Division of Child Support Enforcement and will be disregarded in determining the amount of the assistance payment. If the caretaker is receiving alimony only (support not commingled with child support) this is to be retained by the assistance unit and counted as income to the unit. The \$100 disregard is not applicable.
- D. Putative Father Absent from the Home - Cash contributions from a putative father, less the first \$100, will be counted as income against the **TANF payment**, in the amount received by the assistance unit, until these contributions are redirected to the Division of Child Support Enforcement. (See 305.4.E.3. for treatment of cash contributions from putative fathers.) Once the contribution is redirected, the amount of the assistance payment will be computed based on the standard of assistance for the unit minus other countable income, up to the maximum reimbursable payment.

602.4 SUPPORT FROM RESPONSIBLE PERSONS IN THE HOME

- A. Support from Parents - In situations in which a caretaker is in the home, but not in the assistance unit (including a minor caretaker excluded because she is not in compliance with compulsory school attendance requirements, or excluded for any other reason listed at 302.70), all income of the individual will be considered as income available to the assistance unit in accordance with Section 305.4.E.1.d.
- B. Support from Stepparents - A stepparent, living in the home, married to the parent of the TANF child(ren), is responsible for support of his/her spouse and the eligible child(ren) of the spouse. The actual amount, if any, of support provided by the stepparent, will be the amount established in accordance with Section 305.4.F.

Note: If the parent of the TANF children is deceased, or not living in the home due to separation or divorce, the income of the stepparent will not be deemed to the children. See 305.4F (1).

A stepparent who is not living in the same home with the spouse who is the natural or adoptive parent of the TANF children is not responsible for support of the children. The stepparent remains legally responsible for the support of his/her spouse. Spousal support, if any, paid by the stepparent living away from the home to the spouse, will be counted as income.

1. Compare the DCSE Net Support Amount to the TANF Benefit Amount.
2. If the DCSE Net Support Amount does not exceed the monthly TANF Benefit Amount no further action is needed on the TANF case.
3. If the DCSE Net Support Amount is greater than the current monthly TANF Benefit Amount for one month, no action will be taken on the TANF case.
4. When the DCSE Net Support Amount is greater than the current monthly TANF Benefit Amount for two consecutive months, VaCMS will close the TANF case.

Redirected support paid to DCSE will not be screened at either the **maximum allowable income** or the standard of assistance.

Payments made to DCSE in a month which exceeds the **TANF payment** amount will be marked by one or two asterisks. The number of asterisks denotes how many months the DCSE Net Support Amount exceeded the monthly TANF benefit amount. Two asterisks will display when the DCSE Net Support Amount exceeds the TANF Benefit Amount for two consecutive months. VaCMS will not take action on cases marked with one asterisk.

VaCMS will automatically close TANF cases marked with two asterisks. When the DCSE Net Support Amount has exceeded the TANF Benefit Amount for two consecutive months, VaCMS will close the case in the month that the two asterisks appear on the TANF Cases Current Collected Support report. The closure will take place on VaCMS system cutoff. Advance notices will be generated and mailed via Central Print.

Support Enforcement will then, on all cases in which eligibility no longer exists, take action to redirect the support to the family in lieu of the public assistance payment.

Note: The report, TANF Cases Current Collected Support, Child Support Enforcement Collections Interface in VaCMS and inquiry into the Automated Program to Enforce Child Support (APECS) through Systems Partnering in a Demographic Repository (SPIDeR) system are acceptable means of verifying support amounts that have been redirected to and are collected by the Division of Child Support Enforcement. When the recipient disagrees with the listed amount, direct communication with the district DCSE representative is acceptable. The case record must be documented with the date, amount, and name of the DCSE representative.

Support reported by a client is to be verified at the time it is reported if it has not yet been redirected to DCSE. Timely action is to be taken to close the case if the support causes ineligibility.

Example 1: TANF case is suspended effective July 1 because the agency is unable to locate the client. The client contacted the agency on July 12 and reported a new address. The assistance unit has zero countable income.

Eligibility worker is reinstating the **TANF payment** on July 14th
APECS shows a total of \$189 has been sent to the client in July.

TANF Payment amount	\$367.00	Mailed support	\$189.00
		Disregard amount	<u>-100.00</u>
			\$ 89.00

TANF Payment amount **\$367 - \$89 = \$278** TANF supplement for July

Another payment of \$102 is made to DCSE on July 23rd and deposited to the client's EPPICard account on July 27th. The support payment posted to the client's account will not be considered an overpayment.

Example 2: TANF case is suspended effective July 1, because the client failed to provide required verifications for a change reported on June 5th. The client provided the verifications to the agency on July 20. The assistance unit has zero countable income.

Eligibility worker is reinstating the **TANF payment** on July 21st.

APECS shows a total of \$250 has been sent to the client in July.

TANF Payment amount	\$513.00	Mailed support	\$250.00
		Disregard amount	<u>-100.00</u>
			\$150.00

TANF Payment amount **\$513- \$150 = \$363** TANF supplement for July

Another payment of \$50.00 is made to DCSE on July 25th and deposited to the client's EPPICard account on July 29th. The support payment posted to the client's account will not be considered an overpayment.

Example 3: The “TANF-Cases Current Collect Support” report in August shows a TANF case with a “Suspended” TANF Program Status because of a **first** VIEW sanction. The worker suspended the case on July 30th effective September 1st. The net support for July is **\$586** with a monthly TANF payment of **\$367**. One asterisk displays in the column “DCSE Net Support Amount”.

No action is taken on the case for September.

A regular TANF payment will be issued for August. VaCMS will send a 'trigger' to DCSE at the end of August. DCSE will change this case to Non-TANF for the beginning of September.

All current support paid to DCSE from the non-custodial parent(s) in the month of September will be sent to the TANF recipient.

On August 16th, the client met VIEW **program** requirements. **Since the client must serve a one-month sanction, she is not entitled to September benefits. The worker must wait until after the August cutoff date to reinstate** the TANF benefit effective **October 1st**.

The worker does the following:

1. Runs eligibility and certifies and authorizes the **October** payment with an 'Approved' Eligibility Result.
2. A supplemental payment is not issued for the month of **September**. (The VIEW fixed sanction period of one month must be served.)

701.1 PURPOSE OF THE TANF-UP PROGRAM

The Temporary Assistance for Needy Families - Unemployed Parent (TANF-UP) Program is intended to provide assistance to families with two able-bodied parents.

701.2 CATEGORICAL REQUIREMENTS AND CONDITIONS OF ELIGIBILITY APPLICABLE TO THE TANF-UP PROGRAM

- A. Members of the assistance unit must meet existing categorical requirements and conditions of eligibility for TANF.
- B. The child must reside in a home in which both natural or adoptive parents reside, and neither parent meets the criteria at [901.2 C. or D.](#)
 - 1. In the case of a putative father living in the home, an acknowledgement of paternity must be made in order to qualify for TANF-UP. A completed and notarized Acknowledgement of Paternity form VS22, obtained from the local health department, should be used for this purpose.
 - 2. If the man's name appears on the child's official birth certificate issued in 1996 or later by the Virginia Department of Health, Division of Vital Records, or by the vital records section of any other state government, evidence of paternity exists for TANF purposes.
 - 3. If the mother was married at the time of the child's birth, the mother's husband is the legal father and is considered the child's father until a court has determined that he is not. After the court has excluded the husband as the father, DCSE can proceed to determine the paternity status of the man named by the mother.
 - 4. When a putative father in the home has not or refuses to acknowledge paternity for a child in the home, or when the putative father's paternity has not been established, the TANF-UP application must be evaluated as a TANF application.

Note: A marriage is a legal relationship between two individuals. Depending on the laws of a state at the time of a marriage, a marriage can be between individuals of the opposite sex or between individuals of the same sex. Same sex marriages performed legally in other states are recognized by Virginia effective 2/14/14, including marriages performed prior to that date. While same sex marriages became legal in Virginia as of 2/14/14, the first same sex marriages performed legally in Virginia occurred on or after 10/6/14.

- C. The assistance unit must be in financial need.
- D. Both parents must participate, as required, in the Virginia Initiative for **Education and Work** Program (VIEW) unless one parent meets an exemption. Only one parent may qualify for an exemption (Refer to Section [901.2](#)). If both parents are ineligible, i.e., do not meet citizenship/alienage requirements, they are not required/allowed to participate.

701.3 ASSISTANCE UNIT TANF-UP

- A. The **standard filing** unit is required to include **two** able-bodied natural or adoptive **parents**, with at least one child in common and all minor siblings of that child(ren) who meet the categorical requirements listed in Section [201.1.A](#).

A putative father cannot be included in the TANF-UP assistance unit unless paternity has been established.

If one or both parent(s) meet the exemption criteria at [901.2. C. or D.](#) or if one of the parents is a putative father for whom paternity has not been established, the case is a TANF case, not a TANF-UP case.

Note: If the only child in common is ineligible based on the family cap provision at [201.12](#), the family may **be** eligible for TANF-UP as long as there are other eligible children in the assistance unit.

Example: Tiny Williams receives TANF for herself and two children Sally Jones and Larry Jones. Tiny's boyfriend Mario Davis, who is not the father of Sally and Larry, also resides in the home. Tiny gives birth to a newborn named Minnie after receiving 12 consecutive months of TANF. Mario is the father of Minnie. Mario and Minnie are added to Tiny's TANF case. However, Minnie is determined to be a capped child. Although Minnie is excluded from the TANF AU, Mario is approved because there are other eligible children in the TANF AU.

- B. If, after receipt of TANF-UP benefits, one parent leaves the home and another parent enters the home who has a child in common with the custodial parent and who qualifies for TANF-UP, a new assistance unit is established.

701.4 FINANCIAL CRITERIA

- A. All countable earned and unearned income of the assistance unit will be considered in determining financial need.
- B. The case is to be closed if the income of the assistance unit causes ineligibility.

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The Virginia Initiative for **Education and Work** Program (VIEW) is a program of employment, **education, and training** opportunities to assist individuals in attaining the goal of self- sufficiency.*

The program goals are to offer Virginians living in poverty the opportunity:

- To achieve economic independence by removing barriers and disincentives to work and by providing positive incentives to work;
- To provide work skills necessary for self-sufficiency;
- To allow families living in poverty to contribute materially to their own self-sufficiency;
- To set out the responsibilities of and expectations for recipients of public assistance;
- To obtain work experience through the Virginia Initiative for Employment Not Welfare (VIEW).

901.1 PARTICIPATION - As a condition of eligibility, each recipient of TANF and TANF-UP must participate as required in VIEW, unless otherwise exempt.

The eligibility worker in the local agency must determine which applicants and recipients are not required to participate (exempt) and which are required to participate (non-exempt). The eligibility worker will refer to the VIEW Program a non-exempt individual at the time of application approval or when an individual's VIEW status changes.

Note: JOINT TANF AND SNAP APPLICATIONS: In situations requiring joint processing of TANF and SNAP applications, the work registration form or affidavit, whichever is appropriate, is to be used for SNAP purposes in the event that the TANF application is denied. (Refer to Volume V, Part VIII, A. of the [SNAP Manual](#)).

901.2 EXEMPTION CRITERIA - An applicant/recipient of TANF or TANF-UP must participate in the VIEW Program unless the individual meets one of the following exemption criteria:

- A. Any child, (including minor caretakers) age 17 and under.
- B. Any minor, age 17 and under, who is a parent on his/her own case.
- C. Individuals at least 18, but no more than 19 years of age, who are enrolled in elementary or secondary school, including vocational or technical school programs. The vocational or technical school must be equivalent to secondary school.

- G. An individual who is needed on a substantially continuous basis to care for a family member living in the household. The family member must have a verified disability. The family member must have “caretaking needs” that will prevent the individual from participating in work activities. Caretaking needs that prevent the individual from participating in work activities include the need for attendance, supervision and home care, and other needs related to the family member’s disability. When the family member who requires care is also a member of the AU, the EW must complete the Disability – Details screen for the disabled individual. The EW must also answer “Yes” to the question, “Is the individual taking care of the disabled individual in the household?” on the caregiver’s Client Demographics screen.

A medical professional must complete a Statement of Required Presence of Caregiver form (032-032-03-0020) to verify the family member’s condition, and the need for the individual to be available on a substantially continuous basis. The date the form was completed will be used in conjunction with the anticipated duration of the need for the caregiver’s presence to determine when the exemption will end. For example, if the individual provides a form on November 1, which states the medical professional completed the form on October 1 and the expected duration of the need for a caregiver is 60 days, the exemption would be allowed until November 30 (60 days after October 1). If a new form was not provided by November 30, the caregiver would be referred to the Virginia Initiative for **Education and Work** (VIEW) program.

It is the responsibility of the EW to request a new Statement of Required Presence of Caregiver form immediately following the anticipated end of the need for the caretaker. If the duration indicated on the form is for more than 12 months, or is identified as permanent, a new form must be obtained every 12 months. Exception: if the disabled individual who requires a caregiver is an SSI or SSDI recipient and the medical professional does not provide a specific duration of less than one year for the anticipated need for a caregiver, the form will be completed annually and the exemption allowed for one year. **Note: For the caretaker acting as a caregiver for a disabled member living in the household, a task and reminder to obtain a new medical form must be set 30 days prior to the end of the anticipated duration as noted on the medical form or every 12 months, whichever occurs first.**

If the documentation does not result in exemption from VIEW, the documentation must be forwarded to the ESW. If the disabled family member is out of the home for substantial parts of the day, for example, to attend school, then the caretaking individual does not meet the requirement for this exemption.

- H. A parent or caretaker/relative of a child under 12 months of age who personally provides the care for a child. **Note: This exemption can apply to an individual that is caring for a child under 12 months of age, regardless of the relationship as long as the child resides in the home of the caretaker.**

Effective July 1, 2011, Virginia implemented the federal 12-month lifetime limit exemption for caring for a child under 12 months in the AU, or caring for a child under 12 months in the household, but not in the AU. Beginning with that date, an individual is eligible for no more than 12 months of the “caring for a child under 12 months” exemption in a lifetime.

Example 1: In 2016, Ms. Able used eight months of the “caring for a child under 12 months” lifetime limit exemption, with her first child. On January 5, 2018, at reapplication, Ms. Able notifies the agency that she is now caring for her newborn who is a SSI recipient. Based on receipt of SSI, the newborn is not included in the assistance unit. However, Ms. Able is eligible for the remaining four months of the “caring for a child under 12 months” lifetime limit exemption.

Example 2: Ms. Lange receives TANF for herself and her two children. On January 5, 2019, Ms. Lange notifies the agency her neighbor’s six months-old child has moved into her home while the neighbor is incarcerated. Because there is no relationship, Ms. Lange is not eligible to receive TANF for the child. However, because she is caring for a child in the household under 12 months, she is eligible for the “caring for a child under 12 months” lifetime exemption.

In a double caretaker TANF assistance unit in which one parent is incapacitated, the eligibility worker must refer the other caretaker for participation unless he can provide a written doctor’s statement indicating that the incapacitated caretaker is unable to care for the child under twelve months.

Note: A parent who gives birth to a child subject to the family cap provision (refer to Section 201.12) may be granted a temporary exemption of not more than six weeks after the birth of the child. This exemption status will also be used for a parent who has reached the 12-month lifetime limit for the use of the “caring for a child under 12 months” exemption and then gives birth to a child who is not capped.

In the VIEW Program, a parent whose needs are removed from the payment must participate unless otherwise exempt. Reasons why the parent’s needs have been removed from the payment include, but are not limited to: noncooperation with DCSE; disqualification for IPV violation; a drug felony conviction; failure to provide a Social Security number; and failure to establish citizenship, eligible alien status, or legal presence. In addition, a parent whose needs are not included in the payment due to the stepparent deeming requirements, 305.4.F., or due to the sponsored alien deeming requirements, 305.4.D., must participate in VIEW, unless otherwise exempt.

A parent who does not meet TANF categorical requirements (parent is an SSI recipient or parent is an ineligible alien) is not required or eligible to participate in VIEW. For aliens who are in the country illegally, the EW must complete the Alien Details screen. For other individuals who are ineligible because they have not been in the country for five years from date of entry, including individuals who are lawful permanent residents, the EW must complete the Alien Details screen. Because these individuals are not part of the TANF AU, they will not be referred to VIEW.

Unless otherwise exempt, a parent who is a court convicted offender serving a sentence while still living in the home should be referred to VIEW if he is allowed by the court to leave home to work or attend education/training activities.

TANF-UP - In a TANF-UP case, both parents must be referred for participation, unless one meets an exemption; only one parent can be exempt. If both parents meet an exemption criterion, they must decide who will be referred for participation. If the household's situation changes and the recipients wish to change the VIEW participant, they may do so upon request and after advisement from the ESW or EW. Exception: The recipients may not switch VIEW participants in order to avoid termination of the case or in order to avoid or cure a sanction.

When both parents in a TANF-UP case are under the age of 18, they are exempt.

Volunteers - TANF recipients under the age of 18 cannot volunteer for VIEW. Additionally, recipients of SSI benefits and ineligible aliens cannot be included in the TANF assistance unit and therefore cannot volunteer to participate in VIEW. Ineligible aliens include individuals who are in the country illegally and those who are lawful permanent residents who have been in the country for less than five years.

Local agencies must serve TANF recipients who are exempt from VIEW and who choose to volunteer. Applicants can volunteer for VIEW only after the TANF application has been approved. They are eligible for the VIEW enhanced disregards in the month following the month the VIEW APR is signed. (Note: The APR cannot be signed before the initial VIEW assessment except when it must be signed prior to TANF approval as a condition of eligibility).

An individual who is exempt from participation can volunteer for VIEW only if she is able to meet the same participation requirements as a mandatory recipient. **An individual exempt from VIEW participation because of a temporary medical condition or caring for a disabled household member who wishes to participate in VIEW must provide a new Medical Evaluation form (032-03-0654) completed by a medical professional. The Medical Evaluation must state that the individual is able to participate and list limitations, if any that would affect the individual's ability to participate.** Volunteers unable to meet VIEW program requirements will not be enrolled in VIEW. An exempt individual who volunteers for VIEW gives up her exempt status and becomes a mandatory participant subject to the same participation requirements and penalties for non-participation as other mandatory VIEW participants. The EW will notify the ESW of the individual's request to volunteer for VIEW. The ESW will be required to create a manual referral in the ESP module for individuals with an exemption status that choose to volunteer.

If an individual volunteers and does not participate as required in the assigned activity, that individual will be referred for sanction. A sanction will be imposed unless the individual has good cause for not participating. Following the end of the fixed sanction period and compliance, the individual will continue as a mandatory participant. Exception: In the case of an individual with a caring for a child under 12 months exemption who fails to comply and is sanctioned, the individual can reclaim her caring for a child under 12 months exemption following the end of the fixed sanction period if she no longer wishes to participate in VIEW. Her caring for a child under 12 months exemption will end when the child turns one year old or once she has used the balance of the caring for a child under 12 months exemption period. She will then be referred to VIEW as a mandatory participant.

If the TANF case of an exempt client who volunteers for VIEW closes, and the client reapplies, the client's exemption status will be determined as part of the eligibility process. The client will be referred to VIEW if she is no longer exempt. If the client's previous exemption was for a temporary medical condition or for caring for a disabled household member, she must secure a new medical if she states she is unable to participate in VIEW for either of those reasons. If the client is determined to be exempt at reapplication and again wishes to give up her exemption and participate, she may do so if funding is available.

TANF until the entire 24-month period of ineligibility has expired.

Example 2: Ms. Smith, who is a TANF recipient with her sons Josh and Joe, began participating in the VIEW Program in March **2018**. Josh moved out of Ms. Smith's home in June **2018** to move in with his aunt. The aunt applied for TANF, on Josh's behalf, in June **2018**. The aunt's TANF application for Josh may be approved, if Josh is otherwise eligible, because Ms. Smith's TANF case was not in a period of ineligibility when Josh left.

- B. EXCEPTIONS: (1) If the caretaker dies during the period of ineligibility, the children may receive TANF with another relative, if otherwise eligible. (2) A minor parent or child who turns 18 during the period of ineligibility may apply and receive TANF in her own right for herself and her child(ren), if otherwise eligible. (3) If it is determined that the caretaker (both caretakers in a two-parent TANF household) became totally disabled during the period of ineligibility or became required to care for a disabled family member living in the household, and such a disability or situation prevents the individual from being self-supporting, the caretaker and children in the family may receive TANF payments without regard to the period of ineligibility. The worker must assist the parent in pursuing other benefits, as appropriate. (4) If a child is removed from the home of a parent as a result of a child protective services report or complaint during the period of ineligibility and is placed in the home of a relative, the relative may be eligible to receive assistance if otherwise eligible.

A Medical Evaluation (032-03-0654) completed by a medical professional will be used to verify the disability of the caretaker. (The client's disability will be considered total if the medical indicates that she cannot work 20 hours a week or more). The disability must be re-evaluated based on new verification at the end of the anticipated duration as **originally** noted on the medical **form**. **If the duration indicated on the form is for more than 12 months, or is identified as permanent, identified as permanent, a new form must be obtained every 12 months.** If the medical form is incomplete, the eligibility worker must contact the medical professional to obtain the missing information before acting on the medical. **The medical exam for which a medical evaluation is based, must have been conducted no more than 90 days prior to the date the medical professional signs the form.**

When the caretaker is needed on a substantially continuous basis to care for a family member who is living in the household (the family member does not have to be included on the TANF payment), the family member must have a verified physical or mental disability and must have caretaking needs that prevent the caregiver from being self-supporting. These caretaking needs include the need for attendance, supervision, and home care, and other needs related to the family member's disability. A medical professional must complete a Statement of Required Presence of Caregiver form (032-03-0020) to verify the family member's condition, and the need for the caregiver to be available on a substantially continuous basis. If the disabled family member is out of the home for substantial portions of the day, the caretaker will not be considered to be needed on a substantially continuous basis, and the TANF payments will not be extended beyond the 24th month. **For the caretaker acting as a caregiver for a disabled member living in the household, a task and reminder to obtain a new medical form must be set 30 days prior to the end of the anticipated duration as noted on the medical form or every 90 days, whichever occurs first.**

When the disabled caretaker is eligible to receive Supplemental Security Income (SSI) or Social Security Disability Insurance (SSDI), on-going verification of the disability will not be required. When the disabled family member who requires a caregiver is eligible to receive SSI or SSDI, additional verification of the need for a caregiver for the disabled family member will

be required annually. In addition, when the medical professional has indicated a specific duration that the caregiver will be needed, the eligibility worker will request verification of the need for the caregiver at the end of the anticipated duration as noted on the Statement of Required Presence of Caregiver form.

The TANF case is to be closed as soon as administratively possible upon verifying that the caretaker is able to work or is no longer needed to care for a disabled family member living in the home. Once the TANF case is closed, the 24-month POI will resume.

Example: Mrs. Waters began her 24-month POI on August 1, 2017. On October 15, 2017, she applied for TANF. On the date of application, she provided a medical form verifying she was expected to be disabled from September 20, 2017 to June 30, 2018. She is approved for TANF beginning October 15. Since any month the client receives TANF is not counted toward the 24-month POI, October will not be a POI month.

Mrs. Waters **must provide a medical form at the end of the anticipated duration as originally noted on the medical form (06/30/2018) to verify her continued disability.** A medical form was submitted on June 15, 2018, which indicated she was no longer disabled. The worker closed the case effective June 30, 2018. Mrs. Waters had 22 months (24 months minus the two POI months she completed – August and September) remaining in her 24-month POI. The POI resumed July 1, 2018. Mrs. Waters' VaCMS case was updated to reflect the new POI period on the 24-month VIEW Clock – Details screen for all AU members for July 1, 2018 to April 30, 2020.

901.12 TRANSFERS - Active VIEW cases transferred to another agency should be treated as follows:

- A. After notification from the EW that the TANF case transfer to the new locality/agency has been completed, the ESW will transfer the open ESP enrollment to the new locality/agency. All attempts should be made to transfer the ESP enrollment within five working days of notification. Whenever possible, the benefit and the VIEW record should be transferred together.
- B. The receiving agency's ESW will make sure the appropriate months are reflected on the 24-month clock. The 60-month clock continues to advance for each month TANF is received.
- C. When a VIEW case with earnings transfers to another agency, the VIEW clock continues. In the case of a UP household in which one participant is employed, there will be no break in the months on the individual's clock. When the new agency opens the client's ESP enrollment, the ESW should make sure the appropriate months are reflected on the 24-month clock. The clock for the other participant will stop unless she was in a sanction at the time of the transfer. Her clock will resume in the month after the ESW completes an assessment and updates her APR.

Example: Mr. and Mrs. Waters' case is transferred from locality A to locality B on May 26. Mr. Waters is employed when the case transfers. Locality B will restart his clock beginning with the month of June. Mrs. Waters is participating in VIEW but is not employed and not sanctioned. Locality B will restart her clock the month after an assessment is completed and the APR is updated.

- D. A sanction period continues when a sanctioned VIEW case transfers to another agency.

6. If the client relocates to another locality in Virginia, the agency will transfer the VTP case. The client will continue receiving VTP as long as VTP eligibility requirements are met. If the client is no longer eligible, a notice must be sent to advise the client of this.

Criteria for Termination of VTP:

1. The client is no longer working at least 30 hours per week.
2. The client's earnings fall below the current federal minimum wage.
3. There are no TANF eligible children in the home. Note: If the only eligible child(ren) in the home at the time the TANF case closed reaches the age of 18 (or has already reached the age of 18, but had remained eligible for TANF **because he/she was enrolled and attending a secondary school or vocational/technical school of secondary equivalency**) during the VTP period, the caretaker's eligibility for VTP will not be affected.
4. The client files a TANF reapplication.
5. **The client failed or refused to provide employment verification required for a VTP job follow-up. Note: If a client provides employment verification that shows he is working at least 30 hours per week and is earning at least the federal minimum wage, but does not return the VTP Job Follow-up form, the VTP must not be terminated.**

Additional Considerations in Terminating a VTP:

1. If the VTP closes for any of reasons listed above, or if the VTP is closed automatically by VaCMS at the end of the 12-month period, no notice is required prior to case closure. If the VTP closes per client request, a notice is required.
2. When employment ends, hours fall below 30 per week, wages decrease to below the current federal minimum wage, or the only eligible child leaves the home, the VTP must be closed and cannot be re-established. The VTP must be terminated if there is a job change causing a break in employment which results in the average hours for the month falling below 30 per week.
3. The VTP must also be ended if the employment is with an educational or training institution and the job ends because the employer closes for summer break (lasting more than thirty days).

Official closures by educational or training institution employers for quarter or semester breaks (lasting less than thirty days) during which the client cannot work will not impact the VTP payment.

VIEW PAYMENT CALCULATION

STEP 1: Determine the total gross earned income of all required assistance unit members. Compare the total gross earned income to the Federal Poverty Level (see Federal Poverty Level Chart found in Appendix 3 of this Chapter) for the appropriate assistance unit size. The federal poverty level is to be applied uniformly in all of locality groupings of localities in Virginia.

If the gross countable earned income equals or exceeds the federal poverty level, the case is ineligible.

If the countable gross earned income is less than the federal poverty level, go to STEP 2.

STEP 2: Determine countable unearned income and compare it to the standard of need for the assistance unit. If the countable unearned income equals or exceeds the standard of need, the case is ineligible.

If the countable unearned income is less than the standard of need, the difference is the deficit amount. Go to STEP 3.

STEP 3: Use the gross earned income total of all required assistance unit members.

In the following order:

- a. Deduct the standard deduction* per assistance unit from total gross earned income if the assistance unit qualifies for this deduction and the income is not exempted. The standard deduction is defined in Section 305.3.B.3; standard deduction amounts by family size are listed at 305.1.A.1.b.
- b. Deduct 20% of the remainder. •
- c. Deduct anticipated expenses, up to the allowable maximum as specified in Section 305.3.B.5 for care of each child or incapacitated adult included in the assistance unit if the member qualifies for this disregard.

* 22 VAC 40-295-50

VIEW PAYMENT CALCULATION

Example 1: Earnings

Assistance unit of 2 in a Group II locality. Mom earns \$456 gross income each month.

Step (1)	Screening at Federal Poverty Level	$\begin{array}{r} \$ 456.00 \\ \$ 1372.00 \end{array}$	Gross Monthly Earnings < Monthly Federal Poverty Level for 2
Step (2)	Unearned Income	$\begin{array}{r} \$ 274.00 \\ - \quad 0.00 \\ \hline \$ 274.00 \end{array}$	Standard of Assistance for 2 Unearned Income TANF Deficit
Step (3)	Earned Income Disregards	$\begin{array}{r} \$ 456.00 \\ - 164.00 \\ \hline \$ 292.00 \\ - \quad 58.40 \\ \hline \$ 233.60 \end{array}$	Gross Monthly Earnings Standard Deduction for 2 x 20% = 58.40 Net Earned Income
Step (4)	Add Net Earned Income and TANF Deficit	$\begin{array}{r} \$ 233.60 \\ + \quad 289.00 \\ \hline \$ 522.60 \\ \\ \$ 289.00 \end{array}$	Net Earned Income TANF Deficit < Monthly Federal Poverty Level for 2 = VIEW Payment (TANF Payment)

Example 2: Earned and Unearned Income

Assistance unit of 2 in a Group II locality. Mom earns \$305 gross monthly and the assistance unit also receives \$120 unearned income monthly.

Step (1)	Screening at Federal Poverty Level		
		\$ 305.00	Gross Monthly Earnings <
		\$1,372.00	Monthly Federal Poverty Level for 2
Step(2)	Unearned Income		
		\$ 289.00	Standard of Assistance for 2
		<u>-120.00</u>	Unearned Income
		\$ 169.00	TANF Deficit
Step (3)	Earned Income Disregards		
		\$ 305.00	Gross Monthly Earnings
		<u>-164.00</u>	Standard Deduction for 2
		\$ 141.00	x 20% = 28.20
		<u>-28.20</u>	
		\$ 112.80	Net Earned Income
Step (4)	Add Net Earned Income and TANF Deficit		
		\$ 112.80	Net Earned Income
		<u>+ 169.00</u>	TANF Deficit
		\$ 281.80	< Monthly Federal Poverty Level 2
		\$ 169.00	= VIEW Payment (TANF Payment)

Example 3: Earnings Result in Ineligibility

Assistance unit of 4 in a Group III locality. Mom earns \$2,092 monthly gross income.

Step (1)	Screening at Federal Poverty Level		
		\$2,092.00	Gross Monthly Earnings
		\$2,092.00	Monthly Federal Poverty Level for 4

The assistance unit is ineligible.

Example 4: Maximum Reimbursable

Assistance unit of 6 in a Group II locality. Mom earns \$457 gross monthly income.

Step (1)	Screening at Federal Poverty Level		
		\$ 457.00	Gross Monthly Earnings <
		\$2,812.00	Monthly Federal Poverty Level for 6
Step (2)	Unearned Income		
		\$ 573.00	Standard of Assistance for 6
		- 0.00	Unearned Income
		\$ 573.00	TANF Deficit
		\$544.00	Maximum Reimbursable Amount
Step (3)	Earned Income Disregards		
		\$ 457.00	Gross Monthly Earnings
		- 234.00	Standard Deduction for 6
		\$ 223.00	x 20% = 44.60
		- 44.60	
		\$ 178.40	Net Earned Income
Step (4)	Add Net Earned Income and TANF Deficit		
		\$ 178.40	Net Earned Income <
		+ 544.00	Maximum Reimbursable TANF Deficit
		\$ 722.40	< Monthly Federal Poverty Level for 6
		\$ 516.00	= VIEW Payment (TANF Payment)

Example 5: Earned Income Case with Immunization Penalty

Assistance unit of 2 in a Group III locality. Mom earns \$966 gross monthly income. One member of the assistance unit receives \$60 SSA monthly. There is a \$50 immunization penalty.

Step (1) Screening at Federal Poverty Level

\$ 966.00	Gross Monthly Earnings <
\$1,372.00	Monthly Federal Poverty Level for 2

Step (2) Unearned Income

\$ 367.00	Standard of Assistance for 2
- 60.00	Unearned Income
\$ 307.00	TANF Deficit

Step (3) Earned Income Disregards

\$ 966.00	Gross Monthly Earnings
- 164.00	Standard Deduction for 2
\$ 802.00	x 20% = 160.40
- 160.40	
\$ 641.60	Net Earned Income

Step (4) Add Net Earned Income and TANF Deficit

\$ 641.60	Net Earned Income
+ 307.00	TANF Deficit
\$ 948.60	< Monthly Federal Poverty Level for 2
\$ 307.00	= VIEW Payment (TANF Payment)

Step (5) Apply Immunization Penalty

\$ 307.00	VIEW Payment
- 50.00	Immunization Penalty
\$ 257.00	Net VIEW Deficit
\$ 257.00	= VIEW Payment (TANF Payment)

Example 6: TANF-UP Household

Assistance unit of 4 in a Group II locality. Dad earns \$1,505 gross income.

Step (1) Screening at 150% of the Federal Poverty Level \$3,138.00

\$1,505.00	Gross Monthly Earnings
\$3,138.00	< 150% of the Monthly Federal Poverty Level for 4

Step (2) Unearned Income

\$ 434.00	Standard of Assistance for 4
- 0.00	Unearned Income
\$ 434.00	TANF Deficit

Step (3) Earned Income Disregards

\$1,505.00	Gross Monthly Earnings
- 174.00	Standard Deduction for 4
\$1,331.00	X 20% = \$266.20
- 266.20	
\$1,064.80	Net Earned Income

Step (4) Add Net Earned Income and TANF Deficit

\$1,064.80	
+ 434.00	TANF Deficit
\$1,498.80	< 150% of the Monthly Federal Poverty Level for 4
\$ 434.00	= VIEW Payment (TANF Payment)

2018 FEDERAL POVERTY LEVELS

<u>Size of Family Unit</u>	<u>Monthly Poverty Guideline</u>
1.....	\$ 1,012.00
2.....	\$ 1,372.00
3.....	\$ 1,732.00
4.....	\$ 2,092.00
5.....	\$ 2,452.00
6.....	\$ 2,812.00
7.....	\$ 3,172.00
8.....	\$ 3,532.00

For each additional person add \$360

150% of the Federal Poverty Level
 (for TANF-UP Families)

<u>Size of Family Unit</u>	<u>150% of the Federal Poverty Level</u>
1.....	\$ 1,518.00
2.....	\$ 2,058.00
3.....	\$ 2,598.00
4.....	\$ 3,138.00
5.....	\$ 3,678.00
6.....	\$ 4,218.00
7.....	\$ 4,758.00
8.....	\$ 5,298.00

For each additional person add \$540

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DEFINITIONS

The following words and terms, when used in this guidance, shall have the following meaning:

Adult Basic Education (ABE) - remedial or other instructional activities aimed at enhancing basic educational performance levels including reading, writing and mathematics.

Agreement of Personal Responsibility (APR) - the written individualized agreement of personal responsibility outlining the responsibilities of the VIEW participant as required by the Code of Virginia 63.2 - 608 and this guidance.

AmeriCorps – AmeriCorps is a national network of programs that provide individuals with opportunities for community service. AmeriCorps includes local programs operated through the state or national AmeriCorps organizations, AmeriCorps VISSTA, and the AmeriCorps National Civilian Community Corps. Information about AmeriCorps is available at <http://www.americorps.org>.

Applicant - a person who has applied for TANF or TANF-UP benefits and for whom the disposition of the application has not yet been made.

Basic Literacy Level - a literacy level equivalent to grade 8.9 or greater.

Case Management - the process of assessing, monitoring, coordinating, delivering and/or brokering activities and services necessary for VIEW participants to enter employment, **education, or training** activities.

Case Management Services - services which include, but are not limited to, assessment, placement in program activities, arrangement of supportive services, and monitoring.

Case Manager - the worker designated by the local department of social services to provide case management services. The case manager can be a local agency employee, or the employee of another public agency, private sector contractor, or private community-based organization including non-profit entities, churches, or voluntary organization that provides case management services.

Child Care Program - a regularly operating service arrangement for children in which during the absence of a parent or guardian, a person or organization has agreed to assume responsibility for the supervision, protection, and well-being of a child under the age of 13 (or for a child up to 18 years of age if the child is physically or mentally incapable of caring for herself or is subject to court supervision) for less than a 24 hour period.

Child Care Services - the arrangement and/or purchase of child care in order to assist eligible families to obtain or maintain employment, education or training.

Community Work Experience Program (CWEP) – unpaid work in a public or private non-profit organization designed to improve the employability of the participant.

Component - one of several activities in which a person may participate while in the VIEW Program.

Core Work Activity –The core work activities are unsubsidized employment, the full employment program (FEP), on-the-job training (OJT), community work experience program (CWEP), public service program (PSP), vocational education and training, and job search/job readiness.

Department - the Virginia Department of Social Services.

Disability – A disability, as defined by the Americans with Disabilities Act of 1990 as amended, is a physical, developmental, cognitive or mental health condition or learning disability that limits the ability of the individual to perform life activities. “Life activities” include, but are not limited to: the operation of a major bodily function, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working. Chronic health problems such as asthma, diabetes, and hypertension may also be considered disabilities if these conditions limit the individual’s ability to function. For the purposes of the VIEW program, a disability must limit the participant’s ability to participate in program activities or to work. All disabilities and their impact on program participation and work must be verified by a qualified professional.

A child has a disability if he or she has a physical, developmental, cognitive or mental health condition or learning disability that limits the ability to perform any of the activities listed above, or other activities, as compared with other children of the same chronological age.

Displacement – as applied to employment and employment programs, an illegal practice in which an employer fills a vacancy that exists because another individual is on layoff from the same or equivalent job; or when an employer fills a vacancy created by an involuntary reduction in the work force or by the termination of another employee for the purpose of filling a vacancy with a VIEW participant. No VIEW placement, including placements into the Full Employment Program (FEP), Community Work Experience Program (CWEP) or Public Service Program (PSP), may displace other workers.

Earned Income Disregards - a certain amount of earned income which is not counted when determining the amount of the TANF benefit.

Earned Income Tax Credit – a credit against the federal income tax of employed, low income workers. The earned income tax credit may be received as an addition to the paycheck of an eligible individual or as a refund from federal taxes due.

English as a Second Language (ESL)/ English for Speakers of Other Languages (ESOL) – programs of English language instruction for individuals who are not native English speakers.

ESW - Employment Services Worker The local agency worker responsible for managing the client’s VIEW case. In agencies in which one worker is responsible for both VIEW and TANF eligibility, the position may be referred to as a self-sufficiency worker rather than as an ESW.

EW - Eligibility Worker. The local agency worker responsible for managing the client’s TANF case.

Exempt – status of a TANF or TANF-UP applicant or recipient who meets one of the VIEW program exemption criteria and, therefore, is not required to participate in VIEW.

Full Employment Program (FEP) - subsidized, training-oriented employment, that replaces TANF payments with wages paid by an employer. This employment is designed to train the recipient for a specific job, increase her self-sufficiency and improve her competitiveness in the labor market.

Full-time Employment - employment which is at least 30 hours per week at minimum wage or greater.

GED – General Educational Development is a test made up of five sections – language arts, writing, social studies, science, reading and mathematics - that certifies that the individual successfully completing it has academic skills equivalent to those of a high school graduate.

Good Cause – a mitigating circumstance determined by the VIEW worker to satisfactorily explain a participant’s failure to comply with program requirements with the result that a sanction will not be imposed.

Hardship Exception – an extension of the 2-year limit on TANF payments allowed under certain circumstances for specific prescribed reasons.

Household member - any child or adult residing with the applicant/recipient. The individual need not be a member of the applicant/recipient’s assistance unit to qualify as a household member.

Job Finding – the identification of available and appropriate jobs.

Job Follow-Up – contact with the client, no less than monthly, during which the ESW provides case management services to assist with job retention and upgrading once the program participant has become employed.

Job Placement - placing a participant in an unsubsidized or subsidized job. Job placement is the result of job finding and job matching.

Job Readiness – instruction in skills needed to seek or obtain employment. Job readiness may include instruction in workplace expectations, help in developing resumes and interviewing skills, and life skills training. Job readiness may also include preparation for employment through participation in short term substance abuse or mental health treatment, or in rehabilitation activities for those who are otherwise employable. Such treatment must be determined necessary by a qualified medical professional.

Job Search - a structured, time -limited period during which the participant is required to search for employment. In order to complete the job search, the participant is required to perform a specified number of hours of job search and document the job search contacts, or find and accept employment.

Job Skills Training - general training that prepares an individual for employment (examples may include keyboarding or computer literacy classes) or job specific training required by an employer in order to obtain, keep, or advance in a specific job or occupation, or training needed to adapt to the changing demands of the workplace; all training and education programs, including post-secondary associate, certificate, and baccalaureate level programs, that are included in the definition of Vocational Education and Training; instruction in a second language for participants who have a high school diploma or GED; unpaid practicums or internships offered by a college or training program, or by an employer.

Limited English Proficiency – the limited ability of a person whose native language is one other than English, or who lives in a family or community environment where a language other than English is the dominant language, to speak or understand the English language.

Local Agency or Local Department - any one of the local social services agencies throughout the Commonwealth that administers the TANF and VIEW programs.

Local VIEW Annual Plan - a yearly plan submitted to the department by each local agency which describes the locality's VIEW program.

Making Good Progress / Satisfactory Progress - A consistent standard of progress based on written guidelines as developed by the educational institution or training agency and measured periodically at intervals of less than one year such as a term or quarter for VIEW clients in educational or training placements.

Non-Core Work Activity - The non-core work activities are education below the post secondary level and job skills training.

On-the-Job Training (OJT) – a type of paid employment in which an employer provides training to an employee in order to increase the employee's skills on the job.

Other Activities – an activity to which a participant may be assigned to increase her employability but which does not meet the definition of a work activity or count in the federal participation rate calculation. “Other locally developed” is the only Other Activity.

Other Locally Developed – an activity developed or used by a local agency to increase a client's employability, but which does not meet the definition of a work activity, or the definition of post secondary education, and which will not be included in the federal participation rate calculation.

Participant - a TANF or TANF-UP recipient who has signed the Agreement of Personal Responsibility and is participating in the VIEW program.

Part-Time Employment - employment less than 30 hours per week at minimum wage or greater.

Pending - a non-active program component to which a participant who cannot move immediately into an active component is assigned.

Post-Secondary Education - a program of instruction beyond the high school level offered by an institution of higher education as determined by the Secretary of Education in accordance with the Higher Education Act of 1965.

Public Service Program (PSP) - unpaid work in a public or private non-profit organization designed to improve the employability of the participant while providing a clearly defined public service. Public Service Program placements must be limited to projects that serve a useful community purpose in fields such as health, social service, environmental protection, education, urban and rural development, welfare, recreation, public facilities, public safety, and child care.

Queue – the list of TANF recipients who are referred by the eligibility worker for mandatory participation in the VIEW program.

Reasonable Distance – for VIEW placements, a reasonable distance is considered to be no more than one hour travel time each way from the participant's place of residence to the site of the activity.

Sanction – a suspension of a VIEW participant's TANF payment for non-compliance with program requirements; to suspend a participant's TANF payment for noncompliance.

Satisfactory Participation – participation in a program activity equal to the hours assigned to the activity for a stated time period. For job search assignments, satisfactory participation equals the completion of all required job search contacts, or employment.

Self-Initiated Participant - a participant who has enrolled in post-secondary education or in training activities prior to enrollment into the VIEW program.

Supplemental Nutrition Assistance Program (SNAP) Employment and Training (SNAPET) - The employment and training program for SNAP recipients.

Standard Operating Procedures (SOP) – a guide developed by the local agency that specifies the procedures to be followed in administering the VIEW program. The SOP is part of the local VIEW Annual Plan.

Subsidized Employment – employment in which government funds are used to directly subsidize the participant's wages. The Full Employment Program (FEP) is considered subsidized employment.

Supportive Services - services such as child care and transportation provided to a VIEW program participant with an open TANF case to enable the participant to take part in program activities or to work.

TANF-UP – a two-parent TANF household in which the parents have at least one child in common and in which neither parent is disabled.

Termination – closure of the TANF case for failure of a mandatory VIEW recipient to sign the Agreement of Personal Responsibility.

Temporary Assistance for Needy Families (TANF) - the cash assistance program for families with children in Virginia, based on the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) as amended by the Deficit Reduction Action (DRA) of 2005.

Time Limitations – limitations on the period of time a family is eligible for TANF assistance based on federal and state statutes

Transitional Services – a category of services available to former VIEW participants once the TANF case is closed. Transitional services include services such as child care, transportation, Transitional Employment and Training services (TET), and the VIEW Transitional Payment (VTP) which may be provided to a VIEW participant whose TANF case has been closed.

Unsubsidized Employment - employment in which the participant is paid at least minimum wage and for which no government funds are used to subsidize the wages earned by a participant.

VIEW Transitional Payment (VTP) – an incentive payment designed to encourage job retention. It is available to VIEW participants who are working at least 30 hours a week and earning at least minimum wage at the time TANF closes.

Virginia Initiative for **Education and Work** (VIEW) – the Commonwealth’s employment, **education, and training** services program for TANF recipients. It was implemented in 1995 to assist participants in attaining self-sufficiency.

Vocational Education and Training – training or education designed to prepare the participant for a specific trade, occupation, or vocation requiring training other than ABE, GED, ESL, or an advanced degree beyond the baccalaureate level.

Work Activity – Work activities include the following core work activities: unsubsidized employment, the Full Employment Program (FEP), on-the-job training (OJT), the community work experience program (CWEP), the public service program (PSP), vocational education and training, job search, job readiness, education below post-secondary, and job skills training.

1000.1 THE VIRGINIA INITIATIVE FOR EDUCATION AND WORK (VIEW)

The mission of the Department of Social Services is as follows: People helping people triumph over poverty, abuse and neglect to shape strong futures for themselves, their families and communities. VIEW plays a vital role in helping families triumph over poverty by providing employment, education, and training opportunities. The goal of participation in VIEW is the achievement of a living wage.

In Virginia, the benchmark for a living wage is the United Way's Asset Limited, Income Constrained, Employed (ALICE) threshold, which measures the income needed to afford necessities, taking into account the locality cost of living, the size of the household, and the ages of the family members. More information about ALICE can be found at unitedforalice.org.

VIEW offers Virginians living in poverty the opportunity to:

1. Obtain work experience and work skills necessary for self-sufficiency
2. Contribute to the self-sufficiency of their families
3. Achieve economic independence

The VIEW Program offers a number of education, training, and work components designed to meet the individual needs of the TANF recipients required to participate in VIEW. These components, referred to generically as work activities, are divided into core and non-core work activities.

A. Core Work Activities

The core work activities, and any limitations on their use for federal participation rate calculations, are described below.

- **Job Search/ Job Readiness.**

Job search includes applying for and interviewing for jobs through participation in group job search, job club, or through individual job search.

Job readiness includes many of the activities that are part of structured job search programs such as group job search or job club – instruction in work place expectations, help in developing resumes and interviewing skills, and life skills training. Additionally, job readiness includes substance abuse treatment, mental health treatment, and rehabilitation services necessary to help a participant become job ready. **Clients may be assigned to job readiness before, during, or after a job search assignment.**

Limitations: For purposes of the federal work participation rate calculation, an assignment to job search and/or job readiness (including job readiness for the purpose of substance abuse, mental health, or rehabilitation services), cannot count for more than 4 consecutive weeks. Additional consecutive weeks cannot be counted in the calculation of the federal participation rate.

During a twelve-month period, the total countable hours of participation in job search and/or job readiness assignments cannot exceed 120 hours for a single parent with a child under age 6 in the home or 180 hours for all other individuals . (This is equivalent to 6 *weeks* of participation in the work activity.) **If appropriate to meet the needs of the participant**, additional participation in job search and/or job readiness in a twelve-month period can be assigned and entered into the ESP module in VaCMS, but will not be counted in the calculation of the federal participation rate.

- **Unsubsidized Employment, including self-employment.** Unsubsidized employment is employment in which no government funds are used to directly subsidize the individual’s salary and in which the individual earns at least the federal minimum wage. Minimum wage means an hourly rate directly equaling the federal minimum wage or an hourly rate of at least \$2.13 which, when supplemented by tips, equals at least the minimum wage.
- **Subsidized Employment.** Subsidized employment is employment in which government funds are used to directly subsidize the participant’s wages. Subsidized employment is designed to provide training while the participant works on the job. The VIEW Program provides one subsidized employment component – the Full Employment Program (FEP). FEP is subsidized employment in which the employer receives a fixed monthly stipend and the client receives wages instead of a TANF check.
- **Community Work Experience Program (CWEP).** CWEP is an unpaid work placement in a public or private non-profit organization. An assignment to CWEP is appropriate for participants who need to learn or improve skills or work behaviors, or to secure a job reference, in order to find paid employment. The number of hours of a CWEP assignment is based on the TANF payment amount and SNAP allotment.
- **Public Service Program (PSP).** Public Service **includes volunteer work performed by the VIEW participant. It is** similar to work experience in that the client will be engaged in unpaid work in a public or private non-profit organization with the goal of improving employability. PSP placements must additionally provide a clearly defined public service. Examples of public service activities include court-ordered, unpaid work, as well as participation in other programs or placements that benefit the community. TANF and SNAP benefits are not considered in the calculation of public service hours. Public service assignments will in no case exceed 35 hours per week, with the exception of court-ordered assignments of greater length.
- **On-the-Job Training (OJT).** On-the-job training is training provided by an employer to a paid employee to help the employee become proficient on the job. A portion of the employee’s wages are typically reimbursed to the employer. OJT includes paid on-the-job training offered through WIOA, paid college work study and internships, apprenticeship, and AmeriCorps placements in which the individual is paid a stipend to cover living expenses.
- **Vocational Education and Training.** Vocational education and training is training or education directly related to employment designed to prepare the participant for a specific trade, occupation, or vocation. It does not include advanced degree education. It does not include ABE, GED, or ESL. Examples of activities that can be classified as vocational education and training are technology, business, and health sciences programs leading to certificates, associate degrees, or baccalaureate degrees in such areas as HVAC repair (heating and air conditioning), information technology, medical equipment repair, accounting administration, medical assisting, and practical or registered nursing. Programs meeting the definition of vocational education and training are offered by a wide range of institutions including vocational-technical schools, community colleges, 4-year colleges, other post-secondary institutions, proprietary schools, and secondary schools offering vocational education.

Limitations: Vocational education and training included in the calculation of the federal participation rate is restricted to a lifetime limit of 12 months for each individual. The months do not have to be consecutive.

B. Non-Core Work Activities

The non-core work activities are described below. Hours assigned to non-core work activities **will only be counted** in the calculation of the participation rate after the minimum 20-hour assignment to a core activity or activities has been met. **However, the primary factor in determining assignments to non-core activities will be whether the activity is appropriate for the participant to achieve a living wage, not whether it will count in work participation rate calculations.**

- **Job Skills Training.** Job skills training shares a vocational emphasis with vocational education and training. It includes both general training that prepares an individual for employment such as a keyboarding or computer literacy class, and job specific training required by an employer to get, keep, or advance in a specific job or occupation, or to adapt to the changing demands of the workplace. It also includes all training and education programs, including post-secondary associate, certificate, and baccalaureate level programs, that are included in the definition of Vocational Education and Training. It may include language instruction for participants who have a high school diploma or GED. Unpaid practicums or internships offered by a college or training program, or by an employer, are also considered job skills training.
- **Education Below Post-Secondary.** Education below post-secondary is an allowable program activity for participants who have not received a high school diploma or GED certificate and whose employability would be enhanced by additional education. It includes ABE, GED and ESL programs as well as secondary school and may be offered in non-traditional as well as traditional settings.

C. Other Activities

In some circumstances, an agency may wish to assign a participant to an activity which will not count in the calculation of the participation rate but which will contribute to the client's employability.

- **Other Locally Developed.** Any activity developed or used by a local agency to increase a client's employability, but which does not meet the definitions of a core or non-core activity, must be reported as other locally developed. It will not be included in the participation rate calculation.

1000.2 PARTICIPATION REQUIREMENTS

A. VIEW Program Requirements

The participation requirements that govern the VIEW program are:

- 35 hours per week **per VIEW participant, or** 30 hours if the participant is employed full time, including employment in an On the Job Training (OJT) position.

Note: Refugee families receiving TANF or TANF-UP payments are subject to VIEW participation requirements. (Refugee families who are not eligible for TANF or TANF-UP, but who receive Refugee Cash Assistance (RCA), are not eligible to participate in VIEW.)

The participation requirements are designed to meet the needs of participants, assist participants in achieving self-sufficiency and to meet the federal work participation rate. In some respects, the VIEW requirements are different from the federal requirements regarding work participation rate calculations.

G. Data Reporting

Data from the VaCMS is sent to the federal government on a quarterly basis. It is very important that all information in the VaCMS is accurate and entered in a timely manner. Actual hours of participation are to be

1000.3 VIEW ANNUAL PLAN

It is the responsibility of each local agency to submit a VIEW Annual plan to the TANF/VIEW Regional Consultant for approval. The plan will be developed in accordance with guidelines issued by VDSS and will **outline the provision of employment and training services to assist participants achieve a living wage.** The complete (full) VIEW Annual Plan will be due biennially by July 1 of each odd numbered year and will include standard operating procedures. On July 1 of each even numbered year, each local agency will be required to submit an **abbreviated** VIEW Annual Plan.

Example: Each local agency will submit a complete VIEW Annual Plan (Section 1, 2, 3, and 4) to the agency's TANF/VIEW Field Consultant for 7/1/17. For 7/1/18, the local agency may choose to submit a partial VIEW Annual Plan (Sections 2, 3, and 4). For 7/1/19, each local agency must submit a complete VIEW Annual Plan (Sections 1, 2, 3, and 4).

A. The plan will describe the agency's VIEW Program and must include the following sections:

1. Standard Operating Procedures
2. Budget Allocations
3. Contacts and Interagency Agreements Summary
4. Employment Services Staff Report

B. Changes to the VIEW Annual Plan are to be made under the following circumstances:

1. When a program component is modified.
2. When there is a change in the numbers of participants to be served, or in planned expenditures, of 15% or more.

Plan changes are to be submitted to the TANF/VIEW Regional Consultant in advance.

Approval of local agency requests for additional funding must be submitted through the Budget Request System (BRS). Approvals and denials will be made based on funding availability and performance.

1000.4 VIEW PROGRAM FLOW

The VIEW Program is designed to promote the self-sufficiency of program participants through intensive and continuous engagement in program activities until the client finds employment. This may result in periods during which a client may be assigned to an activity that promotes self-sufficiency but which does not contribute to the agency's overall participation rate.

- A. The ESW will complete an initial assessment of the participant within 10 calendar days of referral to the ESP queue, if possible, but in all cases within 30 calendar days. The 10-day and 30-day periods begin with, and count, the date the client was assigned to the queue.

The assessment will include an explanation of VIEW program opportunities and requirements. Additionally, it may include an explanation of the availability of screening for learning disabilities, mental health problems, and alcohol and substance abuse, and of reasonable accommodations if needed. The participant must be told about the availability of disability screening within 90 days of signing the APR if it is not explained at the initial assessment.

- B. The ESW will review and explain the VIEW Agreement of Personal Responsibility (032-02-0310) individually with the participant at the time of the initial assessment, and then both the ESW and the client will sign the document.

- C. **The assignments should be made taking into consideration the knowledge, skills, and abilities of the participant.** In situations **in which it has been determined that the client is job-ready**, the client's initial assignment will include individual job search, group job search, or job club.

The client may also be assigned to Job Readiness, a separate component activity, as part of the overall initial job search assignment. Job Readiness may be offered before, during, or after an assignment to one of the three job search components.

The length of the initial job search assignment will depend on the type of job search and the point in the month at which the assignment is made.

Clients who are assigned to individual job search should have the assignment begin immediately, as long as any needed supportive services are in place, and continue through the end of the month. At or near the end of the job search assignment, the client will be reassessed. If the client has not found employment, she should be reassigned to activities for the next three months starting with a full month of job search beginning on the first day of the next month. See also 1000.4.D. If the client and/or agency need to arrange supportive services before the client can begin to participate in the program, this will be completed during the month of the initial assessment and the first assignment will begin on the first day of the month following the initial assessment.

Agencies who operate 4-week group job search or job search programs may wish to begin the programs at the start of the month and assign the client to individual job search until that time. Agencies who operate their 4 week group job search programs on a Monday-Friday basis may need to begin the activity at the end of one month, continue through the next month, and add an individual job search assignment at the end in order to have the client fully engaged for the entire month.

Agencies who are able to offer longer group job search or job club programs can assign the client immediately once the initial assessment is completed, and then reassign the client to 4 weeks of the activity beginning with the next month.

Reminder: Assignment to Job Search/Job Readiness may be the most appropriate assignment for a particular client even if she has already completed the maximum number of Job Search/Job Readiness hours during the previous 11 months and the new assignment will not count toward participation.

In the following specific circumstances, the initial assignment to job search and/or job readiness **may not be appropriate**:

- when the client is working full time **and has earnings commensurate with her skills**
- when the client has already completed an assignment to job search/job readiness during her current 2-year period of TANF eligibility and would benefit from direct assignment to a component activity designed to lead to **achieving a living wage**
- when the client is in the last three months of pregnancy and would benefit from an assignment to another VIEW activity
- **when participation in other activities, including education or training activities, will assist the participant in achieving a living wage.**

- D. The VIEW worker may assign the client to activities for the month of assessment (which may be a partial month). Additionally, the VIEW worker must assign the client to activities for the next three full months after the month of assessment. All assignments will be recorded on an Activity and Service Plan (032-02-0302) and will be entered into the ESP module in VaCMS no later than 3 working days after the Activity & Service Plan is completed. (Note: The worker will enter the initial job search assignment into the ESP module immediately. The additional assignments will not be entered into the ESP module until the required reassessment is completed at, or near the end of, the job search assignment.) If it becomes necessary to change an assignment included on the initial Activity and Service Plan, a new plan will be completed.
- E. If the participant obtains full-time employment, she will not be required to participate in other VIEW activities. While the client is not required to participate in other program activities, she is required to respond to any correspondence from the VIEW worker and to keep all appointments, including reassessment appointments.
- F. If the participant obtains employment that is not full-time or employment less than minimum wage, she will be required to fully participate in VIEW program activities designed to help her find full time employment. She will be assigned to activities that combined with employment hours, total at least 35 hours a week.
- G. If the participant has not obtained unsubsidized full or part-time employment at the completion of the job search component, she will be reassessed and placed immediately into another program activity.

It is anticipated that the client's specific program assignment will be to an activity/activities that most directly leads to **a living wage** and which allows the client's participation to be included in the federal participation rate calculation, if possible.

- H. At the end of each component assignment, the client will be reassessed and assigned to another activity. The focus of the reassessment will be on the client's progress in the activity, and an evaluation of the client's needs for additional program activities and services in order to secure unsubsidized employment.

The reassessment will include an exploration of any barriers, including a verified disability, limited English proficiency, lack of reasonable accommodations or support services, or other barriers, that may make it difficult for the client to search for or obtain employment.

The ESW will offer the client screening for learning disabilities, mental health problems, and alcohol and substance abuse if a disability determination has not been made and if it seems likely that a disability may be affecting the client's progress in the program. All VIEW participants must be offered the screenings within 90 days of signing the APR. If the screening indicates that the client may have a disability, the ESW will refer the client to a qualified professional for an in-depth disability evaluation.

The client's Activity and Service Plan will be revised and updated to reflect all needed services and any accommodations relating to disabilities or other barriers to participation.

- I. Unless the client is employed full time sixty days prior to the end of her two-year limit on assistance, the ESW will reassess the client and assign her to Individual Job Search, Group Job Search, or Job Club and to either FEP, CWEP, PSP, or OJT. If the participant is currently working at least 30 hours 60 days prior to the two-year time limit, she is not required to participate in additional component activities.

If a VIEW participant is employed full time 60 days prior to the end of her 24-month period then loses her job, her hours decrease to less than 30 hours per week, or her wages decrease to less than minimum wage, she will be assigned to Individual Job Search, Group Job Search, or Job Club, and also to either FEP, CWEP, PSP, or OJT for the remainder of her VIEW enrollment.

This assignment will be made even if the client has already participated in the maximum 6 weeks of countable Job Search for the fiscal year.

- J. A participant can apply for a hardship exception during the 60-day period prior to the end of the two-year time period. Clients who are granted a hardship exception will have the period of TANF eligibility extended.

1000.6 VIEW VOLUNTEERS

- A. **Local agencies must** serve TANF recipients who are exempt from VIEW and choose to volunteer. An individual who is exempt from participation can volunteer for VIEW only if she is able to participate for the required number of weekly hours after any needed accommodations are provided. (See 1000.7). **An individual exempt from VIEW participation because of a temporary medical condition who wishes to participate must provide a new Medical Evaluation Form (032-03-0654) completed by a medical professional. The Medical Evaluation must state that the individual is able to participate and list limitations, if any that would affect the individual's ability to participate.** It should be made clear to **the** individual that by volunteering, **she** gives up her exempt status and becomes a mandatory participant subject to the same participation requirements and penalties for non-participation as other mandatory VIEW participants. **Note: TANF recipients under the age of 18, SSI recipients, and ineligible aliens cannot volunteer to participate in VIEW.**
- B. If the TANF case of an exempt client who volunteers for VIEW closes, and the client reapplies, the client's exemption status will be determined as part of the eligibility process. The client will be referred to VIEW if she is no longer exempt. If the client's previous exemption was for a temporary medical condition or for caring for a disabled household member, she must secure a new medical if she states she is unable to participate in VIEW for either of those reasons. If the client is determined to be exempt at reapplication and again wishes to give up her exemption and participate, she may do so if funding is available.
- C. Applicants can volunteer for VIEW only after the TANF application has been approved. They are eligible for the VIEW enhanced disregards in the month following the month the VIEW APR is signed at the initial assessment. **Note:** The APR cannot be signed prior to the initial assessment except when it must be signed prior to TANF approval as a condition of eligibility. (See [1000.9](#))
- D. If a volunteer is assigned to an activity and does not participate as required, that individual will be referred for sanction. A sanction will be imposed unless the individual has good cause for not participating. Following the end of the fixed sanction period and compliance, the individual will continue as a mandatory participant. **Exception:** In the case of an individual exempt based on caring for a child under 12 months who fails to comply and is sanctioned, the individual can reclaim the exemption following the end of the fixed sanction period if she no longer wishes to participate in VIEW. The exemption will end once she has used the balance of the 12-month eligibility period and she will then be referred to VIEW as a mandatory participant.

appointment, the ESW will send a Communication form to advise the EW to close the case. If the recipient subsequently requests that the TANF case be reopened prior to the effective date of the case closure, she must complete the initial assessment appointment and sign the Agreement of Personal Responsibility before the TANF case will be reopened. The VIEW worker will make every effort to schedule this appointment prior to the effective date of the TANF case closure. The recipient will be advised that if she fails to attend the appointment, the TANF case will be closed based on her original request.

1. If the participant does not appear for the interview, the ESW must attempt to contact the client verbally. If the ESW determines from the contact that the participant did not have good cause for missing the appointment, or if the ESW is unable to contact the client verbally, the ESW must take action to begin the termination process. Based on agency procedures, the ESW will either send the client the VIEW Notice of Sanction/Termination (032-02-0307) or the Advance Notice of Proposed Action within 3 business days of the missed appointment. Alternately, the ESW will immediately notify the EW who will send the ANPA within 3 business days of receipt of the notification.
2. The ANPA notifies the client that she must contact the ESW within 10 days from the date of the notice with documented good cause or the agency will take action to terminate the TANF case.
3. If the client decides to be interviewed by the ESW and to sign the APR, and does both prior to the effective date of case closure as specified on the ANPA, the case will not be closed.

D. Client Failure to Attend the Initial Assessment Interview After Having Signed the APR as a Condition of TANF Eligibility.

If a client's TANF case is closed because she refused to sign the APR, she must sign the APR as a condition of eligibility if she reapplies for TANF. If her TANF case is approved and she is referred to VIEW, and if she then fails to keep the appointment for the initial assessment interview, her case will be sanctioned, not terminated.

E. The VIEW Assessment Interview

The ESW will conduct a face-to-face interview with the client to determine her prior education, training, work experience, service needs and current job readiness. The interview will be strength-based, and will focus on the client's strengths in all areas of life and work rather than on deficits or barriers.

The interview will include:

1. An identification and evaluation of the participant's job readiness skills, occupational skills and interests, education, work history, and family/life circumstances. The assessment will focus on the skills and abilities the participant already possesses that would allow her to **progress to living wage** employment. The VIEW Assessment form (032-02-0303-05-eng), or other assessment instrument approved by the agency's TANF/VIEW Regional Consultant, will be used to record the information obtained in the interview.
2. A determination of the participant's functional literacy. If the participant does not have a GED, associate degree, or bachelor's degree, her functional literacy will be determined through use of the Information Sheet (032-03-0311-02-eng) or other literacy assessment tool such as the Test of Adult Basic Education (TABE) or the Comprehensive Adult Student Assessment Systems (CASAS) instrument. Prior test scores from the TABE or CASAS,

3. Assignment to Job Search

- a. Participants who are not employed full-time at the time the Agreement of Personal Responsibility is signed, including participants who are self-employed, must be placed into job search. The length of the initial job search assignment will depend on the type of job search and the point in the month at which the assignment is made. See [1000.4](#), VIEW Program Flow.
- b. In some circumstances, the initial assignment to job search and/or job readiness may be waived. See [1000.4C](#).
- c. A participant who has not found full-time employment 60 days prior to the end of her 24-month TANF time limitation must be placed in a job search component in conjunction with any other program assignment. This assignment will continue until the participant leaves TANF at the end of the two- year time period.

4. Elements of the Job Search Component

When developing the Job Search assignment, the worker must incorporate the following elements based on the participant's needs:

- a. techniques to help the participant identify good work attitudes, strengths and job skills/transferable skills.
- b. job seeking skills to train the participant to successfully seek and obtain appropriate employment. This instruction/ guidance will enable participants to market themselves in a job interview and on the job. Subjects include, but are not limited to, development of job leads, job interviewing techniques, discussion of local labor market information, employer expectations, and accurate completion of applications.
- c. activities and opportunities for the participant to build self-esteem. A group setting is one of the best ways to build self-esteem. Brief periodic meetings may be held to allow the group members an opportunity to report progress, discuss problems and receive specific help with job search techniques.
- d. use of the telephone as a primary employer contact to develop job leads and obtain interviews. Developing and writing a good phone script and practicing employer contacts will be an effective aid for the participant in the job search.

5. Employer Contacts

- a. The participant has the responsibility to submit enough applications/resumes and participate in enough job interviews to meet the hourly job search assignment. (Note: travel time between interviews, but not to the first interview or from the last interview, can be included in determining hours of job search). The ESW provides support and direction in these areas throughout the job search assignment. If, however, the individual has a verified disability or language barrier that limits the ability to arrange for the required number of job search hours, the ESW must assist the individual in arranging for the needed contacts, reduce the number of job search hours required, or both.

- b. To qualify as an employer contact, five conditions must be met:
- (1) The participant must present herself to an employer as being available for work;
 - (2) The place of employment must be geographically accessible to the client on a regular basis. Contact with an employer located in another community or state out of commuting range from the client's place of residence will not count as an employer contact.
 - (3) The employer must ordinarily employ persons in areas of work for which the participant is reasonably qualified by means of experience, training or ability;
 - (4) The participant cannot count the same employer more than once during a given job search period unless she applies for different positions; and
 - (5) Contacts with employers will only be in the form of face-to-face interviews or by submission of applications or resumes.
- c. All participants must register with the **Virginia Workforce Connection** (vawc.virginia.gov).
- d. The participant will report to the ESW during the job search period and must sign the VIEW Job Search Form attesting to the number of job search hours completed.
- e. The ESW may contact any employer listed on the VIEW Job Search Form to verify that the participant made a contact.
- f. Employer's signatures are not required on the Job Search form.
6. Types of Job Search
- There are three types of recipient job search: Group Job Search, Job Club, and Individual Job Search.
- a. Group Job Search
- Group job search brings participants together for group activities and/or classroom instruction related to job search hours and job retention.
- 1) Classroom instruction provides the participant with sound skills for finding and keeping employment.
 - 2) The participant in group job search is bound by the participation requirements of the specific group activity. The number of weeks and job search hours required of a participant in group job search cannot be less than the requirements of individual job search.

C. UNSUBSIDIZED EMPLOYMENT

1. Full Time Employment

- a. Unsubsidized employment is employment for which the participant is paid at least minimum wage and for which no government funds are used to subsidize the wages earned by a participant. Full-time employment is employment of 30 hours per week or greater.
- b. A participant employed at least 30 hours per week and earning at least minimum wage is not required to participate in any other VIEW assignment, but she must respond to all correspondence from the case manager and keep all scheduled appointments for reassessments. Each assignment to full-time employment should be for a period of six months.
- c. Employment at less than minimum wage does not meet the definition of employment and is not a countable work activity. Therefore, the participant must be assigned to other activities.

2. Part Time Employment

- a. Part-time employment is employment of less than 30 hours per week, at which the participant earns at least minimum wage. **The participant must also be assigned to a concurrent program activity so that the concurrent activity and the part-time employment assignment meet the participation requirement.**
- b. A participant working part-time **may** be assigned to job search **as appropriate.**

3. Self-employment

- a. If a participant becomes self-employed, the participant must provide documentation to show she is legitimately engaged in self-employment. The information could include, but is not limited to the following information: the kind of business, location, hours of operation, source of funding, prospective customer base, earnings, business license, if applicable, and lease or agreement if space is rented.
- b. If a participant enters the VIEW program and states she is self-employed and has been self-employed for less than a year, the participant must provide the above documentation including copies of rent receipts, appointment books or any other documentation that will show the participant is engaging in a legitimate business.

If the participant states she has been self-employed for a year or more, a copy of the previous year's income tax return will suffice to show that the participant is engaged in a legitimate business. If the tax return is provided and the worker is satisfied with the documentation, the up-front job search can be waived if the participant is engaged in self-employment for 30 or more countable hours of self-employment per week.

- c. For self-employment to be a countable activity for VIEW, the participant must be paid at least minimum wage. Countable weekly hours are actual hours worked, or hours computed as follows, whichever is less:

Determine the monthly net income by subtracting the monthly business expenses from the monthly gross income. The VIEW case record must contain a copy of the verification of the gross income and business expenses. This will apply even when the information is contained in the TANF case record.

Divide the monthly net income by the minimum wage.

Divide this figure by 4.33 and round the result to the next whole number. Compare the computed hours to those that are verified as actual hours of participation. The countable hours are the actual hours worked (if verified by a source other than the client), or the hours computed above, whichever is less. If the countable hours are 30 or more, the assignment to (full-time) self-employment should be for a period of six months. If the countable hours are less than 30, the client must be assigned to additional activities.

Example: Ms. A is self-employed as a nail technician. She provides a signed statement from the property owner verifying that the business is in operation 40 hours per week. Her gross income is \$550 for the month and she has business expenses of \$340 per month.

$$\begin{array}{r}
 \$ 550 - \text{gross income} \\
 - 340 - \text{business expenses} \\
 \hline
 \$ 210 - \text{net monthly income} \\
 \div 7.25 - \text{minimum wage} \\
 \hline
 28.97 \\
 \div 4.33 \\
 \hline
 6.69 - \text{will be rounded up to } \mathbf{7} \text{ countable hours per week}
 \end{array}$$

Only **7** hours per week are countable. Ms. A must be assigned to an additional **28** hours per week in other activities.

4. Employment and the TANF Earned Income Enhanced Disregard
- a. A TANF recipient who is employed in an unsubsidized job at the time she signs the Agreement of Personal Responsibility at the initial VIEW assessment will receive the TANF enhanced earned income disregards the following month. Enhanced disregards allow a participant to remain eligible for TANF benefits as long as the participant's total household income does not exceed 100% of the federal poverty limit for the size of his household or 150% of the federal poverty level for TANF-UP households.

- What barriers does she have that might affect a work site placement?
- What kind of work site position will appeal to her?

Once the ESW has the answer to these questions, work can begin on matching the client with a work experience position, or on developing a position for the client. The client can identify her own work site placement as long as it with a public or private non-profit organization willing to enter into a work site agreement with the agency.

There may be some situations in which a participant was sanctioned for non compliance at a CWEP or PSP sites. The client has completed an act of compliance and the sanction is lifted. The ESW would like to assign the participant to another CWEP or PSP, but due to a negative history at assignments for CWEP and PSP there are no other placements available. In this circumstance, the participant should be encouraged to develop her own worksite.

The agency will work with the client to secure any evaluations, counseling, or treatments needed to resolve the reasons for the non-compliance, or which would support the client being exempted from VIEW due to a verified physical or mental health condition.

5. Limitations on Work Site Assignments

- a. The participant will not be required to use her public assistance income or personal resources to pay costs incurred while participating on a work site assignment.
- b. The work site must be within a reasonable distance from the participant's home. The travel time from the participant's home to the work site cannot be more than one hour each way, based on transportation available to the participant.
- c. The participant cannot be permanently placed in the position of a worker who is on sick leave, annual leave, leave without pay, or any other granted leave with or without pay. The participant cannot displace persons currently assigned to established, unfilled positions. The participant must not perform tasks which would have been undertaken by current employees or which would have the effect of reducing the work hours of paid employees.
- d. The participant will not be assigned to work sites which are totally involved in political, electoral or partisan activities. The participant may be assigned to sites developed in the office of an elected official, however the participant cannot be required to engage in political, electoral, or partisan activities.

6. Criteria for CWEP Placements

- a. A client can be assigned to CWEP immediately after the initial job search.
- b. A client whose initial job search was waived because she had previously participated in VIEW during her current 2-year period of TANF eligibility may be assigned immediately to CWEP following assessment.
- c. The initial assignment to CWEP shall be for a period of **up to** six months.

If it is in the best interest of the participant, the hours to be worked in the CWEP assignment can be reduced by the hours the client is assigned to another work activity.

7. Work Site Monitoring: The ESW will provide on-going monitoring of the CWEP placement.
 - a. On-going monitoring will include a monthly review of the VIEW Attendance/ Performance Rating Sheet (032-02-0305) received from the work site supervisor by the 5th day of the month following the report month. Based on the review, the ESW will work with the work site supervisor and the client to resolve any issues affecting the placement.
 - b. The ESW will conduct a formal reassessment with the participant every three months. In preparation for the reassessment, the worker will contact the work site supervisor to determine if the client's performance is satisfactory. If the client is not satisfactorily performing the duties of the position, the ESW will work with the supervisor to identify the specific duties not being performed, the reason for the unacceptable performance, and ways to improve the participant's performance.
 - c. The worker will remove the participant from the CWEP placement for misconduct or violation of the work site's policies at any time based on the request of the work site.

8. Workers' Compensation

VIEW participants not eligible for Medicaid who are participating in the CWEP component are deemed to be employees of the Commonwealth for purposes of the Workers' Compensation Act. Such persons shall be eligible for reimbursement for medical costs if the injury is covered under the Workers' Compensation Act, but shall not be eligible to receive weekly compensation.*

- a. If a claim is accepted, Workers' Compensation will pay medical costs for services provided by a panel physician as authorized by the Workers' Compensation Act for covered injuries only.
 - (1) The VIEW participant should notify her medical provider that she is seeking attention for a workers' compensation claim and request medical providers to submit medical reports and bills for covered injuries to Managed Care Innovations (MCI).
 - (2) MCI will review the medical report, confirm the treatment is related to a covered injury and remit payment to the medical provider for services of the covered injury.
- b. Local agencies who assign VIEW participants not eligible for Medicaid to CWEP placements must follow these steps to ensure proper coverage in the event of an accident on the job.

* 2005 Acts of Assembly, HB2462

D. PUBLIC SERVICE PROGRAM (PSP)

The public service program (PSP) shares many of the characteristics of CWEP. It **includes volunteer work at community organizations** with the goal of improving the participant's employability. Unlike CWEP, the PSP placement must provide a clearly defined public service. Examples of public service activities include court-ordered unpaid work, as well as participation in other programs or placements that benefit the community.

PSP assignments may be made for a maximum of 35 hours, with the exception of court-ordered assignments which will be made at the discretion of the court. Participants assigned to PSP for less than 35 hours must also be assigned to another work activity order to meet the 35-hour participation requirement. Each assignment to PSP should be for a period of six months.

VIEW participants placed in PSP are not considered employees of the Commonwealth for purposes of the Workers' Compensation Act. PSP placements can be made only for participants with Medicaid coverage unless the PSP site agrees to provide coverage under its own Workers' Compensation plan. If a client is assigned to a PSP site and loses his Medicaid coverage, he is to be reassessed. If an unpaid work placement continues to be appropriate, the client can be assigned to CWEP. Assigned hours will be based on CWEP guidance at 1000.13. The former PSP site can be used for the CWEP placement, or the client can be assigned to another CWEP site. Alternately, the client can be assigned to a different component.

The development of PSP worksites, assignment and referral of participants to PSP worksites, limitations on the PSP positions, and PSP worksite monitoring follow CWEP guidance, with the exception that the public service provided through the placement must be a consideration in development of the site, and must be clearly documented in the record.

E. ON THE JOB TRAINING (OJT)

On-the-job training is a type of paid employment in which an employer provides training to an employee in order to increase the employee's skills on the job.

1. The following are examples of on-the-job training that may be counted as a work activity in the VIEW Program:
 - (a) On-the-job training offered through the **WIOA**;
 - (b) Work study offered through a community college or a four-year college program;
 - (c) Apprenticeship programs;
 - (d) Paid internships offered by colleges or training providers in which the participant receives a wage or stipend for working and receiving training while on the job;
 - (e) AmeriCorps Program placements in which the participant receives a stipend for living expenses; or
 - (f) Sheltered workshop employment
2. With the exception of sheltered workshop employment and AmeriCorps placements, OJT positions that pay less than minimum wage do not meet the definition of employment and are not countable work activities. The minimum wage requirement is waived if the OJT position is sheltered workshop employment or an AmeriCorps placement. (Sheltered workshops are certified by the U.S. Department of Labor to pay commensurate wages which are based on the individual's ability to perform in relation to the performance of a person without a disability. AmeriCorps participants receive a stipend related to hours of participation.)

1. Because OJT is a type of paid employment, the participant will not be required to participate in another concurrent activity if the client works in the OJT position 30 hours per week or more and earns at least minimum wage. Each assignment to OJT should be for a period of six months.
2. If the hours for any OJT position are less than 30 per week, the participant must be assigned to a concurrent program activity and must meet the 35-hour participation requirement.
3. A number of occupations, including cosmetologist, automobile mechanic, and dental assistant, can be trained either as a paid apprenticeship or as unpaid vocational education and training or as unpaid job skills training. Registered apprenticeship is a structured training program that combines on the job training and related technical instruction to train employees in occupations that demand a high level of skill in the private and public sectors. Occupations in construction, manufacturing, and the service industries utilize apprenticeship readily. A registered apprentice typically completes a minimum of 2,000 hours of supervised on-the-job training and a minimum of 144 hours of related classroom instruction for each year of apprenticeship. Information about apprenticeship requirements, apprenticeshipable occupations, and employers offering opportunities in Virginia is available at http://www.doli.virginia/apprenticeship/registered_apprenticeship.html.

F. VOCATIONAL EDUCATION AND TRAINING

Vocational education and training is training or education designed to prepare the participant for a specific trade, occupation, or vocation. It is a countable activity for 12 months in a lifetime. The months of training do not have to be consecutive. Each assignment to vocational education and training should be for a period of time that will coincide with the length of the training/education program whenever possible.

Vocational education and training does not include education beyond the baccalaureate degree, nor does it include ABE, GED, or ESL instruction. Examples of activities that can be classified as vocational education and training are technology, business, and health sciences programs leading to certificates, associate or baccalaureate degrees in the trades, information technology, medical equipment repair, accounting administration, medical assisting, practical or registered nursing, business, education, criminal justice and health sciences. Prior to entering vocational education and training, a participant must meet any educational or technical requirements of the occupation for which she is preparing or be enrolled in an activity to meet the requirements.

Programs meeting the definition of vocational education and training are offered by a wide range of institutions including vocational-technical schools, community colleges, post-secondary institutions, proprietary schools, and secondary schools offering vocational education. The choice of vocational education and training offered may vary in each locality, depending upon local labor market conditions.

Up to one hour of unsupervised study or homework time can be counted as vocational education and training for each hour of scheduled class time. The need for unsupervised homework/study time must be confirmed by the education or training program. Unless specifically required by the instructor, unsupervised study or homework time cannot be counted as vocational education and training when the training is outside the classroom and the activity does not support counting unsupervised study or homework hours. Supervised study time verified by the education or training program may also be counted as participation.

Example 1: Client is enrolled in an undergraduate social work program. The professor in one of her classes encourages (but does not require) students to volunteer in their communities. Volunteering is not a class requirement and does not impact class hours or grades. Client volunteers two hours a week at the public housing site where she lives. The client's volunteer hours do not count toward participation.

Example 2: Client is enrolled in an associate's level occupational therapist program. One of her classes requires the students to volunteer two hours a week in a nursing home as part of the course requirement. Since the two hours of volunteer time are a requirement, they can be counted as participation. Hours for unsupervised study or homework cannot be counted for the volunteer activity unless the study or homework is specifically required by the class instructor.

Hours for distance learning classes will be counted as participation if attendance and participation are documented on an Education and Training Activities Attendance Report which is signed by the instructor **or can otherwise be verified by the provider**. It is the responsibility of the worker to determine through contact with the institution and/or instructor that the hours for a distance learning class can meet the documentation requirements. Distance learning hours that cannot be documented cannot be counted toward meeting the participation requirement.

Documented hours for distance learning can be counted under the following three circumstances:

- when the individual logs in by computer to a class delivered on a specific day and at a specific time. The hours tracked for an individual participant can count as hours of participation.
- when "clock time" is tracked for an on-line class as long as the clock is stopped when there is no interaction by the student with the on-line course material. The hours tracked as "clock time" for an individual participant can count as hours of participation.
- when an institution tracks "seat time" for participants based on progress in an on-line course. The hours counted as "seat time" for an individual participant can count as hours of participation.

Other types of distance learning courses offered through virtual classrooms or as independent tutorials will be evaluated and approved on a case-by-case basis. Hours of participation will be reported only if attendance and participation can be verified by the instructor **or school**.

The participant must also meet the conditions described in the section 1000.17 regarding satisfactory attendance and progress.

Participants who are initially enrolled in Vocational Education and Training because they are in an associate, certificate level, **or baccalaureate level** post-secondary program directly related to employment, and who reach **the** 12-month lifetime limit in that component, may **be reassigned to Job Skills Training and** continue in the education program.

Hours for distance learning classes will be counted as participation if attendance and participation are documented on an Education and Training Activities Attendance Report which is signed by the instructor. It is the responsibility of the VIEW worker to determine through contact with the institution and/or instructor that the hours for a distance learning class can meet the documentation requirements. Distance learning hours that cannot be documented cannot be counted toward meeting the participation requirement.

- a. Educational activities are defined as basic and remedial education that will provide an individual with a basic literacy level equivalent to at least grade 8.9.
 - (1) education designed to prepare individual for a high school degree or its equivalent (GED).
 - (2) Community based literacy programs that provide education activities for individual who require remediation to acquire a grade 8.9 literacy level.
 - (3) Education in English proficiency (ESL) for a recipient, who does not understand, speak, read or write the English language.

Up to one hour of unsupervised study or homework time can be counted as education below post-secondary for each hour of scheduled class time. The need for unsupervised homework/study time must be confirmed by the education or training program. Supervised study time verified by the education program may also be counted as participation.

- b. The participant must also meet the conditions described in the section [1000.17](#) regarding satisfactory attendance and progress.

2. Limitations

- a. Educational activities can only be provided during the participant's two-year time period **or during the transitional period.**
- b. Participants who enroll into education prior to coming into VIEW **may continue the assignment if it will improve the employability of the participant.**

1000.15 PROGRAM COMPONENTS – LOCALLY DEVELOPED ACTIVITIES

Other locally developed activities are activities developed or used by a local agency to increase a client's employability, but which do not meet the definition of a core or non-core activity, or of post-secondary education. Assignments to other locally developed activities are not used in the calculation of the participation rate.

1000.22 Transitional Services

Former VIEW participants are eligible for transitional services once they leave TANF, either because they have reached the end of the two-year time period, or because the TANF case has closed for another reason. Except for Transitional **Employment and Training (TET) and education, as specified in 1000.22.A.1 below and the Child Care Subsidy Program Guidance Manual (Section 2.3)**, eligibility for specific transitional services is based on the client's employment status. During the first **12** months after TANF case closure, a client may receive transitional services, with the exception of TET or a VTP, if otherwise eligible, even if the case was referred for a VIEW sanction, or closed while in a VIEW sanction. For a two parent household with both parents enrolled in VIEW, the participant's eligibility for transitional supportive services listed in 1000.22.A will be evaluated on an individual basis. This may result in one parent receiving these services while the other parent is ineligible due to sanction.

The Activity and Service Plan will be used to document provision of all transitional services, including VTP and TET, with the exception of Transitional Child Care paid from Child Care Funds.

Eligibility for transitional services starts the first day of the month after TANF case closure and may continue through the last day of the third month after TANF case closure, or through the last day of the twelfth month after TANF case closure, depending upon the specific transitional service. Note: an individual who is participating in VIEW while residing in a two parent household will not be eligible for transitional services if he leaves the home.

An ESP enrollment must be opened for Transitional Transportation (TT), TET, and VTP.

If a client with a closed TANF case reapplies and is found eligible for TANF, she will no longer qualify for transitional services. VTP enrollments are closed at reapplication rather than at TANF case approval and are not reopened even if the application is denied. Clients who are referred to or volunteer for VIEW after TANF case approval are eligible for VIEW supportive services. (See 1000.12). If the TANF case closes again, the client may again be eligible for transitional services.

The local agency should include guidance regarding the use of, and any limitations on, transitional services in its Standard Operating Procedures contained in the VIEW Annual Plan. The ability of a local agency to pay for transitional supportive services and TET is based on the availability of VIEW funds.

Non-parent caretakers whose needs have been removed from the TANF payment for any reason (e.g. noncompliance, excess income for an AU of 1, etc.) are not eligible to receive transitional services if they are still receiving a TANF payment for the child.

A. Transitional Supportive Services

1. Transitional Child Care Paid From Child Care Funds –12-Month Maximum. Child Care assistance may be provided for up to 12 consecutive months, after the TANF case closes, to any former TANF recipient who meets the eligibility requirements outlined in **Section 2.3 of the Child Care Subsidy Program Guidance Manual. For VIEW and non-VIEW former TANF recipients, child care can be provided for employment. For former VIEW participants, child care can be provided for education when the individual is enrolled in an accredited public institution of higher education or other postsecondary school licensed or certified by the Board of Education or the State Council of Higher Learning for Virginia and taking courses as part of a curriculum that leads to a postsecondary credential, such as a degree or an industry-recognized credential, certification, or license, as long as the individual is making satisfactory progress, and for Transitional Employment and Training (TET).**

Programs meeting these requirements may be found at the State Council of Higher Education for Virginia: <http://www.schev.edu/index/students-and-parents/explore/virginia-institutions>.

Transitional Child Care can start no earlier than the first day of the month after the month of TANF case closure. The eligible participant will be required to pay 5% to 10% of monthly gross income toward the cost of child care. The exact amount of the co-pay, which will be based on family size and income, will be determined by the Child Care worker.

2. Transitional Child Care paid from VIEW funds – 3-Month Maximum. If the participant is determined ineligible for transitional child care based on income, and needs child care in order to work, the agency may pay for child care from VIEW funds for up to 3 months beginning with the month after TANF case closure. The client will not have to make a co-pay but will be required to pay any amount over the maximum reimbursable rate.
3. Transitional Medical/Dental Services – 12-Month Maximum. VIEW funds may be used to pay for transitional medical/dental expenses for a working client for up to 12 months, beginning with the month after TANF case closure, when the services relate directly to employment. Payment for medical/dental services will be limited to services not covered by the state Medical Assistance Plan (Medicaid). Services include medical statements or other necessary medical verifications, dentures, glasses, orthopedic shoes, or other items needed to maintain or upgrade employment.
4. Transitional Work-Related Expenses – 12-Month Maximum. VIEW funds may be used to pay for transitional work-related expenses for a working client for up to 12 months, beginning with the month after TANF case closure, when the services will help the client retain or upgrade employment. Transitional Work-Related Expenses include one-time and on-going expenses. Examples of work related expenses include: fees for birth certificates, professional and license fees; registration/graduation fees; picture IDs; uniforms or other required clothing or shoes; safety equipment or tools; car repairs and insurances.
5. Transitional Emergency Intervention Services – 12-Month Maximum. VIEW funds may be used to pay for transitional emergency intervention services for up to 12 months, beginning with the month after TANF case closure, to help a working client experiencing an emergency situation retain employment. Examples of emergency intervention services include the provision of food or help with shelter costs when the need for such services arises from an emergency situation and the client's employment will be jeopardized if the services are not provided. Automobile expenses are not allowable as an emergency intervention service.
6. Transitional Transportation – 12-Month Maximum. Transitional Transportation may be used to pay for any employment-related transportation expense for working clients which is allowed under VIEW guidelines for open TANF cases. (Section 1000.12 contains guidance about the provision of transportation services as a supportive service for participation in any VIEW assignment. Transitional Transportation is limited to transportation related to paid employment, including OJT, only.)

A former VIEW participant may apply for transitional transportation any time during a fixed 12-month period following TANF case closure. A client who applies after the 12-month period has started will be eligible only for the remaining months in the period.

A client whose case was referred for a VIEW sanction, or closed while in a VIEW sanction, must have or find employment of at least 20 hours a week at minimum wage or greater within 3 months of TANF case closure in order to be eligible for Transitional Transportation.

If a client who is approved for a VTP appeals the TANF case closure and requests that the TANF payment be reinstated during the appeal, the VTP will be stopped. In the event that the client would like to continue participating in VIEW during the appeal and no VTP payments have been issued, the VTP will be closed, and the TANF/VIEW or TANF-UP/VIEW case reinstated. Reinstatement of the VIEW case will allow the ESW to then reopen the previous ESP enrollment. If the client loses the appeal and the TANF/VIEW or TANF-UP/VIEW case is closed, the EW will again evaluate eligibility for a VTP following VTP guidelines. If the client is eligible for VTP, the 12-month VTP eligibility period will begin the month after the second TANF/VIEW or TANF-UP/VIEW case closure.

If a client who is approved for VTP relocates to another locality in Virginia, the agency will transfer the VTP case. The Eligibility Worker in the receiving agency will determine if the client will continue to meet all of the VTP eligibility requirements after she relocates. If the client will no longer be eligible for VTP, the EW will send the client a Notice of Action regarding the VTP case closure.

2) When to open and close a VTP

a) VTP should be opened when:

1. the client is in VIEW at TANF case closure;
2. the TANF case is closed for any reason, except when no eligible children are in the home, or when the renewal has not been submitted and completed by the 30th day after the renewal end date, or when the agency is unable to locate the client;
3. the VIEW participant is employed an average of 30 hours or more per week;
4. the VIEW client is earning the federal minimum wage or higher;
5. the VIEW participant is not in a sanction or referred for sanction at case closure.

b) VTP must be closed when:

1. the client reapplies for TANF;
2. the VTP recipient fails to provide verification of employment by **the last day** in month six of the VTP period;
3. there are no eligible children in the home (including a child who is ineligible due to truancy);
4. the worker is unable to locate the client;
5. the client requests closure of the VTP;
6. the client is no longer working or client's hours decrease to less than 30 hours per week.
7. the client's wages decrease to less than the federal minimum wage;
8. the VTP recipient moves to another locality that is not in Virginia; or
9. the twelve-month VTP period ends.

3) VTP Follow-up

When the client is eligible for a VTP payment, regular job follow-up will end even if the minimum three monthly job follow-ups have not been completed. Note: On the first day of the month that a VIEW participant is VTP eligible, the VaCMS will change the participant's ESP status to VTP. The ESW must complete a reassessment by completing the activity details, enter the employment/employer details, and enter the ESP participation for months one through six. The six job follow-ups will be entered at the same time using the same employment information.

Example: The ESW receives notification that the TANF/VIEW case will close effective December 31st and VTP has been established January 1st. On January 1st, the ESP status will change to VTP. On or after January 1st, the ESW enters the December follow-up information and the VTP job follow-up information as outlined above.

Note: Regular VIEW job follow-ups end when VTP follow-ups begin. Regular VIEW follow-ups made while the client had an open TANF case do not count toward the required number of VTP follow-ups.

On the 1st day of the 5th month of VTP enrollment, VaCMS will generate the VTP Job Follow-up letter and the Verification of Employment form. The forms are due back the 5th day of the 6th month. On the 6th day of the 6th month of VTP enrollment, a task and reminder will be sent to remind the ESW to, "Enter the 7th through 12th months VTP Job Follow-up". If the client is still eligible for VTP, the ESW must enter the job follow-ups no later than the 15th day of the 6th month. If the job follow-ups are not entered in the ESP module in VaCMS by the 15th day of the 6th month, a task and reminder will be sent to the EW instructing the EW to "Close VTP. Job Follow-up letter not received or VTP criteria not met."

If employment verification is not returned or the employment verification does not show the recipient is employed at least 30 hours per week and earning at least the federal minimum wage, the payment must be stopped. **If the client provides employment verification that shows he is employed at least 30 hours per week and earning at least the federal minimum wage, but fails to return the VTP Job Follow-up letter, the payment must not be stopped.** If the hours are less than 30 per week when the 7th job follow-up information comes back, the ESW must close the VTP enrollment in the ESP module. The client is no longer eligible for the VTP. The ESW will also send an Employment Services Communication form (032-02-0072) to the EW requesting her to close the VTP in VaCMS.

The VTP should be terminated when employment ends, hours fall below 30 per week, wages decrease to below the current federal minimum wage, when the client changes jobs causing a break in employment which results in the average hours for the month falling below 30 per week, when the only eligible child leaves the home, and when the client does not **provide employment verification by the last day in month six of the VTP period.** The VTP must also be terminated when the employment is with an educational or training institution that closes for the summer (longer than thirty days) and the client cannot work.

Official closures by educational or training institution employers for quarter or semester breaks (lasting less than thirty days) during which the client cannot work will not impact the VTP.

Once the client loses employment and the VTP is stopped, she continues to be ineligible for VTP as long as she is in the transitional period even if she becomes employed again.

Appendix A. TANF Work Participation Rate

A. Federal Work Participation Rate Requirements

A participation rate is a ratio. The federal work participation rate represents who is participating in work activities out of all those expected to participate. To count toward the numerator of the monthly participation rate, a TANF recipient must be in an allowable activity for at least a minimum average number of hours per week:

- 20 hours per week for single parents with children under 6,
- 35 hours per week for two-parent families (55 hours if child care is provided),
- 30 hours per week for all other families.

Each State must meet two separate work participation rates:

- the two-parent rate--based on how well it succeeds in helping adults in TANF-UP families participate in work activities, and
- the overall rate--based on how well it succeeds in placing adults in both TANF and TANF-UP families in work activities. Each State must achieve an overall participation rate of 50% and a two-parent rate of 90%.

If the state fails to meet either minimum work participation rate for a fiscal year, it is subject to a severe financial penalty. The state loses 5% of the TANF block grant (\$7.9 million) for failing to meet the rate. In addition, the state must increase state spending to make up the loss of federal funds and such spending does not count toward the state's spending requirement. Additionally, the state's spending requirement increases by \$8.5 million. Local funding for VIEW will be impacted if the state is penalized.

B. Computation of the Overall Federal Work Participation Rate

The overall participation rate for a fiscal year is the average of the state's overall participation rates for each month in the fiscal year. The monthly participation rate is computed as follows:

- (1) The number of families receiving TANF assistance that include an individual who is engaged in a work activity for the appropriate number of hours for the month (i.e., the numerator), divided by,
- (2) all families receiving TANF assistance or the VIEW Transitional Payment minus:
 - a) cases with a child under age one in which the caretaker has not reached the lifetime limit (12 months) of being exempt from the federal work participation requirement; and
 - b) cases which do not include an adult receiving assistance unless such a person is a parent (payee cases); and
 - c) cases in which the only adult(s) receives SSI or SSDI; and
 - d) cases in which the only adult(s) is ineligible to receive assistance due to her immigration status; and
 - e) cases in which a parent is providing care for a disabled family member living in the home who does not attend school on a full-time basis, provided that the need for such care is supported by medical documentation.

Cases subject to a VIEW sanction are not included because they are not receiving assistance.

Example:

Numerator:	10,000	cases engaged in work activities with sufficient hours
Denominator:	35,000	total cases receiving assistance
	- 9,000	9,000 payee cases
	- 1,500	1,500 SSI cases
	- 500	500 SSDI cases
	- 2,500	2,500 cases with a child under age one
	- 1,000	1,000 cases with ineligible aliens
	- <u>500</u>	500 cases with a parent caring for a disabled household member
Adjusted Denominator:	20,000	

Federal Work Participation Rate $10,000 / 20,000 = 50\%$

C. Computation of the Federal Two-Parent Work Participation Rate

The two-parent participation rate for a fiscal year is the average of the state's two-parent participation rates for each month in the fiscal year. Although Virginia does not report participation data for two-parent families (since these benefits are paid completely with State funds), the two-parent work participation rate is computed as follows:

- (1) The number of two-parent families receiving TANF assistance that include two individuals who are engaged in a work activity for the appropriate number of hours for the month (i.e., the numerator), divided by,
- (2) The number of two-parent families receiving TANF assistance during the month.

If a family includes a disabled parent, the family is not considered to be a two-parent family.

D. Countable Work Activities for the Federal Work Participation Rate

- (1) The countable work activities are:
 - Unsubsidized employment;
 - Subsidized private-sector employment (FEP);
 - Community work experience (CWEP); On-the-job training (OJT);
 - Job search and job readiness;
 - Public Service Program;
 - Vocational education and training;
 - Job skills training (including post-secondary education directly related to employment);
 - Education below post-secondary – high school, ABE, GED.

- (2) An individual counts as engaged in work for a month for the overall rate if:
- she participates in work activities during the month for an average of at least 30 hours per week; and
 - At least 20 of the above hours per week come from participation in the core activities:
 - unsubsidized employment
 - subsidized employment (FEP)
 - CWEP
 - on-the-job training
 - job search and job readiness assistance
 - PSP
 - vocational education and training
- (3) Above 20 hours per week, additional core activities or the following non-core work activities may count as participation:
- job skills training (including post-secondary education directly related to employment)
 - below post-secondary education
- (4) Post-secondary education not directly related to employment and locally developed components do not count toward the work participation rate.
- (5) An individual counts as engaged in work for the month for the two-parent rate if:
- an individual and the other parent in the family are participating in work activities for an average of at least 35 hours per week during the month, and
 - At least 30 of the 35 hours per week come from participation in core activities.
 - Above 30 hours per week, non-core activities may also count.

If the family receives federally funded child care assistance, then the participants must be engaged in work activities for an average of at least 55 combined hours per week to count as a two-parent family engaged in work for the month. At least 50 of the 55 hours per week must come from participation in core work activities. Above 50 hours per week, non-core activities may also count as participation.

E. Federal Work Participation Rate Examples

Whether or not a client is counted in meeting the federal participation rate for a given month is dependent on the actual hours of participation entered into the ESP module in VaCMS. The following examples illustrate in a general way how hours count or do not count toward participation. See Appendix J, Understanding Federal Participation, for detailed examples.

Example 1: Month 1: Ms. A participates in job search for 36 hours in week 1; 33 hours in week 2; 24 hours in week 3; and 39 hours in week 4. She counts toward the participation rate for the month because she participated in core activities averaging at least 30 hours per week.

Month 2: Ms. A continues job search. In week 1, she is in job search for 33 hours. She is in job search in week 2 for 36 hours. She then gets a job and works for 30 hours each in weeks 3 and 4. Job search which counts for federal participation is limited to no more than four consecutive

weeks. Because Ms. A had four weeks of job search in month 1, her first week of job search in month 2 cannot be counted. She will not count toward the work participation rate for month 2 because her hours for the month will average less than 30 a week.

Month 3: Ms. A works 35 hours per week throughout the month. She counts toward the work participation rate.

Example 2: Month 1: Ms. B starts receiving assistance on January 25 and is referred to VIEW. For January, she is included in the denominator, but does not count toward the work participation rate because she has not yet become a VIEW participant and has not been assigned to any activities.

Month 2: On February 13, Ms. B is assessed and assigned to job search. She participates in job search for 36 hours per week for the remainder of February. Her two weeks of job search in February are not enough to allow her to count toward the work participation rate in February.

Month 3: She continues her job search through March 14. Her job search ends and she is assigned to community work experience starting on April 1. Due to the gap in participation between March 14 and April 1, she does not count toward the work participation rate in March because she did not have enough hours of participation to average 30 hours per week.

Example 3: Ms. C participates in unsubsidized employment of 20 hours per week and 15 hours per week in vocational education and training for the entire month. Both are core activities. She counts toward the work participation rate because she has participation of at least 30 hours per week.

Example 4: Ms. D participates in CWEP for 18 hours per week and GED for 17 hours per week in September. Though she participated in activities averaging at least 30 hours per week, she did not have at least 20 hours per week in a core work activity and, therefore, will not count toward the work participation rate.

F. Limitations/Special Provisions

- Vocational education and training may count for only a total of 12 months for any individual. This is a lifetime limit.
- In counting individuals for each participation rate, not more than 30 percent of individuals engaged in work in a month may be included in the numerator because they are:
 - Participating in vocational educational training; or
 - Individuals deemed to be engaged in work by participating in educational activities.
- Hours spent in post-secondary education not directly related to employment do not count toward the work participation rate.
- An individual's participation in job search and job readiness assistance counts for a maximum of 120/180 hours in any 12-month period. At any time, only four weeks of job readiness/job search may be consecutive.

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[Standard Contract](#) 6

CONTRACTOR
 PERIOD OF PERFORMANCE
 AMOUNT:
 SERVICES PROVIDED:

CONTRACT DEVELOPMENT CHECKLIST

GENERAL CRITERIA:	YES	NO	COMMENTS:
Agency has identified the services or administrative functions needed and the reason for contracting. i.e., LDSS's work becomes more efficient.			
The service is not available in the community free of charge, or at no cost to agency.			
State or local Procurement procedures were followed. <u>Note:</u> If contracting with another State entity, agencies do not have to go out with an RFP.			
If agency has previously contracted with the provider, the following have been evaluated:			
Reports provided timely.			
Required outcomes met.			
If not, section plan developed for improved performance.			
Agency has developed internal procedures for screening and referral of customers to contractor. Staff and contractor have clearly defined procedures for handling absenteeism, lack of progress and other problems that may occur.			
Agency has linked required levels of performance with payment (accepting a minimum number of referrals, placement of target population, payment at designated phases of the contract).			

SCOPE OF SERVICES INCLUDES:	YES	NO	COMMENTS:
Explanation of the roles of the contractor and the agency in providing the service.			
Detailed summary of activities.			
Explanation of the contractor's responsibility regarding reports.			
Description of the numbers and kinds of customers who will receive the service. (i.e., age 25-35, volunteers, high school graduates, etc.).			
Statement of the time frame for the service including beginning and ending dates.			
Description of the specific outcomes anticipated for customers receiving the services, the number of participants to achieve those outcomes and the time frames outcomes will be achieved (i.e., average wage expected and the number obtaining employment, the number completing training, etc.).			
Detailed breakdown of all cost associated with the provision of the service.			
Description of the contract monitoring which will be carried out by the agency.			
Definition of what will constitute acceptable performance by the contractor.			
Description of the action taken both in regard to the contract and in regard to continuation of the service should performance be unacceptable.			

PROGRAM COMPONENTS: (Note: It is recommended that outcome measures for components should exceed that achieved by the agency without benefit of contracting.)			
JOB DEVELOPMENT & JOB PLACEMENT:	YES	NO	COMMENTS:
Number of customers to be referred identified.			
Outcome measures have been established for:			
Percentage/number to be placed.			
Average wage expected at placement or by end of follow-up.			
Percentage to retain for 30/60/90 days.			
JOB READINESS:			
Individual class size and total number of customers to be enrolled have been identified.			
Outcome measures have been established for:			
Percentage/number to complete the class.			
Percentage/number to find employment within 30/60/90 days.			
Retention services to be offered? (Optional)			
If so, retention outcomes specified for 30/60/90 days.			
JOB SKILLS TRAINING:			
Training is being offered for occupations in demand in the community.			
Individual class size and total number of customers to be enrolled has been identified.			
Outcome measures have been established for:			
Percentage/number to complete the training.			
Percentage/number to find employment within 30/60/90 days.			
Retention services to be offered? (Optional)			
If so, retention outcomes specified for 30/60/90 days.			

EDUCATION and TRAINING	YES	NO	COMMENTS:
Individual class size and total number of customers to be enrolled has been identified.			
Tools/methods for measuring progress have been identified (i.e., receipt of GED, pretest and periodic documentation of progress at mid-contract and end of contract period, grade level attainment, completion of competencies).			
Outcome measures have been established for:			
Percentage/number to show progress or successfully complete the curriculum.			
Percentage/number to have satisfactory participation on a monthly basis.			
COST EFFECTIVENESS:			
Contract has been evaluated for cost effectiveness.			
If applicable, contact cost per entered employment is equal to or less than the program cost (desktop review).			
If applicable, contract cost per participant is equal to or less than the program cost.			
If the service cannot be provided at a lower cost, the degree of difficulty in working with the targeted customer population requires intensive services to produce desired outcomes.			

CONTRACT

This Contract is made this _____ day of _____ 20____, by and between

(herein referred to as the "Agency")
and

(herein referred to as "Contractor").

In order to implement the Agency's Employment Services Program, the parties of this Contract agree as follows:

(1) **SCOPE OF SERVICES:** The Contractor shall provide the services to the Agency indicated in the Attachment.

(2) **TIME OF PERFORMANCE:** The services of the Contractor shall commence _____
and terminate on _____.

All time limits stated in this agreement are of the essence.

(3) **COMPENSATION:** The Contractor shall be paid by the Agency

Total obligation of the Agency in all forms of compensation shall not exceed _____ dollars.

(4) **CONDITIONS OF PAYMENT:** All services provided by the Contractor pursuant to this Contract shall be performed to the satisfaction of the Agency, and in accord with all applicable federal, state and local laws, ordinances, rules and regulations. Contractor shall not receive payment for work found by the Agency to be unsatisfactory, or performed in violation of federal, state or local laws, ordinances, rules and regulations.

(5) **LIABILITY:** The Contractor shall indefinitely, and hold harmless the Agency, and when applicable, its designated representatives, from any and all claims, suits, actions, liabilities and cost of any kind, caused by the performance by the Contractor of his/her work pursuant to this agreement.

Neither the Contractor, its/his employees, assignees or subcontractors shall be deemed employees of the Agency while performing under this agreement.

(6) **GENERAL PROVISION:** Nothing in this agreement shall be construed as authority for either party to make commitments which will bind the other party beyond the Scope of Service contained herein. Furthermore, the Contractor shall not assign, sublet, or subcontract any work related to this agreement or any interest he/it may have herein without the prior written consent of the Agency.

(7) **INTEGRATION AND MODIFICATION:** This Contractor constitutes the entire agreement between the Contractor and the Agency. Any alterations, amendments, or modifications in the provisions of this agreement shall be in writing, signed by the parties and attached hereto.

(8) **TERMINATION:** The Agency may terminate this agreement upon _____ days written notice to the other party. Upon this termination for convenience, the Contractor shall be paid only for those additional fees and expenses incurred between notification of termination and the effective date of termination that are necessary for curtailment of its/his work under this agreement.

In the event of breach by the Contractor of this agreement, the Agency shall have the right immediately, to rescind, revoke or terminate the agreement. In the alternative the agency may give written notice to the Contractor specifying the manner in which the agreement has been breached. If a notice of breach is given and the Contractor has not substantially corrected the breach within _____ days of receipt of the written notice, the Agency shall have the right to terminate this agreement.

In the event of recession, revocation or termination, all documents and other materials related to the performance of this agreement shall become the property of the Agency.

(9) COLLATERAL CONTRACTS: Where there exists any inconsistency between this agreement and other provisions of collateral contractual agreements which are made a part of this agreement by reference or otherwise, the provisions of this agreement shall control.

(10) NON-DISCRIMINATION: In his/its performance of this agreement, the Contractor warrants that he/it will not discriminate against any employee, or other person, on account of race, color, sex, religious creed, ancestry, age, or national origin.

(11) APPLICABLE LAWS: This agreement shall be governed in all respects, whether as to validity, construction, capacity, performance or otherwise, by the laws of the Commonwealth of Virginia.

(12) SEVERABILITY: Each paragraph and provision of this agreement is severable from the entire agreement; and if any provision is declared invalid, the remaining provisions shall nevertheless remain in effect.

(13) AUDIT: The Contractor shall retain all books, records, and other documents relative to this contract for five (5) years after final payment, or until audited by the Commonwealth of Virginia, whichever is sooner. The agency, its authorized agents, and/or State auditors shall have full access to and the right to examine any of said materials during said period.

(14) AVAILABILITY OF FUNDS: It is understood and agreed between the parties herein that the agency shall be bound hereunder only to the extent of the funds available or which may hereafter become available for the purpose of this agreement.

(15) RENEWAL OF CONTRACT: This contract may be renewed by the local agency upon written agreement of both parties for one successive year periods, under the terms of the current contract, and at a reasonable time (approximately 90 days) prior to the expiration.

(16) CHARITABLE CHOICE:* If this contract is with a faith-based organization, the participant has the right to refuse to actively take part in religious activities and can refuse the services of the faith-based organization.

* Public Law 104-193

SIGNATURES

Signature of Agency Representative

Signature of Contractor Representative

Name of Agency Representative (print)

Name of Contractor Representative (print)

Date

Date

The VIEW Annual Plan template can be accessed at http://spark.dss.virginia.gov/divisions/bp/tanf/state_plans.cgi

VIEW BROCHURES

[Have You Heard About Benefits For Working Families](#) (**Removed 07/01/19**)

[Leaving Welfare For Work Isn't As Scary As It Seems](#) (**Removed 07/01/19**)

[Your Success is Waiting for You](#) (**Removed 07/01/19**)

**Virginia Department of Social Services
Temporary Assistance for Needy Families (TANF) Displacement Grievance Form
Virginia Initiative for Education and Work (VIEW)**

Date _____

Name of Employee _____ Home Phone # _____

Address _____ City _____ State _____ Zip Code _____

Work Phone # _____ Best Time To Call _____ A.M. _____ P.M. _____

Name of Employer _____ Phone # _____
(Whom grievance is filed against)

Employer's Address _____ Apt. # _____

Supervisor's Name _____

City _____ State _____ Zip _____

Brief description of grievance, include dates. _____

Employee Signature _____ Date _____

All of the above information is correct to the best of my knowledge.

Displacement means employing or assigning a Temporary Assistance to Needy Families (TANF) Community Work Experience Placement (CWEP), Full Employment Program (FEP) or other subsidized employment participant when: 1) The employer has terminated the employment of an employee, or the employee's current position, or otherwise caused an involuntary reduction in its work force in order to fill the vacancy with a subsidized participant, 2) An individual is hired while another person is on layoff, including seasonal layoff, from the same or substantially equivalent position; 3) The employer has reduced the hours of an employee in the same or substantially equivalent position to less than full time in order to employ or assign a subsidized participant; or; 4) The employment or assignment results in the impairment of an existing contract for services.* The Virginia Department of Social Services will act as a mediator to assist in resolving the grievance. Any suggestions made by the Department of Social Services are not binding to either party.

This form must be received by the Virginia Department of Social Services no later than sixty days after the alleged incident of Displacement.

Mail to: Virginia Department of Social Services
801 E. Main Street
TANF Unit 9th Floor
Richmond, Virginia 23219

* 45 CFR 261.70 (a)

Barriers to Employment.....2

Barriers to Employment

All VIEW participants must be offered screening for learning disabilities, mental health disabilities, alcohol and substance abuse within 90 days of signing the APR. Participants whose screenings indicate the possible presence of a disability will, with the client's agreement, be referred for an in-depth evaluation. A verified barrier is selected in the **ESP module in VaCMS** after verification by another agency or professional qualified to identify the specific barrier is received. Verified barriers to employment are listed below.

Learning Disability

Domestic Violence

Mental Health

Physical Disability

Substance Abuse

Coding of VIEW Components in ESPAS (Removed 10/1/18).....2 - 16

Contact Information
Local Agencies Served by Refugee Social Services Refugee Employment Programs

VDSS Region	Localities Served by RSSEP	RSSEP Provider Contact Information	Localities Not Served by RSSEP
Central	<p>Chesterfield Hanover Henrico Richmond City</p>	<p>International Rescue Committee Richmond Employment Program</p> <p><u>Richmond Office</u> 8100 Three Chopt Road, Suite 128 Richmond, VA 23229 <u>Phone (804) 308-9144</u></p>	<p>Amelia Buckingham Charles City Cumberland Essex Fluvanna Goochland Hopewell King & Queen King William Lancaster Lunenburg Middlesex New Kent Northumberland Nottoway Petersburg Powhatan Prince Edward Richmond County Westmoreland</p>
	<p>Caroline</p>	<p>Migration and Refugee Services of Commonwealth Catholic Charities</p> <p><u>Fredericksburg Office</u> 325 Wallace Street Fredericksburg, VA 22401 <u>Phone (540) 899-6507</u></p>	

VDSS Region	Localities Served by RSSEP	RSSEP Provider Contact Information	Localities Not Served by RSSEP
Eastern	Chesapeake Franklin City Hampton Isle of Wight Newport News Norfolk Portsmouth Suffolk Surry Virginia Beach Williamsburg York-Poquoson	<p>Refugee Resettlement Services of Commonwealth Catholic Charities</p> <p><u>Hampton Roads Office</u> 12284 Warwick Blvd., Suite 1-A Newport News, VA 23606 <u>Phone: (757) 247-3600</u></p>	Accomack Brunswick Dinwiddie Franklin City Gloucester Greensville- Emporia Mathews Northampton Prince George Southampton Sussex

VDSS Region	Localities Served by RSSEP	RSSEP Provider Contact Information	Localities Not Served by RSSEP
Northern Virginia	Alexandria Arlington Fairfax Falls Church Loudoun Manassas City Manassas Park	<p>Migration and Refugee Services Commonwealth Catholic Charities</p> <p><u>Arlington Office</u> 80 North Glebe Road Arlington, VA 22203 <u>Phone: (703) 841-3876</u></p> <p>Manassas Office 9200 Church Street, Suite 304 Manassas, VA 20110 <u>Phone: (571) 364-8010</u></p> <p>Refugee Immigration Services Lutheran Social Services of the National Capital Area <u>Falls Church Office</u> 7401 Leesburg Pike Falls Church, VA 22043 <u>Phone: (703) 698-5026</u></p>	Clarke Fauquier Frederick Greene King George Louisa Madison Page Rappahannock Shenandoah Warren Winchester
	Culpeper Fredericksburg Orange Prince William Spotsylvania Stafford	<p>Migration and Refugee Services Catholic Charities of the Diocese of Arlington</p> <p><u>Fredericksburg Office</u> 325 Wallace Street Fredericksburg, VA 22401 <u>Phone (540) 899-6507</u></p>	
	Harrisonburg/Rockingham	<p>Church World Services Refugee and Immigration Program</p> <p><u>Harrisonburg Office</u> 250 East Elizabeth Street, Suite 109 Harrisonburg, VA 22802 <u>Phone: (540) 433-7942</u></p>	

VDSS Region	Localities Served by RSSEP	RSSEP Provider Contact Information	Localities Not Served by RSSEP
Piedmont	Albemarle Charlottesville	International Rescue Committee <u>Charlottesville Office</u> 609 East Market Street, Suite 104 Charlottesville, VA 22902 <u>Phone: (434) 979-7772</u>	Alleghany- Covington Amherst Appomattox Bath Bedford Botetourt Campbell Charlotte Craig Danville Franklin County Halifax Henry-Martinsville Highland Lynchburg Mecklenburg Nelson Pittsylvania Rockbridge (Buena Vista & Lexington)
	Roanoke City Roanoke County	Refugee Resettlement Program Commonwealth Catholic Charities <u>Roanoke Office</u> 820 Campbell Avenue SW Roanoke, VA 24016-3536 <u>Phone (540)-342-7561</u>	
	Shenandoah Valley (Staunton, Augusta & Waynesboro)	Church World Services Refugee and Immigration Program <u>Harrisonburg Office</u> 250 East Elizabeth Street, Suite 109 Harrisonburg, VA 22802 <u>Phone (540)-443-7942</u>	
Western	None	None	All

Understanding Federal Participation2

Understanding Federal Participation – Examples

Whether a client is counted as meeting the federal participation rate for a given month is dependent on the actual hours of participation entered into the ESP module in VaCMS. The following examples are designed to provide, in a general way, an understanding of how the participation rate is calculated in VaCMS. They do not show what should be entered into the ESP module - actual hours of participation are always entered –but do illustrate scenarios under which an individual’s participation might or might not meet levels needed to meet participation. The calculator is available at <http://spark.dss.virginia.gov/divisions/bp/tanf/training.cgi>.

Example 1: Month 1: Ms. A is assigned to job search, a core activity, beginning May 1 through May 31. Ms. A participates in job search for 36 hours in week one, 33 hours in week two, 24 hours in week three, and 39 hours in week four. She returns her completed job search forms, which verify a total of 132 hours completed during the month.

Calculating Participation for Month 1: Calculate the total number of participation hours for the month and divide by the number of days in the month to get a daily average. For Ms. A, divide 132 hours by 31 days to get an average of 4.25 hours per day. Then, multiply the daily average by 7 to get the average actual weekly hours. For Ms. A, 4.25×7 equals 29.80 which rounds up to 30. If Ms. A’s information is entered correctly and timely into the ESP module, Ms. A will count toward the participation rate for the month because she met the requirement for participation in a core activity and averaged 30 hours a week of actual participation.

Month 2: The next month, June, Ms. A continues her job search. In week 1, she is in job search for 33 hours. She is in job search in week two for 36 hours. She then gets a job and works for 30 hours each in weeks three and four. Because Ms. A had four consecutive weeks of job search in May, the first week of this month is not a countable activity. (Federal regulations require that job search can be counted for only four consecutive weeks, after which there must be a break of at least a week before additional job search hours can be counted.)

Calculating Actual Participation for Month 2: For Ms. A because more than four consecutive weeks of job search don’t count toward participation, the 33 hours for the first week of job search in Month 2 are not counted. Count only the second week of job search, 36 hours, plus the 60 employment hours to arrive at the total actual participation hours for the month. Divide 96 hours by the 30 days in June to get a daily average of 3.2 hours. Multiply this by 7 for average actual weekly hours of 22.4. Ms. A has not met the overall participation rate requirement of 30 hours, so her participation will not count for this month.

Month 3: In July, Ms. A works 35 hours per week throughout the month. She verifies that she worked a total of 161 hours altogether.

Calculating Actual Participation for Month 3: Divide the total participation hours of 161 by 31, the total days in July, to arrive at the daily average of 5.19 hours. Multiply the daily average by 7 to arrive at 36 for the average weekly actual hours. Because employment is a core activity, and because Ms. A had average weekly actual hours exceeding 30, she met federal participation for the month.

Example 2: Ms. B starts receiving assistance on January 15 and is referred to VIEW. For January, she is included in the denominator, but does not count toward the work participation rate because she has not yet become a VIEW participant and has not been assigned to any activities. February will be her actual first month in the program.

Month 1: On February 13, Ms. B is assessed and assigned to job search from February 13th through March 31. Her job search forms verify that she completed 72 hours of job search in February.

Calculating Participation for Month 1: Divide the total participation hours of 72 by 28, the number of days in the month to arrive at an average of 2.57 hours per day of participation. Multiply 2.57 by 7 to arrive at average weekly hours of 17.99, rounded up to 18. Her two weeks of job search in February are not enough to allow her to meet the core requirement or the work participation rate for February.

Note: When actual hours of job search or job readiness participation are entered into ESP module in VaCMS, and it determines that the hours will not count toward federal participation, those hours of job search are not counted against the 12-month maximum. Ms. B can still be assigned to up to 180 hours of job search during the next twelve months. Because the job search was not counted, no break in participation is needed before she can be assigned to job search again.

Month 2: Ms. B continues in job search for the month of March. Her job search forms verify a total of 160 hours of job search. She counts toward the participation rate because she met the core component requirement and averaged 36 hours of job search per week.

Calculating Actual Participation for Month 2: Divide the total participation hours of 160 by the number of days in the month. For Ms. B., divide 160 hours by 31 = 5.16; multiply by 7 for total weekly average of 36.13 which rounds down to 36.

Example 3: Month 1: Ms. C participates in unsubsidized employment of 20 hours per week and 15 hours per week in vocational education and training for the entire month of August. Both are core activities. She counts toward the work participation rate because she had participation of at least 30 hours per week.

Calculating Participation for Month 1: Ms. C has 140 total participation hours for the month. Divide the total participation hours of 140 by 30, the number of days in June. Multiply Ms. C's daily participation average of 4.66 by 7 to arrive at the weekly average of 32.

Example 4: Ms. D participates in CWEP for 18 hours per week and GED for 17 hours per week in September. Though she participated in activities averaging at least 30 hours per week (140 hours/ 31 = 4.51 average hours per day; 4.51 multiplied by 7 = 32), she did not have at least 20 hours per week in a core work activity and therefore will not count toward the work participation rate.