

**APPENDIX G-1
CHILD CARE SECTION
DATED 2007-2009**

County: Orange

Code: 33

I. Administration (Required Section)

Describe how your 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: **Child Care Subsidy Unit**

Transitioning Families: **Child Care Subsidy Unit**

Income Eligible Families: **Child Care Subsidy Unit**

Title XX: **Protective/Preventive Units in Children's Services**

2. Indicate the use of New York State Child Care Block Grant (NYSCCBG) Funds.

Total NYSCCBG Amount: \$7,854,195

A. Subsidy	\$6,476,720
B. Other program costs (excluding subsidy)	\$420,711
C. Administrative costs	\$956,764

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

<u>Function:</u>	<u>Organization:</u>	<u>Amount of Contract:</u>
<input type="checkbox"/> Eligibility screening		
X Screening of legally-exempt providers	Child Care Council of Orange County	\$108,711
X Assistance in locating care	Child Care Council of Orange County	\$168,800
X Child Care Information Systems	ControlTec (Kinder Track, Kinder Attend)	\$13,200
X Other	Transportation	\$130,000

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	Amended effective February 1, 2008
b) has family duties away from home	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

<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>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<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>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<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>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<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>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<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>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<p>d) a program providing literacy training designed to help individuals improve their ability to read and write;</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<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>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<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>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>Will only pay for an AAS Degree</p>

<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>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>Limited to 6 weeks</p>
<p>h) a prevocational skill training program such as, a basic education and literacy training program</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>Limited to 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>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<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>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>Amended to Yes, effective 10/15/08</p>
<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>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>Amended to Yes, effective 10/15/08</p>

APPENDIX G-3

III. Reasonable Distance, Very Low Income, Definition of Engaged In Work For Child Care In Lieu of Temporary Assistance, 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.

Definition of Engaged In Work For Child Care In Lieu of Temporary Assistance

The minimum number of hours for Federal Fiscal Year 2006 are:

- **20 hours for a single parent with a child under the age of six years old**
- 30 hours for a single parent whose children are six years of age and older
- in two parent families the parents must be working a combined total of 55 hours with at least one parent working 30 or more hours.

If a district proposes a higher minimum number of required hours of work describe the requirement below.

- hours for a single parent with a child under the age of six years old
- hours for a single parent whose children are six years of age and older
- in two parent families the parents must be working a combined total of 55hours with at least one parent working or more hours.

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%**.

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 closed from highest to lowest income. 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.

Applicants will be placed on a waiting list.

Cases on the waiting list and new applicants will be opened in the following order:

- **Families that have children who have special needs**
- **Families whose income falls within 100%-150% of the State Income Standard (SIS)**
- **Families whose income falls with 151%-200% of the SIS**

Within categories listed above those families with the lowest income and that have been 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 Attached Feds Plan

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. The Child Care Council staff will cross reference the local district subsidy attendance sheets with the child and adult care food program inspection forms to determine if the children on the subsidy attendance forms were seen at the time of the CACFP inspection. 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. 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. 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-5
PRIORITY POPULATIONS-ADDITIONAL LOCAL PRIORITIES**

In addition to the federal priorities of very low income families and families with children who have special needs, the following additional local priorities have been selected:

Category: Rank:

Description:

**APPENDIX G-6
FUNDING SET-ASIDES**

Total NYSCCBG Block Grant Amount Including Local Funds	
Category:	\$
Total set asides	\$

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

Category:

Category:

Category:

Category:

Category:

APPENDIX G-6 (continued)

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

Category:	\$
Category:	\$
Category:	\$
Total set asides (Title XX)	\$

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

Category:

Category:

Category:

Category:

APPENDIX G-8
ADDITIONAL LOCAL STANDARDS FOR CHILD CARE PROVIDERS

The district may propose local standards in addition to the State standards for providers who will receive child care subsidies.

1. Described below are the additional local standards that will be required of providers as well as which providers must comply with each additional standard.

Providers of legally exempt child care and all household members 18 years of age and older will be asked to sign a release which will allow our Department to conduct a local child welfare database check.

The Enrollment Agency (EA) will notify our department when the legally exempt provider has been temporarily enrolled and whether or not the provider signed the release.

If a legally exempt provider or household member refuses to sign the release which would allow our Department to conduct a local child welfare database check, our Department will inform the parent/caretaker of the refusal so that they can consider the refusal when they make a decision to select the provider. In these situations, parents will be reminded of their right to choose another provider and will be given information about how to locate other providers.

When a local child welfare database check reveals that a legally exempt provider and/or household member(s) 18 years of age and older are the indicated subject of a child abuse or maltreatment report the provider will be required to submit to our Department a written statement providing information concerning the indicated report(s). This statement must be signed by the parent/caretaker acknowledging receipt of this information and confirming the parent/caretaker's wish to use this child care provider.

If the information regarding the indicated child protective report(s) does not correlate with the information obtained from the local data base check our Department will notify the provider that they have five calendar days to clarify the discrepancies in the information submitted to the Department and parent/caretaker. Within that five calendar day period the provider must submit information to our Department and the parent/caretaker that either correlates with the information obtained by our Department's local database check or the provider submits information to our Department which documents that the information obtained from the local database check is inaccurate. If the provider fails to clarify the discrepancies our Department will notify the EA that the additional local standard has not been met and no additional payments will be authorized.

If the information regarding the indicated child protective report correlates with the information obtained by the local child welfare database check, there are no other health or safety concerns, and the parent/caretaker still chooses to use the provider, the EA will be notified that the additional local standard has been met. In some cases, our district will need to inform the parent that the parent's decision to place their child in the care of this provider would place their child at risk. As mandated reporters, our Department is obligated to make a report of suspected child abuse or maltreatment if placing the child in the care of a provider would place the child in imminent danger of impairment and the parent/caretaker nevertheless places the child in that provider's care. Parents will be informed of their right to chose an alternative provider and be given information about how to locate other providers.

If a local child welfare database check reveals that the provider has an active or open preventive case the preventive caseworker will assess if the provision of child care by the provider/preventive services recipient would cause additional stress in the family thereby increasing the likelihood of the provider's own children going into foster care. If the preventive caseworker determines that providing child care services would cause additional stress on the provider/preventive services recipient thereby increasing the likelihood of the provider's own children going into foster care our Department will not notify the EA the additional local standard has not been met. Conversely, if the preventive caseworker determines that providing child care services would not cause additional stress on the provider/preventive services recipient our Department will notify the EA that the additional local standard has been met.

2. Described below are the methods and resources that will be utilized to determine that these additional local standards are being met.

Our district will provide the release, which will allow our Department to conduct a local welfare database check, in the enrollment package instructing the provider to return the completed enrollment package including the release to the enrollment agency. Providers and all household members 18 years of age and older will be informed that signing the release is voluntary and refusal to sign the release cannot be used as a factor in determining whether or not the provider can be enrolled.

When the enrollment agency receives the enrollment package and they have temporarily enrolled the provider they will notify the district whether or not the release was signed. If the release is signed our district will initiate the local child welfare check and will use procedures also outlined in number one.

If the local welfare database check reveals an indicated child protective report the Day Care Unit staff will follow the procedures outlined in number one.

3. Described below are the procedures the district will use to notify the Legally Exempt

Caregiver Enrollment Agency as to whether or not the legally exempt provider is in compliance with the additional local standards. (Districts only need to describe this procedure if the additional local standard is applied to legally exempt child care providers.)

Once our Department has determined whether or not the additional local standard has been met using the procedures outlined in number one our department will notify the EA in writing if the additional local standard has been met or not met.

The district will maintain a file, which documents the information used to determine whether or not the additional local standard has been met.

4. Described below is the justification for each additional standard.

Each additional local standard was enacted by the Orange County Department of Social Services to insure the safety and well being of the children being served through day care providers associated with or regulated by the county and OCFS. These additional local standards provide our agency with an opportunity to be proactive in potential problem areas. We can provide parents and/or caretakers with the necessary information to make educated decisions regarding their child's day care provider. Providers are given the opportunity to submit documents to explain or change any inaccuracies obtained from the local child welfare check.

APPENDIX G-9
PAYMENT TO CHILD CARE PROVIDERS FOR ABSENCES

The following providers are eligible for payment for absences:
 (Check any that are eligible)

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

Our district will only pay for absences to providers with which the district has a contract or letter of intent. Yes No

Base period selected (check one) 3 months 6 months

Number of absences allowed during base period:

Period	Routine Limits (# of days)	Extenuating Circumstances (# of days)	Total Number of Absences Allowed (# of days)
In a month	12	3	15
Base period	24	16	40

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

- **Illness (Child's)**
- **Medical Appointment/Treatment(Child's)**

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

Provider must submit a note explaining the reason the child was absent upon billing for absence. In addition, parent may be requested to submit medical documentation for absences over five(5) consecutive days.

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

APPENDIX G-10
PAYMENT TO CHILD CARE PROVIDERS FOR PROGRAM CLOSURES

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

Our district 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 program closures is five days).

Five (5) days

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

Up to five(5) snow days

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

**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 offered by a local non-profit, Occupations, Inc. This program provides all the employment related transportation services to the ETA 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 CST calendar year of 2005, approximately 11,728 trips were provided to day care consumers over the course of the program year. OCDSS will reimburse the CST Program offered through Occupations at a rate of @ \$11.08 per trip, with a capped reimbursement for the year of \$130,000.

Differential Payment Rates

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**

**APPENDIX G-12
CHILD CARE EXCEEDING 24 HOURS, CHILD CARE SERVICES UNIT,
WAIVERS, BREAKS IN ACTIVITIES**

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 cases where 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.

OCDSS will NOT authorize for child care services on a short term emergency basis.

Child Care Services Unit

The Child Care Service Unit is the basis upon which a district will determine which household and/or family members should be counted in determining family size and countable family income.

Our district will include the following in the Child Care Services Unit (check which ones apply).

18 year old 19 year old 20 year old

-OR-

Our district will include only the following in the Child Care Services Unit when it will benefit the family (check which ones apply).

18 year old 19 year old 20 year old

Describe the criteria your district will use to determine whether or not an 18, 19 or 20 year old is included in the Child Care Services Unit.

Waivers

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

Breaks in Activities

Districts may pay for child care services for low income families during breaks in activities for a period not to exceed two weeks or for a period not to exceed one month where child care arrangements would otherwise be lost and the subsequent activity is expected to begin within that period (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 to begin employment break between activities