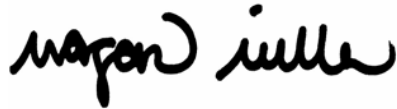


TEXAS WORKFORCE COMMISSION
Workforce Development Letter

ID/No:	WD 05-26, Change 1
Date:	May 26, 2026
Keywords:	Child Care; TX3C
Effective:	June 1, 2026

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



From: Reagan Miller, Director, Child Care & Early Learning Division

Subject: **12-Month Eligibility and Authorization of Child Care Services—Update**

PURPOSE:

The purpose of this WD Letter is to provide Local Workforce Development Boards (Boards) with guidance on establishing minimum Eligibility and Authorization periods for Child Care Services (CCS).

This letter updates information related to Department of Family Protective Services (DFPS)–funded authorizations for children.

RESCISSIONS:

WD Letter 05-26

BACKGROUND:

Pursuant to 45 CFR [§98.21\(a\)](#), states must ensure that children are authorized to receive 12 months of child care. Texas Workforce Commission refers to this as the **12-Month Authorization Period**.

The **Eligibility Period** begins on the date that the parent is notified of the determination of eligibility. The Eligibility Period may be longer than the 12-Month Authorization Period, as children may begin receiving care after the date that they are notified of the determination of eligibility.

Additionally, DFPS uses Child Care & Development Fund (CCDF) dollars for some DFPS–authorized CCS cases. All care that is funded with CCDF is subject to the minimum 12-month eligibility requirement. However, children who are terminated from DFPS–authorized care prior to 12 months are still eligible for Former DFPS funding if their DFPS care was funded with CCDF.

PROCEDURES:

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.”

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.”

12-Month Authorization

NLF: Boards must ensure that the Eligibility Determination Period begins when the parent is **notified** of the determination of eligibility.

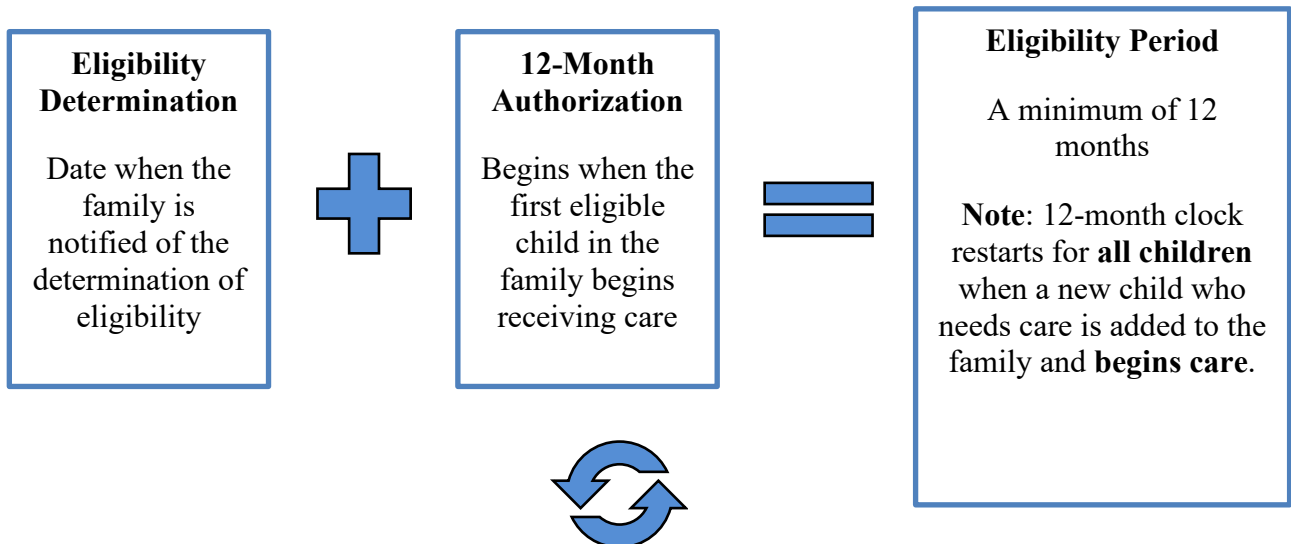
NLF: Boards must ensure that the 12-Month Authorization Period starts when the first eligible child in the family begins **receiving care**.

NLF: Boards must ensure the Eligibility Period is calculated as the Eligibility Determination Date plus 12 months from the start of care.

NLF: Boards must ensure that when multiple children in a family are eligible, but do not all require immediate care, the Eligibility Period is calculated as the Eligibility Determination Date plus 12 months from the **first** child’s start date of care.

NLF: At the time of eligibility determination, Boards must ensure that caseworkers document in the Texas Child Care Connection (TX3C): KinderTrack **Family Notes** if any children in the family are eligible but do not need care immediately.

NLF: Boards must ensure that the Recertification Date is the **last day** of the **12-Month Authorization Period** and must not be sooner. Caseworkers may need to update the Recertification Date in TX3C: KinderTrack for new cases after the initial schedule is created.



Recertification Date

The last day of the 12-Month Authorization Period and must not be sooner

Voluntary Suspension

LF: Boards may place families in Voluntary Suspension with the parent’s concurrence if immediate care is not required. Boards may use the following language in the **Comments** section of the notice that is sent to parents:

“Your child is on a voluntary hold status since child care is not needed right now. Please contact your Workforce Board when you are ready to start child care.”

NLF: Boards must inform staff that Voluntary Suspension is included in the 12-Month Authorization Period if it occurs before care begins but only when:

- multiple children are authorized and at least one child begins care immediately; and
- others are placed on Voluntary Suspension due to delayed care needs (for example, if a child needs summer/holiday care only).

NLF: Boards must inform staff that families on Voluntary Suspension who receive care (for example, during summer or holiday periods only) are eligible for redetermination. However, if no care is received by any of the children in the family during the 12-Month Authorization Period, they are not eligible.

NLF: Boards must ensure staff documents Voluntary Suspensions in TX3C: KinderTrack **Family Notes**, stating whether some of the children in the family have suspended care and what the 12-Month Authorization Periods are if they differ among children in the household. TX3C: KinderTrack sends recertification notices to families on Voluntary Suspension to ensure continuity of care, if needed.

NLF: Boards must ensure staff tracks families whose children never use their authorized child care within the 12-month period, whether on Voluntary Suspension or not. Then they must ensure staff authorizes discontinuation notices before the Board’s window for recertification notices.

Initial Job Search and Recertification Date

NLF: Boards must ensure families who qualify for Initial Job Search must be determined eligible for 12 months of care. Boards must set the family’s Recertification Date for the last day of the 12-Month Authorization Period.

NLF: Boards must ensure that if a family fails to meet the work requirements when the three-month Initial Job Search Period ends, their eligibility is terminated early.

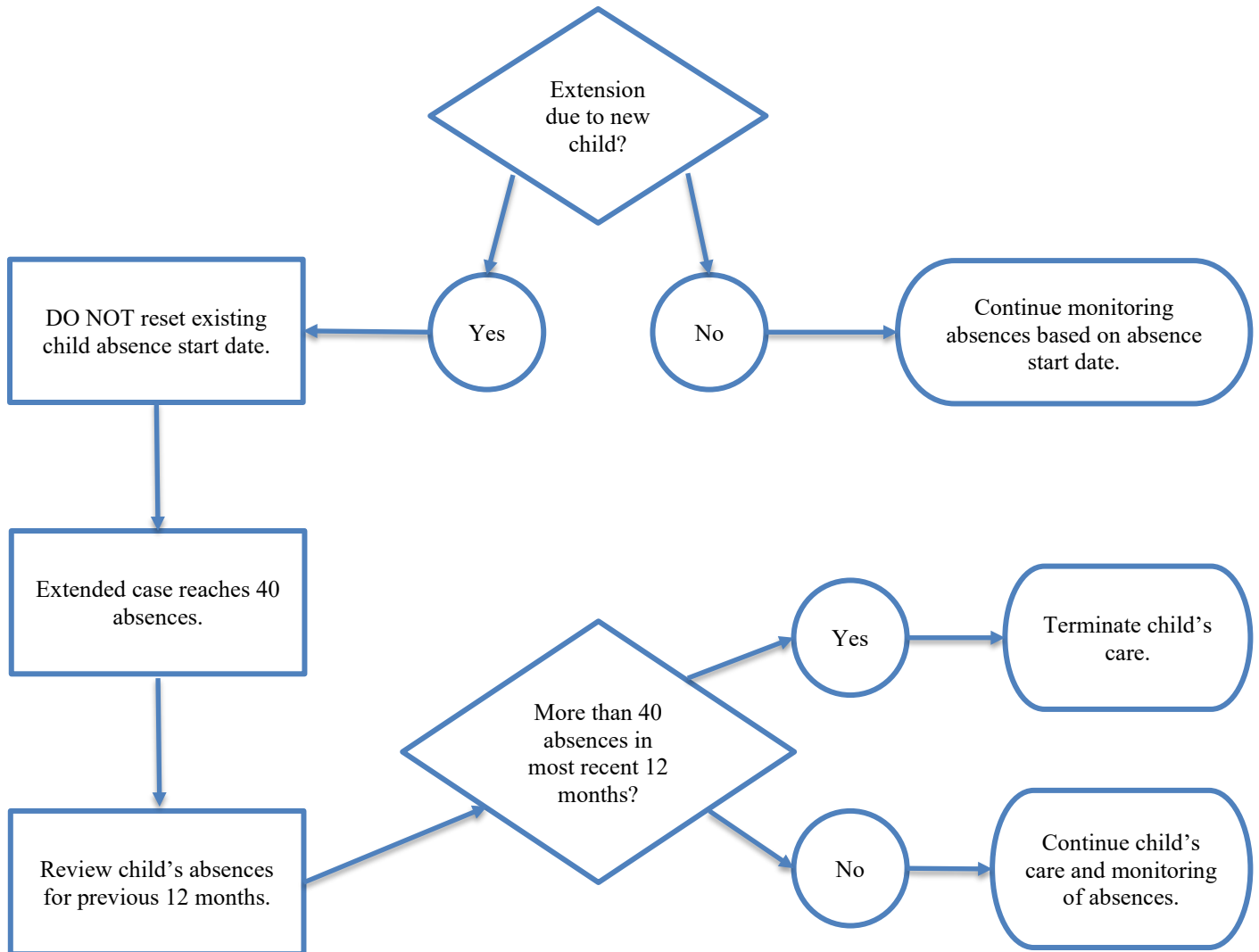
Adding a Child to the Family

NLF: Boards must ensure that when a child is born into or added to a family after the initial 12-Month Authorization Date, the family’s Eligibility Period is extended by 12 months, beginning on the first day of care for the newly added child. This ensures the new child receives a full 12 months of care.

NLF: Boards must ensure that when extending an Eligibility Period due to a new child, the Absence Start Date for existing children is not reset. If the Board extended a case beyond 12 months and a child reaches 40 absences, the Board must review the child’s attendance record for the prior 12 months to verify absences before terminating care, counting absences only within a rolling 12-month period.

LF: Boards may add children who are added to the household to the waitlist.

Absence Tracking Breakdown



Example Scenario:

- **February 12, 2024:** Child 1 is deemed eligible for services and begins care.
- **November 2, 2024:** Child 2 is added to the family and care begins; absence start date set.
- **Child 1:** Absence Start Date remains Feb 12, 2024. Recertification date moved to November 2, 2025.
- **May 10, 2025:** 40 absences reached in TX3C for Child 1.
- **Review:** Absences from May 11, 2024, to May 10, 2025, checked for 40+ absences for Child 1.

Child	Start Date	Absence Start Date	Recertification Date	Months to Review for Absences
Child 1	2/12/24	2/12/24	11/2/25	5/11/24– 5/10/25
Child 2 (newly added to family)	11/2/24	11/2/24	11/2/25	Review based on Absence Start Date

DFPS Child Care

NLF: Boards must inform staff who work with DFPS-authorized child care of the following effective June 1, 2026:

- General Protective, Foster Care Non Title IV-E, and DFPS Relative/Other Caregiver child care authorizations **may** be funded using CCDF and are therefore subject to the minimum 12-Month Eligibility Period.
- Foster Care Title IV-E is **not** funded with CCDF and is **not** subject to 12-month eligibility.
- The DFPS Service Code on Form 2054 indicates the DFPS funding source used for care. The following codes indicate the care is funded with CCDF and subject to 12-month eligibility:
 - 40B Non Title IV-E Foster Day Care
 - 40R Relative Day Care
 - 40T Relative Day Care
 - 40W General Protective Day Care
 - 40Z General Protective Day Care
- If DFPS ends a CCDF-funded authorization before the end of the 12-Month Eligibility Period, the child remains eligible for CCS under the Former DFPS eligibility characteristic. DFPS will notify the Board by email or a Form 2054 comment of a caregiver’s desire to continue care under Former DFPS.

- If DFPS extends or authorizes a new period of care for a child previously authorized using CCDF funds, Boards must continue using the **original** 12-Month Eligibility Period.
- Parents and caregivers will be responsible for requesting holiday break assistance directly from Boards.

INQUIRIES:

Send inquiries regarding this WD Letter to childcare.programassistance@twc.texas.gov.

ATTACHMENTS:

Attachment 1: Revisions to WD 05-26, Shown in Track Changes

REFERENCES:

[Child Care Development Fund, 45 CFR §98.21\(a\)](#)

[Title 40, Texas Administrative Code \(TAC\), Part 20, Chapter 809, Child Care Services rule §809.42 \(b\)](#)

[Texas Workforce Commission Child Care Services Guide \(A-100, D-102, D-700\)](#)