



April 28, 2009

New York State
Office of
Children & Family
Services

www.ocfs.state.ny.us

David A. Paterson
Governor

Gladys Carrión, Esq.
Commissioner

Capital View Office Park
52 Washington Street
Rensselaer, NY 12144

Mr. David Jolly, Commissioner
Orange County Department of Social Services
11 Quarry Road
Box Z
Goshen, NY 10924-0678

Dear Commissioner Jolly:

This letter is to inform you that the child care section found in the administrative component of your Annual Plan Update 2008-2009 was approved on April 28, 2009. The child care section became effective on April 28, 2009.

This approval is being issued separate from the approval of other sections of your plan in order to accommodate your county's need to implement the child care services provisions. A letter approving the remaining sections of your plan will be sent upon their approval.

If you have any questions about this approval or the child care section found in your Annual Plan Update 2008-2009 please contact Ms. Amy Ryan, (518) 474-9620 or by e-mail at Amy.Ryan@ocfs.state.ny.us.

Sincerely,

Janice M. Molnar
Deputy Commissioner
Division of Child Care Services

Cc: Frank Alteio, Planning Coordinator



Orange County

<u>Function:</u>	<u>Organization:</u>	<u>Amount of Contract:</u>
X Eligibility screening Function	Child Care Council Legally Exempt	\$107,710.32 7/07 -6/08
X Assistance in locating care	Child Care Council	\$228,451 1/08-12/08
<input type="checkbox"/> Child Care Information Systems	Control Tec (Kinder Track)	\$13,860
<input type="checkbox"/> Determining if legally- exempt providers meet State approved additional local standards (if applicable)		
<input type="checkbox"/> Other		

APPENDIX G-2

II. Other Eligible Families if Funds are Available (Required Section)

Listed below are optional categories of eligible families that your district can include as part of its ICP. Select any categories your district wants to serve 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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
2. PA families or families with income up to 200% of the State Income Standard when the caretaker is:		
a) participating in an approved substance abuse treatment program	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	TANF only – On monthly basis, the parent must provide a written document confirming attendance in an approved substance abuse treatment program.
b) homeless	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
c) a victim of domestic violence	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
d) in an emergency situation of short duration	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
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:		
a) is physically or mentally incapacitated	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Changed Approved by the State 2/1/08 – For a two parent household and one is employed
b) has family duties away from home	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Orange County

<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 employment for a period up to 6 months.</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>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.</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>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:</p>		
<p>a) a public or private educational facility providing a standard high school curriculum offered by or approved by the local school district</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Will pay for high school diploma</p>
<p>b) an education program that prepares an individual to obtain a NYS High School equivalency diploma</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>GED</p>
<p>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</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>d) a program providing literacy training designed to help individuals improve their ability to read and write;</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>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</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>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</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Will only pay for an AAS Degree</p>

Orange County

<p>g) a training program, which has a specific occupational goal and is conducted by an institution licensed or approved by the State Education Department other than a college or university</p>	<p>X Yes <input type="checkbox"/> No</p>	<p>Limited to six (6) weeks</p>
<p>h) a prevocational skill training program such as, a basic education and literacy training program</p>	<p>X Yes <input type="checkbox"/> No</p>	<p>Limited to six (6) weeks</p>
<p>i) a demonstration project designed for vocational training or other project approved by the Department of Labor.</p> <p>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>	<p>X Yes <input type="checkbox"/> No</p>	<p>Vocational training and/or undergraduate degree programs must present a clear means towards employment upon completion.</p>
<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 associates 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 17 ½ hours per week. The parent/caretaker must demonstrate his or her ability to successfully complete the course of study.</p>	<p>X Yes <input type="checkbox"/> No</p>	<p>Effective 10/15/08 per prior amendment</p>

Orange County

<p>9. 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 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 17 ½ hours per week. The parent/caretaker must demonstrate his or her ability to successfully complete the course of study.</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Effective 10/15/08 per prior amendment</p>
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APPENDIX G-3

III. Reasonable Distance, Very Low Income, Family Share, Case Closings and Openings, and Fraud and Abuse Control Activities_ (Required Section)

Reasonable Distance

Your district is required to define reasonable distance based on community standards for determining accessible child care.

The following defines "reasonable distance":

The following defines "reasonable distance": A TANF recipient in our County would be expected to travel from home to work activity site with a stop at a day care provider along the way within a one hour commute. It takes approximately one hour to travel from one end of our County to another. Also, some of our training sites are located in the middle of the County, which is approximately a 45-minute commute.

Describe any steps/consultations made to arrive at your definition:

This definition was discussed and agreed upon by our Welfare reform Committee. This Committee consists of our Deputy Commissioner, Director of Temporary Assistance, Case Supervisor of Child Care Subsidy, Deputy Director of ETA, and the Welfare to Work Coordinator of ETA. The Committee meets on a weekly basis and has since the inception of Welfare reform.

Very Low Income

Very Low Income is defined by each district and is used in determining priorities for child care benefits.

Very Low Income is defined as **200%** 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 family share of child care 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 our district **35%**.

Orange County

Case Closings (select one or two)

1. 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. Described below is how the district will select cases to be closed in the event that there are insufficient or no funds available.

Cases will be close from highest to lowest income based on the three bands explained in the Case Opening section. Families that have children with special needs will be closed last.

2. The district has not established priorities beyond the federally-mandated priorities. If all NYSCCBG funds are committed, case closings for families which 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 receiving child care services but must be consistent for all families. The district has chosen to close cases based on:

shortest time receiving child care services

longest time receiving child care services

Case Openings

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

Two factors will be reviewed: Income level and Length of Time on Waiting List. Cases will be opened according to income bands starting with 100% going to 150%, 151% to 175% and 176% up to 200%. Within these income bands those families on the waiting list the longest will be opened first.

Fraud and Abuse Control Activities

The district must identify below the criteria it will use to determine which child care subsidy applications suggest a higher than acceptable risk for fraudulent or erroneous child care subsidy payment and procedures for referring such applications to the district's front end detection system.

See FEDS Plan

Orange County

The district must describe below its sampling methodology used to determine which cases it will seek verification of an applicant or recipient's continued need for child care including, as applicable, verification of participation in employment, education or other required activities.

Orange County verifies the continued need for child care by conducting re-certifications every six months of 100% of service cases. The unit requests pay stub info and submission of employer worksheets.

The district must describe below its sampling methodology used to determine which child care providers of subsidized child care services they will review for the purpose of comparing the child care providers' attendance forms for children receiving subsidized child care services and 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.

Based on the number of providers in CACFP (Oct 06), Orange County has a total of 62 cases to include in our reviewing process. The 62 cases are comprised of 17 family day care (FDCH); 42 group family day care (GRDC); two Legally exempt day care (LE) and one Military. Our number does not include any day care centers (DCC).

Orange County will compare the caregiver's attendance forms with any child and adult care food program inspection forms to verify that child care was actually provided on the days listed. Based on our universe size of 62, we will use a sample size of 52. Therefore, we will review five (5) cases per month.

Orange County has asked an employee of the Child Care Council to conduct a random sample of those providers in CACFP. She will cross reference the attendance sheets with the child and adult care food program information. Should there be any questionable information discovered, the Child Care Council representative would notify the worker in the Child Care Unit. If the worker believes that further investigation is warranted a referral would be made to our fraud unit.

APPENDIX G-4

IV. District Options (Required Section)

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

1. Our district has identified local priorities in addition to the federal priorities (complete Appendix G-5).
2. Our district has chosen to establish funding set-asides for NYSCCBG (complete Appendix G-6).
3. Our district is using Title XX funds for the provision of child care services (complete Appendix G-7).
4. Our district has chosen to establish additional local standards for child care providers (complete Appendix G-8).
5. Our district has chosen to make payments to child care providers for absences (complete Appendix G-9).
6. Our district has chosen to make payments to child care providers for program closures (complete Appendix G-10).
7. Our district has chosen to pay for transportation to and from a child care provider (complete Appendix G-11).
8. Our district has chosen to pay up to a 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 G-11).
9. Our district has chosen to pay up to 15% higher than the applicable market rates for non-traditional hours (complete Appendix G-11).
10. Our district has chosen to pay for child care services while a caretaker who works the second or third shift sleeps (complete Appendix G-11).
11. Our district has chosen to make payments to child care providers who provide child care services, which exceed 24 consecutive hours (complete Appendix G-12).

12. **X** Our district has chosen to include 18, 19 or 20 year olds in the Child Care Services Unit (complete Appendix G-12).

APPENDIX G-4 (continued)

13. Our 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 G- 12).
14. **X** Our district has chosen to pay for breaks in activity for low income families (non public assistance families, complete Appendix G-12).
15. Our district has chosen to use local equivalent forms such as, but not limited to, child care application, client notification and/or legally exempt 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 G-11
TRANSPORTATION, DIFFERENTIAL PAYMENT RATES, SLEEP**

Transportation

Describe below under what circumstances and limitations if any your district will use to reimburse for transportation, what type of transportation will be reimbursed (public vs. private), and how much your district will pay (per mile or trip). Note if paying for transportation, Appendix F will need to reflect this choice.

The Orange County Department of Social Services will limit the provision of transportation to and from day care centers to those consumers deemed by the Employment and Training Agency (ETA / One Stop) to be in need to transportation for approved work related activities. Transportation services will be limited consumers who meet the following criteria:

- For consumers who are enrolled and receiving TANF Employment services through the Employment and Training Agency.
- For consumers who receive prior approval from their ETA Case manager, for transportation to and from a day care facility.
- For consumers who require transportation assistance to and from an approved employment related activity.
- For ETA consumers who have recently gained employment and require transportation assistance to maintain their employment and day care.

All transportation services provided to Childcare Consumers will be limited to three months following employment. Any request for an extension of transportation will be requested through the ETA Case Manager, who will in turn notify this Department prior to granting an extension of transportation services.

Transportation services will be provided in one manner only, through the Community Transportation Solutions Program is no longer offered by a local non-profit, Occupations, Inc. The program is provided by ETA. This program provides all the employment related transportation services for employment and employment related approved activities. The current contract with the LCDSS will be expanded to include transportation to and from day care facilities as approved by the local ETA.

During the time period of 2/10/07 thru 12/31/07, approximately **13,448** trips were provided to day care consumers. The total cost was **\$101,087**. OCDSS will reimburse the CST Program offered through ETA.

Differential Payment Rates

Orange County

Indicate below the percentage above the market rate your district has chosen.

Accredited Programs may receive a differential payment up to **15%** above market rate.

Care during non-traditional hours may be paid up to _____ % above market rate. Are you paying for this?

Limitations to the above differentials are as follows:

Payments may not exceed 15% above market rate. However, if your district wishes to establish a payment rate that is in excess of 15% above the applicable market rate must 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.

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 and any limitations pertaining to payment:

The district will authorize eight hours of child care for any consumer who is required to work a third shift. The district will require written verification from the employer confirming consumer's actual work schedule.

Indicate the number of hours allowed by your district (maximum number of hours allowed is eight). **8**