



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

February 13, 2009

Randy Hall, Acting Commissioner
Rensselaer County DSS
133 Bloomingrove Drive
Troy, NY 12180-8403

Dear Commissioner Hall:

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 February 13, 2009. The child care section became effective on February 13, 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,

A handwritten signature in cursive script, appearing to read "Janice Molnar".

Janice M. Molnar
Deputy Commissioner
Division of Child Care Services



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

County: Rensselaer

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: **Day Care Unit**

Transitioning Families: **Day Care Unit**

Income Eligible Families: **Day Care Unit**

Title XX: **Child Protective Units, Preventative Units, Foster Care Unit**

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

| | |
|--|--------------------|
| 1) FFY 06-07 Rollover Funds (<i>this amount is available from the NYSCCBG ceiling report in the claiming system</i>) | \$ 574,603 |
| 2) Estimate of FFY 07-08 Rollover Funds | \$1,455,206 |
| 3) Estimate of Flexible Funds for Families (FFFS) for child care subsidy | \$ 0 |
| 4) NYSCCBG Allocation for SFY 08-09 | \$3,560,210 |
| 5) Estimate of Local Share | \$ 250,000 |

Total Estimated NYSCCBG Amount: _____

| | |
|--|--------------------|
| | \$5,265,416 |
| A. Subsidy | \$4,929,677 |
| B. Other program costs (excluding subsidy) | \$ 310,222 |
| C. Administrative costs | \$ 25,517 |

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:

- Eligibility screening
Function
- Assistance in locating care
- Child Care Information
Systems
- Determining if legally-
exempt providers meet
State approved additional
local standards (if
applicable)
- 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 | For PA families only when assessed as necessary, for non PA where caretaker has been Ct. ordered and caretaker must be employed |
| b) homeless | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | Family has 30 days to locate housing |
| c) a victim of domestic violence | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | For Caretaker who is in a shelter only has 30 days to locate housing |
| d) in an emergency situation of short duration | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 1 parent household-60 days or less incapacitated due to medical reasons i.e. surgery, illness, doctors notes required. |
| 3. Families with an open child protective services case when child care is needed to protect the child. | <input type="checkbox"/> Yes <input checked="" 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 | Case must be open. We will pay for 30 days with verification of incapacitation. 30 day starts on date of incapacitation. |
| b) has family duties away from home | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| 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. | <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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <p>TANF Child Care worker is responsible for verifying the employment and reporting the income to FA worker</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> | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <p>Caretaker 19 years old or less to attend high school or G.E.D. classes must have date of completion.</p> |
| <p>b) an education program that prepares an individual to obtain a NYS High School equivalency diploma</p> | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| <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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| <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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |

| | | |
|--|--|--|
| <p>h) a prevocational skill training program such as, a basic education and literacy training program</p> | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| <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 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 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 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 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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |

County: Rensselaer

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 maximum amount of time is two-hours and mode of transportation and distance must be considered when allowing this maximum.**

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

Consultations with CDTA as well as several clients to determine the amount of time it takes to get from the two farthest points of the county using public transportation.

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 **160%** 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 **25%**.

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.

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. **In the event that there are insufficient funds available, this district will give first consideration to families with children with special needs. Next, we will open cases based on those families that have the lowest income.**

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.

We currently have two types of referrals used to refer cases to our front end/Special Investigations Unit. They are as follows:

- 1) **Absent Parent Referral**: If a parent abruptly leaves the home with no forwarding address or parent referral is made to the "Special Investigations Unit" in an effort to determine if absent parent is in the child's home.
- 2) **FEDS Investigation Referral**: A front end detection referral is made for non-services cases when their FA case is opened. For services we make a referral of this nature based on risk factors. These factors include but are not limited by: prior history of fraud; application inconsistent with prior case; apparent forgery; P.O. Box, or inconsistent billing information.

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. **The information received as a result of a fraud referral is one method the Department uses to determine if further verification is needed to determine eligibility. Also, we have risk factors associated with cases that would prompt additional investigation. For Example, a parent who switches jobs often or who continuously hands in letters from their employer versus copies of pay stubs. Other risk factors are: prior history of fraud, over-payments, inconsistent household composition, returned mail, inconsistent absent parent information, unable to contact at work, questionable documents, in general inconsistencies would all warrant additional verification, Based on the above risk factors we would contact employers, make a fraud referral, contact collateral agencies, or arrange a face to face meeting. Our method of recognizing 'red flags' and initiating further investigation, results in quality control beyond the normal eligibility determination. Based on an estimate of 600 cases, we will verify continued need for approximately 250 cases.**

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.

We will randomly select thirty cases per worker per quarter. Each case selected will be reviewed by the supervisor and based on this review additional verification of continued eligibility may be required.

We will flag providers who bill for hours that are not consistent with the case employment, providers who do not bill for absences, and providers who, in general, submit documents that are suspect. Once flagged an unannounced site visit will be made to inspect the on-site records. Also, a face to face meeting with the parent may be necessary to validate the providers claim

Child care subsidy attendance forms will be compared with child and adult care food program (CACFP) inspection forms for all providers that participate in CACFP to verify that child care was actually provided on the days listed on the attendance forms. The Capital District Child Care Coordinating Council will secure the inspection form records from providers that participate in CACFP and meet with the supervisor of the day care unit to compare them with the subsidy attendance records. This will be done quarterly with all providers that participate in CACFP and care for subsidized children.

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-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 | 12 | 8 | 20 |

List reasons for absences for which the district will allow payment:
The district will allow a total of 12 per 3-month period. Absences for child care are based on illness or extenuating circumstances. If a parent chooses to use the absences in one month he or she will be responsible for any additional absences. The district will not pay for a child to be absent from one program and reimburse another nor will we pay for absences that are not temporary. I.e., the child does not return to the program. Parents are required to notify the district and the provider of planned breaks in service so that payment is suspended but the child's slot is held.

List any limitations on the above providers' eligibility for payment for absences:
The district will not consider a child "Absent" if the program was not open and providing care. Program closures at the discretion of the provider will not be reimbursed. Also, effective in January of 2007 providers will need to sign an MOU to be paid for absences. Finally, absences must be temporary, i.e., the child must be returning to the program. Extenuating circumstances will require notification and approval prior to reimbursement. Preventive cases will be allowed 20 absences per quarter.

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). **0**

List the allowable program closures for which the district 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 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.

N/A

Differential Payment Rates **N/A**

Indicate below the percentage above the market rate your district 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 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:

If requested, Rensselaer County will pay childcare for a single caretaker home of children under school age for a maximum of 30 hrs. per week. If the daycare provider/legally exempt comes to the home and watches the children at night and during the day while caretaker sleeps the district will pay a full-time weekly rate for the night care. The care provided during the day, if provided for at least 6 hrs, will be reimbursed at the full-time weekly rate divided by five to determine a daily rate. If the care provided during the day is less than 6 hours per day, the part-day rate will apply. If it is less than three hours, the hourly rate will apply.

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

**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.

Child care services up to or exceeding 24 hours will be paid when it is for employment purposes. For example, a medical worker doing a double shift. Verification of work hours must be provided by the client. Child care will be provided only for hours worked, not for the purpose of on-call hours.

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. **Members of the household will be excluded from the child care unit at age 19 or when household member(s) complete standard high school education, whichever comes first.**

Waivers N/A

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 N/A

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).

