

TEXAS WORKFORCE COMMISSION LETTER

ID/No:	WD 26-09, Change 1
Date:	March 21, 2011
Keyword:	Child Care
Effective:	Immediately

To: Local Workforce Development Board Executive Directors
Commission Executive Offices
Integrated Service Area Managers



From: Laurence M. Jones, Director, Workforce Development Division

Subject: **Child Care Income Exclusions Required by Federal Law or Regulation—Update**

PURPOSE:

This WD Letter provides Local Workforce Development Boards (Boards) with a list of income sources specifically excluded by federal statute or regulation when determining income eligibility for public assistance, including child care services.

This update adds tax refunds to the list of child care income exclusions required by federal law or regulation pursuant to the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010 (P.L. 111-312).

Note: Commission Child Care Services rule §809.44(b)(6) excludes tax refunds as a source of income for determining eligibility. This WD Letter does not require new policy changes; it only provides the most up-to-date compilation of income exclusions by federal law or regulation.

CHANGES TO WD LETTER 26-09:

New information in this WD Letter is in **bold** typeface, which indicates new or clarifying language.

BACKGROUND:

Texas Workforce Commission (Commission) Child Care Services rule §809.44(b)(11) exempts any income sources specifically excluded by federal law or regulation from income calculation for the purposes of determining child care eligibility.

PROCEDURES:

Boards must ensure that income sources listed in Attachment 1 are excluded when determining eligibility for Commission-funded child care services.

NLF

INQUIRIES:

Direct inquiries regarding this WD Letter to wfpolicy.clarifications@twc.state.tx.us.

ATTACHMENTS:

Attachment 1: Income Excluded by Federal Law or Regulation

RESCISSIONS:

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REFERENCE:

Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010 (P.L. 111-312)

Texas Workforce Commission Child Care Services Rules: 40 TAC §809.44(b)

FLEXIBILITY RATINGS:

No Local Flexibility (NLF): This rating indicates that Boards must comply with the federal and state laws, rules, policies, and required procedures set forth in this WD Letter and have no local flexibility in determining whether and/or how to comply. All information with an NLF rating is indicated by “must” or “shall.”

Local Flexibility (LF): This rating indicates that Boards have local flexibility in determining whether and/or how to implement guidance or recommended practices set forth in this WD Letter. All information with an LF rating is indicated by “may” or “recommend.”