

**NIAGARA COUNTY 2012-2016 CFSP**  
**APPENDIX K**  
**Child Care Administration**

Describe how your local district is organized to administer the child care program, including any functions that are subcontracted to an outside agency.

1. Identify the unit that has primary responsibility for the administration of child care for:

Public Assistance Families: Day Care Unit

Transitioning Families: Day Care Unit

Income Eligible Families: Day Care Unit

Title XX: Services Unit

2. Provide the following information on the use of New York State Child Care Block Grant (NYSCCBG) Funds.

FFY 2009-2010 Rollover funds (available from the NYSCCBG ceiling report in the claiming system): .....\$466,315.00

Estimate FFY 2010-11 Rollover Funds .....\$0.00

Estimate of Flexible Funds for Families (FFS) for child care subsidies.....\$20,000.00

NYSCCBG Allocation 2011-12 .....\$3,216,205.00

Estimate of Local Share .....\$364,420.00

**Total Estimated NYSCCCBG Amount** .....\$3,902,520.00

a. Subsidy.....\$3,369,292.00

b. Other program costs excluding subsidy .....\$183,228.00

c. Administrative costs .....\$50,000.00

3. Does your district have a contract or formal agreement with another organization to perform any of the following functions?

Function	Organization	Amount of Contract
<input type="checkbox"/> Eligibility screening		
<input type="checkbox"/> Determining if legally-exempt providers meet State-approved additional standards		
<input type="checkbox"/> Assistance in locating care		
<input type="checkbox"/> Child Care Information Systems		
<input type="checkbox"/> Other		

**APPENDIX L**

**Other Eligible Families if Funds are Available (Required)**

Listed below are the optional categories of eligible families that your district can include as part of its County Plan. Select any categories your county wants to serve using the NYSCCBG funds and describe any limitations associated with the category.

Optional Categories	Option	Limitations
1. Public Assistance (PA) families participating in an approved activity in addition to their required work activity.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
2. PA families or families with income up to 200% of the State Income Standard when the caretaker is: <ul style="list-style-type: none"> <li data-bbox="240 726 906 800">a) participating in an approved substance abuse treatment program</li> <li data-bbox="240 995 906 1026">b) homeless</li> <li data-bbox="240 1079 906 1110">c) a victim of domestic violence</li> <li data-bbox="240 1236 906 1268">d) in an emergency situation of short duration</li> </ul>	<ul style="list-style-type: none"> <li data-bbox="922 726 1084 800"> <input checked="" type="checkbox"/> Yes  <input type="checkbox"/> No               </li> <li data-bbox="922 995 1084 1068"> <input type="checkbox"/> Yes  <input checked="" type="checkbox"/> No               </li> <li data-bbox="922 1079 1084 1152"> <input checked="" type="checkbox"/> Yes  <input type="checkbox"/> No               </li> <li data-bbox="922 1236 1084 1310"> <input type="checkbox"/> Yes  <input checked="" type="checkbox"/> No               </li> </ul>	<p>PA families only for a period not to exceed 12-months for the purpose of enabling a parent to attend recommended treatment when mandated by NCDSS.</p> <p>When necessary for the parent to attend counseling-not to exceed court mandates.</p>
3. Families with an open child protective services case when child care is needed to protect the child.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
4. Families with income up to 200% of the State Income Standard when child care services are needed because the child's caretaker:		
<ul style="list-style-type: none"> <li data-bbox="240 1535 906 1587">a) is physically or mentally incapacitated</li> <li data-bbox="240 1692 906 1724">b) has family duties away from home</li> </ul>	<ul style="list-style-type: none"> <li data-bbox="922 1535 1084 1608"> <input checked="" type="checkbox"/> Yes  <input type="checkbox"/> No               </li> <li data-bbox="922 1692 1084 1766"> <input type="checkbox"/> Yes  <input checked="" type="checkbox"/> No               </li> </ul>	<p>Applies only to families that fall under transitional day care during the 12-month eligibility period.</p>
5. Families with income up to 200% of the State Income Standard when child care services are needed for the child's caretaker to actively seek	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Optional Categories	Option	Limitations
employment for a period up to six months.		
6. PA families where a sanctioned parent is participating in unsubsidized employment, earning wages at a level equal to or greater than the minimum amount under law.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	For the duration of the sanction provided the parent agrees to and does comply with sanction at the end of that duration.
7. Families with income up to 200% of the State Income Standard when child care services are needed for the child's caretaker to participate in: <ul style="list-style-type: none"> <li data-bbox="240 617 906 911">a) a public or private educational facility providing a standard high school curriculum offered by or approved by the local school district</li> <li data-bbox="240 911 906 1037">b) an education program that prepares an individual to obtain a NYS High School equivalency diploma</li> <li data-bbox="240 1037 906 1226">c) a program providing basic remedial education in the areas of reading, writing, mathematics, and oral communications for individuals functioning below the ninth month of the eighth grade level</li> <li data-bbox="240 1226 906 1352">d) a program providing literacy training designed to help individuals improve their ability to read and write</li> <li data-bbox="240 1352 906 1541">e) English as a second language (ESL) instructional program designed to develop skills in listening, speaking, reading, and writing the English language for individuals whose primary language is other than English</li> <li data-bbox="240 1541 906 1730">f) a two-year full-time degree granting program at a community college, a two-year college, or an undergraduate college with a specific vocational goal leading to an associate degree or certificate of completion</li> <li data-bbox="240 1730 906 1898">g) a training program, which has a specific occupational goal and is conducted by an institution other than a college or university that is licensed or approved by the State</li> </ul>	<ul style="list-style-type: none"> <li data-bbox="922 617 1084 911"> <input checked="" type="checkbox"/> Yes  <input type="checkbox"/> No               </li> <li data-bbox="922 911 1084 1037"> <input type="checkbox"/> Yes  <input checked="" type="checkbox"/> No               </li> <li data-bbox="922 1037 1084 1226"> <input type="checkbox"/> Yes  <input checked="" type="checkbox"/> No               </li> <li data-bbox="922 1226 1084 1352"> <input type="checkbox"/> Yes  <input checked="" type="checkbox"/> No               </li> <li data-bbox="922 1352 1084 1541"> <input type="checkbox"/> Yes  <input checked="" type="checkbox"/> No               </li> <li data-bbox="922 1541 1084 1730"> <input type="checkbox"/> Yes  <input checked="" type="checkbox"/> No               </li> <li data-bbox="922 1730 1084 1898"> <input type="checkbox"/> Yes  <input checked="" type="checkbox"/> No               </li> </ul>	Only for a teen parent to complete a regular high school program (9-12), GED, or BOCES (as part of the high school program) up to the age of 18 or to the end of the school year.

Optional Categories	Option	Limitations
<p>Education Department</p> <p>h) a prevocational skill training program such as a basic education and literacy training program</p> <p>i) a demonstration project designed for vocational training or other project approved by the Department of Labor</p> <p><b>Note:</b> The parent/caretaker must complete the selected programs listed under number seven within 30 consecutive calendar months. The parent/caretaker cannot enroll in more than one program.</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<p>8. PA recipients and low-income families with incomes up to 200% of the State Income Standard who are satisfactorily participating in a two-year program other than one with a specific vocational sequence (leading to an associate's degree or certificate of completion and that is reasonably expected to lead to an improvement in the parent/caretaker's earning capacity) as long as the parent(s) or caretaker is also working at least 17½ hours per week. The parent/caretaker must demonstrate his or her ability to successfully complete the course of study.</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<p>9. PA recipients and low-income families with incomes up to 200% of the State Income Standard who are satisfactorily participating in a two-year college or university program (other than one with a specific vocational sequence) leading to an associate's degree or a certificate of completion that is reasonably expected to lead to an improvement in the parent/caretaker's earning capacity as long as the parent(s) or caretaker is also working at least 17½ hours per week. The parent/caretaker must demonstrate his or her ability to successfully complete the course of study.</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<p>10. PA recipients and low-income families with incomes up to 200% of the State Income Standard who are satisfactorily participating in a four-year college or university program leading to a bachelor's degree and that is reasonably expected to lead to an improvement in the parent/caretaker's earning capacity as long as the parent(s) or caretaker is also working at least 17½ hours per</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Optional Categories	Option	Limitations
week. The parent/caretaker must demonstrate his or her ability to successfully complete the course of study.		
11. Families with incomes up to the 200% of the State Income Standard when child care services are needed for the child's caretaker to participate in a program to train workers in an employment field that currently is or is likely to be in demand in the future, if the caretaker documents that he or she is a dislocated worker and is currently registered in such a program, provided that child care services are only used for the portion of the day the caretaker is able to document is directly related to the caretaker engaging in such a program.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

## APPENDIX M

### Reasonable Distance, Very Low Income, Family Share, Case Closing and Openings, Recertification Period, Fraud and Abuse Control Activities (Required)

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#### Reasonable Distance

Define “reasonable distance” based on community standards for determining accessible child care.

The following defines “reasonable distance”: one way from work to day care to home equals less than 1.5 miles

Describe any steps/consultations made to arrive at your definition: using school standards for bus transportation for area students

#### Very Low Income

Define “very low income” as it is used in determining priorities for child care benefits.

“Very Low Income” is defined as 120% of the State Income Standard.

#### Family Share

“Family share” is the weekly amount paid towards the costs of the child care services by the child’s parent or caretaker. In establishing family share, your district must select a percentage from 10% to 35% to use in calculating the family share. The weekly family share of child care costs is calculated by applying the family share percentage against the amount of the family’s annual gross income that is in excess of the State Income Standard divided by 52.

Family Share Percentage selected by the county 20%.

**Note:** The percentage selected here must match the percentage selected in Title XX Program Matrix in WMS.

#### Case Closings

The district must describe below how priority is given to federally mandated priorities and describe local priorities. If all NYSCCBG funds are committed, the district will discontinue funding to those families that have lower priorities in order to serve families with higher priorities. Describe below how districts will select cases to be closed in the event that there are insufficient or no funds available.

1. Identification of local priorities in addition to the required federal priorities (select one).
  - The district has identified local priorities in addition to the required federal priorities (Complete Section 2)
  - The district has not identified local priorities in addition to the required federal priorities (Complete Section 3).
2. Describe how priority is given to federally mandated priorities and describe local priorities. If all NYSCCBG funds are committed, the district will discontinue funding to those families that have lower priorities in order to serve families with higher priorities. Describe in the space below how the district will select cases to be closed in the event that there are insufficient or no funds available.

a. The district will select cases to be closed based ONLY on income.

No.

Yes. Check 1 or 2 below.

1)  The district will close cases from the highest income to lowest income.

2)  The district will close cases based on income bands. Describe the income bands, beginning at 200% of the State Income Standard and ending at 100% of the State Income Standard (SIS)

The district will close cases using increment bands of 10%, closing cases in the highest income bands first: 200% SIS-191% SIS; 190% SIS-181% SIS; 180% SIS-171% SIS; 170% SIS-161% SIS; 160% SIS-151% SIS; 150% SIS-141% SIS; 140% SIS-131% SIS; 130% SIS-121% SIS.

Families having a child with special needs who needs child care will be closed next.

Families with "very low income", up to and including 120% SIS ,will be closed last.

b. The district will select cases to be closed based ONLY on categories of families.

No.

Yes. List the categories in the order that they will be closed, including the optional categories selected in Appendix L:

c. The district will select cases to be closed based on a combination of income and family category.

No.

Yes. List the categories and income groupings in the order that they will be closed:

d. The district will select cases to be closed on a basis other than the options listed above.

No.

Yes. Describe how the district will select cases to be closed in the event that there are insufficient funds to maintain the district's current case load:

e. The last cases to be closed will be those that fall under federal priorities. Identify how your district will prioritize federal priorities. Cases that are ranked 1 will be closed last.

Very low income  Rank 1  Rank 2

Families that have a child with special needs  Rank 1  Rank 2

3. If all NYSCCBG funds are committed, case closings for families that are not eligible under a child care guarantee and are not a federally mandated priority must be based on the length of time in receipt of services. The length of time used to close cases may be based either on the shortest or longest time the family has received child care services, but must be consistent for all families.

a. Identify how the district will prioritize federal priorities. Cases that are ranked 1 will be closed last.

Very low income     Rank 1     Rank 2

Families that have a child with special needs     Rank 1     Rank 2

b. The district will close cases based on the federal priorities and the amount of time the family has been receiving child care services.

Shortest time receiving child care services

Longest time receiving child care services

4. The district will establish a waiting list for families whose cases were closed because our county did not have sufficient funds to maintain our current caseload.

No.

Yes. Describe how these cases will be selected to be reopened if funds become available:

The federal priorities will be reopened first, then cases will be opened by income band, from lowest income to highest, using increment bands of 10, as shown by the ranking below:

Rank 1--Families with "very low income", up to and including 120% SIS ,will be reopened first.

Rank 2--Families having a child with special needs who needs child care will be opened second

Rank 3—Families with income from 121% SIS up to and including 130% SIS

Rank 4— Families with income from 131% SIS up to and including 140% SIS

Rank5— Families with income from 141% SIS up to and including 150% SIS

Rank 6— Families with income from151% SIS up to and including 160% SIS

Rank 7— Families with income from 161% SIS up to and including 170% SIS

Rank 8-- Families with income from 171% SIS up to and including 180% SIS

Rank 9-- Families with income from 181% SIS up to and including 190% SIS

Rank 10-- Families with income from 191% SIS up to and including 200% SIS

## Case Openings

Describe below how priority is given to federally mandated priorities and how the district will select cases to be opened in the event that insufficient funds are available.

1. The first cases to be opened will be those that fall under the federal priorities.

Identify how your district will prioritize federal priorities. Cases that are ranked 1 will be opened first.

Very low income       Rank 1       Rank 2

Families that have a child with special needs       Rank 1       Rank 2

2. The district will select cases to be opened based ONLY on income.

No.

Yes. Check 1 or 2 below.

1)  The district will open cases from the lowest income to highest income.

2)  The district will open cases based on income bands. Describe the income bands, beginning at 200% of the State Income Standard and ending at 100% of the State Income Standard:

If funds are available but insufficient to serve all the families identified in 18 NYCRR 415.2(a)(2) and 18 NYCRR 415.2(a)(3) as selected by the district in Appendix L of this document, the district will open cases based on income bands of 10%. Note the district will open its “very low income” (rank one) and special needs families (rank two) first, then the district will open cases based using the income bands of 10%, from lowest to highest income.

Rank 1--Families with “very low income”, up to and including 120% SIS ,will be reopened first.

Rank 2--Families having a child with special needs who needs child care will be opened second

Rank 3—Families with income from 121% SIS up to and including 130% SIS

Rank 4— Families with income from 131% SIS up to and including 140% SIS

Rank5— Families with income from 141% SIS up to and including 150% SIS

Rank 6— Families with income from151% SIS up to and including 160% SIS

Rank 7— Families with income from 161% SIS up to and including 170% SIS

Rank 8-- Families with income from 171% SIS up to and including 180% SIS

Rank 9-- Families with income from 181% SIS up to and including 190% SIS

Rank 10-- Families with income from 191% SIS up to and including 200% SIS

The families in the lowest income band will be opened first. The district will open cases for families in the higher income bands to the extent that funding allows.”

3. The district will select cases to be opened based ONLY on category.
- No.
- Yes. List the categories in the order that they will be opened, including the optional categories selected in Appendix L:

4. The district will select cases to be opened based on a combination of income and category of family.
- No.
- Yes. List the categories and income groupings in the order that they will be opened:

5. The district selects cases to be opened on a basis other than the options listed above.
- No.
- Yes. Describe how the district will select cases to be opened in the event that there are not sufficient funds to open all eligible families:

6. The district will establish a waiting list when there are not sufficient funds to open all eligible cases.
- No.
- Yes. Describe how these cases will be selected to be opened when funds become available:

If funds are available but insufficient to serve all the families on the waiting list, the district will open cases based on income bands of 10%. Note the district will open its “very low income” (rank one) and special needs families (rank two) first, then the district will open cases based using the income bands of 10%, from lowest to highest income.

Rank 1--Families with “very low income”, up to and including 120% SIS ,will be reopened first.

Rank 2--Families having a child with special needs who needs child care will be opened second

Rank 3—Families with income from 121% SIS up to and including 130% SIS

Rank 4— Families with income from 131% SIS up to and including 140% SIS

Rank5— Families with income from 141% SIS up to and including 150% SIS

Rank 6— Families with income from151% SIS up to and including 160% SIS

Rank 7— Families with income from 161% SIS up to and including 170% SIS

Rank 8-- Families with income from 171% SIS up to and including 180% SIS

Rank 9-- Families with income from 181% SIS up to and including 190% SIS

Rank 10-- Families with income from 191% SIS up to and including 200% SIS

The families in the lowest income band will be opened first. The district will open cases for families in the higher income bands to the extent that funding allows.”

The district’s recertification period is every  six months  twelve months

## **Fraud and Abuse Control Activities**

**Describe below the criteria the district will use to determine which child care subsidy applications suggest a higher than acceptable risk for fraudulent or erroneous child care subsidy payment in addition to procedures for referring such applications to the district’s front-end detection system.**

Our district has established a FEDS Referral form that lists 18 different criteria for use by TA, MA, FS and Child Care. The Child Care Unit will use 11 of these in determining which households are at a greater risk for fraudulent payments for Child Care Subsidy. They are:

- Prior history of 0denial 0case closing 0overpayment resulting from an investigation
- Application inconsistent with prior case information
- No absent parent information or information is inconsistent with application
- P.O. Box used as a mailing address without reasonable explanation, e.g., high crime area
- Legally responsible relative or spouse recently left household
- Recent denial due to excess income/resources and household member with excess income or resources is not currently in household
- Moved into Niagara County less than 3 months ago
- Working off the books (currently or previously)
- Renting from a relative

Each new application will use the FEDS form and check off any indicators that need to be investigated. The Fraud Unit will refer to the Investigator, a report will be sent back to the Child Care Worker with suggested recommendation. CC worker will identify the necessary action to be taken and will notify Fraud. If there are no indicators that apply to an application, the form will be filed in the case identifying no action required.

**Describe the sampling methodology used to determine which cases will require verification of an applicant’s or recipient’s continued need for child care, including, as applicable, verification of participation in employment, education, or other required activities.**

- Each child care case is at 100% verification of participation in employment.
- Each monthly bill submitted for subsidy payment must be accompanied by the coordinating time-frame wage stub/employer statement. The bill is compared to the wage stub for hours worked against child care hours billed.

- In two parent/guardian households, a work schedule identifying days and hours assigned for each parent is also required on a monthly bases to identify that both responsible parents/guardians are working during the same time that provider bill is submitted for.
- Re-certifications are routinely done every 12-months. For single parent/guardian households, 6-months into the recertification period, a request for the parent/guardians actual work schedule will be requested to compare with actual hours submitted for payment on the bill for the coordinating month.
- Each teen parent is at 100% verification of participation in the program.
- Each teen parent must submit verification of enrollment in the program, a copy of the class schedule verifying days and hours, and anticipated completion date.
- Each monthly bill submitted for payment will require an attendance verification sheet.
- Other required activities will be required to submit 100% verification of attendance with the coordinating bill for subsidy payment.

**Describe the sampling methodology used to determine which providers of subsidized child care services will be reviewed for the purpose of comparing the child care provider's attendance forms for children receiving subsidized child care services with any Child and Adult Care Food Program inspection forms to verify that child care was actually provided on the days listed on the attendance forms.**

The enrollment agency, Child Care Clearinghouse of Niagara, will provide the district with copies of the Child Adult Care Food Program (CACFP) inspection forms three times a year. Three times a year the district will randomly select 1/3 of the CACFP inspection forms, which receive child care subsidy and compare these forms with the child care providers' attendance forms to verify that child care was actually provided on the day listed on the attendance forms.

**APPENDIX N**  
**District Options (Required)**

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Districts have some flexibility to administer their child care subsidy programs to meet local needs. Check which options that your district wishes to include in your county plan. Complete the attached appendices for any area(s) checked.

1.  The district has chosen to establish funding set-asides for NYSCCBG (complete Appendix O).
2.  The district is using Title XX funds for the provision of child care services (complete Appendix P).
3.  The district has chosen to establish additional local standards for child care providers (complete Appendix Q).
4.  The district has chosen to make payments to child care providers for absences (complete Appendix R).
5.  The district has chosen to make payments to child care providers for program closures (complete Appendix S).
6.  The district has chosen to pay for transportation to and from a child care provider (complete Appendix T).
7.  The district has chosen to pay up to 15% higher than the applicable market rates for regulated child care services that have been accredited by a nationally recognized child care organization (complete Appendix T).
8.  The district has chosen to pay up to 15% higher than the applicable market rates for non-traditional hours (complete Appendix T).
9.  The district has chosen to pay up to 75% of the enhanced market rate for legally-exempt family and in-home child care providers who have completed 10 hours of training, which has been verified by the Legally-Exempt Caregiver Enrollment Agency (complete Appendix T).
10.  The district has chosen to pay for child care services while a caretaker who works the second or third shift sleeps (complete Appendix T).
11.  The district has chosen to make payments to child care providers who provide child care services, which exceed 24 consecutive hours (complete Appendix U).
12.  The district has chosen to include 18-, 19- or 20-year-olds in the Child Care Services Unit (complete Appendix U)
13.  The district is seeking a waiver from one or more regulatory provisions. Such waivers are limited to those regulatory standards that are not specifically included in law (complete Appendix U).
14.  The district has chosen to pay for breaks in activity for low income families (non public assistance families). Complete Appendix U.

15.  The district has chosen to use local equivalent forms such as, but not limited to, child care application, client notification, and/or enrollment forms (attach copies of the local equivalent forms your district uses).

*Any previous approvals for local equivalent forms will not be carried forward into this county plan. Therefore, any local equivalent forms a district wishes to establish or renew must be included in this plan and will be subject to review and approval by OCFS.*

**APPENDIX O**  
Funding Set-Asides (Optional)

**Total NYSCCBG Block Grant Amount, Including Local Funds**

Category:	.....	\$
<b>Total Set-Asides</b>	.....	<b>\$</b>

Describe for each category the rationale behind specific set-aside amounts from the NYSCCBG (e.g., estimated number of children).

Category:  
Description:

Category:  
Description:

Category:  
Description:

Category:  
Description:

The following amounts are set aside for specific priorities from the Title XX block grant:

Category:	.....	\$
Category:	.....	\$
Category:	.....	\$
<b>Total Set-Asides (Title XX)</b>	.....	<b>\$</b>

Describe for each category the rationale behind specific amounts set aside from of the Title XX block grant (e.g., estimated number of children).

Category:

Description:

Category:

Description:

Category:

Description:

Category:

Description:

**APPENDIX P**  
**Title XX Child Care (Optional)**

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Enter projected total Title XX expenditures for the plan's duration: .....\$

Indicate the financial eligibility limits (percentage of State Income Standard) your district will apply based on family size. Maximum reimbursable limits are 275% for a family of one or two, 255% for a family of three, and 225% for a family of four or more. Districts that are utilizing Title XX funds *only* for child protective and/or preventive child care services must not enter financial eligibility limits as these services are offered without regard to income.

Family Size: (2)                      (3)                      (4)

Programmatic Eligibility for Income Eligible Families (Check all that apply.)

- Title XX:     employment                       education/training  
               seeking employment             illness/incapacity  
               homelessness                       domestic violence  
               emergency situation of short duration  
               participating in an approved substance abuse treatment program

Does the district apply any limitations to the programmatic eligibility criteria?

- Yes     No

(See Technical Assistance #1 for information on limiting eligibility.)

Does the district prioritize certain eligible families for Title XX funding?

- Yes     No

If yes, describe which families will receive priority:

Does the district use Title XX funds for child care for open child protective services cases?

- Yes     No

Does the district use Title XX funds for child care for open child preventive services cases?

- Yes     No

## APPENDIX Q

### Additional Local Standards for Child Care Providers (Optional)

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The district may propose local standards in addition to the State standards for legally-exempt providers who will receive child care subsidies. This appendix must be completed for **each** additional standard that the district wishes to implement.

1. Check or describe in the space provided below the additional local standards that will be required of child care providers/programs.

- Verification that the provider has given the parent/caretaker complete and accurate information regarding any report of child abuse or maltreatment in which they are named as an indicated subject
- Local criminal background check
- Requirement that providers that care for subsidized children for 30 or more hours a week participate in the Child and Adult Food Care Program (CACFP)
- Site visits by the local district
- Other (please describe):

2. Check below the type of child care program to which the additional standard will apply and indicate the roles of the persons to whom it will apply in cases where the standard is person-specific.

- Legally-exempt family child care program. Check all that apply.
  - Provider                       Provider's Employee                       Provider's Volunteer
  - Provider's household member age 18 or older
- Legally-exempt in-home child care program. Check all that apply.
  - Provider                       Provider's Employee                       Provider's Volunteer
- Legally-exempt group providers not operating under the auspices of another government agency. Check all that apply.
  - Provider                       Provider's Employee                       Provider's Volunteer
- Legally-exempt group providers operating under the auspices of another government or tribal agency. Check all that apply.
  - Provider                       Provider's Employee                       Provider's Volunteer

3. Districts are responsible for implementation of the additional local standard unless they have a formal agreement or contract with another organization. Check the organization that will be responsible for the implementation of the additional local standard.

Local social services staff

Provide the name of the unit and contact person:

Contracted agency

Provide the name of the agency and contact person:

Angela Burns; Niagara Community Action Program, Inc.

4. Are there any costs associated with the additional standard?

Yes     No

**Note:** Costs associated with the additional standard cannot be passed on to the provider.

5. **Describe the steps for evaluating whether the additional local standard has been met.**

A family child care provider caring for a subsidized child an average of 30 or more hours a week is required, to participate in the Child and Adult Food Care Program (CACFP) as a condition of enrollment to provide child care subsidized by Niagara County DSS). All legally-exempt family and in-home child care providers are required to sign the Niagara County Legally Exempt Family Child Care Additional Standard Acknowledgement Agreement form, #8351, to initiate the enrollment process. The enrollment packet for any provider of legally-exempt in-home or family child care will be considered “incomplete” if the Niagara County Legally Exempt Family Child Care Additional Standard Acknowledgement Agreement form, #8351 is not signed and submitted with the enrollment packet.

The Niagara County Department of Social Services (NCDSS) will determine the legally-exempt family child care provider is “compliant” and meeting the Niagara County additional local enrollment standard for “participation in CACFP” when:

1. The legally-exempt family child care provider has completed, signed, dated and submitted the Niagara County Legally Exempt Family Child Care Additional Standard Acknowledgement Agreement form, (8351), as a part of the “Enrollment Form for Provider of Legally-Exempt Family Child Care and Legally-Exempt In –Home Child Care” (OCFS–LDSS- 4699) to the enrollment agency. AND
2. The legally exempt family child care provider caring for a subsidized child an average of 30 or more hours per week, has enrolled with the CACFP program including signing the CACFP Pre-Approval checklist (CACFP-106) and the Continuous Application and Agreement for Day Care Homes Participation (DOH-3705) and has completed the follow-up visit with CACFP all within the CACFP required time frames, AND
3. The legally-exempt family child care provider caring for a subsidized child an average of 30 or more hours per week, must fully cooperate with all requirements of CACFP, including inspections and/or follow-up visits, AND

4. The legally-exempt family child care provider caring for a subsidized child an average of 30 or more hours per week, must begin claiming no later than the month following the sign-up date and continue to submit monthly claims to CACFP on a timely basis.

The Niagara County DSS will determine the legally-exempt family child care provider is “non-compliant” and NOT meeting the Niagara County additional local enrollment standard for “participation in CACFP” when:

1. The family child care provider does not submit a completed “Niagara County Legally-Exempt Family Child Care Additional Standard Acknowledgement Agreement” form, (8351), AND/OR
2. The family child care provider caring for a subsidized child an average of 30 or more hours per week, refuses to sign up for CACFP, AND/OR
3. The family child care provider caring for a subsidized child an average of 30 or more hours per week, does not cooperate with any part of the CACFP enrollment process AND/OR
4. The family child care provider caring for a subsidized child an average of 30 or more hours per week, does not remain in compliance with the CACFP regulations AND/OR
5. The family child care provider caring for a subsidized child an average of 30 or more hours per week, fails to cooperate with any CACFP inspection or home visit, AND/OR
6. The family child care provider caring for a subsidized child an average of 30 or more hours per week, fails to submit monthly claims to CACFP on a timely basis, AND/OR
7. The family child care provider, who was not initially required to participate in CACFP, fails to notify NCDSS or the enrollment agency, Community Child Care Clearinghouse of Niagara, of the increase in hours of care which would make the family child care provider mandated to comply with the NCDSS CACFP additional standard,
8. The Legally-Exempt child care provider who changes from providing care in the child’s home (in-home care) to providing care at a site other than the child’s home (family child care) and provides an average of 30 hours or more of child care per week and fails to notify the NCDSS and the Enrollment agency of the change.

Any legally-exempt family child care provider caring for a subsidized child an average of 30 or more hours per week, who does not participate with the Niagara County additional local standard for enrollment described above is non-compliant and considered to be ineligible to provide subsidized child care paid for by Niagara County DSS. No subsidy payments will be issued for care provided by such providers who are non-compliant with the requirement to participate in CACFP.

The provider is noncompliant with the additional standard for participation with CACFP when the provider has signed the legally-exempt family child care additional standard agreement and the provider fails to participate fully with CACFP. When the provider is noncompliant the additional standard is not met. The provider will not be eligible for

payment for child care provided going back to the first date child care services were provided.

6. Indicate how frequently reviews of the additional standard will be conducted. Check all that apply.

Legally-Exempt Programs:

- Initial enrollment                       During the 12-month enrollment period  
 Re-enrollment                               Other

7. **In the space below, described the procedures the district will use to notify the Legally-Exempt Caregiver Enrollment Agency (EA) as to whether the legally-exempt provider is in compliance with the additional local standards. Districts must notify the EA within 25 days from the date they received the referral from the EA. (Districts need to describe this procedure only if the additional local standard is applied to legally-exempt child care providers.)**

1. Notify EA via CACFP Additional Standard Tracking Form (8352) that the legally exempt family child care provider cares on average 30 or more hours per week for a subsidized child and is required to be enrolled in CACFP; 2. Once the EA fully enrolls the provider who is required to participate in CACFP because the provider is caring for a subsidized child an average of 30 or more hours per week, the EA notifies CACFP by supplying - the CACFP Additional Standard Tracking Form (8352); 3. CACFP will notify the District within approximately 5 business days that the provider is or is not “actively participating” per the additional standard requirement via the CACFP Additional Standard Tracking Form (8352); 4. If the provider is “actively participating” the District will notify the EA within approximately 5 business days that the additional standard is met via the Additional Standard Tracking Form (8352); 5. If the provider is not “actively participating” the District will notify the EA that the additional standard is not being met via the Additional Standard Tracking Form (8352). The decision on whether the additional standard is being met is made by the NCDSS.

8. **Describe the justification for the additional standard in the space below.**

This will aid in improving the health and nutrition of children cared for by Legally Exempt Providers receiving subsidy payments within our district. The changes to the implementation of the additional standard will occur at reenrollment of existing enrolled providers, and with all new enrollments.

**APPENDIX R**

**Payment to Child Care Providers for Absences (Optional)**

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The following providers are eligible for payment for absences (check all that are eligible):

- Day Care Center                       Legally-Exempt Group  
 Group Family Day Care               School Age Child Care  
 Family Day Care

Our county will only pay for absences to providers with which the district has a contract or letter of intent.

- Yes     No

Base period (check one)                       3 months                       6 months

Number of absences allowed during base period:

<b>Period</b>	<b>Routine Limits (# of days)</b>	<b>Extenuating Circumstances (# of days)</b>	<b>Total Number of Absences Allowed (# of days)</b>
In a month			
Base period			

List reasons for absences for which the district will allow payment:

List any limitations on the above providers' eligibility for payment for absences:

**Note:** Legally-exempt family child care and in-home child care providers are **not** eligible to receive payment for absences.

## APPENDIX S

### Payment to Child Care Providers for Program Closures (Optional)

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The following providers are eligible for payment for program closures:

- Day Care Center                       Legally-Exempt Group  
 Group Family Day Care     School Age Child Care  
 Family Day Care

The county will only pay for program closures to providers with which the district has a contract or letter of intent.

- Yes     No

Enter the number of days allowed for program closures (maximum allowable time for program closures is five days).

List the allowable program closures for which the county will provide payment.

**Note:** Legally-exempt family child care and in-home child car providers are **not** allowed to be reimbursed for program closures.

## APPENDIX T

### Transportation, Differential Payment Rates, Enhanced Market Rate for Legally-Exempt and In-Home Providers, and Sleep (Optional)

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#### Transportation

Describe any circumstances and limitations your county will use to reimburse for transportation. Include what type of transportation will be reimbursed (public vs. private) and how much your county will pay (per mile or trip). Note that if the county is paying for transportation, the Program Matrix in WMS should reflect this choice.

#### Differential Payment Rates

Indicate the percentage above the market rate your county has chosen.

Accredited programs may receive a differential payment up to \_\_\_\_\_ % above market rate.

Care during non-traditional hours may be paid up to \_\_\_\_\_ % above market rate.

Limitations to the above differentials:

Payments may not exceed 15% above market rate. However, if your district wishes to establish a payment rate that is more than 15% above the applicable market rate, describe below why the 15% maximum is insufficient to provide access within the district to accredited programs and/or care provided during non-traditional hours.

#### Enhanced Market Rate for Legally-Exempt Family and In-Home Child Care Providers

Indicate if the district is electing to establish a payment rate that is in excess of the enhanced market rate for legally-exempt family and in-home child care providers who have annually completed 10 or more hours of training and the training has been verified by the legally-exempt caregiver enrollment agency.

No.

Yes. Our market rate will not exceed 75% of the child care market rate established for registered family day care.

#### Sleep

The following describes the standards that will be used in evaluating whether or not to pay for child care services while a parent or caretaker that works a second or third shift sleeps, as well as any limitations pertaining to payment:

Indicate the number of hours allowed by your district (maximum number of hours allowed is eight).

## APPENDIX U

### Child Care Exceeding 24 Hours, Child Care Services Unit, Waivers, and Breaks in Activities (Optional)

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#### Child Care Exceeding 24 Hours

Child Care services may exceed 24 consecutive hours when such services are provided on a short-term emergency basis or in other situations where the caretaker's approved activity necessitates care for 24 hours on a limited basis. Check below under what circumstances the county will pay for child care exceeding 24 hours.

- On a short-term or emergency basis
- The caretaker's approved activity necessitates care for 24 hours on a limited basis

Describe any limitations for payment of child care services that exceed 24 consecutive hours.

#### Child Care Services Unit (CCSU)

Indicate below if your county will include 18-, 19-, or 20-year-olds in the CCSU, which is used in determining family size and countable family income.

The district will include the following in the CCSU (check all that apply).

- 18-year-olds                       19-year-olds                       20-year-olds

**OR**

The district will only include the following in the CCSU when it will benefit the family (check all that apply)

- 18-year-olds                       19-year-olds                       20-year-olds

Describe the criteria your district will use to determine whether or not 18-, 19-, or 20-year olds are included in the CCSU.

#### Waivers

Districts have the authority to request a waiver of any regulatory provision that is non-statutory. Describe and justify why your county is requesting a waiver.

#### Breaks in Activities

Districts may pay for child care services for low income families during breaks in activities either for a period not to exceed two weeks or for a period not to exceed four weeks when child care arrangements would otherwise be lost and the subsequent activity is expected to begin within that period. Indicate below if your county will make such payments (check one).

- Two weeks                       Four weeks

Districts may provide child care services while the caretaker is waiting to enter an approved activity or employment or on a break between approved activities. The following low income

families are eligible for child care services during a break in activities (check any that are eligible):

- Entering an activity
- Waiting for employment
- On a break between activities