

STATE OF VERMONT
AGENCY OF HUMAN SERVICES

DCF

Department for Children and Families



FROM: Sean Brown, Deputy Commissioner
Economic Services Division

BULLETIN NO.: 17-12

DATE: June 1, 2017

SUBJECT: Reach Up Services Procedures

CHANGES ADOPTED EFFECTIVE 6/1/17

INSTRUCTIONS

- Maintain Manual - See instructions below.**
- Proposed Regulation - Retain bulletin and attachments until you receive Manual Maintenance Bulletin: _____**
- Information or Instructions - Retain until _____**

MANUAL REFERENCE(S):

P-2373 P-2374 TOC (P-2300)

The purpose of this bulletin is to provide Reach Up Services procedures related to determining good cause and the conciliation process.

The Reach Up Services Table of Contents has also been updated to reflect these additions.

Manual Maintenance

Reach Up Services Procedures

Remove

TOC (P-2300) pgs. 1-2 (B 16-30)

Nothing
Nothing

Insert

TOC (P-2300) pgs. 1-2 (B17-12)

P-2373 pgs. 1-3 (B17-12)
P-2374 pgs. 1-5 (B17-12)

6/1/17

Bulletin No. 17-12

Table of Contents

P-2335 - P-2375	<u>Reach Up Services Procedures</u>
P-2335	Reserved for Initial Reach Up Procedures
P-2340	Reserved for Introduction and Manual Maintenance Instructions
P-2342	Reserved for Target Population
P-2343	Reserved for Program Participation Requirements
P-2344	Modifications or Deferrals A. Domestic Violence Modification or Deferral B. Medical Modification or Deferral of Work Requirement C. General Modification/Deferrals Procedures
P-2345	Reserved for Case Management
P-2346	Reserved for Program Activities
P-2347	Support Services (Other Than Child Care and Transitional Child Care Assistance) A. Purpose B. How Reach Up Support Services Help Individuals Accept or Maintain Paid Employment; Or Learn About, Be Assessed for, or Participate in Reach Up C. What Are Program Activity and Support Service Items? <ul style="list-style-type: none">• Program Activity Items<ol style="list-style-type: none">1. Education/Training Fees2. Tuition3. Books• Support Service Items<ol style="list-style-type: none">1. Clothing and Personal Appearance2. Relocation3. Temporary Housing4. Tools5. Transportation<ol style="list-style-type: none">a. Mileageb. Vermont Public Transportation Association (VPTA) Transportationc. Vehicle Repairsd. Vehicle Insurancee. Vehicle Registration/Title Feesf. Driver's/Commercial Driver's License Fees6. Health Care

6/1/17

Bulletin No. 17-12

Table of Contents p.2

P-2335 - P-2375 Reach Up Services Procedures

- P-2347 Support Services (Other Than Child Care and Transitional Child Care Assistance)
(Continued)
- D. Steps to Authorize and Pay for Support Services
 - E. Spending Limits and Support Services Matrix
 - F. One-time-only Employment-related Support Services
 - G. How to Issue Payments for Reach Up Support Services
 - H. How to Issue Incentive Allowances for Parenting Education and Volunteer Work
- P-2348 Reserved for Child Care Assistance (See Also ANFC Procedures at P-2210)
- P-2349 Case Management Procedures for Post-60-Month Cases
- P-2350 18 and 36 Month Case Reviews
- P-2351 Substance Abuse and Mental Health Screening
- P-2352 Transitional Child Care Assistance (See Procedures at P-2210)
- P-2353 Reserved for Grievance Process for Regular Employees Who Claim Displacement by
Reach Up Participants Placed at Their Worksites
- P-2360 Transporting Reach Up Clients
- P-2370 Case Management Procedures for Temporary Absence
- P-2373 Good Cause
- P-2374 Conciliation
- P-2375 A. Imposing Sanctions
 B. Primary Earner Parent Sanctions

6/1/17

Bulletin No. 17-12

P-2373

P-2373 Good Cause

A. General Procedures

Case managers should make a good faith effort to establish good cause when a participant does not follow activities on their FDP or are not following through with Reach Up requirements. Case managers should enter into the determination process with the assumption that the participant has good cause.

The list of acceptable good cause reasons for non-participation allowed by rules can be found here in rule 2373 Good Cause Criteria.

B. Determining Good Cause

1. Case manager becomes aware of the non-participation.
2. Case manager calls or texts the participant during that scheduled time of the appointment or as soon as possible to find out about the non-participation.
 - a. If the participant cannot be reached, leaving a message on the individual's phone and asking for direct contact is the first step to establishing good cause. However, also follow up with a letter (see below to determine which type of letter).
 - i. If the participant is eligible for conciliation, mail a conciliation letter through ACCESS. Conciliation Letter 617 may be used ONLY if ACCESS is not available. Good cause may be determined at the conciliation appointment. See below for details about conciliation.
 - ii. If the participant is not eligible for conciliation and the next step would be sanction, send a Reach Up Good Cause Request (601GCR). Request the participant to contact you four business days from the day you mail the Good Cause Request letter.
 - b. If able to reach the participant and they provide a good cause reason, establish an agreed upon next step to resolve the situation, i.e. reschedule the missed appointment, check about making up missed time at a CSP/WKEX, and provide a new deadline for the activity that was not done. Schedule an appointment and update the FDP as soon as possible.
 - c. If able to reach the participant and good cause cannot be provided, follow the steps for a conciliation or sanction depending on what the participant is eligible for by mailing a conciliation letter or starting the sanction process. Case notes should clearly indicate why it is believed good cause does not exist.

6/1/17

Bulletin No. 17-12

P-2373 p.2

B. Determining Good Cause (Continued)

3. Case manager requests verification only if the situation seems questionable or a pattern of noncompliance has begun. If requesting verification, be clear and specific about what you are requesting, when you need to receive it, and the consequences of not receiving the verification of good cause.

Example: We were scheduled to meet on 1/26/17 at 11:00am. You called to say that your car broke down. Please provide proof by 2/2/17 from a certified mechanic that your car is inoperable. I am asking for this proof because you recently missed several appointments with me due to car troubles.

- a. If the participant is eligible for conciliation and the case manager is requesting documentation of the good cause verbally, send a conciliation letter written through ACCESS so that a firm deadline is established. If ACCESS is not available Conciliation Letter 617 can be used. See below for details about conciliation.
- b. If the participant is not eligible for conciliation and the case manager is requesting documentation of the good cause verbally, send a Reach Up Good Cause Request (601GCR).
- c. If documentation of good cause is necessary; the participant will have 10 days from the date the claim was received by the case manager to provide such documentation. If the participant asks, the case manager provides help obtaining the verification.

Example: A participant misses an appointment on 2/1/17. The case manager has 10 days to mail the conciliation appointment. If the participant tells the case manager on 2/3/17 that the reason they missed the appointment was because their child has been sick and the case manager asks for verification because that excuse has become a pattern for missing appointments, the participant should have 10 days from the 3rd to provide the verification. Verification would be due on 2/13/17.

4. At any time when good cause has been established, remove the conciliation or end the sanction. For conciliation enter an "E" for ENTERED IN ERROR as the "Outcome" code in ACCESS on WORK C. If an E cannot be entered, email COPS to have the conciliation removed from the history. Make a note on any related documentation in the file indicating the Conciliation did not occur. For a sanction place the cursor on the "SANCTION RSN" and hit "Shift-F12" for a list of "END SANCTION CODES" and enter "F" (good cause found). Email COPS to have the sanction history corrected and replace any lost benefits. Discuss with the participant lessons learned in the process and how to avoid the situation in the future.
 - a. Good cause may include when it is determined that the individual qualifies for a deferment or modification of the work requirement. If the option of deferment or modification was never offered, but the participant may be eligible for the deferment and does not know it, conciliation should not occur.

6/1/17

Bulletin No. 17-12

P-2373 p.3

B. Determining Good Cause (Continued)

Individuals should not be conciliated for missing an appointment if they are eligible for a deferment for a child under 6 months old or a 13-week deferment for a new baby. These are the two cases where participants are deferred from not only their work requirement, but also the services component of Reach Up which includes case management, support services and referrals. Deferment paperwork does need to be signed to qualify for the deferment. However, during the deferment time, case managers are encouraged to reach out to participants to lay the groundwork for that individual's participation when their deferment ends.

- b. Good cause can be pursued for not providing medical documentation to determine if a modification or deferment is appropriate, if the requirement was listed on the FDP.
- c. A good cause reason can sometimes be an excusable reason for certain activities and not for other activities. Case management discretion is advised.

Example: A participant's chronic back pain may prevent them from attending their CSP hours, but may not excuse them from attending an appointment with their case manager. A participant's anxiety may prevent them from attending appointments, and may result in the need to set up a home visit or other accommodation.

6/1/17

Bulletin No. 17-12

P-2374

P-2374 Conciliation

A. General Procedures

Conciliation is an intervention: a time to influence what happens next and help the participant work out a way to resolve the issues for the noncompliance.

Implementing Conciliation

1. Check for prior conciliations both on ACCESS and in the case file. Ensure all conciliations are entered into ACCESS. If a conciliation is found that is in the file but not in ACCESS, enter it in ACCESS with a start and end date for purposes of updating the history.
 - a. Remember that a participant can only have one conciliation within a calendar year (January – December).
 - b. To determine which calendar year the conciliation occurred in use the date the conciliation resolution was signed. If the participant does not attend the originally scheduled conciliation appointment, or a rescheduled appointment, and does not provide good cause, utilize the original conciliation appointment date to determine the calendar year.

(Note: If a participant has already had one conciliation in the calendar year, and another act of non-participation occurs without good cause towards the end of the year—the corresponding sanction can take place the following calendar year due to the adverse action timeframe.

Example: Participant conciliated in May 2016. Participant misses hours at WKEX without good cause end of November 2016. Adverse action has passed so sanction cannot begin 12/1/16. Sanction can be put in place for 1/1/17.

2. Case manager schedules a conciliation appointment by sending a conciliation letter written through ACCESS. If ACCESS is not available, Conciliation Letter 617 may be used. The letter must be mailed within ten days from the case managers first awareness of the non-participation. The case manager schedules the conciliation meeting as soon as administratively possible, but no sooner than within four business days after the date the conciliation letter is mailed.
 - a. Participants can waive advance notice of the conciliation appointment, but must sign a statement verifying this request for waiver. The waiver request should include the same information that is provided on the conciliation appointment letter. The easiest way to ensure that all required information is included in the waiver is to print a conciliation letter for them to read and sign.
 - b. The conciliation letter should:

Indicate specific dates and activities of noncompliance (refer to FDP);

6/1/17

Bulletin No. 17-12

P-2374 p.2

Implementing Conciliation (Continued)

Use strength-based language that can be understood by the participant.

Example #1: You did not come our scheduled meeting on Monday, 1/23/12 at 2:00pm or call to reschedule. I could not reach you by phone on 1/23/12, but left a voice mail message requesting a call back. To date, I have not heard from you.

Example #2: According to recent time sheets, you are not meeting your work requirement due to being absent from your worksite from 2/7/12 to 2/10/12. Your worksite supervisor reports that you did not call in or attempt to make up missed time. Your scheduled hours are Mon – Thurs from 8am to 1pm. You did not respond to my phone call on 2/13/12. We need to discuss how you will meet your work requirement.

Do Not include:

- i. the words “failure to [do an activity, meet with case manager, etc]”
 - ii. jargon such as “no-call, no-show” or
 - iii. abbreviations such as WKEX, CSP, VDO, VDOL, ABE, etc.
- c. If there is good cause for the noncompliance, the scheduled meeting will be a regular case management meeting. Under these circumstances, there will be no conciliation resolution plan, and the conciliation will not be counted toward the limit of one conciliation within a calendar year as defined above. See P-2373 (B) (5) above.
 - d. If the participant requests a rescheduled appointment, provide a rescheduled conciliation appointment, but explain reschedules are used on a very limited basis. The goal is to hold the conciliation meeting within ten days from the awareness of the noncompliance, though this is not always possible. Indicate on the conciliation letter that this is a rescheduled appointment.
 - e. If there is not good cause and the participant shows up, follow through with the conciliation resolution process below.
 - f. If the participant does not show up, and no other form of good cause has been presented, the case manager must then mail a Reach Up Good Cause Request (GCR601) before moving to sanction. Indicate on the letter that the next step is sanction. Include as much information in the good cause request as possible, clearly indicating the initial non-participation, as well as the missed conciliation appointment. Request the participant to contact you four business days from the day you mail the Good Cause Request letter. See P-2373B above. If there is no good cause, the sanction process begins.

6/1/17

Bulletin No. 17-12

P-2374 p.3

B. Conciliation Resolution

The conciliation resolution period is a **process** (less than 15 days) during which the case manager and participant meet to discuss and resolve issues that caused the non-participation and come up with ways to satisfy what is required of the participant to avoid sanction. In most cases, the conciliation resolution period will only last one day.

The Conciliation Resolution is a **plan** (from two weeks to three months) that contains what the participant needs to do for a sanction to be avoided.

1. During the Conciliation Resolution appointment case manager uses a strengths-based approach and focuses on next steps. Case manager uses open ended questions and listens to what the participant thinks is the reason for the non-compliance. Case manager explores any circumstances that may have interfered with their compliance and explores how to resolve any issues.
2. Case manager writes a Conciliation Resolution and updates the Family Development Plan to include the conciliation. Bulleted lists may be used. Conciliation Resolution must start within 5 calendar days and includes a description of how long it will last (from two weeks to three months). There is some case manager judgment in deciding how long a timeframe to choose though typically keeping a shorter timeframe is most effective. With a participant who has had a pattern of noncompliance, a longer timeframe may be appropriate.

Example: I will go to my work placement at Community Action every Monday, Wednesday, and Friday from 9:00 to 1:00 beginning next Monday, February 6th. I will attend all scheduled shifts for two weeks (from February 6th through February 17th).

- a. The Conciliation Resolution should only include the issue(s) of noncompliance that brought the participant into conciliation. Additional activities should not be included. If other new activities make sense, add them to the FDP- but those activities would not be part of this conciliation.

Example: A participant is being conciliated for not calling or showing up for their WKEX. If they then did not hand in their timesheet the following weeks, and this was not noted on the initial conciliation letter—do not include handing in timesheets on the resolution. However, these additional steps should be clearly outlined in the FDP if they were not already.

- b. There are times when what was previously required of the individual no longer makes sense. Rule 2374.2 talks about resolving any circumstance hindering compliance.

Example: A participant is being conciliated for not attending Job Club. When they come in for their conciliation meeting, they tell their case manager they have reconnected with Adult Basic Education and are starting to work on their Adult High School Completion program which conflicts with the Job Club schedule. The case manager could include on

6/1/17

Bulletin No. 17-12

P-2374 p.4

B. Conciliation Resolution (Continued)

the Conciliation resolution a weekly update meeting to check in on the progress with ABE, instead of asking the participant to return to Job Club.

3. Have the participant sign both the Conciliation Resolution and the updated FDP. Keep a copy in the file and provide a copy to the participant.
4. Case manager enters a "C" (successfully completed) or "U" (unsuccessfully completed) as the "Outcome" code in ACCESS in WORK C.
 - a. Conciliation is successfully resolved when the participant has complied with the tasks on the conciliation resolution plan as well as the updated FDP. A conciliation still counts even if it is successfully resolved. The only time that a conciliation does not count is if it is later determined that the participant had good cause for the non-compliance.
 - b. If the participant does not comply with the tasks on the conciliation resolution the case manager must determine if the participant had good cause for not doing what is in the resolution plan. See P-2373B above. If there is no good cause, the sanction process begins.

6/1/17

Bulletin No. 17-12

P-2374 p.5

C. Conciliation Process Flow Chart

Nonparticipation is identified

Case manager attempts to contact individual to determine good cause
(phone contact ok – does not have to be face-to-face)

Good Cause

Unable to reach participant
or no good cause

Conciliation process
NOT started

If a participant has good cause
(for any non-participation), or
is eligible for deferment (for
not meeting work requirement
non-participation) at any time
during the process, conciliation
ends. No resolution plan needed;
conciliation does not count
toward the 60-month limit.

Determine if eligible for
conciliation

Eligible

Conciliation letter sent (through ACCESS or 617)
Letter will indicate ability to provide good cause at meeting
Letter must be sent within 10 days of becoming aware of non-participation

Not eligible
because they
had 1 conciliation within
the current calendar year
or in 59th or more countable month

Good Cause letter
must be sent.

If good
cause found,
no sanction.

* Job Quit Resolution: must find
unsubsidized employment
within 2 weeks & work for 8
weeks.

Conciliation meeting (15 days to come up with plan)

No show

Good cause letter
must be sent

Sanction
Authorization
(ESD 606)/
Supervisory
review

Sanction
Authorization
(ESD 606)/
Supervisory
review

Conciliation Resolution
completed (through ACCESS or 617CR)
and FDP revised

Good cause letter must be sent
(include items on resolution)

No good cause

Unsatisfactory
participation

Supervisory review/
Sanction Authorization (ESD 606)

Individual starts participation
within 5 days

Satisfactory participation

Conciliation ends ☺