Child Care and Development Fund (CCDF) Plan

For

State/Territory: **New York State**

FFY 2012-2013

This Plan describes the CCDF program to be administered by the State/Territory for the period 10/1/2011 – 9/30/2013. As provided for in the applicable statutes and regulations, the Lead Agency has the flexibility to modify this program at any time, including amending the options selected or described herein.

For purposes of simplicity and clarity, the specific provisions printed herein of applicable laws and regulations are sometimes paraphrases of, or excerpts and incomplete quotations from, the full text. The Lead Agency acknowledges its responsibility to adhere to them regardless of these modifications.

Public reporting burden for this collection of information is estimated to average 162.5 hours per response, including the time for reviewing instructions, gathering and maintaining the data needed, and reviewing the collection of information.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Form ACF-118 Approved OMB Number XXX-XXX expires XXX.

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PART 1

ADMINISTRATION

This section provides information on how the CCDF program is administered, including the designated Lead Agency, funding information, the administrative structure, program integrity and accountability policies and strategies, coordination efforts, and emergency preparedness plans and procedures.

1.1 Contact Information

The agency shown below has been designated by the Chief Executive Officer of the State (or Territory), to represent the State (or Territory) as the Lead Agency. The Lead Agency agrees to administer the program in accordance with applicable Federal laws and regulations and the provisions of this Plan, including the assurances and certifications appended hereto. (658D, 658E)

1.1.1 Who is the Lead Agency designated to administer the CCDF program? Identify the Lead Agency and Lead Agency's Chief Executive Officer designated by the State/Territory. ACF will send official grant correspondence such as grant awards, grant adjustments, Plan approvals and disallowance notifications to the designated contact identified here. (658D(a), §98.10)

Name of Lead Agency: *NYS Office of Children and Family Services*
Address of Lead Agency: *52 Washington St., Rensselaer, NY 12144*
Name and Title of the Lead Agency's Chief Executive Officer: *Gladys Carrión, Esq., Commissioner*
Phone Number: *(518) 474-6666*
Fax Number: *(518) 474-9617*
E-Mail Address: *Info@ocfs.state.ny.us*
Web Address for Lead Agency (if any): *www.ocfs.state.ny.us*

1.1.2. Who is the CCDF administrator? Identify the CCDF administrator designated by the Lead Agency, the day-to-day contact, with responsibility for administering the State/Territory's CCDF program. ACF will send programmatic communications such as program announcements, program instructions, and data collection instructions to the designated contact identified here. **If there is more than one designated contact with equal or shared responsibility for administering the CCDF program, please identify the co-administrator or entity with administrative responsibilities and include contact information.** (§§98.16(a) and (c)(1))

a) **Contact Information for CCDF Administrator:**
Name of CCDF Administrator: *Janice M. Molnar, Ph.D.*
Title of CCDF Administrator: *Deputy Commissioner, Division of Child Care Services*

Address of CCDF Administrator: *52 Washington Str., Room 309 S, Rensselaer, NY 12144*
Phone Number*: (518) 474-9454*
Fax Number*: (518) 474-9617*
E-Mail Address: *janice.molnar@ocfs.state.ny.us*
Web Address for Lead Agency (if any): *www.ocfs.state.ny.us*
Phone Number for CCDF program information (for the public) (if any): *1-800-345-KIDS*
Web Address for CCDF program (for the public) (if any): *www.ocfs.ny.us/main/childcare*
Web address for CCDF program policy manual: (if any): *http://www.ocfs.state.ny.us/main/childcare/stateplan/default.asp* _____
Web address for CCDF program administrative rules: (if any): *http://www.ocfs.state.ny.us/main/policies/external/* _____

b) Contact Information for CCDF Co-Administrator (if applicable):
Name of CCDF Co-Administrator: _____
Title of CCDF Co-Administrator: _____
Address of CCDF Co-Administrator: _____
Phone Number: _____
Fax Number: _____
E-Mail Address: _____
Web Address for Co-Administrator (if any): _____
Description of the role of the Co-Administrator: _____

1.2 Estimated Funding

1.2.1. What is your expected level of funding for the first year of the FY 2012 – FY 2013 plan period? The Lead Agency estimates that the following amounts will be available for child care services and related activities during the 1-year period from October 1, 2011 through September 30, 2012. (§98.13(a)).

FY 2012 CCDF allocation: $300M
Federal TANF Transfer to CCDF: $374M
Direct Federal TANF Spending on Child Care: $0
State CCDF Maintenance-of-Effort Funds: $102M
State Matching Funds: $97M

Reminder – Lead Agencies are reminded that not more than 5 percent of the aggregate CCDF funds, including federal funds and required State Matching funds, shall be expended on administration costs (§98.52) once all FY2012 funds have been liquidated. State Maintenance-of-Effort funds are not subject to this limitation.

1.2.2. Which of the following funds does the Lead Agency intend to use to meet the CCDF Matching and maintenance-of-effort (MOE) requirements described in 98.53(e) and 98.53(h)? Check all that apply.

Note: The Lead Agency must check at least public and/or private funds as matching, even if pre-kindergarten (pre-k) funds also will be used.

☒ Public funds to meet the CCDF Matching Fund requirement. Public funds may include any general revenue funds, county or other local public funds, State/Territory-specific funds (tobacco tax, lottery), or any other public funds.

If checked, identify source of funds: State general funds and local district funds

☐ Private donated funds to meet the CCDF Matching Funds requirement. Only private funds received by the designated entities or by the Lead Agency may be counted for match purposes. (98.53(f))

If checked, are those funds:

☐ donated directly to the State?

☐ donated to a separate entity(ies) designated to receive private donated funds?

If checked, identify the number of entities designated to receive private donated funds and provide name, address, contact, and type _____

☐ State expenditures for pre-k programs to meet the CCDF Matching Funds requirement. If checked,

Provide the estimated percentage of Matching Fund requirement that will be met with pre-k expenditures (not to exceed 30%): _____

If percentage is more than 10% of the Matching fund requirement, describe how the State will coordinate its pre-k and child care services: _____

Describe the Lead Agency efforts to ensure that pre-k programs meet the needs of working parents: _____

☐ State expenditures for pre-k programs to meet the CCDF Maintenance of Effort (MOE) requirements. If checked,

☐ The Lead Agency assures that its level of effort in full-day/full-year child care services has not been reduced, pursuant to 98.53(h)(1).

Estimated percentage of MOE Fund requirement that will be met with pre-k expenditures (not to exceed 20%): _____

If percentage is more than 10% of the MOE requirement, describe how the State will coordinate its pre-k and child care services to expand the availability of child care: _____

Describe the Lead Agency efforts to ensure that pre-k programs meet the needs of working parents: _____

1.2.3 Describe the activities for which quality funds (including targeted quality funds for infants and toddlers, school-age children, and resource and referral) will be used in FY 2012. In as much detail possible, list the activities that will be funded, the estimated amount of CCDF quality funds that will be used for

each activity, and how these activities relate to the Lead Agency's overall goal of improving the quality of child care for low-income children.

Activity	**Estimated Amount of CCDF Quality Funds (indicate if targeted funds will be used)**	**Purpose**	**Projected Impact and Anticipated Results**
Improving the quality of infant and toddler child care	*$1,600,000 Includes Targeted funds.*	*Providing enhanced technical assistance to child care providers on best practice, including assisting them in addressing issues they have identified in their program. Supporting providers as they develop new infant/toddler care.*	*A child care delivery system that supports very young children's healthy physical, social, and emotional development.*
Child care resource and referral and school-aged child care activities	*$21,872,000 Includes Targeted funds.*	*Educating parents who contact the agency regarding early childhood services, technical assistance to child care providers and programs, expand the number of family child care providers, developing and maintaining provider databases to determine service utilization and unmet needs for additional early childhood services, providing written materials and conducting outreach to the community and employers to encourage support of all child care services.*	*Better-educated parent consumers.* *A child care delivery system that better aligns supply and demand.* *A child care delivery system that supports children's healthy physical, social, and emotional development.*

Additional quality expansion activities	*$14,000,000 Includes Targeted funds.*	*Ongoing training activities for providers including: health and safety, videoconference training, educational incentive program, management training for child care center directors, medication administration training, training in first aid and CPR. Ongoing training for regulators included: child care subsidy training, regulator institutes, workshops for regulators, distance-learning courses.*	*A child care delivery system that supports children's healthy physical, social, and emotional development.* *More responsive program monitoring that more effectively integrates the provision of technical assistance with enforcement of child care regulations.*
MOU's with State Agencies	*$650,000 Typically Targeted funds are not used in this category.*	*OCFS funds enable the State University of NY (SUNY) and the City University of NY (CUNY) to provide child care subsidies to income-eligible college students for enrollment of their children in campus child-care centers. SUNY and CUNY use some of their funding for quality-enhancement activities of their programs. NYS Department of Agriculture and Markets, which provides subsidies to income-eligible migrant families receiving child care services.*	*A child care subsidy system that promotes access to child care by populations (such as students and migrant workers) who might otherwise not have access.*

Licensing/Registration of Child Care Programs and Providers (by State staff)	*$17,600,000 Includes Targeted funds*	*OCFS has seven regional offices that oversee the licensing and registration of child care providers and the issuing of licenses. These regional offices function to protect the health and safety of children by verifying that child care providers comply with certain minimum standards established by OCFS' regulations (e.g., safety, sanitation, nutrition, prevention of child abuse and maltreatment). They are responsible for the licensing of all group family home providers statewide and all child care centers in NYS except those in New York City, and are directly responsible for the registration services for family child care and school-age child care programs in 20 counties. These regional offices also monitor the contracted registration services in the remaining counties for family child care and school-age child care programs.*	*Child care programs that are in compliance with regulations promulgated to protect the health and safety of children in child care.*

Registration of Child Care Providers (sub-contracted out)	*$18,500,000 Includes Targeted funds*	*OCFS has 38 Registration agencies. There are 35 Memoranda of Understanding (MOUs) with local social services districts. Of these 35 MOUs, 33 contain subcontracts to child care resource and referral agencies (CCR&Rs) for performance of the districts' registration functions; the remaining two social services districts directly provide the registration services themselves. Additionally, OCFS contracts directly with three registrars.*	*Child care programs that are in compliance with regulations promulgated to protect the health and safety of children in child care.*
Fingerprinting	*$4,600,000 Targeted funds are not used in this category.*	*Digital fingerprints are taken of all child care program staff and volunteers, and of non-provider residents (18 years of age or older) of home-based child care programs, and sent to the NYS Division of Criminal Justice (DCJS), which checks the criminal background of the person and sends the relevant information to OCFS for review and determination of the person's suitability to be around children. In addition, OCFS is notified whenever a fingerprinted individual is arrested for any crime after his or her initial background check.*	*Adults caring for children who are not the types of persons who might jeopardize children's safety.*

NYC Legally Exempt Enrollment	*$6,125,000 Typically Targeted funds are not used in this category.*	*OCFS contracts with legally-exempt caregiver enrollment agencies to enroll legally-exempt child care providers who care for children receiving a child care subsidy. Legally-Exempt enrollment is the process whereby informal providers of child care services agree to abide by a set of basic regulatory health and safety guidelines.*	*Informal care programs that are in compliance with basic health and safety provisions.*

1.2.4 Will the Lead Agency distribute quality funds to counties or local entities?

☒ No, the Lead Agency will manage all quality funds directly
☐ Yes, the Lead Agency will manage some quality funds directly and distribute a portion to local entities. Estimated amount or percentage to be distributed to localities _____
☐ Yes, all quality funds will be distributed to local entities
☐ Other. Describe. ___

1.3. CCDF Program Integrity and Accountability

Program integrity is defined to include efforts that ensure effective internal controls over the administration of CCDF funds. The Lead Agency is responsible for monitoring programs and services, ensuring compliance with the rules of the program, promulgating rules and regulations to govern the overall administration of the plan and oversee the expenditure of funds by sub-grantees and contractors. (§ 98.11(b)) Accountability measures should address administrative error, which includes unintentional agency error, **as well as to address** program violations, both unintentional and intentional, that may or may not result in further action by the Lead Agency, including those cases suspected of and/or prosecuted for fraud.

1.3.1. Describe the strategies the Lead Agency will utilize to ensure effective internal controls are in place. The **description** of internal controls may include, but is not limited to a description of processes to ensure sound fiscal management, to identify areas of risk or to establish regular evaluation of control activities.

The Office of Children and Family Services meets the fiscal reporting requirements of 45CFR98.67 by the utilization of the New York State Office of the State Comptroller (OSC) Central Accounting System (GAAP Compliant) as the system of record for reporting financial transactions. OSC Central Accounting System includes unique

appropriations and segregations established under the direction of OCFS in order to identify the CCDF Mandatory, Matching and Discretionary funding sources and expenditures at a major level within the fiscal reporting format for the Child Care funds. Under these major level accounts in the central accounting system, cost centers have also been established to provide more detailed information that enables reporting of funding and expenditures under the ACF-696 required categories such as direct services, non-direct services, quality improvement, targeted funds and child care administration.

The financial reporting process includes experienced staff in the OCFS Bureau of Financial Operations and the Bureau of Budget Management who are aware of the periods of obligation and liquidation and the availability of CCDF funds as well as reporting requirements and deadlines, and these staff have clearly defined responsibilities in the reporting of this information. These Bureaus also review each other's work before the reports are finalized, and the reports undergo a review by supervisory staff.

Each year, the OCFS CCDF program is subject to a Single State Audit performed by an independent auditor reviewing OCFS compliance with the pertinent federal regulations. This review includes an evaluation of internal controls. In addition, OCFS performs its own annual assessment of internal controls as prescribed in the New York State Internal Control Act. The assessment is overseen by the NYS Division of the Budget. The results of these CCDF audits and reviews, as well as audits and reviews of other federal programs, are considered by OCFS managers when assessing the reporting process which may be updated as necessary.

Extensive segregation of duties exists for the fiscal management of the Child Care and Development Fund program. Various agencies are involved, including OCFS Division of Child Care Services, OCFS Budget and Finance, Office of the State Comptroller, and the NYS Division of Budget. Federal and state rules, regulations and requirements are shared with program personnel and fiscal staff. Program managers and staff understand and have identified key compliance objectives.

OCFS has established official written policy outlining:

- *Responsibilities for determining required amounts or limits for matching, level of effort, or earmarking.*
- *Allowable costs that may be claimed for matching, level of effort, or earmarking.*
- *Methods of accounting for and documenting amounts used to calculate amounts claimed for matching, level of effort, or earmarking.*

OCFS has established an organizational structure that provides for identification of risks of noncompliance:

- *Key managers have been given responsibility to identify and communicate changes.*
- *Employees who require close supervision (e.g. inexperienced) are identified.*

- *Management has assessed complex operations, programs, or projects and established procedures to identify and address areas of risk of noncompliance.*
- *Management is aware of results of monitoring, audits, and reviews and considers related risk of noncompliance.*
- *Processes are established to implement changes in program objectives and procedures.*

Reports are available which will show the expenditures allocable to Federal funds and those allocable to non-Federal funds. These internal reports are then used to create reports that will be submitted to the Federal oversight agency.
Various means of communication exist between OCFS and its subrecipients, including memos, training sessions, and informal means such as emails and telephone conversations. Management meets regularly with staff, and periodically with subrecipients. OTDA Bureau of Financial Services personnel provide fiscal training to local districts and maintain a Technical Assistance Help Line, which can be called with any questions from the local districts. Also, meetings are held with districts as appropriate to provide fiscal updates or introduce changes in requirements or system design.

1.3.2 Describe the processes the Lead Agency will use to monitor all sub-recipients. Lead Agencies that use other governmental or non-governmental sub-recipients to administer the program must have written agreements in place outlining roles and responsibilities for meeting CCDF requirements. (98.11 (a) (3))

Definition: A sub-recipient (including a sub-contractor and or sub-grantee) is a non-Federal entity that expends Federal awards (contract or grant) received from another entity to carry out a Federal program, but does not include a vendor nor does it include an individual who is a beneficiary of such a program. OMB Circular A-133 Section 210 provides additional information on the characteristics of a **sub-recipient** and **vendor** (http://www.whitehouse.gov/omb/circulars/a133_compliance_supplement_2010).

The description of monitoring may include, but is not limited to, a discussion of written agreements, fiscal management, review of policies and procedures to ensure compliance with CCDF regulations, monitoring/auditing contractors or grantees to ensure that eligible children are served and eligibility documentation is verified, and establishing performance indicators or measures.

Child Care Subsidy Program
The New York State Child Care Block Grant (NYSCCBG) subsidy program is supervised by the Office of Children and Family Services (OCFS) and is administered primarily by social services districts. In addition to this, OCFS maintains a Memorandum of Understanding (MOU) with the State University of New York and the City University of New York to subsidize child care services for low-income students enrolled in either of these two higher education systems. Further, through an MOU with the New York State Department of Agriculture and Markets, funds are provided to a network of child care agencies that serve the children of migrant workers and

other farm workers. These entities determine eligibility, assist parents in locating care, and make the provider payment.

The financial and programmatic requirements under NYSCCBG are specified in Social Services Law and OCFS regulations and policy issuances. These are developed and approved by multiple offices within OCFS, including legal counsel, so that they are in compliance with federal and State requirements. Note that a social services district may request a waiver of any non-statutory provision of OCFS requirements. The waiver must be described in the social services district's Child and Family Services Plan and approved by OCFS prior to implementation. Program requirements and updates are sent to the districts and MOU organizations and are available on the OCFS intranet site. OCFS offers training to staff administering the child care subsidy program on State and federal requirements. Typically, five training sessions are offered annually throughout the state. Training manuals are provided to attendees and are also available through the internet.

Social services districts and the organizations that have entered into an MOU with OCFS are responsible for establishing procedures so that requirements under the child care subsidy program are met and that funds are expended for appropriate and allowable activities. Each social services district must submit for approval to OCFS a Child and Family Services Plan that details key requirements on how it will operate its child care subsidy program, in addition to other services programs. The district in its Plan must also provide assurances that it will administer its child care subsidy program in compliance with State and Federal requirements. The MOU details how funds for the child care subsidy program are to be spent and the types of activities that are allowable.

The OCFS Office of Audit and Quality Control (AQC) conducts comprehensive on-site program reviews of the child care subsidy programs in social services districts to monitor compliance with appropriate regulations, rules and guidelines. These program reviews often include audit procedures designed to detect fraudulent activity involving parents and/or providers. Currently, there are program reviews in process in five districts. AQC uses the 2001"Child Care Subsidy Audits Combined Audit Program/Protocol for Local Social Service Districts (Excluding NYC)" as a standardized guideline for each review conducted of a local district. (Similar audit protocols are used for audits in New York City.) AQC selects a sample of payments to child care providers made during a recent month, including a sub-sample of payments to providers for Public Assistance (PA) parents as well. The audit team reviews the payment rolls and selects a sample of parents who received subsidies based on the review of the payments. The recommended sample size of 50 case files consists of 40 non-PA (income-eligible) and 10 PA parents. In addition, if the local district gives the parent a choice to receive payment directly, the sample should include some case files for clients who received payments directly from the local district.

Upon completion of the on-site audit, preliminary findings are prepared and are substantiated by working papers. Proposed findings are forwarded to supervisors of

the audit team. After the proposed findings have been shared with supervisory personnel, an exit conference is scheduled with the local district. At the exit conference, proposed findings are communicated to the local district. A draft audit report is issued and the local district has 30 days to respond with action plans. Thirty days after the local district response is received, a final report is issued.

In addition to comprehensive reviews, AQC occasionally conducts limited scope, focused reviews. For example, AQC recently conducted a review in one district and sent letters to the employer of record for a number of parents to determine if those parents were still employed and eligible to receive child care subsidies.

OCFS established a process for a child care subsidy applicant or recipient, who disagrees with a decision taken on his or her case by a social services district, to seek a review by an independent agency. An individual may request a Fair Hearing which provides him or her an opportunity to tell an Administrative Law Judge from the New York State Office of Temporary and Disability Assistance why he or she thinks that the decision was wrong. The Administrative Law Judge will issue a written decision that will state whether the social services district decision is right or wrong. The written decision may order the social services district to correct the case and/or remedy its procedures. This process provides another mechanism for the State to monitor district compliance with program requirements.

The Welfare Management System (WMS) is a statewide (with the exception of the Administration for Children Services child care subsidy program in New York City) automated system for eligibility and authorization for social services. WMS provides for the calculation of the family's annual income and determines both the financial eligibility of the family and the family share of the cost of child care services. This automated process eliminates manual arithmetic errors on the part of the district. WMS provides edits so that families whose incomes exceed financial eligibility levels are not authorized to receive child care benefits and a clearance of individuals within WMS so that duplicate benefits are not authorized.

Additionally, OCFS uses the data submitted by a district or an organization with an MOU for the sample cases for the ACF-801 federal reporting as an opportunity to monitor the determination of eligibility and payment. The ACF-801 forms are reviewed by OCFS for accuracy, with special attention given to see if the amount of income reported, the amount of family share, and the payment to provider are appropriate. Questionable data are brought to the attention of the responsible entity for resolution and corrective action.

Finally, OCFS is deploying an automated time and attendance payment system in social services districts outside of New York City. The objectives of the system include:

- *improving the timeliness and accuracy of payments*
- *increasing fiscal accountability, including reduction of improper payments and fraud prevention and detection*
- *lessening the burden of manual processes on districts and providers*

- *improving the recruitment and retention of child care providers.*

Each social services district submits claims to the State on a monthly basis through the Automated Claim System. The Office of Temporary and Disability Assistance monitors claims against allocations and prepares settlements based on the available funds. The settlements are entered into the Office of State Comptroller's Central Accounting system based on cost center, fiscal year program service, and internal number. The Office of the State Comptroller generates payments to the local districts.

Quality Activities

Child care resource and referral agencies (CCR&Rs) play a major role in enhancing the quality of child care delivered in New York State. OCFS currently contracts with 35 CCR&Rs (which, in New York City, includes one lead CCR&R with four CCR&R subcontracts) that serve 57 counties and the five boroughs of New York City. The CCR&Rs supply vital child care services to parents, providers, employers, and communities across New York State. The CCR&R network also operates seven regional Infant and Toddler Resource Centers that provide support to improve quality in Infant and Toddler settings. These Centers have developed a pool of trained Infant Toddler Specialists with experience in conducting program assessments and using them to develop quality improvement plans. The Infant and toddler services are measured through milestones incorporated into the contracts. OCFS, in partnership with the CCR&Rs, developed a performance-based contract to achieve greater accountability of their publicly funded functions. The contract includes performance standards for mandated services, identified as "milestones." The CCR&R milestones pertain to information and referral services, technical assistance to child care providers and programs, efforts to expand the number of family child care providers, developing and maintaining provider databases to determine service utilization and unmet needs for additional early childhood services, and providing written materials and conducting outreach to the community and employers to encourage support of all child care services. The contract milestones have associated unit costs based on a functional cost analysis of CCR&R services. CCR&Rs report on a quarterly basis the milestone services they have provided. OCFS reviews supporting documentation and pays for services as appropriate. On-site monitoring reviews also are completed.

Professional development is the cornerstone of OCFS' strategy for improving the quality of child care in New York State. An MOU with the State University of New York (SUNY) supports an extensive array of professional activities geared towards providers and inspectors (both licensors and registrars). Each year, OCFS approves a jointly developed work plan. There is ongoing monitoring of SUNY's work by OCFS regional managers (who get feedback from licensors and supervisors), home office staff (who sit in on sessions offered by SUNY), and by staff from OCFS' Bureau of Training (which is the OCFS liaison with SUNY).

In addition, beginning in State fiscal year 2008-09, SUNY subcontracted with the City University of New York (CUNY), at the request of OCFS, to improve the quality of

training offered to providers by training entities other than SUNY. Working in partnership with the New York State Association for the Education of Young Children, CUNY is developing both a training registry and a trainer's credential.

<u>OTHER: Registration</u>
OCFS has seven regional offices that oversee the regulation of child care providers, including the issuing of licenses and the registration of providers. These regional offices function to protect the health and safety of children by verifying that child care providers comply with certain minimum standards established by OCFS' regulations (e.g., safety, sanitation, nutrition, prevention of child abuse and maltreatment). They are responsible for the licensing of all child care centers (except those in New York City) and group family home providers statewide, and are directly responsible for the direct registration services for family child care and school-age child care programs in 20 counties. These regional offices also monitor the contracted registration services in the remaining counties for family child care and school-age child care programs

OCFS has 38 Registration agencies. There are 35 Memoranda of Understanding (MOUs) with local social services districts. Of these 35 MOUs, 33 contain subcontracts to CCR&Rs for performance of the districts' registration functions; the remaining two social services districts directly provide the registration services themselves. Additionally, OCFS contracts directly with three registrars: the New York City Department of Health & Mental Hygiene in New York City; the Child Care Council, a CCR&R located in Monroe County; and the Child Care Coalition of the Niagara Frontier, Inc., d.b.a. Child Care Network, a CCR&R located in Erie County. These MOUs and contracts for registration services are performance-based. There are indicators which, taken together, reflect the accepted standards for all of the registration and inspection work. OCFS uses these measures for accountability and oversight. On a quarterly basis, OCFS assesses the performance of registrars on activities that include conducting all required inspections, investigating and tracking complaints, and performing background checks and safety assessments. There are also quarterly on-site visits conducted by the responsible OCFS Division of Child Care Services regional office to the contractors to review case files.

<u>OTHER: Legally-exempt Enrollment</u>
OCFS has contracted with 36 legally-exempt caregiver enrollment agencies to enroll legally-exempt child care providers who care for children receiving a child care subsidy. Thirty-five of them are CCR&Rs. The remaining agency is the Women's Housing and Economic Development Corporation (WHEDCo), which provides legally-exempt enrollment services in New York City. The contracts are performance based. On a quarterly basis, OCFS assesses the performance of the enrollment agencies and whether performance milestones are met.

<u>OTHER: Office of Court Administration Children's Centers</u>
OCFS has a contractual agreement with The Unified Court System of the State of New York in collaboration with the Permanent Judicial Commission on Justice for Children. The funds are used to support start-up and program enhancement costs for

the statewide system of Children's Centers. The Children's Centers are "drop-in" settings established to provide a separate, safe, and supervised environment for children who must be in court in connection with matters involving them or their caregivers. OCA submits annual program reports of accomplishments for that year. Subsequently, an amendment with updated program and fiscal plans is submitted for the upcoming term.

<u>OTHER: Facilitated Enrollment</u>
Beginning in 2002, the New York State Legislature targeted some of the State's TANF funding for demonstration projects created to increase access to, and improve the effectiveness of, the child care subsidy program for low-income working families. Funds have been re-appropriated by the Legislature annually. The two major strategies that these subsidy demonstration projects have employed are: streamlining the enrollment process and increasing financial eligibility levels (up to 275 percent of the poverty guidelines).

The child care subsidy facilitated enrollment demonstration projects include:

- *One demonstration project in New York City. The targeted areas are the Bronx, Brooklyn, the Liberty Zone, and Queens. The Consortium for Worker Education is the agency designated to administer the project.*
- *One demonstration project in Monroe County (including the city of Rochester), which is administered by The Children's Institute.*
- *One demonstration project in the Capital Region and Oneida County, which provides facilitated enrollment services to families in the counties of Albany, Oneida, Rensselaer, and Schenectady. The New York State AFL-CIO Workforce Development Institute administers the project.*

The Office of Temporary and Disability Assistance (OTDA) receives claims submitted by social services districts for the facilitated enrollment projects and shares this claims information with OCFS. OCFS compares the claims against allocations developed by the administrator of the projects and authorizes OTDA to make payments based on the available funds. The child care subsidy facilitated enrollment demonstration projects are required to submit program reports and an annual evaluation to both the NYS Legislature and OCFS.

1.3.3. Describe the activities the Lead Agency will have in place to identify program violations and administrative error to ensure program integrity using the chart below. Program violations may include intentional and unintentional client and/or provider violations as defined by the Lead Agency. Administrative error refers to **areas identified through the Error Rate Review** process (98.100). Check which activities, if any, the Lead Agency has chosen to conduct.

Type of Activity	**Identify Program Violations**	**Identify Administrative Error**
Share/match data from other programs (e.g. TANF, CACFP, FNS, Medicaid)	☒	☐

Type of Activity	**Identify Program Violations**	**Identify Administrative Error**
Run system reports that flag errors (include types)	☒	☐
Share/match data from other databases (e.g., State Directory of New Hires, Social Security Administration, Public Assistance Reporting Information System (PARIS))	☒	☐
Review of attendance or billing records	☒	☒
Audit provider records	☒	☒
Conduct quality control or quality assurance reviews	☒	☒
Conduct on-site visits to providers or sub-recipients to review attendance or enrollment documents	☒	☒
Conduct supervisory staff reviews	☐	☐
Conduct data mining to identify trends	☒	☐
Train staff on policy and/or audits	☒	☒
Other. Describe _____	☐	☐
None	☐	☐

For any option the Lead Agency checked in the chart above other than none, please describe *Local social services districts compare child care billing against the CACFP program inspection forms and review child attendance forms against the parent's work schedule. OCFS has conducted a proof of concept for matching low income child care subsidy applicants against Department of Tax and Finance's Wage Reporting System database in order to identify potential child care subsidy fraud; pending legislative authority OCFS plans to establish and conduct the match on a regular basis. The Child Care Time and Attendance (CCTA) system provides local social services districts with "red flag reports" which may indicate potential fraud. These reports inform local social services districts when a child has perfect attendance and when a provider has changed the parent's electronic check-in time or check-out time. CCTA also runs a check against the Child Care Facility System (CCFS), New York State's regulatory system of record, when eligibility is determined and when payment is made to verify that payment is being made to an eligible provider. Local social services districts have a front-end detection system to help them identify which child care subsidy applications suggest a higher risk for fraudulent or erroneous child care subsidy payment. Local social services districts also take a sample of their caseloads and 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 OCFS Office of Audit and Quality Control (AQC) conducts comprehensive on-site program reviews of the child care subsidy programs in social services districts to monitor compliance with appropriate regulations, rules and guidelines, including review of attendance records. OCFS conducts data mining to identify provider fraud using the CCTA, CCFS, and Welfare Reporting and Tracking System (a data warehouse that stores case eligibility and payment data) databases. A two-day child care subsidy training is offered regionally four times a year. The training covers the application process, programmatic and income requirements, verification and redetermination and payment processing, handling child care overpayment, and parent and provider fraud.*

If the Lead Agency checked none, please describe what measures the Lead Agency has or plans to put in place to address program integrity:_____

1.3.4. What strategies will the Lead Agency use to investigate and collect improper payments due to program violations or administrative error?
Check and describe in the chart below which strategies, if any, the Lead Agency will use for each of the following areas: Unintentional program violations (UPV), intentional program violations (IPV) and/or fraud, and administrative error as defined in your State/Territory. **The Lead Agency has the flexibility to recover misspent funds as a result of errors. The Lead Agency is required to recover misspent funds as a result of fraud (98.60(i)).**

Strategy	**UPV**	**IPV and/or Fraud**	**Administrative Error**
Require recovery after a minimum dollar amount in improper payment. Identify the minimum dollar amount _____	☐	☐	☐
Coordinate with and refer to other State/Territory agency (e.g. State/Territory collection agency, law enforcement). Describe: *Social services districts may coordinate with law enforcement and local district attorney offices to investigate and/or prosecute cases for fraud.*	☐	☒	☐
Recover through repayment plans. Describe: *Social services districts may recover overpayment made to the parent by a reduction in the district's payment to the provider and an increase in the parent's family share. When a child care overpayment occurs with a Temporary Assistance (TA) recipient the overpayment can be recouped by imposing a family share on the (TA) recipient.*	☒	☒	☒
Reduce payments in subsequent months. Describe: *Social services districts may recover overpayment made to the parent by a reduction in the district's payment to the provider and an increase in the parent's family share.*	☒	☒	☒
Recover through State/Territory tax intercepts	☐	☐	☐
Recover through other means. Describe: *Social services districts may recover through civil suits.*	☒	☒	☒
Establish a unit to investigate and collect	☐	☐	☐

improper payments. Describe composition of unit _____			
Other. Describe _____	☐	☐	☐
None	☐	☐	☐

1.3.5. What type of sanction, if any, will the Lead Agency place on clients and providers to help reduce improper payments due to program violations?

☐ None
☒ Disqualify client. If checked, please describe, including a description of the appeal process for clients who are disqualified. *Clients have a right to request a fair hearing from an Administrative Law Judge from the New York State Office of Temporary and Disability Assistance.* _____
☒ Disqualify provider. If checked, please describe, including a description of the appeal process for providers who are disqualified. *Pending approval, OCFS is proposing regulations that a provider found in a final administrative review report to have submitted inaccurate claims may request a formal review by the social services district.* _____
☒ Prosecute criminally
☐ Other. Describe. ___

1.3.6. Based on responses provided from Question 14 in the most recent ACF-402 report, please describe those actions the Lead Agency has taken or plans to take to reduce identified errors in the table below. Territories not required to complete the Error Rate Review should mark ☐ N/A here.

Activities identified in ACF-402	Actions Taken or Planned
1. Districts will take necessary corrective action to the specific findings in the Improper Payment Review. *2. OCFS will perform risk assessment to identify districts that should be subject to audit.* *3. OCFS will issue a document describing the most frequent source of errors and providing recommendations for avoidance of such errors.* *4. OCFS issued a Request for Information to develop an automated child care time and attendance system.*	*1. Districts have taken appropriate actions completed actions to correct errors identified.* *2. In June, 2011, OCFS completed the development of a risk assessment procedure to identify districts that should targeted for audit.* *3. In June, 2010, OCFS issued to all districts an Informational Letter, 10-OCFS-INF-04, to address improper payment issues. OCFS sponsored a round table discussion on child care subsidy fraud to focus efforts and provide recommendations to enhance the overall integrity of the program. Additionally, OCFS has undertaken activities that will allow access to data from other agencies for computer matching and data mining*

	designed to identify potential fraud. Further, OCFS is proposing regulations that detail circumstances under which providers may be disqualified from receiving child care subsidy payments and may have their license or registration to operate a day care program impacted. 4. Through a competitive bid process, OCFS selected a vendor to develop and deploy an automated time and attendance system in social services districts outside of New York City. Deployment is anticipated to be completed July 31, 2011. The system is expected to provide for improved fiscal accountability, including the reduction in improper payments and the prevention and detection of fraud.

1.4. Consultation in the Development of the CCDF Plan

Lead Agencies are required to *consult* with appropriate agencies in the development of its CCDF Plan (§98.12, §98.14(a),(b), §98.16(d)).

Definition*: Consultation* involves the meeting with or otherwise obtaining input from an appropriate agency in the development of the State or Territory CCDF Plan. At a minimum, Lead Agencies must consult with representatives of general purpose local governments. (§§98.12(b), 98.14(a)(1))

1.4.1. Identify and describe in the table below who the Lead Agency consulted with in the development of the CCDF Plan (658D(b)(2), §§98.12(b), 98.14(b)).

Agency/Entity		Describe how the Lead Agency consulted with this Agency/entity in developing the CCDF Plan
☒	**Representatives of general purpose local government (required)** This may include, but is not limited to: representatives from counties and municipalities, local human service agencies, local education representatives (e.g., school districts), or local public health agencies.	*In December 2010, OCFS issued an Informational Letter (INF), 10-OCFS-INF-12 Child Care and Development Fund Plan Guidelines, in order to give local departments of social services an opportunity to provide input on the New York State CCDF Plan for federal fiscal year 2012-2013 (see* http://ocfs.state.nyenet/policies/external *for this and other OCFS policies). The INF provided access to the September CCDF Plan Pre-Print, and invited feedback. In mid-April 2011, local districts were sent a link to the draft Plan (*http://www.ocfs.state.ny.us/main/CCDFStatePlan/*) and invited to testify at one of the State's three public hearings (May 2 in New York City, May 10 in Albany, and May 18 in Rochester), and/or to submit written comments directly to OCFS.*
For the remaining agencies, check and describe (optional) any which the Lead Agency has chosen to consult with in the development of its CCDF Plan.		

	Agency/Entity	**Describe how the Lead Agency consulted with this Agency/entity in developing the CCDF Plan**
☐	State/Territory agency responsible for public education This may include, but is not limited to, State/Territory pre-kindergarten programs (if applicable), programs serving school-age children (including 21st Century Community Learning Centers), or higher education.	
☐	State/Territory agency responsible for programs for children with special needs This may include, but is not limited to: State/Territory early intervention programs authorized under the Individuals with Disabilities Education Act (Part C for infants and toddlers and Section 619 for preschool), or other State/Territory agencies that support children with special needs	
☐	State/Territory agency responsible for licensing (if separate from the Lead Agency)	
☒	State/Territory agency with the Head Start Collaboration grant	*The New York State Collaboration director was an active contributor to several sections of this Plan*
☒	Statewide Advisory Council authorized by the Head Start Act	*The membership of New York State's Early Childhood Advisory Council (ECAC) includes representatives of the State agencies that most directly impact the lives of children and families, including (in addition to the Lead Agency), the State Education Department, the Department of Health, the Office of Mental Health, the Office of Temporary and Disability Assistance; as well as well as representatives from many important stakeholder groups, including child care resource and referral agencies, the unions representing home-based providers, and others. At the ECAC meeting of 3/31/11, members were informed about the status of Plan development and encouraged to review the plan, attend one of the three public hearings (May 2 in New York City, May 10 in Albany, and May 18 in Rochester), and submit comments.*
☐	Other Federal, State, local, Tribal (if applicable), and/or private agencies providing early childhood and school-age/youth-serving developmental services	
☐	State/Territory agency responsible for the Child and Adult Care Food Program (CACFP)	
☐	State/Territory agency responsible for implementing the Maternal and Early Childhood Home Visitation	

Agency/Entity		**Describe how the Lead Agency consulted with this Agency/entity in developing the CCDF Plan**
	programs grant	
☐	State/Territory agency responsible for public health (including the agency responsible for immunizations and programs that promote children's emotional and mental health)	
☐	State/Territory agency responsible for child welfare	
☐	State/Territory liaison for military child care programs or other military child care representatives	
☐	State/Territory agency responsible for employment services/workforce development	
☒	State/Territory agency responsible for Temporary Assistance for Needy Families (TANF)	*The lead agency for the TANF program, the New York State Office of Temporary and Disability Assistance, was consulted on strategies that will assist families receiving public assistance, choosing to receive child care in lieu of public assistance, and transitioning from public assistance.*
☒	Indian Tribes/Tribal Organizations ☐ N/A: No such entities exist within the boundaries of the State	*Key elements of the Plan were presented to a delegation of tribal nation representatives at a Tribal Consultation meeting on May 6, 2011.*
☒	Private agencies/entities including national initiatives that the Lead Agency is participating in such as BUILD, Strengthening Families, Mott Statewide After-school Networks, Ready by 21	On April 21, 2011, the Lead Agency presented an overview of the draft Plan to, and invited input from, members of the Steering Committee of the New York State Afterschool Network (NYSAN).
☐	Provider groups, associations or labor organizations	
☐	Parent groups or organizations	
☒	Local community organizations (child care resource and referral, Red Cross)	Convened by the Early Care and Learning Council, NYS' network of child care resource and referral agencies has monthly meetings. The Lead Agency presented an overview of the Plan at the May 22, 2011 meeting. Small breakout groups provided comments on the Plan, and made recommendations for changes to NYS' subsidy program and for improved program quality.
☐	Other	

1.4.2. Describe the Statewide/Territory-wide public hearing process held to provide the public an opportunity to comment on the provision of child care services under this Plan. (658D(b)(1)(C), §98.14(c)) At a minimum, the description should include:

a) Date(s) of notice of public hearing: *April 10-12, 2011 (see below)* (**Reminder - Must be at least 20 days prior to the date of the public hearing.**

b) How was the public notified about the public hearing? *Ads were placed in the following newspapers:*
Buffalo News (4/11, 4/12) *Albany Times Union (4/10, 4/11)*
Amsterdam News (NYC) (4/10, 4/11) *New York Daily News (4/10, 4/11)*
Post Standard (Syracuse)(4/11, 4/12) *El Diario (NYC) (4/10, 4/11)*
Democrat & Chronicle (Rochester) (4/11, 4/12)
In addition, information about the hearings was e-mailed to the New York State network of child care resource and referral agencies, the State's 58 local social services districts, and other stakeholder groups. The Plan was posted to the OCFS website on April 13, 2011 (see http://www.ocfs.state.ny.us/main/CCDFStatePlan/).

c) Date(s) of public hearing(s)*: May 2, 2011; May 10, 2011; and May 18, 2011.*
Reminder - Must be no earlier than 9 months before effective date of Plan (October 1, 2011).

d) Hearing site(s):
May 2, 2011 *New York City*
May 10, 2011 *Rensselaer, NY*
May 18, 2011 *Rochester, NY*

e) How was the content of the Plan made available to the public in advance of the public hearing(s)? *A draft of the Plan was placed on the OCFS website on April 13, 2011 (see* http://www.ocfs.state.ny.us/main/CCDFStatePlan/).

f) How will the information provided by the public be taken into consideration in the provision of child care services under this Plan? *All comments were carefully reviewed. As appropriate and feasible, ideas and suggestions were integrated into New York's Plan.*

1.4.3. Describe any strategies used by the Lead Agency to increase public consultation on the Plan or access to the public hearing. For example, translating the public hearing notice into multiple languages, using a variety of sites or technology (e.g., video) for the public hearing, holding the hearing at times to accommodate parent and provider work schedules. *The hearing notice placed in El Diario, a Spanish-language New York City daily paper, was translated into Spanish.*

1.5. Coordination Activities to Support the Implementation of CCDF Services

Lead Agencies are required to *coordinate* with other Federal, State, local, Tribal (if applicable) and private agencies providing child care and early childhood development services (§98.12, §98.14(a),(b), §98.16(d)).

> **Definition -** *Coordination* involves child care and early childhood and school-age development services efforts to work across multiple entities, both public and private (such as in connection with a State Early Childhood Comprehensive System (SECCS) grant or the State Advisory Council funded under the Head Start Act of 2007). (658D(b)(1)(D), §§98.12(a), 98.14(a)(1))

1.5.1. Identify and describe in the table below who the Lead Agency coordinates in the delivery of child care and early childhood and school-age services (§98.14(a)(1)).

Agency/Entity (check all that apply)		**Describe how the Lead Agency will coordinate with this Agency/entity in delivering child care and early childhood services**	**Describe the goals or results you are expecting from the coordination** Examples might include increased supply of full-day/full-year services, aligned eligibility policies, blended funding, or access to more training and technical assistance resources shared across agencies.
☒	Representatives of general purpose local government **(required)** This may include, but is not limited to: representatives from counties and municipalities, local human service agencies, local education representatives (e.g., school districts), or local public health agencies.	*For the purpose of administration of public assistance and care, including child care services, the state is divided into a single social services district for five counties comprising the City of New York, and a social services district for each of the other counties in the State. OCFS regularly consults with the social services districts. For example, in addition to acting as a resource for questions or concerns, OCFS conducts presentations at the twice yearly conferences sponsored by the New York Public Welfare Association (NYPWA) whose membership comprises local social services district commissioners and staff. At these sessions, it is not only the intent of OCFS to inform the commissioners of agency activities, federal and state program directives, and best practices in the field, but also to solicit reaction and response. Further, OCFS reaches out to an ad hoc group of commissioners and NYPWA staff in order to address local concerns and test potential new directives and initiatives. OCFS provides regional training sessions annually for social services districts on the child care subsidy program.*	*OCFS expects through coordination that the child care program administered by social services districts is in compliance with federal and state rules and policies; available funds are maximized to best meet local needs; families are provided with the tools to make informed choices of appropriate and quality child care; and quality child care programs are developed and maintained.*
☒	State/Territory agency responsible for public education (**required)**	*OCFS (which administers the Advantage After School Program) and the NY State Education Program (SED) (which administers the 21st*	*The overall goal is to be sure that, at the State level, efforts are coordinated, given that many of the local providers of services receive funds from both the SED 21st Century Community Learning Centers and the NYS OCFS Advantage After School Program to*

Agency/Entity (check all that apply)		Describe how the Lead Agency will coordinate with this Agency/entity in delivering child care and early childhood services	Describe the goals or results you are expecting from the coordination Examples might include increased supply of full-day/full-year services, aligned eligibility policies, blended funding, or access to more training and technical assistance resources shared across agencies.
	This may include, but is not limited to, State/Territory pre-kindergarten programs (if applicable), programs serving school-age children (including 21st Century Community Learning Centers), or higher education.	*Century Community Learning Centers) meet at least monthly to discuss ways to coordinate efforts and reduce or eliminate duplication of efforts among the school-age child care programs in New York State. These meetings are facilitated by the New York State After School Network (see below) and include private agencies and other public agencies as well. As described below, the After School Request For Proposal Task Force was established to better align the State-funded Requests For Proposals (RFP). The Task Force reviewed each of the components of the Advantage After School Program RFP and the 21st Century Community Learning Centers RFP to understand the different components and made recommendations to both State agencies on language revisions that would better align the RFPs so that when local providers of after school programs respond to these RFPs, they would recognize similar language and requirements in both RFPs.*	*administer after-school programs in their communities. OCFS expects that increased coordination and communication at the State level will help providers of services better meet the needs of their communities.*
☒	Other Federal, State, local, Tribal (if applicable), and/or private agencies providing early childhood and school-age/youth-serving developmental services (**required**)	*As an active member of the New York State Afterschool Network (NYSAN), a public-private partnership of organizations throughout the state dedicated to increasing the quality and availability of after-school programs, OCFS staff participate on the Steering Committee, Executive Committee, Policy Committee and Capacity Building Committees. NYSAN facilitates connections among a broad range of state, regional, and local partners representing after-school program providers,*	*1) The After School RFP Task Force, comprising public and private partners, was established to focus solely on the Request For Proposal (RFP) process that public agencies engage in when providing funding opportunities to localities and find ways to better align the RFP processes among these public agencies. The public agencies that participated on the Task Force were OCFS (Advantage After School Program), SED (21st Century Community Learning Centers) and New York City Department of Youth and Community Development (Out-of-School Time). The Task Force generated specific recommendations to public agencies to help build a comprehensive, coordinated system of afterschool programs in New York State via public funding streams and the competitive RFP process. Recommendations include: addressing geographical equity when*

Agency/Entity (check all that apply)		Describe how the Lead Agency will coordinate with this Agency/entity in delivering child care and early childhood services	Describe the goals or results you are expecting from the coordination Examples might include increased supply of full-day/full-year services, aligned eligibility policies, blended funding, or access to more training and technical assistance resources shared across agencies.
		youth, parents, public agencies, advocates, funders, evaluators, technical assistance and training providers, policymakers, businesses, researchers, and community leaders. Included in this partnership are both the NY State Education Department (SED) 21st Century Community Learning Centers and the OCFS Advantage After School Program. NYSAN defines "afterschool" broadly to include all programs that provide support for young people's intellectual, social, emotional, and physical development outside the traditional school day, including programs that serve youth in kindergarten through 12th grade; take place in schools and in community-based settings; and occur both before and after school and during weekends, holidays, and summer breaks.	*making funding decisions; incorporating current research on access to after-school programming in grant decision-making; including the use of quality assessment tools in the requirements for funded programs; developing, sharing, and requiring the use of a common set of data elements across agencies that are outlined in RFPs and collected for each funding stream's grantees that include both qualitative and quantitative information; partner with staff from other public agencies to support the proposal review process; among others. The lessons learned from the RFP Task Force will carry into the next few years and beyond.* *2) OCFS adopted the NYSAN Quality Self-Assessment (QSA) Tool, and required that it be used in all of the Advantage After School Programs beginning January 2011. This self-assessment tool provides an opportunity for program leaders and key staff, in collaboration with other stakeholders, to utilize a common set of standards to assess, plan, design, and execute strategies for ongoing program improvement. PDFs of the NYSAN QSA Tool (in English and four other languages) and the User's Guide can be accessed at http://www.nysan.org/section/document_library or viewed at the interactive NYSAN QSA Tool User's Guide website at www.nysan.org/usersguide.*

Agency/Entity (check all that apply)		**Describe how the Lead Agency will coordinate with this Agency/entity in delivering child care and early childhood services**	**Describe the goals or results you are expecting from the coordination** Examples might include increased supply of full-day/full-year services, aligned eligibility policies, blended funding, or access to more training and technical assistance resources shared across agencies.
☒	State/Territory agency responsible for public health (**required**) This may include, but is not limited to, the agency responsible for immunizations and programs that promote children's emotional and mental health	*The Social Emotional Consultation for Infant and Toddler Child Care Project has two components: 1) statewide information sessions regarding social and emotional foundations for learning and 2) four pilot projects to test on-site consultation, by mental health consultants and I/T specialists, to child care facilities, in order to support caregivers and children with challenging behaviors in early care and learning settings. The community demonstrations require cross-disciplinary collaboration among child care councils (CCR&Rs), mental health departments, early Head Start programs, regulated child care programs, early intervention programs, and other community partners. The Project has an Advisory Group which includes OCFS, the NYS Office of Mental Health, NYS Dept of Health Early Intervention program, the NYS Council on Children and Families, and early childhood community leaders. The Advisory Group will conduct site visits and focus groups in 2011, will oversee the development of recommendations to the Early Childhood Advisory Council (ECAC), and will also be involved in helping to sustain the gains made in these demonstrations throughout the next several* years. *The advisory group is also currently exploring ways to sustain funding for these services.*	*There is a formal evaluation component tracking outcomes in 4 areas:* • *Child and parent outcomes* • *Child care provider and program outcomes* • *Cross-system outcomes – community development* • *Training component outcomes – professional development* *The cross-disciplinary advisory group will determine successful models and lessons learned from the four community demonstration projects, which will be applied to other NYS child care communities.* *The results will be more access to training and technical assistance resources that would be shared across public/private agencies to support children and families.*
	State/Territory agency responsible for	*OCFS is a member of an interagency team addressing the social and emotional*	*The goal of NY Project LAUNCH, located in Westchester County, is to integrate programs that provide a complete range of developmentally*

Agency/Entity (check all that apply)		Describe how the Lead Agency will coordinate with this Agency/entity in delivering child care and early childhood services	Describe the goals or results you are expecting from the coordination Examples might include increased supply of full-day/full-year services, aligned eligibility policies, blended funding, or access to more training and technical assistance resources shared across agencies.
	public health (cont'd.)	*development needs of children in early care and education programs. One such program is called NY Project LAUNCH (Linking Actions for Unmet Needs in Children's Health), which is a grant program administered by the Substance Abuse and Mental Health Services Administration, within the U.S. Department of Health and Human Services. The program promotes the wellness of young children from birth to 8 years of age by addressing the physical, emotional, social, cognitive, and behavioral aspects of their development. The project is a collaborative effort among OCFS, the NYS Council on Children and Families; the NYS Department of Health, the NYS Office of Mental Health, and several partner organizations in Westchester County. New York State has been awarded $4.25 million over five years (2009-2014) to help link health and mental health services for children in Westchester County.*	*supportive services to families with young children in three targeted communities: Ossining, Port Chester, and southwest Yonkers. Health care, home visiting, parenting education, and early care and education programs will be expanded to locations where they are missing, strengthened where they exist, and integrated across disciplines to achieve the vision articulated in two State Plans: the Early Childhood Plan developed by an interagency team with the NYS Council on Children and Families as the lead and the Children's Plan developed by an interagency team with the NYS Office of Mental Health as the lead.*
☒	State/Territory agency responsible for employment services / workforce development (**required**)	*OCFS collaborates with the Office of Temporary and Disability Assistance and the Department of Labor to develop child care services and programs that support working families, including the professional development and training of child care providers.*	*OCFS expects through such coordination that policies will be developed to improve the quality, availability, affordability, and accessibility of child care to assist families in the acceptance and retention of employment.*
☒	State/Territory agency responsible for providing Temporary Assistance for Need Families (TANF)	*OCFS is working with the Office of Temporary and Disability Assistance (OTDA) to develop the Statewide Welfare Management System (SWMS), a modernization of the current Welfare Management System (WMS). The goal is to create an*	*OCFS expects through coordination with OTDA that local social services districts are provided with appropriate supports to assist low-income families to accept and maintain employment.*

Agency/Entity (check all that apply)		Describe how the Lead Agency will coordinate with this Agency/entity in delivering child care and early childhood services	Describe the goals or results you are expecting from the coordination Examples might include increased supply of full-day/full-year services, aligned eligibility policies, blended funding, or access to more training and technical assistance resources shared across agencies.
	(**required**)	*integrated, statewide system that:* • *provides a holistic approach to meeting a client's needs, including a single point of entry for benefit determination across all programs* • *facilitates worker access to all relevant and appropriate data across programs so that workers can more easily focus on client/family needs* *OCFS works collaboratively with OTDA to identify technical assistance strategies to assist districts to manage funding available for child care subsidies: OTDA and OCFS finance staff conduct joint technical assistance sessions statewide to assist social services districts in the claiming and monitoring of expenditures. The goal of the sessions is to provide an opportunity for networking, communication, and sharing of best practice among state and local governments and, in so doing, lead to better financial decisions.*	

	Agency/Entity (check all that apply)	**Describe how the Lead Agency will coordinate with this Agency/entity in delivering child care and early childhood services**	**Describe the goals or results you are expecting from the coordination** Examples might include increased supply of full-day/full-year services, aligned eligibility policies, blended funding, or access to more training and technical assistance resources shared across agencies.
☒	Indian Tribes/Tribal Organizations **(required)** ☐ N/A: No such entities exist within the boundaries of the State	*The OCFS regional offices interact regularly with tribal members – sometimes in a regulatory capacity, sometimes to help problem solve on other related issues. For example, OCFS has been advising the Shinnecock Indian Nation, on Long Island, on developing the Shinnecock Early Learning Center, groundbreaking for which will take place in September 2011. In addition, OCFS regulates two Mohawk tribal nation child care programs (one child care center serving infants – preschoolers, and one Head Start program serving 68 preschoolers). As a sovereign nation, these programs do not require licensure by NYS OCFS; they have chosen to do so voluntarily. Both are located on the St. Regis reservation located in Akwesasne, Franklin county. OCFS also licenses and provides technical assistance to two Seneca Nation child care programs that collectively serve up to 327 children ranging in age from infancy to school age. As issues arise, OCFS regional office staff work directly with child care center administration and at times seek resources from the Buffalo Regional Office Native American Services liaison.*	*There are several goals to collaboration with tribal nations: encouraging more tribal nations to invest in child care services that are regulated by the State of New York, increasing access to technical assistance and professional development activities, and liaising between the tribal nations and other entities, as appropriate and helpful. Our primary goal is to serve children and families that utilize tribal child care programs by doing all we can to help programs provide safe, high-quality services.*
For the remaining agencies, check and describe (optional) any with which the Lead Agency has chosen to coordinate early childhood and school-age service delivery			
☐	State/Territory agency responsible for licensing (if separate from the Lead Agency)		

Agency/Entity (check all that apply)		**Describe how the Lead Agency will coordinate with this Agency/entity in delivering child care and early childhood services**	**Describe the goals or results you are expecting from the coordination** Examples might include increased supply of full-day/full-year services, aligned eligibility policies, blended funding, or access to more training and technical assistance resources shared across agencies.
☒	State/Territory agency with the Head Start Collaboration grant	*OCFS has had a long history of working in partnership with the Head Start Collaboration Project which is administered by the Council on Children and Families. Currently, that coordination is focused on the development and dissemination of the Early Learning Guidelines. The Guidelines are being developed to support the instruction of children in New York's early learning programs including child care settings. OCFS staff participated in the develop- ment of the Guidelines, which are expected to be released later this year.* *In anticipation of the release of the Guidelines, the rating scale developed as part of New York's quality rating and improvement system includes quality indicators based on the use of the guidelines.* *OCFS also has coordinated with the Head Start Collaboration Project in an effort to identify strategies for supporting early learning programs in meeting the social emotional development needs of young children. This work led to a white paper and a social-emotional consultation CCDF-supported demonstration program in four communities.*	*The goal of implementation of the Early Learning Guidelines is to improve instructional practice in child care settings and other early learning programs.* *In demonstration project communities, the goal is that children with social-emotional development /behavioral issues will be identified and referred for services.*
☒	Statewide Advisory Council authorized by the Head Start Act	*OCFS is an active participant on New York's Early Childhood Advisory Council. The state child care administrator serves as a member of the ECAC's Steering Committee and as co-Chair of the Quality Improvement subcommittee. OCFS staff also serve as members of several of the*	*The goal of these collaborative activities is to increase the quality of early learning programs, including child care settings, leading to improved child well- being and readiness for school.*

Agency/Entity (check all that apply)		Describe how the Lead Agency will coordinate with this Agency/entity in delivering child care and early childhood services	Describe the goals or results you are expecting from the coordination Examples might include increased supply of full-day/full-year services, aligned eligibility policies, blended funding, or access to more training and technical assistance resources shared across agencies.
		ECAC's six work groups. In particular, OCFS is working with the ECAC to implement QUALITYstarsNY and to establish a high quality workforce development system for people working in child care settings and other early learning programs.	
☒	State/Territory agency responsible for the Child and Adult Care Food Program (CACFP)	*OCFS and the NYS Department of Health (DOH) are building an interface between the CACFP database and OCFS' Child Care Facility System (CCFS) in order to share data about child care providers who are participants in CACFP. The two agencies, however, already share information – On a nightly basis, OCFS sends DOH an electronic copy of CCFS. DOH, in turn, frequently notifies OCFS if, during a CACFP site visit, overcapacity violations are observed; also if extremely poor conditions exist in the household. OCFS receives such information as a complaint and investigates. In addition, OCFS is notified of CACFP terminations/disqualifications, and, if warranted, treat as a complaint and investigate.*	*The primary goal of this collaboration is to detect fraud: CACFP benefit fraud as well as child care subsidy fraud. For example, knowing in real time when OCFS has closed a program or revoked or suspended a license gives the CACFP program the information it needs to immediately discontinue benefits, thereby freeing up resources for others. Similarly, a CACFP termination/disqualification may signify a subsidy irregularity as well. In addition, OCFS benefits from information gathered during CACFP program site visits. Thus, a secondary goal is enhanced child care program oversight.*
☒	State/Territory agency responsible for programs for children with special needs This may include, but is not limited to: State/Territory early intervention programs authorized under the Individuals	*OCFS is part of the core team for the "Expanding Opportunities" inclusion initiative, designed to promote collaborative efforts that result in high-quality inclusive opportunities for all children and families. This collaboration includes partners from the following agencies/ organizations:* • *NY State Education Dept (Part B: Ages 3-5)* • *NY Department of Health (Part C: Ages Birth-3)*	*The overarching goal of "Expanding Opportunities" is to support state efforts to increase inclusive opportunities for young children with disabilities. The specific goal driving OCFS' participation in this initiative is to increase access for children with disabilities to regulated child care and early learning programs.*

	Agency/Entity (check all that apply)	**Describe how the Lead Agency will coordinate with this Agency/entity in delivering child care and early childhood services**	**Describe the goals or results you are expecting from the coordination** Examples might include increased supply of full-day/full-year services, aligned eligibility policies, blended funding, or access to more training and technical assistance resources shared across agencies.
	with Disabilities Education Act (Part C for infants and toddlers and Section 619 for preschool), or other State/Territory agencies that support children with special needs	• *New York State Council on Children & Families* • *Head Start* • *University Centers for Excellence in Developmental Disabilities (UCEDDs)* *In addition, DCCS is working with the NY Department of Health as a member of the Group Developmental Task Force aimed at ensuring that rules and regulations align to allow children funded for Part C services to participate in group settings to receive Early Intervention Services. This includes promoting the delivery of group intervention services in regulated programs.*	
☐	State/Territory agency responsible for implementing the Maternal and Early Childhood Home Visitation programs grant		
☐	State/Territory agency responsible for child welfare		
☒	State/Territory liaison for military child care programs or other military child care representatives	*A Memorandum of Understanding (MOU) was signed between OCFS and the Navy (Mid-Atlantic Region) concerning the oversight of family day care programs that are dual licensed and operating outside the Saratoga, NY military base. The MOU is in effect until 2018.*	*The goal of the MOU is to coordinate services, such as training experiences, technical assistance, monitoring, complaint investigations, and enforcement actions. In addition, it is expected that the coordination between the two agencies will increase the number of family day care sites and child care slots available to Navy families.*

	Agency/Entity (check all that apply)	**Describe how the Lead Agency will coordinate with this Agency/entity in delivering child care and early childhood services**	**Describe the goals or results you are expecting from the coordination** Examples might include increased supply of full-day/full-year services, aligned eligibility policies, blended funding, or access to more training and technical assistance resources shared across agencies.
☒	Private agencies/entities including national initiatives that the Lead Agency is participating in such as BUILD, Strengthening Families, Mott Statewide After-school Networks, Ready by 21	*1. In New York, the Council on Children and Families serves as the lead agency for both the Early Childhood Advisory Council (ECAC) and the BUILD Initiative. The BUILD initiative has been used as a primary source of support for the ECAC so there are no BUILD activities that are separate from the ECAC.* *2. As described above, OCFS is an active member of NYSAN (New York State After School Network) which receives funds from the C. S. Mott Foundation for core network activities. A portion of the Mott Foundation core network grant has been used to fund activities related to the Early Care and Education (ECE) – Afterschool Linkages project which focused on the common impacts and benefits (e.g., academic, social/emotional, economic, support for families) of linking ECE with after-school programs, such that a high-quality continuum of care is created that promotes social, emotional, and cognitive development from birth onward, and supports children and families through developmental and structural transitions. This has involved determining how to coordinate ECE and after-school efforts across statewide initiatives (ranging from policy strategy to professional development, from quality assurance to diverse funding and delivery systems).*	*1.For OCFS, involvement on the ECAC has the goal of increasing the quality of early learning settings, including child care, leading to improved child well-being and readiness for school.* *2. The goals we expected to accomplish through the ECE – Afterschool Linkages Project include the following: develop a definition for a coordinated continuum of care system, including recommendations to guide work beyond the term of the pilot program; map the shared funding streams, policies, and practices across the ECE and after-school communities in New York State, identifying low- or no-cost efficiencies; plan a course of action for creating a statewide blueprint for a continuum of care system, focusing in particular on a work and sustainability plan that operationalizes and institutionalizes the ECE – after-school partnership; establish a clear, simple, yet systemic communication system to sustain the state team's efforts beyond the term of the pilot program; create an external communications strategy targeting various audiences that highlights the value and impact of linking ECE and after-school efforts; write and disseminate a joint NYSAN-sponsored Policy Brief that focuses on the links between ECE and afterschool. These goals were attained during the past year and have set the stage for years to come by sustaining the team's efforts to focus on the delivery of quality early care and education and after-school programs for all children through the communication strategy, development of Policy Briefs, and the creation of a blueprint for a continuum of care system.*
☒	Private	*3. The New York State*	*3. One goal of the S3 Initiative was to agree on a*

Agency/Entity (check all that apply)		Describe how the Lead Agency will coordinate with this Agency/entity in delivering child care and early childhood services	Describe the goals or results you are expecting from the coordination Examples might include increased supply of full-day/full-year services, aligned eligibility policies, blended funding, or access to more training and technical assistance resources shared across agencies.
	agencies/entities including national initiatives that the Lead Agency is participating in such as BUILD, Strengthening Families, Mott Statewide After-school Networks, Ready by 21 (cont'd.)	*Afterschool Network (NYSAN) applied for and received a Mott Foundation grant for the Supporting Student Success (S3) Initiative, which enabled it to expand upon the efforts of the ECE-Afterschool Linkages Project and efforts made by the NYSAN Steering Committee. New York's S3 initiative links the public education system to Expanded Learning Opportunities (ELOs), in order to promote multiple pathways to graduation, increase the quality of student experiences, and raise levels of student engagement and graduation rates through coordination, collaboration, and collaboration. Members of the S3 Leadership Team include policymakers from the Governor's Office, New York Senate, NY State Education Department, OCFS, NYS Department of Labor, The After School Corporation, and NYSAN. NYSAN, in partnership with youth development and education organizations and agencies, proposes that every child in New York State should have access to learning opportunities that create a seamless learning day, in- and out-of-school, every day, all year long. ELOs include high-quality after-school, summer learning, and extended day and/or year programs in school and community settings that reshape when, where, and how learning occurs.*	*definition for Early Learning Opportunities (ELOs) and develop a one-page document that defines the vision for ELOs in New York State and "makes the case" for their role in enhancing student achievement in collaboration with NYSED. This document was developed and disseminated throughout the various systems of care in New York State in an effort to strengthen the ELO system.*
	Local community organizations (child care resource and	*OCFS provides funding and supervision to support and enhance the child care-related services delivered by 39 child*	*The goals of OCFS support for CCR&R services include:* • *Information and referral services directed at*

Agency/Entity (check all that apply)		Describe how the Lead Agency will coordinate with this Agency/entity in delivering child care and early childhood services	Describe the goals or results you are expecting from the coordination Examples might include increased supply of full-day/full-year services, aligned eligibility policies, blended funding, or access to more training and technical assistance resources shared across agencies.
☒	referral, Red Cross)	*care resource and referral (CCR&R) agencies, including one lead CCR&R with four sub-contractors in New York City, for children and families throughout NYS. With CCDF support, all NYS CCR&R agencies are engaged in the process of meeting national quality assurance standards for CCR&R practice developed by the National Association of Child Care Resource and Referral Agencies (NACCRRA). CCR&Rs are experienced in program implementation, community outreach, and are active in community collaborations to improve the quality and availability of early care and learning services. The CCR&R network in NY State also operates seven regional Infant and Toddler Resource Centers that provide support to improve quality in Infant and Toddler settings. These Centers have developed a pool of trained Infant Toddler Specialists with experience in conducting program assessments and using them to develop quality improvement plans.*	*educating parents who contact the agency regarding early childhood services;* • *Technical assistance to child care providers and programs;* • *Expanding the number of family child care providers;* • *Maintaining provider databases to determine service utilization and unmet needs for additional early childhood services; and* • *Providing written materials and conducting outreach to the community and employers to encourage support of all child care services. One of OCFS' primary goals is the implementation of a state-wide quality rating and improvement system. The CCR&Rs will be one of the key stakeholders based upon their experience and resources. The CCR&Rs effectively deliver mentoring, training, and other quality improvement supports that are integral to realizing NYS' quality rating system mission.*
☒	Provider groups, associations or labor organizations	*OCFS has been an active partner with the two unions that were elected to represent family-based child care providers: the United Federation of Teachers (UFT) for New York City-based providers, and the Civil Service Employees Association (CSEA) for providers throughout the rest of the state. Since early 2008, OCFS has met with both UFT and CSEA to improve the child care delivery system. Six joint committees were established with representatives*	*The focus of the collaboration is the stability, funding, and operation of child care programs; expansion of quality child care; and improvement of working conditions for home-based child care providers.*

Agency/Entity (check all that apply)		Describe how the Lead Agency will coordinate with this Agency/entity in delivering child care and early childhood services	Describe the goals or results you are expecting from the coordination Examples might include increased supply of full-day/full-year services, aligned eligibility policies, blended funding, or access to more training and technical assistance resources shared across agencies.
		from CSEA, UFT, and OCFS: Market Rate Survey and Implementation, OCFS Website, Insurance, Professional Development, Inspection Process Procedure, and OCFS Regulations Review. Over the next biennium, OCFS will continue to consult with both unions on the market rate survey, support increased professional development for providers, and help regulated providers increase the quality of the environment in which they provide their services.	
☐	Parent groups or organizations		
☒	*Other* *<u>Agency/Title</u>* *Infant Toddler Specialists from the regional Infant Toddler Resource Centers,* *Early Head Start staff,* *Staff from child care organizations,* *OCFS DCCS regional office licensors who work with the infant and toddler caregivers.*	*NYS, with ARRA funds, has supported a cadre of 120 trainers to become certified in the Program for Infant and Toddler Caregivers (PITC), a research-based approach to caring for babies and toddlers. PITC is recognized as the premier training curriculum in the United States. Developed by West Ed, a nationally recognized educational organization based in California, the training consists of four training modules:* • *Social-Emotional Growth and Socialization* • *Group Care* • *Learning and Development* • *Culture, Family and Providers* *The program consisted of 12 days of intensive training. It was available to infant/ toddler professionals, who committed to return to their communities and provide training and technical assistance to caregivers, and who agreed to remain in their*	*These PITC trainers will become certified and then train child care providers across the state to bring specific best-practice information on high-quality care for babies and toddlers to the NYS CCRR network, Early Head Start, Early Child Care programs, the OCFS licensing network, and child care providers in the field.*

	Agency/Entity (check all that apply)	Describe how the Lead Agency will coordinate with this Agency/entity in delivering child care and early childhood services	Describe the goals or results you are expecting from the coordination Examples might include increased supply of full-day/full-year services, aligned eligibility policies, blended funding, or access to more training and technical assistance resources shared across agencies.
		current positions for 2 years. After they become certified, these trainers will train child care providers across the state. In addition, a webinar has been presented with PITC Trainers and ECLC to State and private Agency staff to inform them of the project goals and services as well as the roles of the new 120+ PITC trained specialists who will be training early care and learning professionals across the State.	
	---------- *New York State Department of Health, AED Center for Health Communication, NYS Head Start Association, Citizen's Committee for Children of New York, NYS Office of Mental Health, NYS Education Department, Children's Aid Society, Early Care and Learning Council, Schuyler Center for Analysis and Advocacy.*	---------- *OCFS is working in a partnership with the listed agencies to develop strategies for preventing childhood obesity in early care and education settings. Issues under discussion are: the benefits of breastfeeding, nutrition, physical activity, and limiting screen time. In addition, OCFS participated in the Centers for Disease Control Pilot State Meeting and State Action Guide Review in Atlanta in March, 2011.*	---------- *OCFS is reviewing its child day care regulations for inclusion of basic standards that address the need for physical activity and limiting screen time to educational or physical activity programming. In addition, OCFS is using current research and input from the listed agencies to set quality standards in its QUALITYstarsNY quality rating and improvement system.*
	---------- *NYS Department of Health, Department of State,*	---------- *OCFS is a member of the NYS Lead Poisoning Prevention*	---------- *This collaborative body will continue to share*

Agency/Entity (check all that apply)		Describe how the Lead Agency will coordinate with this Agency/entity in delivering child care and early childhood services	Describe the goals or results you are expecting from the coordination Examples might include increased supply of full-day/full-year services, aligned eligibility policies, blended funding, or access to more training and technical assistance resources shared across agencies.
	Department of Environmental Conservation, State Insurance Department, Office of *Temporary and Disability Assistance, and a number of private citizens and organizations*	*Advisory Council. This group has developed and distributed preventative guidance documents regarding blood lead poisoning to early care programs. Translation services were shared to increase awareness in many non-English speaking communities. In addition, this collaborative body identified ways to assist child care providers in identifying lead hazards and methods of keeping children safe from its effects. As a result of the continued collaboration between agencies, child care providers are now offered an on-line training, specific to lead hazards and preventing lead poisoning.*	*resources, research, on-site guidance, technical assistance and educational materials to child care programs in New York State. The goal is to end blood lead poisoning in children.*

1.5.2. Does the State/Territory have a formal early childhood and/or school-age coordination plan? Lead Agencies are not required to have an early childhood nor a school-age coordination plan, but the State/Territory may have such plans for other purposes, including fulfilling requirements of other programs.

☐ Yes. If yes,

a) Provide the name of the entity responsible for the coordination plan(s):

b) Describe the age groups addressed by the plan(s):

c) Indicate whether this entity also operates as the State Advisory Council (as authorized under the Head Start Act of 2007):

☐ Yes

☐ No

d) Provide a web address for the plan(s), if available: _____

☒ No

1.5.3. Does the State/Territory have a designated entity(ies) responsible for coordination across early childhood and school-age programs?

(658D(b)(1)(D), §98.14(a)(1)) Check which entity(ies), if any, the State/Territory has chosen to designate.

☐ State/Territory-wide early childhood and/or school-age cabinet/advisory council/task force/commission.

If yes, describe entity, age groups and the role of the Lead Agency _____

☒ State Advisory Council (as described under the Head Start Act of 2007).

If yes, describe entity, age groups and the role of the Lead Agency*:*

To respond to the federal requirement to establish or designate State Advisory Councils on Early Childhood Education and Care, a new body was established — the Early Childhood Advisory Council (ECAC). The ECAC includes individuals with early childhood expertise who represent early care and education, health care, child welfare, and mental health programs, as well as state agencies, advocacy organizations, foundations, higher education, unions, and others involved in the provision of services to young children and their families. The ECAC is focusing its efforts on addressing the structural issues that have impeded the development of a comprehensive system of early childhood supports and services. The ECAC held its first meeting in May 2009 and began work to develop a vision, mission, guiding principles, and a strategic plan to organize its work.

Six work groups have been established to implement this strategic plan. They include:

***Finance** is focused on developing a consistent finance framework and model to apply across the ECAC's four focus areas: Healthy Children, Strong Families, Early Learning, and Coordinated and Responsive Systems. Work will concentrate on identifying the key service components in New York's vision for a comprehensive system of services for young children, as well as identifying current investments in those components. This work will inform the construction of an early childhood cost model, an analytical tool that will allow policymakers to gauge the impact of changes in access, quality, and funding levels. The cost model will also inform the workgroup's analysis of the barriers to and opportunities for maximizing use of existing resources to support the goals of a coordinated and comprehensive system of services that meet agreed-upon standards. The Finance Workgroup also plans to identify new financing strategies including a mix of public and private resources to increase investments in a comprehensive system that includes key services, infrastructure supports, workforce retention and development, and ongoing quality assurance/improvement.*

***Quality Improvement** is developing a system of actionable quality assurance across three of the ECAC's focus areas: Healthy Children, Strong Families, and Early Learning. One major activity includes*

overseeing the ongoing implementation of QUALITYstarsNY, New York's quality rating and improvement system for center- and family-based early care and education programs. The Quality Improvement Workgroup will also focus on family support and engagement by exploring its definition and practice across broad sectors of early childhood services, considering how to integrate it into existing quality assurance frameworks, and striving to create a common definition and common standards across sectors.

***Strong Families** is developing a work plan for supporting families that incorporates the principles of strengthening families, promoting resiliency, and enhancing protective factors as a framework for all health, education, and human services, in order that we provide appropriate services and supports to strengthen families. Those services/supports include parent education, screening and assessment of children and families, and voluntary home visiting for all expectant and new families. Strong Families will compile information on best practices in each of these areas, disseminate that information, make recommendations when advisable, and assist existing efforts in implementation of strategies that will forward the Workgroup agenda.*

***Data Development** is working to determine data needed for a cross-early learning program data system that helps state and local agencies and others identify trends in early learning programs, answer policy questions, and plan for program development. Plans are to extend this effort to other early childhood service systems and to link data systems to a P-20 student tracking system being developed by the State Education Department.*

***Early Learning Workforce Development** is organized to advance the components of an early learning professional development system and respond to related issues such as coordination of pre-service education in early childhood (i.e., articulation agreements among institutions of higher education) and staff recruitment, retention, and compensation. In the coming months, the Early Learning Workgroup will evaluate the status of work currently being done by organizations such as Winning Beginning NY, the New York City Early Childhood Professional Development Institute, and others, and prioritize activities for the workgroup.*

***Promoting Healthy Development** is building capacity among the many different providers in child-serving systems to improve the health and social-emotional development of young children. This includes identifying and responding to the social-emotional needs of young children and their families, promoting health and safety through the development of training and consultation, and identifying opportunities*

to collaborate with public health programs to achieve key health outcomes for young children. The group will gather information about current projects, best practices, and available trainings; and monitor and advise related activities that are already on-going in New York. The group will compile health and social-emotional trainings with the goal of developing an on-line resource.

☐ Local Coordination/Council
If yes, describe entity, age groups and the role of the Lead Agency _____
☐ Other.
Describe _____
☐ None

1.5.4. Does the Lead Agency conduct or plan to conduct activities to encourage public-private partnerships that promote private sector involvement in meeting child care needs? (§98.16(d))

☐ Yes. If yes, **describe** these activities or planned activities, including the tangible results expected from the public-private partnership _____
☒ No.

1.6. Child Care Emergency Preparedness and Response Plan

It is recommended, but not required, that each Lead Agency develop a plan to address preparedness, response, and recovery efforts specific to child care services and programs. Plans should cover the following areas: 1) planning for continuation of services to CCDF families; 2) coordination with other State/Territory agencies and key partners; 3) emergency preparedness regulatory requirements for child care providers; 4) provision of temporary child care services after a disaster; and 5) rebuilding child care after a disaster. For further guidance on developing Child Care Emergency Preparedness and Response Plans see the Information Memorandum (CCDF-ACF-IM-2011-XX) located on the Office of Child Care website at:
http://www.acf.hhs.gov/programs/ccb/law/state_topic_emergency.htm

1.6.1. Indicate which of the following best describes the current status of your efforts in this area. Check only ONE.

☐ **Planning**. Indicate whether steps are under way to develop a plan. If so, describe the time frames for completion and/or implementation, the steps anticipated and how the plan will be coordinated with other emergency planning efforts within the State/Territory.
☐ **Developed.** A plan has been developed as of [**insert date**] and put into operation as of [**insert date**], if available. Provide a web address for this plan, if available: _____
☒ **Other. Describe:** *The NYS OCFS DCCS plan is being developed in small increments to facilitate implementation. This allows us to focus on specific aspects of emergency preparedness and response while working towards*

making emergency preparedness a more comprehensive and accepted practice. Present efforts include collaboration with the NYS Division of Homeland Security and Emergency Services, NYS Office of Emergency Management, American Red Cross, Save the Children, FEMA and seven NYS County Emergency Management Offices.

Phase 1: Outreach- Provider Training and Updating Planning Requirements (Implemented- ongoing)

OCFS has introduced new planning requirements for child care providers which require enhanced emergency planning for child care programs. This includes updating emergency plan forms based on new minimum standards. This requires providers to identify primary and secondary relocation sites, and develop a plan for notification of parents in the case of evacuation from the child care site that requires relocation.

OCFS has partnered with the New York State Office of Emergency Management to expand education and planning opportunities for child care providers. Initial efforts focused on providing training on all hazards planning, presented via videoconference.

Other regionally focused initiatives have included collaboration with Emergency Management Agencies in the seven NYS counties with nuclear power plants. A pilot program is underway in Westchester County to educate providers regarding radiological preparedness, evacuation, and relocation planning and administration of potassium iodide. This program will be modified for delivery in additional counties over the next three years.

Phase 2: Establishing Systems to support child care programming (Implemented- ongoing)

Recent enhancements have been made to the Child Care Facility System (CCFS). This system is used to document the licensing/ registration process and track the compliance history of all regulated providers. New capabilities have been added to allow for portability of provider records between programs. Automating this process is critical to being able to re-establish child care following local or regional disaster. This is the first step in planning for continuation of services to CCDF families, provision of temporary child care services after a disaster, and long-term re-establishment of child care programs within communities.

In addition, recent establishment of an on-line clearance system to determine if an individual has an indicated report of child abuse and maltreatment, as well as conversion to an electronic fingerprinting system for criminal history background checks has substantially reduced the time needed to conduct these processes. This allows OCFS to screen staff more quickly, which will be critical to the establishment of temporary child care or rapid restoration of facilities according to Phase 3.

Phase 3: Funding to support continuity of child care and re-establishment of child care programs (In development)

DCCS will work to evaluate and develop guidance in the following two areas:

- *The requirements of the FEMA Public Assistance grant program to determine how this could be utilized in NY. Priorities will be placed on temporary relocation facilities, and repair, restoration or replacement of child care facilities.*
- *How CCDF funds are best utilized in response to federal- or state-declared emergency situations.*

1.6.2. Indicate which of the core elements identified in the Information Memorandum are or will be covered in the Lead Agency child care emergency preparedness and response plan. Check which elements, if any, the Lead Agency includes in the plan.

☒ Planning for continuation of services to CCDF families
☒ Coordination with other State/Territory agencies and key partners
☒ Emergency preparedness regulatory requirements for child care providers
☒ Provision of temporary child care services after a disaster
☐ Rebuilding child care facilities and infrastructure after a disaster
☐ None

PART 2

CCDF SUBSIDY PROGRAM ADMINISTRATION

This section focuses on the child care assistance program. Lead Agencies are asked to describe their efforts to inform parents about the CCDF subsidy program and application policies and procedures, eligibility criteria, how Lead Agencies ensure continuity of care and parental choice of high quality settings for families, and sliding fee scale and payment rate policies and procedures.

2.1. Administration of the Program

The Lead Agency has broad authority to administer (i.e., establish rules) and operate (i.e., implement activities) the CCDF program through other governmental, non-governmental, or other public or private local agencies as long as it retains overall responsibility for the administration of the program. (658D(b), §98.11(a))

2.1.1. Which of the following CCDF program rules and policies are set or established at the State/Territory versus the local level? Identify the level at which the following CCDF program rules and policies are established.

☒ Eligibility rules and policies (e.g., income limits) are set by the:
- ☒ State/Territory
- ☐ Local entity. If checked, provide the name(s) of the local entity _____
- ☐ Other. Describe: _____

☒ Sliding fee scale is set by the:
- ☒ State/Territory
- ☐ Local entity. If checked, provide the name(s) of the local entity _____
- ☐ Other. Describe: _____

☒ Payment rates are set by the:
- ☒ State/Territory
- ☐ Local entity. If checked, provide the name(s) of the local entity _____
- ☐ Other. Describe: _____

2.1.2. How is the CCDF program operated in your State/Territory? In the table below, identify which agency(ies) performs these CCDF services and activities.

Implementation of CCDF Services/Activities	Agency (Check all that apply)
Who determines eligibility? **Note:** *If different for families receiving TANF benefits and families not receiving TANF benefits, please describe:* *The basis of eligibility for a child care subsidy for a recipient of TANF is solely the status of that individual for the TANF program. An individual who*	☐ CCDF Lead Agency ☐ TANF agency ☒ Other State/Territory agency. Describe. *OCFS maintains a Memorandum of Understanding (MOU) with the State University of New York and the City University of New York to subsidize child care services for low-income students enrolled in either of these two higher education systems. Further, through an MOU with the New York State Department of*

Implementation of CCDF Services/Activities	**Agency (Check all that apply)**
has applied for TANF benefits is determined financially and programmatically eligible for the TANF program under the federally mandated requirements of that program. An additional application for child care subsidy and further financial determination are not required for the child care subsidy program. The TANF parent must meet the work and training requirements under the TANF program and provide documentation to the social services district concerning qualifying care, provider arrangement, provider requirements, and payment amount. _____	*Agriculture and Markets, funds are provided to a network of child care agencies that serve the children of migrant workers and other farm workers. These entities determine eligibility, assist parents in locating care, and make the provider payment.* _____ ☒ Local government agencies such as county welfare or social services departments ☐ Child care resource and referral agencies ☐ Community-based organizations ☐ Other. Describe. _____
Who assists parents in locating child care (consumer education)?	☒ CCDF Lead Agency ☐ TANF agency ☐ Other State/Territory agency. Describe. _____ ☒ Local government agencies such as county welfare or social services departments ☒ Child care resource and referral agencies ☐ Community-based organizations ☒ Other. Describe. *OCFS maintains a Memorandum of Understanding (MOU) with the State University of New York and the City University of New York to subsidize child care services for low-income students enrolled in either of these two higher education systems. Further, through an MOU with the New York State Department of Agriculture and Markets, funds are provided to a network of child care agencies that serve the children of migrant workers and other farm workers. These entities assist parents in locating care.*_____
Who issues payments?	☐ CCDF Lead Agency ☐ TANF agency ☐ Other State/Territory agency. Describe. _____ ☒ Local government agencies such as county welfare or social services departments ☐ Child care resource and referral agencies ☐ Community-based organizations ☒ Other. Describe. *OCFS maintains a Memorandum of Understanding (MOU) with the State University of New York and the City University of New York to subsidize child care services for low-income students enrolled in either of these two higher education systems. Further, through an MOU with the New York State Department of Agriculture and Markets, funds are provided to a network of child care agencies that serve the children of migrant workers and other farm workers. These entities issue payment to the provider.*
Describe to whom is the payment issued (e.g., parent or provider) and how are payments distributed (e.g., electronically, cash, etc)	

Implementation of CCDF Services/Activities	Agency (Check all that apply)
Payments can be made either to the parent or provider. The local social services district determines to whom the payment is made. Providers receive payment by check. Some local social services districts make payments through direct deposit.	
Other. List and describe: _____	

2.2. Family Outreach and Application Process

Lead Agencies must inform parents of eligible children and the general public of the process by which they can apply for and potentially receive child care services. (658D(b)(1)(A), 658E(c)(2)(D) & (3)(B), §§98.16(k), 98.30(a)-(e). **Note -** For any information in questions 2.2.1 through 2.2.10 that differs or will differ for families receiving TANF, please describe in 2.2.11.

2.2.1. By whom and how are parents informed of the availability of child care assistance services under CCDF? (658E(c)(2)(A), §98.30(a)) Check all agencies and strategies that will be used in your State/Territory.

- ☒ CCDF Lead Agency
- ☒ TANF offices
- ☒ Other government offices
- ☒ Child care resource and referral agencies
- ☐ Contractors
- ☐ Community-based organizations
- ☐ Public schools
- ☒ Internet (provide website): *http://www.ocfs.state.ny.us/main/childcare/paying.asp*___
- ☒ Promotional materials
- ☐ Community outreach meetings, workshops or other in-person meetings
- ☐ Radio and/or television
- ☐ Print media
- ☐ Other. Describe: ___

2.2.2. How can parents apply for CCDF services? Check all application methods that your State/Territory has chosen to implement.

- ☒ In person interview or orientation
- ☒ By mail
- ☐ By Phone/Fax
- ☐ Through the Internet (provide website) ___
- ☐ By Email
- ☐ Other. Describe: ___

2.2.3. Describe how the Lead Agency provides consumer education to parents applying for CCDF assistance to promote informed choices about the quality of care provided by various providers.

Lead Agencies must certify that the State/Territory will collect and disseminate to parents of eligible children and the general public, consumer education information that will promote informed child care choices (658E (c)(2)(G), §98.33).

For example, memorandums of understanding with resource and referral agencies to provide consumer education to families applying for CCDF assistance, providing parents with provider lists showing licensing history and/or Quality Rating and Improvement System (QRIS) ratings, or informational brochures that address importance of quality and different care options available.

OCFS currently contracts with 35 CCR&Rs that serve 57 counties and the five boroughs of New York City. The CCR&Rs supply vital child care services to parents, providers, employers, and communities across New York State. CCR&Rs provide information and referral services and technical assistance to child care providers and programs to promote quality; conduct outreach to the community and employers to encourage support of all child care services; recruit and retain family child care providers; and, develop and maintain provider data bases to determine service utilization and unmet needs for additional early childhood services.

NYS has issued and distributed, as part of its "Think About Child Care" family education campaign, brochures to help all parents, not just those who are receiving a child care subsidy, in selecting quality child care to meet the needs of their children. Parents are provided with information on all types of child care settings, including legally-exempt child care. This publication is available on-line at the OCFS website (http://www.ocfs.state.ny.us/main/publications/Pub1115A.pdf), at child care resource and referral agencies, and at social services districts.

The parent is provided at the time of application with the LDSS-4148A,"What You Should Know About Your Rights and Responsibilities", which advises the parent of his/her rights and responsibilities regarding child care. These include the following: the right to receive information about how to locate a child care provider, and the right to choose the child care provider, who may be licensed or registered or legally-exempt from OCFS licensing and registration requirements such as a relative, friend, or neighbor. The parent is also informed that it is his/her responsibility to look for and choose a child care provider and that he or she must pay any family share of the cost of child care services.

The OCFS website at http://www.ocfs.state.ny.us/main/childcare/looking.asp provides a search window that will allow parents to search the entire database of regulated child care providers in New York State (a link is provided to access day care centers in New York City). This search engine allows individuals to look up a specific provider by name, or all the providers in a particular county or even zip code. It also allows a search by different types of care, such as family child care or child care centers. Additionally, it allows a search for providers operating during non-traditional hours or permitted to administer medication. Information is provided on the program including contact information, address, capacity, when it first opened and the current status of its license or registration. Additionally, information on

uncorrected violations, enforcement actions, and a summary of compliance actions can be seen.

2.2.4. Describe how the Lead Agency will support child care programs to increase the likelihood that CCDF-served children receive higher quality care as defined in your State/Territory. For example, methods used to promote upward movement in quality rating and improvement system, methods used to encourage high quality programs to participate in the subsidy program such as tiered reimbursement, or incentives used to support high quality programs in rural, suburban, urban, and low-income communities. _____

A social services district may establish in its Child and Family Services Plan, subject to approval by OCFS, differential payment rates for child care services provided by a regulated child care provider that has been accredited by a nationally recognized child care organization and/or for child care services provided during the week-end, the night, or evening hours. The rate of payment established must not exceed 15 percent of the appropriate child care market rate. A district may request approval from OCFS for a differential greater than 15 percent of the appropriate child care market rate for non-traditional hours and/or accredited programs upon a demonstration that the 15 percent differential is not sufficient to provide access to such programs.

The market rate structure for providers of legally-exempt family child care and legally-exempt in-home child care reflects a standard market rate and an enhanced market rate. The standard market rate is set at 65 percent of the market rate established for registered family child care providers. This differential reflects the higher costs associated with meeting the higher regulatory standards to become a registered family child care provider. The enhanced market rate is set at 70 percent of the maximum reimbursement rate given to registered family child care providers. Social services districts, which so choose in their Child and Family Services Plans, have the flexibility to increase the enhanced market rate to up to 75 percent of the applicable registered family child care market rate. To receive the enhanced market rates, legally-exempt family child care providers and legally-exempt in-home child care providers must complete ten or more hours of training annually in the subject areas specified for licensed and registered providers, which are set forth in Section 390-a(3)(b) of the Social Services Law.

Further, over the past six years, a group of early childhood experts from across New York State has been working cooperatively with various New York State government agencies, including OCFS, to design QUALITYstarsNY, a quality rating and improvement system for child care and early learning programs. The system is designed to recognize programs that demonstrate quality above and beyond meeting New York's comprehensive regulatory standards. QUALITYstarsNY also is intended to provide program quality supports, such as technical assistance and professional development. Additionally, QUALITYstarsNY has a consumer-education focus for helping child care subsidy recipients, as well as the general public, to identify those

factors that constitute quality child care and to access those quality programs that will meet the individual needs of their children. American Recovery and Reinvestment Act funds supported the implementation of a field test, which was conducted in 2010. Funding and other resources have yet to be identified, however, in order to implement QUALITYstarsNY on a statewide basis.

2.2.5. How will the Lead Agency promote access to the CCDF subsidy program? Check the strategies that will be implemented by your State/Territory.

☒ Increase access to program office/workers such as by:
- ☐ Extending office hours
- ☐ Accepting applications at multiple office locations
- ☐ Providing a toll-free number for clients
- ☒ Other. Describe: *Social services districts must permit applicants to submit applications by mail. Additionally, districts develop strategies to increase access according to local needs that may include extending office hours and accepting applications at other locations.*___

☒ Simplify eligibility determination process such as by:
- ☒ Simplifying the application form
- ☒ Developing a single application for multiple programs
- ☐ Developing web-based and/or phone-based application procedures
- ☐ Coordinating eligibility policies across programs. List the program names _____
- ☐ Streamlining verification procedures, such as linking to other program data systems
- ☒ Providing information multi-lingual
- ☒ Including temporary periods of unemployment in eligibility criteria for new applicants (job search, seasonal unemployment). Length of time: *A social services district must provide NYSCCBG services to families receiving public assistance, during breaks in activities, for a period of up to two weeks when the parent or caretaker relative is: engaged in work; participating in work activities or performing community service; a teen parent attending high school or other equivalent training; physically or mentally incapacitated; or absent from the home due to family duties. Such child care services may be authorized for up to one month if child care arrangements would be lost if the services were not continued, and the program or employment is scheduled to begin within that one-month period. Additionally, a district may opt to serve low-income families actively seeking employment for a period of up to six months.*
- ☐ Other. Describe: ___

☐ Other. Describe: ___

☐ None

2.2.6. Describe the Lead Agencies policies to promote continuity of care for children and stability for families. Check the strategies, if any, that your State/Territory has chosen to implement.

- ☒ Provide CCDF assistance during periods of job search. Length of time: A *social services district may opt to serve low-income families actively seeking employment for a period of up to six months.*_____
- ☐ Establish two-tiered income eligibility with a higher exit point than entry point to cover temporary changes in family's circumstances
- ☐ Synchronize review date across programs. List programs: ___
- ☒ Longer eligibility re-determination periods (e.g., 1 year). Describe: *Eligibility for low-income families must be re-determined periodically but not less frequently than every 12 months for child care services. A social services district selects the eligibility determination period to be applied in its district.*___
- ☒ Extend periods of eligibility for families who are also enrolled in either Early Head Start or Head Start and pre-k programs. Describe: *OCFS has approved a waiver for a social services district to allow income eligibility for families with a child enrolled in a Head Start collaboration program to be continuous as long as the child remains enrolled in the collaboration program for up to two years. Additionally, a waiver was approved to allow income eligibility for families with a child dually enrolled in a State pre-kindergarten program until the subsequent school year.* ___
- ☒ Extend periods of eligibility for school-age children under age 13 to cover the school year. Describe *Children that turn 13 during the school year can receive child care assistance using Title XX funds until the end of the school year. The provider must be registered or licensed and have a contract or a letter of intent with the local social services district.* ___
- ☐ Minimize reporting requirements for changes in eligibility criteria, such as changes in income above a certain threshold or change in employment
- ☐ Targeted case management to help families find and keep stable child care arrangements
- ☐ Using non-CCDF Funds to continue subsidy for families who no longer meet eligibility, such as for children who turn 13 years of age during the middle of a program year
- ☒ Other. Describe *OCFS is proposing additional regulatory standards concerning the continuity of care concept. OCFS will define continuity of care as: A model of care that includes the center establishing and maintaining a primary caregiving relationship between assigned staff and children and their respective families over a period of years. This model allows infants and their primary caregivers stay together until all children in the group are at least thirty (36) months of age. A primary caregiver is defined as a practice that assigns a child to one caregiver who becomes responsible for the child and for communication with the child's parents. It is a core concept in the continuity of care model. A primary caregiver must be assigned to children placed in continuity of care classrooms. In addition,*

OCFS will set standards for group size, staff ratios and classroom equipment requirements for this model. _____

☐ None

2.2.7. How will the Lead Agency reach out and provide services to eligible families with limited English proficiency? Check the strategies, if any, that your State/Territory has chosen to implement.

☒ Application in other languages
☒ Informational materials in non-English languages
☐ Training and technical assistance in non-English languages
☒ Website in non-English languages
☐ Lead Agency accepts applications at local community-based locations
☐ Bilingual caseworkers or translators available
☒ Other: *Social services districts use a variety of approaches to assist families with limited English proficiency. The following are examples of such approaches:*

- *using a language poster and language cards to allow an individual to point to the language that they speak*
- *contracting with an organization for interpreter services*
- *employing bilingual caseworkers*

*Many community organizations throughout the State offer translation and interpreter services and are often located near or within the same building as the social services district offices. Additionally, several of the CCR&Rs offer translation services to families applying for services. Finally, family members and friends often serve as the applicant/recipient's most trusted translator/interpreter.*_____

☐ None

(Optional) If the Lead Agency checked any option above related to providing information or services in other non-English languages, please describe the languages offered _____

2.2.8. How will the Lead Agency overcome language barriers with providers? Check the strategies, if any, that your State/Territory has chosen to implement.

☒ Informational materials in non-English languages
☒ Training and technical assistance in non-English languages
☒ CCDF health and safety requirements in non-English languages
☐ Provider contracts or agreements in non-English languages
☒ Website in non-English languages
☒ Bilingual caseworkers or translators available
☐ Other: ___
☐ None

(Optional) If the Lead Agency checked any option above related to providing information or services in other non-English languages, please describe the languages offered _____

2.2.9. Describe how the Lead Agency documents and verifies applicant information using the table below. (§98.20(a)) Check the strategies that will be implemented by your State/Territory. **Attach** a copy of your parent application for the child care subsidy program(s) as **Attachment 2.2.9** or provide a web address, if available _____

The Lead Agency requires documentation of:	**Describe how the Lead Agency documents and verifies applicant information:**
☒ Applicant identity	Social services districts establish their own procedures to document and verify identity. These may include driver's license, passport, naturalization certificate, photo ID, hospital/doctor's records, and/or social security records.
☒ Household composition	Social services districts establish their own procedures to document and verify household composition. These may include marriage/death certificates, separation agreements, divorce decree, social security records, VA records, statement from landlord, school records, birth certificates, and/or adoption records.
☒ Applicant's relationship to the child	Social services districts establish their own procedures to document and verify relationships. These may include school records, birth certificates, adoption records, and/or hospital records.
☒ Child's information	Social services districts establish their own procedures to document and verify identity. These may include school records, birth certificates, adoption records, and/or hospital records.
☒ Work, Job Training or Educational Program	Social services districts establish their own procedures to document and verify identity. These may include pay stubs; business records; income tax records; correspondence from employers, the Social Security Administration, Veterans Administration, State employment agencies, State welfare agencies and/or providers of pensions; school records; and/or statement from school or institution.
☒ Income	Adequate documentation of gross income can include pay stubs, business records, income tax records, and/or correspondence from employers, the Social Security Administration, Veterans Administration, State employment agencies, State welfare agencies and/or providers of pensions.
☐ Other. Describe _____	

2.2.10. Which strategies, if any, will the Lead Agency use to assure the timeliness of eligibility determinations upon receipt of applications?

☒ Policy on length of time for making eligibility determinations. Describe length of time: *OCFS regulations require that social services districts determine eligibility within 30 days of the date of application.*_____

☐ Track and monitor the eligibility determination process
☐ Other. Describe ___
☐ None

2.2.11. Are the policies, strategies or processes provided in questions 2.1.1. through 2.1.10 different for families receiving TANF? (658E(c)(2)(H) & (3)(D), §§98.16(g)(4), 98.33(b), 98.50(e))

☒ Yes. If yes, describe: *The basis of eligibility for a child care subsidy for a recipient of TANF is solely the status of that individual for the TANF program. An individual who has applied for TANF benefits is determined financially and programmatically eligible for the TANF program under the federally mandated requirements of that program. An additional application for child care subsidy and further financial determination are not required for the child care subsidy program. The TANF parent must meet the work and training requirements under the TANF program and provide documentation to the social services district concerning qualifying care, provider arrangement, provider requirements, and payment amount.*

☐ No.

2.2.12. Informing parents who receive TANF benefits about the exception to the individual penalties associated with the TANF work requirement

The regulations at §98.33(b) require the Lead Agency to inform parents who receive TANF benefits about the exception to the individual penalties associated with the work requirement for any single custodial parent who has a demonstrated inability to obtain needed child care for a child under 6 years of age. Lead Agencies must coordinate with TANF programs to ensure, pursuant that TANF families with young children will be informed of their right not to be sanctioned if they meet the criteria set forth by the State TANF agency in accordance with section 407(e)(2) of the Social Security Act.

In fulfilling this requirement, the following criteria or definitions are applied by the TANF agency to determine whether the parent has a demonstrated inability to obtain needed child care. **NOTE**: The TANF agency, not the CCDF Lead Agency, is responsible for establishing the following criteria or definitions. These criteria or definitions are offered in this Plan as a matter of public record.

a) Identify the TANF agency that established these criteria or definitions:
State/Territory TANF Agency: *The criteria below were developed in consultation with the New York State Office of Temporary and Disability Assistance (OTDA), are promulgated in regulation by the New York State Office of Children and Family Services, and implemented by OTDA.*___

b) Provide the following definitions established by the TANF agency.

1. "appropriate child care": *Appropriate means the child care provider is open for the hours and days the parent or caretaker relative would need*

child care in order to comply with the applicable work requirements and the provider is able and willing to provide child care services to the applicable child(ren) including addressing any special needs of the applicable child(ren).___

2. "reasonable distance": *Reasonable distance means the child care provider is located within a reasonable distance from the parent or caretaker relative's home and work activity, based on locally accepted community standards as defined by the social services district in the child care portion of the district's Child and Family Services Plan.___*

- "unsuitability of informal child care": *Unsuitability of informal care means the physical condition of the home or the physical or mental condition of the informal provider would be detrimental to the health, welfare and/or safety of the applicable child(ren).___*
- "affordable child care arrangements": *Affordable means the parent or caretaker relative would have sufficient income to pay the family share for the child care services, if required according to State regulations, and/or to pay the cost of care above the market rate, if applicable. If the potential provider is a caregiver of informal child care who would be providing care in the child(ren)'s home, affordable also means that the parent or caretaker relative would have sufficient income to provide the caregiver with all the required federal and State employment benefits.___*

c) How are parents who receive TANF benefits informed about the exception to individual penalties associated with the TANF work requirements?

☒ In writing
☐ Verbally
☐ Other: ___

2.3. Eligibility Criteria for Child Care

In order to be eligible for services, children must (1) be under the age of 13, or under the age of 19 if the child is physically or mentally disabled or under court supervision; (2) reside with a family whose income is less that 85 percent of the State's median income for a family of the same size; and (3) reside with a parent or parents who is working or attending job training or an educational program; or (4) be receiving or needs to receive protective services. (658P(3), §98.20(a))

2.3.1. How does the Lead Agency define the following eligibility terms?

- *residing with - For purposes of provision of child care services under the Child Care and Development Fund, a child must live with a parent, legal guardian, caretaker relative, or person standing in loco parentis._____*
- *in loco parentis – A person standing in loco parentis means a guardian, caretaker relative or any other person with whom a child is living who has assumed responsibility for the day-to-day care and custody of the child._____*

2.3.2. Eligibility Criteria Based Upon Age

a) The Lead Agency serves children from *0* weeks to *13* years (maximum age under age 13).

b) Does the Lead Agency allow CCDF-funded child care for children age 13 and above but below age 19 years who are physically and/or mentally incapable of self-care? (658E(c)(3)(B), 658P(3), §98.20(a)(1)(ii))

☒ Yes, and the upper age is: *under 18 years or is under 19 years of age if the child is a full-time student in a secondary school or in an equivalent level of vocational or technical training.*_____.
Provide the Lead Agency definition of *physical or mental incapacity – Physical or mental incapacity of a child exists when the child has special needs. A child with special needs means a child who is incapable of caring for himself or herself and who has been diagnosed as having one or more of the following conditions to such a degree that it adversely affects the child's ability to function normally: visual impairment; deafness or other hearing impairment; orthopedic impairment; emotional disturbance; mental retardation; learning disability; speech impairment; health impairment; autism; or multiple handicaps. Any such diagnosis must be made by a physician, licensed or certified psychologist or other professional with the appropriate credentials to make such diagnosis.*_____
☐ No.

c) Does the Lead Agency allow CCDF-funded child care for children age 13 and above but below age 19 years who are under court supervision? (658P(3), 658E(c)(3)(B), §98.20(a)(1)(ii))

☒ Yes, and the upper age is : *under 18 years or is under 19 years of age if the child is a full-time student in a secondary school or in an equivalent level of vocational or technical training.*_____
☐ No.

2.3.3. Eligibility Criteria Based Upon Work, Job Training or Educational Program

a) How does the Lead Agency define "working" for the purposes of eligibility? Provide a narrative description below, including allowable activities and if a minimum number of hours is required.

Reminder – Lead Agencies have the flexibility to include any work-related activities in its definition of working, including periods of job search and travel time. (§§98.16(f)(3), 98.20(b))

- *working – An individual is considered working when, in accordance with the regulations of OCFS or the New York State Office of Temporary and Disability Assistance (OTDA) as applicable, if he or she is engaged in work. For an individual receiving public assistance, 'engaged in work' is defined by the district in its employment plan submitted to and approved by OTDA.*

  For an individual who is not receiving public assistance, 'engaged in work' means that the individual:

  1. *is earning wages at a level equal to or greater than the minimum amount required under federal and State labor law for the type of employment; or*
  2. *is self-employed and is able to demonstrate that such self-employment produces personal income equal to or greater than the minimum wage or has the potential for growth in earnings to produce such an income within a reasonable period of time.*____

b) Does the Lead Agency provide CCDF child care assistance to parents who are attending job training or an educational program? (§§98.16(g)(5), 98.20(b))

☒ Yes. If yes, how does the Lead Agency define "attending job training or educational program" for the purposes of eligibility? Provide a narrative description below.

Reminder – Lead Agencies have the flexibility to include any training or education-related activities in its definition of job training or education, including study time and travel time.

- *attending job training or educational program –*

Job training includes job search activities; job skills training; job development and placement; vocational education training and job readiness activities when authorized for the particular client under the regulations of OCFS or OTDA.

Educational activities include but are not limited to secondary and other education when authorized for the particular client under the regulations of OCFS or OTDA. Secondary education and post-secondary education are defined as including:

a) *An approved program of vocational training or rehabilitation, which, for purposes of this section, includes enrollment in a two-year undergraduate college program with a specific vocational objective. Under this requirement child care services shall be authorized only for the following programs:*
   i) *those which have a specific occupational goal and are conducted by an institution licensed or approved by the State Education Department other than a college or university. Enrollment in more than two such consecutive training programs is not allowable;*

ii) those undergraduate or community college programs with a specific vocational sequence leading to an associate degree or certificate of completion within a determined time frame which shall not exceed 30 consecutive calendar months;
iii) those pre-vocational skill training programs such as basic education and literacy training;
iv) those demonstration projects designed for vocational training or others as approved by the State Department of Labor;
v) those programs leading to a high-school diploma or high-school equivalency diploma;
vi) notwithstanding the potential of some vocational training programs, as detailed above, to allow for the eventual attainment of a bachelor's degree or like certificate of completion for a four-year college program, this regulation does not permit the renewal of such vocational training program enrollment for any additional period.

b) A two-year program other than one with a specific vocational sequence leading to an associate's degree or certificate of completion, or a four-year college or university program leading to a bachelor's degree provided:
i) the program is reasonably expected to improve the earning capacity of the caretaker;
ii) the caretaker is, and continues to, participate in non-subsidized employment whereby the caretaker works at least 17 ½ hours per week and earns wages at a level equal to or greater than the minimum amount required under federal and State labor law while pursuing the course of study; and
iii) the caretaker can demonstrate his or her ability to successfully complete the course of study.

c) A program to train workers in an employment field that currently is or is likely to be in demand in the near 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. For the purposes of this provision, a dislocated worker is any person who: has been terminated or laid off from employment; has received a notice of termination or layoff from employment that will occur within six months of such notice; or was self-employed but is unemployed as a result of general economic conditions in the community in which the individual resides or because of natural disasters.

☐ No.

2.3.4. Eligibility Criteria Based Upon Receiving or Needing to Receive Protective Services

a) Does the Lead Agency provide child care to children in protective services? (§§98.16(f)(7), 98.20(a)(3)(ii)(A) & (B))

☒ Yes. If yes, how does the Lead Agency define "protective services" for the purposes of eligibility? Provide a narrative description below.

Reminder – Lead Agencies have the flexibility to define protective services beyond formal child welfare or foster care cases. Lead Agencies may elect to include homeless children and other vulnerable populations in the definition of protective services.

Note – If the Lead Agency elects to provide CCDF-funded child care to children in foster care whose foster care parents are not working, or who are not in education/training activities for CCDF purposes these children are considered to be in protective services and should be included in this definition.

3. *protective services –*

Families who need child care in order for their children to be protected include:

a) A family, including a foster family, with a child in a case with a child protective services component when it is determined on a case-by-case basis that such child care is needed to protect the child. Note that social services districts may select in their Child and Family Services Plans to use the New York State Child Care Block Grant funds to provide child care services for these families.

b) A family receiving public assistance when child care services are needed for the child to be protected because the child's parent(s) or caretaker relative(s) is physically or mentally incapacitated or has family duties away from home necessitating his or her absence.

c) A family receiving temporary assistance or with income up to 200 percent of the State income standard when child care services are needed for the child to be protected because the child's caretaker is:

- *participating in an approved substance abuse treatment program, or in screening for or an assessment of the need for substance abuse treatment;*
- *homeless or receiving services for victims of domestic violence and needs child care in order to participate in an approved activity, or in screening for or an assessment of the need for services for victims of domestic violence; or*
- *in an emergency situation of short duration including, but not limited to, cases where the caretaker's absence from the home for a substantial part of the day is necessary because of extenuating circumstances such as a fire, being dispossessed from the home, seeking living quarters, or providing chore/housekeeper services for an elderly or disabled relative.*

_____

☐ No.

b) Does the Lead Agency waive, on a case-by-case basis, the co-payment and income eligibility requirements for cases in which children receive, or need to receive, protective services? (658E(c)(3)(B), 658P(3)(C)(ii), §98.20(a)(3)(ii)(A))

☒ Yes. *New York State waives these requirements on a case-by-case basis for a family with an open child protective services case when it is determined that child care services are needed to protect the child.*

☐ No.

2.3.5. Income Eligibility Criteria

a) How does the Lead Agency define "income" for the purposes of eligibility? Provide the Lead Agency's definition of "income" for purposes of eligibility determination. (§§98.16(g)(5), 98.20(b))

income – *Income includes the sum of gross income received from the following sources:*

- *Monthly wages or salary, i.e., total money earnings received for work performed as an employee, including wages, salary, Armed Forces pay, commissions, tips, piece-rate payments, and cash bonuses earned before deductions are made for taxes, bonds, pensions, union dues and similar purposes;*
- *Net income for non-farm self-employment, i.e., gross receipts minus expenses from one's own business, professional enterprise, or partnership. Gross receipts include the value of all goods sold and services rendered. Expenses include costs of goods purchased, rent, heat, light, power, depreciation charges, wages and salaries paid, business taxes (not personal income taxes) and similar costs. The value of salable merchandise consumed by the proprietors of retail stores is not included as part of net income;*
- *Net income from farm self-employment, i.e., gross receipts minus operating expenses from the operation of a firm by a person on his own account, as owner, renter or sharecropper. Gross receipts include the value of all products sold, government crop loans, money received from the rental of farm equipment to others, the incidental receipts from the sale of wood, sand, gravel, and similar items. Operating expenses include cost of feed, fertilizer, seed and other farming supplies, cash wages paid to farm hands, depreciation charges, cash rent, interest on farm building repairs, farm taxes (not State and Federal income taxes) and similar expenses. The value of fuel, food or other farm products used for family living is not included as part of net income;*
- *Social security benefits include social security pensions and survivor benefits, and permanent disability insurance payments made by the Social Security Administration prior to deductions for medical insurance and railroad retirement checks from the U.S. government;*
- *Dividends, interest (on savings or bonds) income from estates or trusts, net rental income or royalties, including dividends from stockholdings or*

membership in associations, interest on savings or bonds, periodic receipts from estates or trust funds, net income from rental of a house, store or other property to others, receipts from boarders or lodgers and net royalties;

- *Public assistance or welfare payments include public assistance payments such as family assistance, SSI (including State supplemental payments), and safety net assistance;*
- *Pensions and annuities include pensions or retirement benefits paid to a retired person or his /her survivors by a former employer or by a union, either directly or through an insurance company, and periodic receipts from annuities or insurance;*
- *Unemployment compensation means compensation received from government unemployment insurance agencies or private companies during periods of unemployment and any strike benefits received from union funds;*
- *Workers' compensation means compensation received periodically from private or public insurance companies for injuries incurred at work. The cost of this insurance must have been paid by the employer and not by the individual;*
- *Alimony;*
- *Child support; and*
- *Veterans' pensions means money paid periodically by the Veterans' Administration to disabled members of the Armed Forces or to survivors of deceased veterans, subsistence allowances paid to veterans for education and on-the-job training, as well as so-called "refunds" paid to ex-servicemen as GI insurance premiums.*

_____

b) Which of the following sources of income, if any, will the Lead Agency exclude from calculations of total family income for the purposes of eligibility determination? Check any income the Lead Agency chooses to exclude, if any.

☒ Adoption subsidies
☒ Foster care payments
☐ Alimony received or paid
☐ Child support received
☐ Child support paid
☒ Federal nutrition programs
☒ Federal and/or State/Territory tax credits
☒ Housing allotments, Low-Income Energy Assistance Program (LIHEAP) or energy assistance
☐ Medical expenses or health insurance related expenses
☒ Military housing or other allotment/bonuses
☒ Scholarships, education loans, grants, income from work study
☐ Social Security Income
☐ Supplemental Security Income (SSI)
☐ Veteran's benefits
☐ Unemployment Insurance
☐ Temporary Assistance for Needy Families (TANF)

☐ Worker Compensation
☒ Other types of income not listed above

• Veterans Administration (VA) payments provided under Public Law 104-204 to Vietnam veterans' natural adult or minor children for any disability resulting from spina bifida suffered by such children and VA payments to covered birth defects to or on behalf of the adult or minor biological children of female Vietnam veterans.
• per capita payments to or funds held in trust for any individual in satisfaction of a judgment of the Indian Claims Commission or the Court of Claims;
• money received from sale of property, such as stocks, bonds, a house, or a car (unless the person was engaged in the business of selling such property in which case the net proceeds would be counted as income from self-employment);
• withdrawals of bank deposits;
• money borrowed;
• tax refunds;
• gifts;
• lump sum inheritances or insurance payments;
• capital gains;
• the value of coupon allotments under the Food Stamp Act of 1964, as amended, in excess of the amount paid for the coupons;
• the value of USDA donated foods;
• the value of supplemental food assistance under the Child Nutrition Act of 1966 and the special food service program for children under the National School Lunch Act;
• any payment received under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970;
• earnings of a child under 14 years of age (no inquiry shall be made);
• loans and grants such as scholarships obtained and used under conditions that preclude their use for current living costs;
• any grant or loan to any undergraduate student for educational purposes made or insured under the Higher Education Act;
• home produce utilized for household consumption;
• one-time $250 payments made under the American Recovery and Reinvestment Act of 2009 to Social Security, Supplemental Security Income (SSI), Railroad Retirement Benefits, and Veterans Disability Compensation or Pension Benefits recipients for 10 months from the date the payment was received, including the month payment was received.

☐ None

c) Whose income will be excluded, if any, for purposes of eligibility determination? Check anyone the Lead Agency chooses to exclude, if any.

☐ Children under age 18
☐ Children age 18 and over – still attending school
☐ Teen parents living with parents
☒ Unrelated members of household
☐ All members of household except for parents/legal guardians
☒ Other: *A social services district has the option to include 18-, 19- or 20-year old individuals in the same child care services unit as their parents by indicating such option in its Child and Family Services Plan. The incomes of all members in the child care services unit are included in the determination of financial eligibility.*

Note that a teen parent living with his or her parent is considered to be in a separate child care services unit and therefore, the teen parent's income is not included in the parent's financial eligibility determination and vice versa.

Additionally, the earnings of a child under age 14 are excluded in the determination of financial eligibility. _____
☐ None

d) Provide the CCDF income eligibility limits in the table below. **Complete** columns (a) and (b) based upon maximum eligibility initial entry into the CCDF program. Complete Columns (c) and (d) **ONLY IF** the Lead Agency is using income eligibility limits lower than 85% of the SMI.

Chart 1 *indicates the income level for the New York State child care subsidy program, which is set at 200 percent of the State Income Standard, which is based on the federal poverty level. As indicated in column (d), the financial eligibility level for family size one through five is less than 85% of the state median income.*

			IF APPLICABLE	
Family Size	**(a)** **100% of State Median Income (SMI) ($/month)**	**(b)** **85% of State Median Income (SMI) ($/month) [Multiply (a) by 0.85]**	**Income Level if lower than 85% SMI**	
			(c) **$/month**	**(d)** **% of SMI** [Divide (c) by (a), multiply by 100]
1	$ 3,548	$ 3,016	$ 1,815	51%
2	$ 4,640	$ 3,944	$ 2,452	53%
3	$ 5,732	$ 4,872	$ 3,088	54%
4	$ 6,824	$ 5,800	$ 3,725	55%
5	$ 7,915	$ 6,728	$ 4,362	55%

Some social services districts are supporting facilitated enrollment demonstration projects that increase financial eligibility levels up to 275% of the State Income Standard, which is based on the federal poverty level. This is being done in the following sites: the Bronx, Brooklyn, Queens, and Liberty Zone in New York City; and Albany, Monroe, Oneida, Rensselaer and Schenectady Counties.
Chart 2 *indicates the income level for the New York State facilitated enrollment demonstration projects is set at 275 percent of the State Income Standard, which is based on the federal poverty level. As indicated in column (d), the financial eligibility level for family size one through five is less than 85% of the state median income.*

			IF APPLICABLE	
Family Size	**(a)** **100% of State Median Income (SMI) ($/month)**	**(b)** **85% of State Median Income (SMI) ($/month) [Multiply (a) by 0.85]**	**Income Level if lower than 85% SMI**	
			(c) **$/month**	**(d)** **% of SMI** [Divide (c) by (a), multiply by 100]
1	$ 3,548	$ 3,016	$ 2,496	70%
2	$ 4,640	$ 3,944	$ 3,371	73%
3	$ 5,732	$ 4,872	$ 4,246	74%
4	$ 6,824	$ 5,800	$ 5,122	75%
5	$ 7,915	$ 6,728	$ 5,997	76%

The income level stated in column (c) on charts 1 and 2 above is effective June 1, 2011, based on the poverty guidelines published in the Federal Register Volume 76, Number 13 dated January 20, 2011.

Reminder - Income limits must be provided in terms of State Median Income (SMI) (or Territory Median Income) even if federal poverty level is used in implementing the program. (§98.20(a)(2)). FY 2011 poverty guidelines are available at http://aspe.hhs.gov/poverty/11poverty.shtml.

e) Will the Lead Agency have "tiered eligibility" (i.e., a separate income limit at re-determination to remain eligible for the CCDF program)?

☐ Yes. If yes, **provide** the requested information from the table in 2.3.5d and **describe** _____.
Note: This information can be included in a separate table, or by placing a "/" between the entry and exit levels in the above table.
☒ No.

f) SMI Year: *Estimates for FFY2011* _____ and SMI Source: *Federal Register, vol. 75, no. 91, May 12, 2010.* _____

g) These eligibility limits in column (c) became or will become effective on: *June 1, 2011*_____

2.3.6. Eligibility Re-determination

a) What is the re-determination period upon initial authorization of CCDF services for most families?

☐ 6 months
☐ 12 months
☐ 24 months
☐ Other. Describe _____
☒ Length of eligibility varies by county or other jurisdiction. Describe: *Eligibility for low-income families must be re-determined periodically but not less frequently than every 12 months for child care services. A social services district selects the eligibility determination period to be applied in its district.*_____

b) Is the re-determination period the same for all CCDF eligible families?

☐ Yes.
☒ No. If no, **identify** those families where eligibility authorizations differ and the length of re-determination for those families. **Check which families for whom authorizations are different.**

☒ Families enrolled in Head Start and/or Early Head Start Programs. Re-determination period: *up to 2 years*_____
☒ Families enrolled in pre-kindergarten programs. Re-determination period: *Until the subsequent school year*_____
☐ Families receiving TANF. Re-determination period

☐ Families who are very low-income, but not receiving TANF. Re-determination period _____
☐ Other. Describe _____

c) Does the Lead Agency use a simplified process at re-determination?

☐ Yes. If yes, describe _____
☒ No.

2.3.7. Waiting Lists

Describe the Lead Agency's waiting list status. Select **ONE** of these options.

☒ Lead Agency currently does not have a waiting list and:
☐ All eligible families *who apply* will be served under State/Territory eligibility rules
☒ Not all eligible families *who apply* will be served under State/Territory eligibility rules

☐ Lead Agency has an active waiting list for:
☐ Any eligible family who applies when they cannot be served at the time of application
☐ Only certain eligible families. Describe those families:
☐ Other. Describe _____

2.3.8. Appeal Process for Eligibility Determinations

Describe the process for families to appeal eligibility determinations:
A child care subsidy applicant or recipient, who disagrees with a decision taken on his or her case by a social services district, has the right to seek a review by an independent agency. An individual may request a Fair Hearing which provides him or her an opportunity to tell an Administrative Law Judge from the New York State Office of Temporary and Disability Assistance why he or she thinks that the decision was wrong. The Administrative Law Judge will issue a written decision that will state whether the social services district decision is right or wrong. The written decision may order the social services district to correct the case and/or remedy its procedures.

_____

2.4. Sliding Fee Scale and Family Contribution

The statute and regulations require Lead Agencies to establish a sliding fee scale that varies based on income and the size of the family to be used in determining each family's contribution (i.e., co-payment) to the cost of child care (658E(c)(3)(B) §98.42).

2.4.1. Attach a copy of the sliding fee scale as Attachment 2.4.1. The attached sliding fee scale was or will be effective as of: *June 1, 2011*_____

2.4.2. Will the attached sliding fee scale provided as Attachment 2.4.1. be used in all parts of the State/Territory?

☒ Yes
☐ No. If no, attach other sliding fee scales and their effective date(s) as **Attachment 2.4.2a, 2.4.2b**, etc.

2.4.3. What income source and year will be used in creating the sliding fee scale? (658E(c)(3)(B)) Check only one option.

☐ State Median Income, Year: _____
☒ Federal Poverty Level, Year: *2011*_____
☐ Income source and year varies by geographic region. Describe income source and year: _____
☐ Other. Describe income source and year:_____

2.4.4. How will the family's contribution be calculated and to whom will it be applied? Check all that the Lead Agency has chosen to use. (§98.42(b))

☒ Fee as dollar amount and

- ☐ Fee is per child with the same fee for each child
- ☐ Fee is per child and discounted fee for two or more children
- ☐ No additional fee charged after certain number of children
- ☒ Fee per family

☐ Fee as percent of income and
- ☐ Fee is per child with the same fee for each child
- ☐ Fee is per child and discounted fee for two or more children
- ☐ No additional fee charged after certain number of children
- ☐ Fee per family

☐ Contribution schedule varies by geographic area
☐ Other. Describe _____

If the Lead Agency checked more than one of the options above, describe _____

2.4.5. Will the Lead Agency use other factors in addition to income and family size to determine each family's contribution to the cost of child care? (658E(c)(3)(B), §98.42(b))

☐ Yes, and describe those additional factors:
☒ No.

2.4.6. The Lead Agency may waive contributions from families whose incomes are at or below the poverty level for a family of the same size. (§98.42(c)). Select **ONE** of these options.

Reminder – Lead Agencies are reminded that the co-payments may be waived for only two circumstances - for families at or below the poverty level or on a case-by-case basis for children falling under the definition of "protective services" (as defined in 2.3.4.a).

☐ ALL families, including those with incomes at or below the poverty level for families of the same size, ARE required to pay a fee.

☐ NO families with income at or below the poverty level for a family of the same size ARE required to pay a fee. The poverty level used by the Lead Agency for a family of 3 is: $_____

☒ SOME families with income <u>at or below the poverty level</u> for a family of the same size ARE NOT required to pay a fee. The Lead Agency waives the fee for the following families:

OCFS, with the agreement of the New York State Office of Temporary and Disability Assistance (OTDA), categorically waives the family fee for recipients of temporary assistance. The federal Welfare Reform Act imposed a Poverty Level Income Test for eligibility for the Temporary Assistance to Needy Families (TANF) program that requires a household's total gross earned and unearned income to be at or below the federally established poverty level by family size. This provision applies only to recipients living in housing for which a shelter allowance is

provided to people renting an apartment, living in their own home, living in Section 8 Housing, living in public housing and certain types of room and board arrangements. In relation to the poverty level test, circumstances may occur in which a temporary assistance recipient is placed in specialized housing, such as a domestic violence shelter or AIDS housing, and the cost of that housing may exceed the normal shelter allowance, and, in combination with the temporary assistance cash benefit and earned or unearned income, may put that family above the poverty level. In this specialized circumstance, the family remains eligible for TANF. Note that this process for TANF eligibility determination is detailed by the OTDA in its State Plan for TANF and has been approved by the federal Department of Health and Human Services.
_____

2.5. Prioritizing Services for Eligible Children and Families

At a minimum, CCDF requires Lead Agencies to give priority for child care assistance to children with special needs, or in families with very low incomes. Prioritization of CCDF assistance services is not limited to eligibility determination (i.e., establishment of a waiting list or ranking of eligible families in priority order to be served). Lead Agencies may fulfill priority requirements in other ways such as higher payment rates for providers caring for children with special needs or waiving co-payments for families with very low incomes (at or below the federal poverty level). (658E(c)(3)(B), §98.44)

2.5.1. How will the Lead Agency prioritize child care services to children with special needs or in families with very low incomes? (658E(c)(3)(B), §98.44) Lead Agencies have the discretion to define *children with special needs* and *children in families with very low incomes*. Lead Agencies are not limited in defining *children with special needs* to only those children with physical or mental disabilities (e.g., with a formal Individual Education Plan (IEP) required under the Individuals with Disabilities Education Act (IDEA)). Lead Agencies could consider children in the child welfare system, children of teen parents, or homeless children as examples of *children with special needs*.

How will the Lead Agency prioritize CCDF services for:	**Eligibility Priority (Check only one)**	**Is there a time limit on the eligibility priority or guarantee?**	**Other Priority Rules**
Children with special needs **Provide the Lead Agency definition of** *Children with Special Needs: A child with special needs means a child who is incapable of caring for himself or herself and who has been diagnosed as having one or more of the following conditions to such*	☒ Priority over other CCDF-eligible families ☐ Same priority as other CCDF-eligible families	☐ Yes. The time limit is: _____ ☒ No	☐ Different eligibility thresholds. Describe _____ ☒ Higher rates for providers caring for children with special needs

How will the Lead Agency prioritize CCDF services for:	**Eligibility Priority (Check only one)**	**Is there a time limit on the eligibility priority or guarantee?**	**Other Priority Rules**
*a degree that it adversely affects the child's ability to function normally: visual impairment; deafness or other hearing impairment; orthopedic impairment; emotional disturbance; mental retardation; learning disability; speech impairment; health impairment; autism; or multiple handicaps. Any such diagnosis must be made by a physician, licensed or certified psychologist or other professional with the appropriate credentials to make such diagnosis.*_____	☐ Guaranteed subsidy eligibility ☐ Other. Describe _____		requiring additional care ☐ Prioritizes quality funds for providers serving these children ☐ Other. Describe _____
Children in families with very low incomes **Provide the Lead Agency definition of** *Children in Families with Very Low Incomes:* *Social service districts define the income level, which constitutes "very low income" in their districts. Very low income must be established at or below 200 percent of the State Income Standard. Currently, levels at which local districts have established "very low income" range from 100 percent to 200 percent of the State Income Standard.*_____	☒ Priority over other CCDF-eligible families ☐ Same priority as other CCDF-eligible families ☐ Guaranteed subsidy eligibility ☐ Other. Describe _____	☐ Yes. The time limit is: _____ ☒ No	☐ Different eligibility thresholds. Describe _____ ☒ Waiving co-payments for families with incomes at or below the Federal Poverty Level ☐ Other. Describe _____

2.5.2. How will CCDF funds be used to provide child care assistance to meet the needs of families receiving Temporary Assistance for Needy Families (TANF), those attempting to transition off TANF through work activities, and those at risk of becoming dependent on TANF? (658E(c)(2)(H), Section 418(b)(2) of the Social Security Act, §§98.50(e), 98.16(g)(4))

Reminder - CCDF requires that not less than 70 percent of CCDF Mandatory and Matching funds be used to provide child care assistance for families receiving Temporary Assistance for Needy Families (TANF), those attempting to transition off TANF through work activities, and those at risk of becoming dependent on TANF.

☒ Use priority rules to meet the needs of TANF families

☒ Waive fees (co-payments) for some or all TANF families who are below poverty level
☒ Coordinate with other entities (i.e. TANF office, other State/Territory agencies, and contractors)
☐ Other: _____

2.5.3. List and define any other eligibility conditions, priority rules and definitions that will be established by the Lead Agency. (658E(c)(3)(B), §98.16(g)(5), §98.20(b)) **Reminder** – Lead Agencies are reminded that any eligibility criteria and terms provided below must comply with the eligibility requirements of §98.20 and provided in section 2.2. Any priority rules provided must comply with the priority requirements of §98.44 and provided in section 2.4.1.

Term(s)	Definition(s)
Seeking employment	*For an individual who is not receiving public assistance, seeking employment means making in-person job applications, going on job interviews, registering with the New York State Department of Labor's Division of Employment Services Office to obtain job listings, and participating in such other job seeking activities that are approved by the district. Districts can opt to pay for child care for low-income families who are seeking employment by including such families in their Child and Family Services Plans.*

2.6. Parental Choice In Relation to Certificates, Grants or Contracts

The parent(s) of each eligible child who receives or is offered financial assistance for child care services has the option of either enrolling such child with a provider that has a grant or contract for the provision of service or receiving a child care certificate. (658E(c)(2)(A), §98.15(a))

2.6.1. Child Care Certificates

a) When is the child care certificate (also referred to as voucher or authorization) issued to parents? (658E(c)(2)(A)(iii), 658P(2), §98.2, §98.30(c)(4) & (e)(1) & (2))

☒ Before parent has selected a provider
☐ After parent has selected a provider
☐ Other. Describe ___

b) How does the Lead Agency inform parents that the child care certificate permits them to choose from a variety of child care categories, including child care centers, child care group homes, family child care homes, and in-home providers? (§98.30(e)(2))

- ☒ Certificate form provides information about choice of providers
- ☒ Certificate is not linked to a specific provider so parents can choose provider of choice
- ☒ Consumer education materials (flyers, forms, brochures)
- ☒ Referral to child care resource and referral agencies
- ☒ Verbal communication at the time of application
- ☐ Public Services Announcement
- ☐ Agency Website: ___
- ☐ Community outreach meetings, workshops, other in person activities
- ☒ Multiple points of communication throughout the eligibility and renew process
- ☐ Other. Describe ___

c) What information is included on the child care certificate? **Attach a copy of the child care certificate as Attachment 2.6.1.** (658E(c)(2)(A)(iii))

- ☐ Authorized provider(s)
- ☐ Authorized payment rate(s)
- ☐ Authorized hours
- ☐ Co-payment amount
- ☐ Authorization period
- ☒ Other. Describe the certificate: *The child care certificate takes the form of a voucher or letter at the option of the social services district. OCFS developed two similar voucher types of a child care certificate for district use: one generated through the Welfare Management System and the Benefits Issuance Control System and one generated through the Child Care Time and Attendance (CCTA) system. Both provide child care market rate information. The CCTA certificate provides child specific information such as child age and period authorized. Examples of both are provided as Attachment 2.6.1.* ___

d) What is the estimated proportion of services that will be available for child care services through certificates? *The proportion of children served through certificates and/or cash is dependent on a variety of factors within each locality. The proportion estimated on the Child Care and Development Fund Annual Report (ACF-800) submitted by New York State for federal fiscal year 2010 was 64%.*_____

2.6.2. Child Care Services Available through Grants or Contracts

a) In addition to offering certificates, does the Lead Agency provide child care services through grants or contracts for child care slots? (658A(b)(1), 658P(4),

§§98.16(g)(1), 98.30(a)(1) & (b)). **Note**: Do not check "yes" if every provider is simply required to sign an agreement in order to be paid in the certificate program.

☒ Yes. If yes, **describe** the type(s) of child care services available through grants or contracts, the process for accessing grants or contracts, and the range of providers that will be available through grants or contracts:
*Social services districts have the flexibility to enter into contracts with child care providers to meet their needs to access child care for families receiving a child care subsidy under CCDF. Districts typically enter into contracts with licensed day care centers and group family day care homes, registered family day care homes and school-age child care programs, and summer day camps operated under the auspices of the New York State Department of Health (or in the City of New York, the New York City Department of Health and Mental Hygiene). Entering into a contract cannot be made a condition for a provider to care for a child receiving a child care subsidy.*_____

☐ No.

b) Will the Lead Agency use grants or contracts for child care services to achieve any of the following? Check the strategies, if any, that your State/Territory chooses to implement.

☐ Increase the supply of specific types of care
- ☐ Programs to serve children with special needs
- ☐ Wrap-around or integrated child care in Head Start, Early Head Start, pre-k, summer or other programs
- ☐ Programs to serve infant/toddler
- ☐ School-age programs
- ☐ Center-based providers
- ☐ Family child care providers
- ☐ Group-home providers
- ☐ Programs that serve specific geographic areas
  - ☐ Urban
  - ☐ Rural
- ☐ Other. Describe ___

☐ Support programs in providing higher quality services
☐ Support programs in providing comprehensive services
☐ Serve underserved families. Specify: _____
☒ Other. Describe:
Social services districts have the flexibility to enter into contracts with child care providers to meet the needs, including those listed above, in their local communities. ___

c) Are child care services provided through grants or contracts offered throughout the State/Territory? (658E(a), §98.16(g)(3))

☒ Yes.
☐ No, and **identify** the localities (political subdivisions) and services that are not offered: ___

d) How are payment rates for child care services provided through grants/contracts determined?

*Social services districts and child care providers negotiate a contract rate for child care services provided up to the child care market rate.*_____

e) What is the estimated proportion of direct services that will be available for child care services through grants/contracts? *The proportion of children served through contracts is dependent on a variety of factors within each locality. The proportion estimated on the Child Care and Development Fund Annual Report (ACF-800) submitted by New York State for federal fiscal year 2010 was 36%.*_____

2.6.3. How will the Lead Agency inform parents and providers of policies and procedures for affording parents unlimited access to their children whenever their children are in the care of a provider who receives CCDF funds? (658E(c)(2)(B), §98.31)) Check the strategies that will be implemented by your State/Territory.

☐ Signed declaration
☐ Parent Application
☐ Parent Orientation
☐ Provider Agreement
☐ Provider Orientation
☒ Other. Describe: *Allowing parents unlimited access to their children is a regulatory requirement for licensed and registered providers and is included as part of provider training. Unlimited access is also a regulatory requirement for providers of legally-exempt child care for children receiving a child care subsidy. As part of the enrollment process, legally exempt providers and parents attest that unlimited access is provided.* ___

2.6.4. The Lead Agency must allow for in-home care (i.e., care provided in the child's own home) but may limit its use. (§§98.16(g)(2), 98.30(e)(1)(iv)) Will the Lead Agency limit the use of in-home care in any way?

☐ No
☒ Yes. If checked, what limits will the Lead Agency set on the use of in-home care? Check all limits the Lead Agency will establish.
☐ Restricted based on minimum number of children in the care of the provider to meet minimum wage law or Fair Labor Standards Act

☐ Restricted based on provider meeting a minimum age requirement
☐ Restricted based on hours of care (certain number of hours, non-traditional work hours)
☐ Restricted to care by relatives
☐ Restricted to care for children with special needs or medical condition
☒ Restricted to in-home providers that meet some basic health and safety requirements
☒ Other. Describe: *The child care provider must be at least 18 years of age, or if less than 18 years of age, must meet the requirements for the employment of minors as set forth in Article 4 of the New York State Labor Law; provided, however, that the child's parent/caretaker must provide the child care provider with all employment benefits required by State and/or Federal law, and must pay the caregiver at least the minimum wage, if required.*___

2.6.5. Describe how the Lead Agency maintains a record of substantiated parental complaints about providers and makes substantiated parental complaints available to the public on request. (658E(c)(2)(C), §98.32)
OCFS maintains a toll free telephone number: (800) 732-5207, which parents and other individuals may use to file complaints about child care providers. Calls are routed automatically to the appropriate Regional Office that has responsibility for licensing and registration in the area from which the call is being placed. The complaint line is staffed by OCFS personnel.

Whenever a complaint is taken, it is immediately registered in the Child Care Facility System (CCFS) complaint tracking system. As the complaint is investigated and a determination is made, this system is updated, thus providing a record of the status of all complaints that have been filed.

Parents and others can obtain information regarding substantiated violations in one of two ways. First, they may contact a OCFS Regional Office, their local social services district, and/or a child care resource and referral agency, that have access to CCFS and are authorized to inform parents about the compliance history of any child care provider. Information about complaints, as well as other investigations, is available to parents upon request. In most cases, such requests are verbal. It is OCFS's policy to respond verbally to verbal requests for information as clearly and completely as possible while maintaining appropriate confidentiality. If parents are requesting hard copy documents of complaint investigations, they are asked to request them in writing. Second, the OCFS website, http://www.ocfs.state.ny.us/main/childcare/looking.asp, provides a search window that will allow parents to search the entire database of regulated child care providers in New York State (except for day care centers in New York City). Information on substantiated, corrected or uncorrected violations and, enforcement actions, and a summary of compliance actions can be seen for providers.

2.7. Payment Rates for Child Care Services

The statute at 658E(c)(4) and the regulations at §98.43(b)(1) require the Lead Agency to establish adequate payment rates for child care services that ensure eligible children equal access to comparable care.

2.7.1. Provide a copy of your payment rates as Attachment 2.7.1. The attached payment rates were or will be effective as of: *October 1, 2009*___ *Note: OCFS conducted a survey of licensed and registered providers from February to April 2011. Adjustments to the child care market rates based on this survey will be effective October 1, 2011 and provided as part of the State Plan once they are available.*

2.7.2. Are the attached payment rates provided in Attachment 2.7.1 used in all parts of the State/Territory?

☒ Yes. *Note: OCFS conducted a survey of licensed and registered providers from February to April 2011. Adjustments to the child care market rates based on this survey will be effective October 1, 2011 and provided as part of the State Plan once they are available.*
☐ No. If no, attach other payment rates and their effective date(s) as **Attachment 2.7.2a, 2.7.2b**, etc.

2.7.3. Which strategies, if any, will the Lead Agency use to ensure the timeliness of payments?

☐ Policy on length of time for making payments. Describe length of time _____
☐ Track and monitor the payment process
☒ Other. Describe: *Parents and providers can contact OCFS to address complaints concerning the timeliness of payments from their local social services district. OCFS, as appropriate, will reach out to the district to determine the cause and any necessary action to resolve the issue.*___
☐ None

2.7.4. Market Rate Survey

Lead Agencies must complete a local Market Rate Survey (MRS) no earlier than two years prior to the effective date of the Plan (no earlier than October 1, 2009). The MRS must be completed prior to the submission of the CCDF Plan (see Program Instruction CCDF-ACF-PI-2009-02 http://www.acf.hhs.gov/programs/ccb/law/guidance/current/pi2009-02/pi2009-02.htm for more information on the MRS deadline).

a) Provide the month and year when the local Market Rate Survey(s) was completed (§98.43(b)(2)):

Note: OCFS conducted a survey of licensed and registered providers over an eight-week period from February to April, 2011. Adjustments to the child care market rates based on this survey will be effective October 1, 2011 and provided as part of the State Plan once they are available.

___.

b) Attach a copy of the **MRS instrument** and a **summary of the results** of the survey **as Attachment 2.7.4.** For Lead Agencies that use an administrative provider database, provide a copy of the intake form as the instrument. The summary should include a description of the sample population, data source, the type of methodology used, response rate, description of analyses, and key findings.

2.7.5. Will the Lead Agency use the local Market Rate Survey identified in 2.7.4a (i.e., the most recent MRS) to set its payment rates?

☒ Yes
☐ No
If no, list the MRS year that the payment rate ceiling is based upon _____

2.7.6. At what percentile of the most recent local MRS are or will payment rates be set? Provide the percentile for your payment rate ceiling in relation to the most recent survey and **describe:**
Note: OCFS conducted a survey of licensed and registered providers over an eight-week period from February to April, 2011. Adjustments to the child care market rates based on this survey will be effective October 1, 2011 and provided as part of the State Plan once they are available.

Child care market rates (payment rate ceilings) are established by county groupings at the 75th percentile of responses to the market rate survey. The rates established reflect variations in the cost of care for family child care homes, group family child care homes, child care centers, and school-age child care programs and age groupings.

The child care market rate structure for providers of legally-exempt family child care and legally-exempt in-home child care reflects a standard market rate and an enhanced market rate. The standard market rate is set at 65 percent of the market rate established for registered family child care providers. This differential reflects the higher costs associated with meeting the higher regulatory standards to become a registered family child care provider. Effective May 15, 2009, the enhanced market rate was revised to be set at 70 percent of the maximum reimbursement rate given to registered family child care providers. To receive the enhanced market rates, legally-exempt family child care providers and legally-exempt in-home child care providers must complete ten or more hours of training annually in the subject areas specified for licensed and registered providers which are set forth in Section 390-a(3)(b) of the Social Services Law._____.

Note: Identify the percentile where payment rates fall according to the most recent local MRS (identified in 2.6.4a) regardless of whether or not you use the most recent survey to set rates. If the percentile(s) varies across categories of care (e.g., different for centers and family child care homes), regions or ages of children, provide the range of the highest and lowest percentile in relation to the most recent survey.

2.7.7. Will the Lead Agency provide any type of tiered reimbursement or differential rates on top of its base reimbursement rates for providing care for children receiving CCDF subsidies? Check which types of tiered reimbursement, if any, the Lead Agency has chosen to implement.

☒ Differential rate for nontraditional hours. Describe:
*Districts may establish in their Child and Family Services Plans, subject to approval by OCFS, differential payment rates for child care services provided during the week-end, the night, or evening hours. The rate of payment established must not exceed 15 percent of the appropriate market rate. A district may request approval from OCFS for a differential greater than 15 percent for programs operating during non-traditional hours upon demonstrating that the 15 percent differential is not sufficient to provide access.*_____
☒ Differential rate for children with special needs as defined by the State/Territory. Describe :
*The rate of payment for child care services provided to a child determined to have special needs is the actual cost of care up to the statewide limit of the highest weekly, daily, part-day or hourly market rate for child care services in the State, as applicable, based on the amount of time the child care services are provided per week regardless of the type of child care provider used or the age of the child.*_____
☐ Differential rate for infants and toddlers. Describe _____
☐ Differential rate for school-age programs. Describe _____
☒ Differential rate for higher quality as defined by the State/Territory. Describe: _____
Districts may establish in their Child and Family Services Plans, subject to approval by OCFS, differential payment rates for child care services provided by a regulated child care provider that has been accredited by a nationally recognized child care organization. A district may request approval from OCFS for a differential greater than 15 percent for accredited programs upon demonstrating that the 15 percent differential is not sufficient to provide access.
☐ Other differential rate. Describe ___
☐ None.

2.7.8. Will the Lead Agency allow providers to charge parents any additional fees? Check the policies, if any, the Lead Agency has chosen to establish regarding additional fees.

☒ Providers are allowed to charge the difference between the maximum reimbursement rate and their private pay rate
☒ Providers are allowed to charge registration fees
☒ Providers are allowed to charge for transportation fees
☐ Providers are allowed to charge for meals.
☒ Providers are allowed to charge additional incidental fees such as field trips or supplies
☐ Policies vary across region, counties and or geographic areas. Describe ___

☐ No, providers may not charge parents any additional fees
☒ Other. Describe:
If the provider enters into a contract with the district and the negotiated rate is lower than the provider's private pay rate, then the provider cannot ask the parent for the amount of the private rate over the negotiated rate.
☐ None

2.7.9. Describe how payment rates are adequate to ensure equal access to the full range of providers based on the Market Rate Survey.

CCDF regulations require the Lead Agency to certify that the payment rates for the provision of child care services are sufficient to ensure equal access for eligible families to child care services comparable to those provided to families not eligible to receive CCDF assistance. To demonstrate equal access, the Lead Agency shall provide at a minimum a summary of facts describing: (§98.43(a))

a) How a choice of the full range of providers, e.g., child care centers, family child care homes, group child care homes and in-home care, is made available (§98.43(a)(1))

NYS has issued and distributed, as part of its "Think About Child Care" family education campaign, brochures to help all parents, not just those who are receiving a child care subsidy, in selecting quality child care to meet the needs of their children. Parents are provided with information on all types of child care settings, including legally-exempt child care. This publication is available on-line at the OCFS website (www.ocfs.state.ny.us/main/publications/Pub1115A.pdf), at child care resource and referral agencies, and at social services districts.

The parent is provided at the time of application with the LDSS-4148A,"What You Should Know About Your Rights and Responsibilities", which advises the parent of his/her rights and responsibilities regarding child care. These include the following: the right to receive information about how to locate a child care provider, and the right to choose the child care provider, who may be licensed or registered or legally-exempt from OCFS licensing and registration requirements such as a relative, friend, or neighbor. The parent is also informed that it is his/her responsibility to look for and choose a child care provider.

Additionally, OCFS maintains a website, www.ocfs.state.ny.us/main/childcare, which provides information for parent/caretakers about financial assistance, including links to local social services districts and child care resource and referral agencies for more assistance. Also, families can conduct a search for licensed and registered providers by county and zip code. _____

b) How payment rates are adequate based on the most recent local MRS (§98.43(a)(2))

Child care market rates effective October 1, 2011 will be based upon a sample of licensed and regulated providers that were surveyed by telephone over an eight-week period from February to April, 2011. The sample of providers was drawn so that there was an adequate representation of the full range of providers within geographic areas. The contractor was provided written materials and conducted the telephone survey in English and Spanish and had resources available to assist providers in other languages as needed.

The contractor collected the rate data by type of provider, age of the children in care, and length of time of the care. Data from the survey will be analyzed and market rates will be determined that will become effective October 1, 2011 and provided – along with a summary of the methodology – as part of the State Plan once they are available.

c) How family co-payments based on a sliding fee scale are affordable (§98.43(a)(3))

The child care subsidy program is a State supervised and local social services district-administered system. OCFS believes that social services districts are in the best position to determine the needs of their communities and how best to meet those needs. As such, OCFS developed a sliding fee scale methodology that allows districts some flexibility in establishing the family share of child care costs. Each social services district selects, in its Child and Family Services Plan, a family fee percentage between 10 percent and 35 percent that will be used in the calculation of the family share. The family share is calculated by applying the family fee percentage against the amount of the family's annual gross income that is in excess of 100 percent of the State Income Standard. The family fee percentage must be applied for all families receiving child care subsidies in the district.

The following chart illustrates the distribution of family fee percentage used by districts as of February 22, 2011 and the percent of the average monthly number of subsidized children (not receiving temporary assistance) served by those districts within each fee percentage grouping during the period October 2009 through September 2010.

Family Fee Percentage	**Number of Districts**	**Percent of Subsidized Children**
10%-14%	6	3.0%
15%-19%	2	8.4%
20%-24%	12	10.5%
25%-29%	17	18.3%
30%-34%	2	3.7%
35%	19	56.1%
Total	58	100%

The chart below provides examples of the percent of family income that goes toward meeting the family share when calculated at several income amounts. Since each

district establishes its own fee percentage, the chart illustrates the percentage of income at the lowest and the highest allowable fee percentage standards for a family of three. The chart shows that the family share as a percentage of family income increases as the family income increases. Those districts that select the highest allowable fee percentage to meet their local needs require parents to pay the highest family share.

Annual Family Income	**Family Share as Percentage of Family Income* at:**		
	10 % (Lowest allowable fee percentage)	**25% fee percentage**	**35 % (Highest allowable fee percentage)**
$18,530	**Less than 1 %**	**Less than 1 %**	**Less than 1 %**
$23,000	**1.9%**	**4.9%**	**6.8%**
$28,000	**3.4%**	**8.5%**	**11.8%**
$33,000	**4.2%**	**10.5%**	**14.7%**
$37,060	**5.0%**	**12.5%**	**17.5%**

**The Annual Family Income values in the chart range from 100 percent to 200 percent (the maximum financial eligibility level) of the State Income Standard. The State Income Standard effective June 1, 2011 for a family of three, is $18,530. The State Income Standard is based on the poverty guidelines published in the Federal Register Volume 76, Number 13 dated January 20, 2011.*

d) Any additional facts the Lead Agency considered to determine that its payment rates ensure equal access _____

2.7.10 Goals for the next Biennium – In this section, Lead Agencies are asked to identify at least one goal for the upcoming biennium. Lead Agencies are encouraged to include measurable and achievable goals. Lead Agencies may include existing goals (e.g., already identified in a State strategic plan or established by the Governor for a Lead Agency). ACF will target technical assistance efforts to help Lead Agencies achieve their goal(s). What are the Lead Agency's goals for the administration of the CCDF subsidy program in the coming Biennium? For example, what progress does the State/Territory expect to make on continuing improved services to parents and providers, continuity of care for children, improving outreach to parents and providers, building or expanding information technology systems, or revising rate setting policies or practices) _____

Availability of Child Care Subsidies

The Office of Children and Family Services recognizes the critical importance of child care in order for the families of New York State to accept and maintain a job. One of our goals for the Child Care and Development Fund is to provide additional low-income families with the child care subsidy assistance to find and afford quality child care.

Federal allocations under the Child Care and Development Fund to New York State have decreased from $313.8 million in FFY 2006 to $301.6 million in FFY 2011. One of the top priorities is to work with our colleagues in the field restore the level of federal funding for child care in New York State.

Subsidy Regulations and Policies

New York State's current subsidy regulations have been in effect since the mid-1990s. Beginning in FFY 2012, OCFS will embark on an in-depth review of the state's child care subsidy regulations and policies, with the goal of clarifying and revising, as needed.

Services to Children with Special Needs

In response to comments received at the public hearings and in other forums regarding early identification of children with special needs and the importance of providing appropriate care to meet the needs of children who are identified as having special needs, OCFS will review its policies and local directives related to this aspect of New York's subsidy program. Specifically, we expect to revise the existing administrative directive on prioritizing child care services to children with special needs.

Detection and Prevention of Improper Payments and Other Fraud and Abuse

On October 27, 2010, the New York State Office of Children and Family Services (OCFS) hosted a Roundtable Discussion to address ways to prevent and eliminate fraud in the child care subsidy program and to maximize the efficient use of limited child care funds. The roundtable was attended by over 100 individuals representing several social services districts and various statewide professional organizations. Participants included social services commissioners, caseworkers, fraud investigators, local county prosecutors, child care advocates, a representative from the federal Region II Office of Child Care, and organizations representing child care providers. Participants were asked to share their perspectives by listing the obstacles and barriers that currently exist to preventing, identifying, or prosecuting child care subsidy fraud.

As result of these recommendations, OCFS has the following goals for fraud and abuse control over the next biennium:

- *Revise the law, regulations and/or policies so that child care providers and parents receiving a child care subsidy are held to a higher standard of accountability.*
- *Provide more training for social services districts, child care resource and referral agencies, and child care agencies and providers on regulations and policies.*

- *Collaborate with other federal and state agencies and other entities to share data and coordinate efforts to address fraud and abuse in the child care system.*
- *Improve the capabilities of existing benefit eligibility, payment, and regulatory databases for the purpose of identifying outlier child care subsidy cases that may warrant further investigation.*
- *Develop a preliminary pilot team that will investigate these high-risk subsidy cases and providers to determine whether fraud exists.*
- *Explore incentives or other resources that would enable local social services districts to develop a comprehensive fraud and abuse control.*
- *Raise public awareness on and support for program integrity.*

Quality of Child Care Programs and Consumer Education Related to Quality Child Care

Over the past six years, a group of early childhood experts from across New York State has been working cooperatively with various New York State government agencies, including OCFS, to design QUALITYstarsNY, a quality rating and improvement system for child care and early learning programs. The system is designed to recognize programs that demonstrate quality above and beyond meeting New York's comprehensive regulatory standards. Draft standards for center-based and family-based programs have been vetted by a diverse group of experts in the field and are available for review at www.qualitystarsny.org. QUALITYstarsNY also is intended to provide program quality supports, such as technical assistance and professional development. Additionally, QUALITYstarsNY has a consumer-education focus for helping child care subsidy recipients, as well as the general public, to identify those factors that constitute quality child care and to access those quality programs that will meet the individual needs of their children. American Recovery and Reinvestment Act funds supported the implementation of a field test, which was conducted in 2010 in 13 diverse communities across the state. Funding and other resources have yet to be identified, however, in order to implement QUALITYstarsNY on a statewide basis.

Part 3

Health and Safety and Quality Improvement Activities

In this section, Lead Agencies are asked to describe their goals and plans for implementation of child care quality improvement activities. Under the Child Care and Development Block Grant Act, Lead Agencies have significant responsibility for ensuring the health and safety of children in child care through the State/Territory's child care licensing system and establishing health and safety standards for children who receive CCDF funds. Health and safety is the foundation of quality, but is not adequate to ensure that programs and staff are competent in supporting all areas of child development and promoting school success.

Quality investments and support systems to promote continuous quality improvement of both our programs and the staff who work in them are a core element of CCDF. This section allows Lead Agencies to describe the steps that they are taking toward continuous quality improvement with a goal of having high quality child care options across settings for all families. While one of the key goals for CCDF is helping more low-income children access higher quality care, the Lead Agency has the flexibility to consider its goals and strategic plans for a child care quality improvement system for all families, not just those receiving assistance under CCDF.

Part 3 is organized based on four key components of quality which encompass most of the quality investments and initiatives undertaken by Lead Agencies:

1. Ensuring health and safety of children through **licensing and health and safety standards**
2. Establishing **early learning guidelines**
3. Creating pathways to excellence for child care programs through **program quality improvement activities**
4. Creating pathways to an effective, well-supported child care workforce through **professional development systems and workforce initiatives.**

For each component, Lead Agencies are asked to conduct a three-part process. In this section, Lead Agencies conduct a self-assessment by describing the current status of their efforts, using common practices and best practices to list characteristics. Lead Agencies then are asked to identify goals for making progress during the FY 2012-2013 biennium and describe their data, performance measure and evaluation capacity for each component.

It is expected that the Lead Agency is making systematic investments towards child care quality improvement across its early childhood and school-age spectrum – including all settings, geographic coverage and age range – that will help show progress toward these outcomes and goals. Ultimately, these child care quality improvement elements should

be fully implemented and integrated. Until that point, States/Territories are expected to fall on a continuum of progress. Baseline information on status and capacity for these elements and goals for the upcoming two-year period will be captured in this section. Progress on these elements will be reported using the Quality Performance Report in Appendix 1 as the final step.

3.1. Activities to Ensure the Health and Safety of Children in Child Care (Component #1)

This section is intended to collect information on how Lead Agencies meet the statutory and regulatory provisions related to licensing and health and safety requirements. The CCDBG statute and the CCDF regulations address health and safety primarily in two ways.

First, Lead Agencies shall certify that they have in effect licensing requirements applicable to child care services provided within the area served by the Lead Agency (§98.40(a)(1)). These licensing requirements need not be applied to specific types of providers of child care services (658(E)(c)(2)(E)(i). Lead Agencies must describe those licensing requirements and how they are effectively enforced. Second, Each Lead Agency shall certify that there are in effect, within the State or local law, requirements designed to protect the health and safety of children that are applicable to child care providers of services for which assistance is provided under CCDF.

The relationship between licensing requirements and health and safety requirements varies by State/Territory depending on how comprehensive the licensing system is. In some States and Territories, licensing may apply to the majority of CCDF-eligible providers and the licensing standards cover the three CCDF health and safety requirements so the State/Territory has few, if any, providers for whom they need to establish additional CCDF health and safety requirements. In other cases, States and Territories have elected to exempt large numbers of providers from licensing which means that those exempted providers who care for children receiving assistance from CCDF will have to meet to the CCDF health and safety requirements through an alternative process outside of licensing. The State/Territory may also elect to impose more stringent standards and licensing or regulatory requirements on child care providers of services for which assistance is provided under the CCDF than the standards or requirements imposed on other child care providers. (§98.40(b)(1)) Section 3.1 asks the State/Territory to identify and describe the components of both the licensing and CCDF health and safety requirements, indicate which providers are subject to the requirements, and describe compliance and enforcement activities. (658E(c)(2)(F), §98.41)

3.1.1. Compliance with Applicable State/Territory and Local Regulatory Requirements on Licensing

Lead Agencies shall certify that they have in effect licensing requirements applicable to child care services provided within the area served by the Lead Agency (§98.40(a)(1)).

These licensing requirements need not be applied to specific types of providers of child care services (658(E)(c)(2)(E)(i). Lead Agencies must describe those licensing requirements and how they are effectively enforced.

Definition: Licensing requirements are defined as regulatory requirements, including registration or certification requirements established under State, local, or tribal law, necessary for a provider to legally operate and provide child care services in a State or locality (§98.2). This does not include registration or certification requirements solely for child care providers to be eligible to participate in the CCDF program. Those requirements will be addressed in 3.1.2.

a) Is the Lead Agency responsible for child care licensing? (§98.11(a))

☒ Yes.
☐ No. Please identify the entity/agency responsible for licensing _____

b) **Provide a brief overview** of the relationship between the licensing requirements and CCDF health and safety requirements in your State/Territory. At a minimum, describe whether the State/Territory's licensing requirements serve as the CCDF health and safety requirements. *OCFS licensing requirements serve as the CCDF health and safety requirements.*

c) CCDF identifies and defines four categories of care: child care centers, family child care homes, group child care homes and in-home child care providers (§98.2). The CCDF definition for each category is listed below. Within each CCDF category of care, please identify which types of providers are exempt from licensing in your State/Territory in the chart below**.**

CCDF Category of Care	CCDF Definition (§98.2)	Are any providers in your State/Territory which fall under this CCDF category exempt from licensing?
Center-Based Child Care	Center-based child care providers are defined as a provider licensed or otherwise authorized to provide child care services for fewer than 24 hours per day per child in a non-residential setting, unless care in excess of 24 hours is due to the nature of the parent(s)' work.	Describe which types of center-based settings are exempt from licensing in your State/Territory: *Child day care centers not required to obtain a license include:* *(A) a day camp with a permit from the NYS Department of Health,* *(B) an after-school program operated for the purpose of religious education, sports, or recreation;* *(C) a facility:* *(1) providing day services under an operating certificate issued by OCFS;* *(2) providing day treatment under an operating certificate issued by the NYS Office of Mental Health or NYS Office for Persons with Developmental Disabilities; or* *(D) a kindergarten, pre-kindergarten, or nursery school for children three years of age or older, or after-school program for children operated by a public school district or by a private school or academy which is providing elementary or secondary education or both, in accordance with the compulsory education requirements of the education law, provided that the kindergarten, pre-kindergarten, nursery school, or after-school program is located on the premises or campus where the elementary or secondary education is provided.* *For example, some jurisdictions exempt school-based centers, centers operated by religious organizations, summer camps, or Head Start programs.*
Group Home Child Care ☐ N/A. Check if your State/Territory does not have group home child care.	Group home child care provider is defined as two or more individuals who provide child care services for fewer than 24 hours per day per child, in a private residence other than the child's residence, unless care in excess of 24 hours is due to the nature of the parent(s)' work.	Describe which types of group homes are exempt from licensing: *Group child care providers who are exempt from licensure include:* *(A) Providers caring for children who are all related to the provider within the third degree of consanguinity of the parents or step parents of the children.* *(B) Child care providers who are caring for less than three non-relative children.* *(C) Providers who are caring for children less than three hours a day, per child.*
Family Child Care	Family child care provider is defined as one individual who provides child care services for fewer than 24 hours per day per child, as the sole caregiver, in a	Describe which types of family child care home providers are exempt from licensing: *Group child care providers who are exempt from licensure include:* *(A) Providers caring for children who are all*

CCDF Category of Care	CCDF Definition (§98.2)	Are any providers in your State/Territory which fall under this CCDF category exempt from licensing?
	private residence other than the child's residence, unless care in excess of 24 hours is due to the nature of the parent(s)'s work. **Reminder** - Do not check if family child care home providers simply must register or be certified to participate in the CCDF program separate from the State/Territory regulatory requirements.	*related to the provider within the third degree of consanguinity of the parent or step-parents of the children.* *(B) Providers who are caring for less than three non-relative children* *(C) Providers who are caring for children less than three hours a day, per child.*
In-Home Care	In-home child care provider is defined as an individual who provides child care services in the child's own home. **Reminder** - Do not check if in-home child care providers simply must register or be certified to participate in the CCDF program separate from the State/Territory regulatory requirements.	Describe which types of in-home child care providers are exempt from licensing: *All individuals who provide child care services in the child's own home are exempt from licensure and registration.*

Note: In lieu of submitting or attaching licensing regulations to certify the requirements of §98.40(a)(1), Lead Agencies may provide their licensing regulations to the National Resource Center for Health and Safety in Child Care and Early Education. Please check the NRCKid's website at http://nrckids.org/ to verify the accuracy of your licensing regulations and provide any updates to the National Resource Center. **Check this box to indicate that the licensing requirements were submitted and verified at NRCKid's**. ☒

d) **Indicate** whether your State/Territory licensing requirements include any of the following four indicators for each category of care*.

*Source: National Resource Center for Health and Safety in Child Care and Early Education. (2003) Stepping Stones to Using Caring for Our Children: National Health and Safety Performance Standards, 2nd Ed. Health Resources and Services Administration, Maternal and Child Health Bureau. Available online: http://nrckids.org/stepping

Indicator	For each indicator, check all requirements for **licensing** that apply, if any.			
	Center-Based Child Care	**Group Home Child Care**	**Family Child Care**	**In-Home Care**
Do the licensing requirements include **child:staff ratios and group sizes**? If yes, specify age group, where appropriate.	☒ Child:staff ratio requirement: *6 wks. to 18 mos.= 1:4* *18 mos. to 36 mos. =1:5* *3 yrs.=1:7* *4 yrs.=1:8*	☒ Child:staff ratio *requirement:* *under 2 yrs. = 1:2* *2 yrs. to 12 yrs.= 1:8* ☒ Group size requirement: *16 is the maximum*	☒ *Child:staff ratio requirement:* *under 2 yrs. = 1:2* *2 yrs. to 12 yrs.= 1:8* ☒ Group size requirement: *8 is*	☐ Child:staff ratio requirement: ☐ Group size requirement: ☒ No requirements.

	5 yrs.= 1:9 *5-9 yrs.=1:10* *10-12 yrs. 1:15* ☒ Group size requirement: *6 wks to 18 mos.=8* *18 mos. to 36 mos. =12* *3 yrs.=18* *4 yrs.= 21* *5 yrs. : 24* *5-9 yrs.= 20* *10-12 yrs.= 30* ☐ No requirements.	*capacity. At maximum capacity with 2 caregivers, at least 4 children must be school age and no more than 4 children in care are under the age of 2. A group family day care provider may enroll more than 4 children under the age of 2 if a third caregiver is on site whenever the number of 2-yr-olds exceeds four.* ☐ No requirements.	*the maximum capacity. At maximum capacity with one caregiver, at least 2 children must be school age and no more than 2 children in care are under the age of 2. A family day care provider may enroll more than 2 children under the age of 2, if a second caregiver is on site whenever the number of 2-yr-olds exceeds two.* ☐ No requirements.	

Do the licensing requirements identify specific experience and educational **credentials for child care directors**?	☒High school/GED ☒ Child Development Associate (CDA) ☒ State/ Territory Credential ☐ Associate's degree ☒ Bachelor's degree ☐ No credential required for licensing ☒ Other*: each category checked above includes the requirement for experience in the child care field. In addition, individuals with an Associate's degree or a state credential (CDA) must have a plan of study leading to a bachelor's degree or a Children's Program Administrator's Credential.*	☐ High school/GED ☐ Child Development Associate (CDA) ☐ State/ Territory Credential ☐ Associate's degree ☐ Bachelor's degree ☐ No credential required for licensing ☒ Other*: a minimum of either two years of experience caring for children under six years of age, or one year of experience caring for children under six years of age plus six hours of training or education in early childhood development.*	☐ High school/GED ☐ Child Development Associate (CDA) ☐ State/ Territory Credential ☐ Associate's degree ☐ Bachelor's degree ☐ No credential required for licensing ☒ Other: *a minimum of either two years of experience caring for children under six years of age, or one year of experience caring for children under six years of age plus six hours of training or education in early childhood development.*	☐ High school/GED ☐ Child Development Associate (CDA) ☐ State/ Territory Credential ☐ Associate's degree ☐ Bachelor's degree ☐ No credential required for licensing ☐ Other:
Do the licensing requirements identify specific experience and educational **credentials for child care teachers**?	☒High school/GED ☒ Child Development Associate (CDA) ☐ State/ Territory Credential ☒ Associate's degree ☐ Bachelor's degree ☐ No credential required for licensing ☒ Other: *All individuals with a CDA must also have two yrs. experience related to caring*	☐ High school/GED ☐ Child Development Associate (CDA) ☐ State/ Territory Credential ☐ Associate's degree ☐ Bachelor's degree ☒ No credential required for licensing ☐ Other:	☐ High school/GED ☐ Child Development Associate (CDA) ☐ State/ Territory Credential ☐ Associate's degree ☐ Bachelor's degree ☒ No credential required for licensing ☐ Other:	☐ High school/GED ☐ Child Development Associate (CDA) ☐ State/ Territory Credential ☐ Associate's degree ☐ Bachelor's degree ☐ No credential required for licensing ☐ Other:

	for children.			
Do the licensing requirements specify that directors and caregivers must attain a specific number of **training hours per year**?	☐ At least 30 training hours required in first year ☐ At least 24 training hours per year after first year ☐ No training requirement ☒ Other: *Thirty hours of training is required every two years. Fifteen of the thirty required hours of training must be completed in the first six months of employment.*	☐ At least 30 training hours required in first year ☐ At least 24 training hours per year after first year ☐ No training requirement ☒ Other*: Thirty hours of training is required every two years from caretakers in group family day care programs. Providers must complete 15 hours of health and safety training, and CPR and first aid training prior to licensure (these 15 hours count toward the 30-hour requirement).*	☐ At least 30 training hours required in first year ☐ At least 24 training hours per year after first year ☐ No training requirement ☒ Other: *Thirty hours of training is required every two years from caretakers in group family day care programs. Providers must complete 15 hours of health and safety training, and CPR and first aid training prior to registration (these 15 hours count toward the 30-hour requirement).*	☐ At least 30 training hours required in first year ☐ At least 24 training hours per year after first year ☐ No training requirement ☐ Other:

e) Do you expect the licensing requirements for child care providers to change in FY2012-2013?

☒ Yes. Describe *OCFS is currently working on proposed regulatory revisions that would include mandating an orientation session for all applicants for licensure or registration. In addition, OCFS is beginning a certification process for all trainers of child care providers. This will include certifying the trainer and approving the topic area for credit. Plans include the development of a "Registry" which would track all training data.*

☐ No

3.1.2. Compliance with Applicable State/Territory and Local Regulatory Requirements on Health and Safety

Each Lead Agency shall certify that there are in effect, within the State or local law, requirements designed to protect the health and safety of children that are applicable to child care providers of services for which assistance is provided under CCDF. Such requirements shall include the prevention and control of infectious diseases (including immunization), building and physical premises safety, and minimum health and safety training appropriate to the provider setting. These health and safety requirements apply

to all providers caring for children receiving CCDF services and which also may be covered by the licensing requirements. (658E(c)(2)(F), §98.41)

a) **Describe** the Lead Agency's health and safety requirements for prevention and control of infectious disease in effect for child care providers of services for which assistance is provided under CCDF using the table below. (658E(c)(2)(F)(i), §98.41(a)(1))

The Lead Agency requires:	**For each health and safety requirement checked, identify which providers under the CCDF category must meet the requirement. Check all that apply.**			
	Center-based child care providers	Family child care home providers	Group home child care providers	In-home child care providers
☒ Physical exam or health statement for providers	☒	☒	☒	☐
☒ Physical exam or health statement for children	☒	☒	☒	☐
☒ Tuberculosis check for providers	☒	☒	☒	☐
☒ Tuberculosis check for children	☒	☒	☒	☐
☐ Provider immunizations	☐	☐	☐	☐
☒ Child immunizations	☒	☒	☒	☒
☒ Hand-washing policy for providers and children	☒	☒	☒	☐
☒ Diapering policy and procedures	☒	☒	☒	☐
☒ Providers to submit a self-certification or complete health and safety checklist	☐	☒	☐	☒
☒ Providers to meet the requirements of another oversight entity that fulfill the CCDF health and safety requirements	☒	☐	☐	☐
☒ *Other. Describe: Licensed or registered day care centers, group family day care and family day care providers must submit a comprehensive health care plan detailing their procedures regarding child health care policies and practices. Licensed group family day care and registered family day care providers must also complete a competency based health and safety course prior to being licensed or registered. All programs that*	☒	☒	☒	☐

The Lead Agency requires:	**For each health and safety requirement checked, identify which providers under the CCDF category must meet the requirement. Check all that apply.**			
	Center-based child care providers	Family child care home providers	Group home child care providers	In-home child care providers
opt to administer medications to children must also complete a competency based health and safety course prior to being licensed or registered. All programs that opt to administer medications to children must complete an OCFS Medication Administration Training (MAT) and hire a health care consultant to oversee and approve the health care plan.				

b) **Describe** the Lead Agency's health and safety requirements for building and physical premises safety, including policies and practices to protect from environmental hazards, in effect for child care providers of services for which assistance is provided under CCDF using the table below. (658E(c)(2)(F)(ii), §98.41(a)(2))

The Lead Agency requires:	**For each health and safety requirement checked, identify which providers under the CCDF category must meet the requirement. Check all that apply.**			
	Center-based child care providers	**Family child care home providers**	**Group home child care providers**	**In-home child care providers**
☒ Fire inspection	☒	☒	☒	☐
☒ Building inspection	☒	☒	☒	☐
☒ Health inspection	☒	☐	☐	☐
☒ Inaccessibility of toxic substances policy	☒	☒	☒	☐
☒ Safe sleep policy	☒	☒	☒	☐
☒ Tobacco exposure reduction	☒	☒	☒	☐
☒ Transportation policy	☒	☒	☒	☐
☒ Providers to submit a self-certification or complete health and safety checklist	☐	☒	☐	☒
☒ Providers to meet the requirements of another oversight entity that fulfill the CCDF health and safety requirements	☒	☐	☐	☐

The Lead Agency requires:	**For each health and safety requirement checked, identify which providers under the CCDF category must meet the requirement. Check all that apply.**			
☐ Other. Boiler inspections are conducted at day care centers by. *Describe NOTE: Fire inspections and building inspections performed at group family day care and family day care are conducted by OCFS fire and safety representatives, not local code*	☒	☐	☐	☐

c) **Describe** the Lead Agency's health and safety requirements for health and safety training in effect for child care providers of services for which assistance is provided under CCDF using the table below. (658E(c)(2)(F)(iii), §98.41(a)(3))

CCDF Categories of Care	**Health and safety training requirements**	**Pre-Service**	**On-Going**
Child Care Centers	CPR	√	√
	First aid	√	√
	Training on infectious diseases		√
	SIDS prevention (i.e., safe sleep)		√
	Medication administration		√
	Mandatory reporting of suspected abuse or neglect		√
	Child development		√
	Supervision of children		√
	Behavior management		√
	Nutrition		√
	Breastfeeding		√
	Physical activity		√
	Working with children with special needs or disabilities		√
	Emergency preparedness and response		√
	Other. Describe *OCFS requires regulated child care providers to complete 30 hours of training in nine very broad topics every two years. The above checked categories meet the categories accepted as meeting those requirements.*		
Group Home Child Care	CPR	√	√
	First aid	√	√
	Training on infectious diseases		√
	SIDS prevention (i.e., safe sleep)		√
	Medication administration		√
	Mandatory reporting of suspected abuse or neglect		√
	Child development		√

CCDF Categories of Care	Health and safety training requirements	Pre-Service	On-Going
	Supervision of children		√
	Behavior management		√
	Nutrition		√
	Breastfeeding		√
	Physical activity		√
	Working with children with special needs or disabilities		√
	Emergency preparedness and response		√
	Other. Describe *OCFS requires regulated child care providers to complete 30 hours of training in nine very broad topics every two years. The above checked categories meet the categories accepted as meeting those requirements. Group home child care providers must complete 15 hours of health and safety training, and CPR and first aid training prior to licensure.*		
Family Child Care Providers	CPR	√	
	First aid	√	
	Training on infectious diseases		√
	SIDS prevention (i.e., safe sleep)		√
	Medication administration		√
	Mandatory reporting of suspected abuse or neglect		√
	Child development		√
	Supervision of children		√
	Behavior management		√
	Nutrition		√
	Breastfeeding		√
	Physical activity		√
	Working with children with special needs or disabilities		√
	Emergency preparedness and response		√
	Other. Describe *OCFS requires regulated child care providers to complete 30 hours of training in nine very broad topics every two years. The above checked categories meet the categories accepted as meeting those requirements. Family child care providers must complete 15 hours of health and safety training, and CPR and first aid training prior to registration.*		
In-Home Child Care Providers	CPR		
	First aid		
	Training on infectious diseases		
	SIDS prevention (i.e., safe sleep)		
	Medication administration		
	Mandatory reporting of suspected abuse or neglect		
	Child development		
	Supervision of children		
	Behavior management		
	Nutrition		
	Breastfeeding		

CCDF Categories of Care	Health and safety training requirements	Pre-Service	On-Going
	Physical activity		
	Working with children with special needs or disabilities		
	Emergency preparedness and response		
	Other. Describe *Training is not required for exempt family child care providers or in-home child care providers; however, an enhanced rate of reimbursement is available to exempt family and in-home providers who complete ten hours of training annually in one or more approved topics.*		√

d) CCDF allows Lead Agencies to exempt relative providers (grandparents, great-grandparents, siblings if living in a separate residence, aunts, and uncles) from these health and safety requirements. What are the Lead Agency's requirements for relative providers? (§98.41(A)(ii))(A))

☒ All relative providers are subject to the same health and safety requirements as described in 3.1.3a-c, as appropriate; there are no exceptions for relatives.
☐ Relative providers are NOT required to meet <u>any</u> health and safety requirements as described in 3.1.3a-c, as appropriate.
☐ Relative providers are subject to certain requirements. Describe the different requirements _____

e) Provide a web address for the State/Territory's health and safety requirements, if available: <u>These are contained in regulation under Health and Infection Control at:</u> http://www.ocfs.state.ny.us/main/childcare/infoforproviders.asp

3.1.3 Enforcement of Licensing Requirements

Each Lead Agency is required to provide a detailed description of the State/Territory's licensing requirements and how its licensing requirements are effectively enforced. (658E(c)(2)(E), §98.40(a)(2)) The Lead Agency is also required to certify that that procedures are in effect to ensure that child care providers caring for children receiving CCDF services comply with the applicable health and safety requirements. (658E(c)(2)(G), §98.41(d))

Describe the State/Territory's policies for effective enforcement of the licensing requirements using questions 3.1.3a through 3.1.3e below. This description includes whether and how the State/Territory uses visits (announced and unannounced), background checks, and any other enforcement policies and practices for the licensing requirements.

a) Does your State/Territory include **announced** and/or **unannounced** visits in its policies as a way to effectively enforce the licensing requirements?

☒ Yes. If "Yes" please refer to the chart below and check all that apply.

☐ No

CCDF Categories of Care	Frequency of Routine Announced Visits	Frequency of Routine Unannounced Visits
☒ Center-Based Child Care	☐ Once a Year ☐ More than Once a Year ☐ Once Every Two Years ☒ Other. *Describe Although inspections must be performed every two years at a minimum, in fact, inspections are performed more often than required, by multiple agencies and for many reasons. Agency visits that may be announced (are not required to be unannounced) are: Department of Health inspections, fire and safety inspections, by local code inspectors, OCFS licensing staff inspections, fire alarm/detection inspection, fire suppression inspection and Department of Labor heating contractor inspection.*	Once a Year ☐ More than Once a Year ☐ Once Every Two Years ☒ Other. *Describe Unannounced visits for the purpose of investigating complaints and monitoring compliance to corrective action plans*
☒ Group Home Child Care	☐ Once a Year ☐ More than Once a Year ☐Once Every Two Years ☒ Other. Describe Although inspections must be performed every two years at a minimum, inspections are performed more often than required. Purposes of announced visits: required renewal inspections, technical assistance, pool inspections, change in child capacity requests, and safety assessment interviews associated with criminal history reviews.	☐ Once a Year ☐ More than Once a Year ☐ Once Every Two Years ☒ Other. Describe Unannounced visits for the purpose of investigating complaints and monitoring compliance to corrective action plans.
☒ Family Child Care Home	☐ Once a Year ☐ More than Once a Year ☐ Once Every Two Years ☒ Other. *Describe Although inspections must be performed every two years at a minimum, inspection s are performed more often than required. Purposes of announced visits: required renewal inspections, technical assistance, pool inspections, change in child capacity requests and safety assessment interviews associated with criminal history reviews.*	☐ Once a Year ☐ More than Once a Year ☐ Once Every Two Years ☒ Other. *Describe Unannounced visits include visits for the purpose of investigating complaints and monitoring compliance to corrective action plans.*
☐ In-Home Child Care	☐ Once a Year ☐ More than Once a Year ☐ Once Every Two Years ☐ Other. Describe _____	☐ Once a Year ☐ More than Once a Year ☐ Once Every Two Years ☐ Other. Describe ___

b) Does your State/Territory have any of the following procedures in place for effective enforcement of the licensing requirements? If procedures differ based on the category of care, please indicate how in the "Describe" box.

☒ Yes. If "Yes" please refer to the chart below and check all that apply.
☐ No

Licensing Procedures	**Describe** which procedures are used by the State/Territory for enforcement of the licensing requirements.
The State/Territory requires providers to attend or participate in training relating to opening a child care facility prior to issuing a license.	☒ Yes. Describe *All family-based providers are required to attend an OCFS-approved, 15-hour Health and Safety course prior to being granted a license or registration to provide care to children. In addition, OCFS is developing an orientation course that will be mandatory training prior to application for a license of registration.* ___
	☐ No.
	☐ Other. *Describe*
Licensing staff has procedures in place to address violations found in an inspection.	☒ Providers are required to submit plans to correct violations cited during inspections.
	☒ Licensing staff approve the plans of correction submitted by providers.
	☒ Licensing staff verify correction of violation.
	☒ Licensing staff provide technical assistance regarding how to comply with a regulation.
	☐ No procedures in place.
	☐ Other. Describe ___
Licensing staff has procedures in place to issue a negative sanction to a noncompliant facility.	☐ Provisional or probationary license
	☒ License revocation or non-renewal
	☒ Injunctions through court
	☒ Emergency or immediate closure not through court action
	☒ Fines for regulatory violations
	☐ No procedures in place.
	☐ Other. Describe _____
The State/Territory has procedures in place to respond to illegally operating child care facilities.	☒ Cease and desist action
	☒ Injunction
	☒ Emergency or immediate closure not through court action
	☒ Fines
	☐ No procedures in place.
	☐ Other. Describe ___
The State/Territory has procedures in place for	☒ Yes. Describe All enforcement action

Licensing Procedures	**Describe** which procedures are used by the State/Territory for enforcement of the licensing requirements.
providers to appeal licensing enforcement actions.	are associated with hearing rights. Enforcement cases are heard by an Administrative Law Judge, who hears the case and renders a decision. If the OCFS's action is upheld at the hearing, the provider may appeal the decision at the NYS Supreme Court level.
	☐ No.
	☐ Other. Describe_____

c) Describe what types of licensing violations, if any, would make a provider ineligible to participate in CCDF

Providers who are suspended from operating may not receive subsidy funding. All other providers may continue to operate until all hearing rights have been exhausted.

d) Does your State/Territory use **background checks** as a way to effectively enforce the licensing requirements?

☒ Yes. If "Yes" please use refer to the chart below to identify who is required to have background checks, what types of checks, and with what frequency. Please **also provide a brief overview** of the State/Territory's process for conducting background checks for child care. For example, describe what types of violations would make providers ineligible for CCDF, funding for background checks, and the process for providers to appeal background check findings. _____

☐ No

CCDF Categories of Care	**Types of Background Check**	**Frequency**
☒ **Center-Based Child Care** Who is subject to background checks for center-based care? For example, director, teaching staff, non-teaching staff, volunteers: *Director, Teaching Staff, Non-Teaching Staff, Volunteers*	☒ Child Abuse Registry	☒ Initial Entrance into the System ☐ Checks Conducted Annually ☒ Other. Describe The State Central Register of Child Abuse and Maltreatment notifies OCFS of reports involving day care programs.
	☒ State/Territory Criminal Background	☒ Initial Entrance into the System ☐ Checks Conducted Annually ☒ Other. Describe: *OCFS no longer uses fingerprint* ***cards****. Fingerprinting is conducted through "Livescan," a digital,*

CCDF Categories of Care	Types of Background Check	Frequency
		more accurate method of fingerprinting. Livescan takes an actual image of a person's fingerprints and sends them digitally to the NYS Division of Criminal Justice (DCJS). The process is more accurate, and much faster than" ink and roll." DCJS checks the criminal background of the person with the Livescan prints and sends this information to OCFS for a review of the person's qualifications to be a caretaker of children. In addition, OCFS maintains a "search and retain" contract with DCJS. Search and retain means that the OCFS is notified whenever a child care provider or staff member is arrested for any crime after his or her initial background check.
	☐ FBI Criminal Background (e.g., fingerprint)	☐ Initial Entrance into the System ☐ Checks Conducted Annually ☐ Other. Describe _____
	☐ Sex Offender Registry	☐ Initial Entrance into the System ☐ Checks Conducted Annually ☐ Other. Describe _____
☒ **Group Child Care Homes** Who is subject to background checks for group homes? For example, provider, non-provider residents of the home: *Provider, Non-Provider Residents of the Home age 18 and older, Employees, Volunteers*_____	☒ Child Abuse Registry	☒ Initial Entrance into the System ☐ Checks Conducted Annually ☒ Other. Describe: The State Central Register of Child Abuse and maltreatment notifies OCFS of reports involving day care programs.
	☒ State/Territory Criminal Background	☒ Initial Entrance into the System ☐ Checks Conducted Annually ☒ Other. *Describe "Livescan" digital imaging is used. A "search and retain" system is in place. (See above under Center-Based Child Care for further*

CCDF Categories of Care	Types of Background Check	Frequency
		details.)
	☐ FBI Criminal Background (e.g., fingerprint)	☐ Initial Entrance into the System ☐ Checks Conducted Annually ☐ Other. Describe_____
	☐ Sex Offender Registry	☐ Initial Entrance into the System ☐ Checks Conducted Annually ☐ Other. Describe_____
☒ **Family Child Care Homes** Who is subject to background checks for family child care homes? For example, provider, non-provider residents of the home *Provider, Non-Provider Residents of the Home age 18 and older, Employees, Volunteers* _____	☒ Child Abuse Registry	☒ Initial Entrance into the System ☐ Checks Conducted Annually ☒ Other. *Describe The State Central Register of Child Abuse and maltreatment notifies OCFS of reports involving day care programs.*
	☒ State/Territory Criminal Background	☒ Initial Entrance into the System ☐ Checks Conducted Annually ☒ Other. Describe *"Livescan" digital imaging is used. A "search and retain" system is in place. (See above under Center-Based Child Care for further details.)*
	☐ FBI Criminal Background (e.g., fingerprint)	☐ Initial Entrance into the System ☐ Checks Conducted Annually ☐ Other. Describe_____
	☐ Sex Offender Registry	☐ Initial Entrance into the System ☐ Checks Conducted Annually ☐ Other. Describe_____
☒ **In-Home Child Care Providers** Who is subject to background checks for in-home child care? For example, provider, non-provider residents of the home *Provider, Non-Provider*	☐ Child Abuse Registry	☐ Initial Entrance into the System ☐ Checks Conducted Annually ☒ Other. Describe *For legally-exempt in-home child care, providers do not undergo a check of the child abuse registry. The following items are in place at*

CCDF Categories of Care	**Types of Background Check**	**Frequency**
Residents of the Home age 18 and older, unless care is provided in the child's own home in which case, it is only the Provider _____		*initial enrollment and annually thereafter:* *1. The provider must identify all individuals who may be helping to care for the children and attest that the provider has asked each of these individuals if they have been the subject on an indicated report of child abuse or maltreatment and informed the parent/caretaker whether the provider or any of the individuals listed has been the subject of any indicated reports of child abuse or maltreatment. When a history of child abuse or maltreatment exists, the provider must give the parent written information regarding the child abuse or maltreatment. The parent/caretaker must attest that he/she has specifically asked the provider if the provider or others helping with the care of the children have been the subject of an indicated report of child abuse or maltreatment and the provider has informed the parent/caretaker of whether any indication of child abuse or maltreatment exists, and when such an indication exists, the provider has given the parent/caretaker written information regarding the indication of abuse or*

CCDF Categories of Care	Types of Background Check	Frequency
		maltreatment. *2. The provider must certify whether the provider's parental rights have ever been terminated. If such a termination has occurred the provider must give to the parent/caretaker and the enrollment agency a true and accurate description of what led to the termination of parental rights and the underlying reasons for what occurred.* *3. The provider must attest whether the provider has ever had a child removed under Family Court Act (FCA) Article 10 (Child Protective). If such a court ordered removal has occurred, the provider must give to the parent/caretaker and the enrollment agency a true and accurate description of what led to the removal of the child and the underlying reasons for what occurred.* *4. A check of the local district child welfare database is required to verify whether the provider has had his or her parental rights terminated or had a child removed under FCA Article 10. The results of this check include only those records belonging to the county which conducts the check.* *5. Policy states that when the provider has had his/her*

CCDF Categories of Care	Types of Background Check	Frequency
		parental rights terminated or has had a child removed from his/her care by court order in a Child Protective proceeding (FCA Article 10), the enrollment is presumptively denied. The provider may then request a review of extenuating circumstances be conducted. 6. *Local districts have the option to request additional local standards for enrollment of legally-exempt providers. Some districts have opted to put in place a process of verifying item number one above.* _____
	☐ State/Territory Criminal Background	☐ Initial Entrance into the System ☐ Checks Conducted Annually ☒ Other. Describe *For legally-exempt in-home child care, providers do not undergo a state criminal background check. Rather, the provider must identify all individuals who may be helping to care for the children and attest that the provider has asked each individual if they have been convicted of a crime and informed the parent/caretaker whether the provider or any of the individuals listed has been convicted of a crime. When a conviction of a crime exists, the provider must give the parent and the enrollment agency written information regarding the conviction(s) of a crime. The parent must sign an acknowledgement of the history*

CCDF Categories of Care	Types of Background Check	Frequency
		and submit this to the enrollment agency. Local districts have the option to request additional local standards for enrollment of legally-exempt providers. Some districts have opted to put in place a local criminal background check. _____
	☐ FBI Criminal Background (e.g., fingerprint)	☐ Initial Entrance into the System ☐ Checks Conducted Annually ☐ Other. Describe_____
	☒ Sex Offender Registry	☒ Initial Entrance into the System ☒ Checks Conducted Annually ☒ Other. Describe *For legally-exempt in-home child care, providers undergo a sex offender registry check at initial enrollment and annually thereafter. Additionally, any persons helping to care for the children are also required to undergo the sex offender registry check.*_____

e) If not performing visits (announced or unannounced) or background checks, describe how the State/Territory will ensure that its licensing requirements are effectively enforced per the CCDF regulations? _____ (658E(c)(2)(E), §98.40(a)(2))

f) Does the State/Territory disseminate information to parents and the public, including the use of on-line tools or other "search tools," about child care program licensing status and compliance records?

☒ Yes. Describe*: OCFS maintains a child care facility search webpage at: http://it.ocfs.ny.gov/ccfs_facilitysearch/. Parents may search by license/registration number, facility name, type, county, zip code, and/or school district. This web search also allows parents to filter the results by facilities authorized to administer medications, and those facilities offering non-traditional hours of care. Once a particular child care program is selected, a parent may view the program's contact information, years in operations, child enrollment capacity, compliance history and the status of violations (corrected or not corrected), and whether the program is currently in enforcement due to violations of regulation. This same information is*

available to parents who call a licensing or registration office or a Child Care Resource and Referral agency.

☐ No

3.1.4 Describe the State/Territory's policies for effective enforcement of the health and safety requirements. For providers who care for children receiving CCDF assistance and who are NOT subject to the enforcement procedures described above for licensed providers, please describe the health and safety enforcement measures in place. Include in this description whether and how the State/Territory uses on-site visits (announced and unannounced) and background checks and any other enforcement policies and practices for the health and safety requirements.

Legally-exempt caregiver enrollment agencies are required to monitor the compliance of all enrolled legally-exempt child care providers (those not subject to the enforcement procedures described previously for licensed and registered providers) and document the child care provider's compliance and enrollment status in the Child Care Facility System (CCFS). Legally-exempt caregiver enrollment agencies will work with legally-exempt providers to assist them with meeting health and safety requirements as appropriate.

1. *As part of the initial enrollment and annual re-enrollment processes, the following attestations are required for legally-exempt caregivers:*
    a. *Whether the child care provider has had his or her parental rights terminated by court order under NYS Social Services Law 384-b;*
    b. *Whether the child care provider has had a child removed from his or her care by family court order in a child protective proceeding, NYS Family Court Act Article 10;*
    c. *Whether the child care provider has had his or her license or registration to operate a child care program suspended, denied, or revoked; or*
    d. *Whether the child care provider; or the child care provider's employees, volunteers; and, for care in a home other than the child's own home, the household members residing on site who are age 18 years or older have been convicted of a crime.*
    e. *Child care provider must attest that they have informed the parents of children in their care whether they or their employees, volunteers, and, for care in a home other than the child's own home, the household members residing on site who are age 18 years or older have been the subject of an indicated report of children abuse or maltreatment.*
2. *As part of the initial enrollment and annual re-enrollment processes, OCFS requires the following background checks for child care providers of legally-exempt family and legally-exempt in-home child care who are caring for a child receiving a child care subsidy:*
    a. *A check against the New York State Sex Offender Registry maintained by the New York State Division of Criminal Justice Services, via the Registry's toll free telephone number, to determine if the child care provider; any employee of the child care provider; any volunteer who has the potential for regular and substantial contact with children in care; and, for providers of legally-*

exempt family child care, each household member age 18 or older are listed on the New York State Sex Offender Registry for committing a sex offense.

b. *A local child welfare database check to determine if the child care provider has ever had his or her parental rights terminated or had a child removed from his or her care by court order under New York State Family Court Act Article 10.*

c. *A check against the New York State Office of Children and Family Services Child Care Facility System to determine whether the child care provider has ever been denied a child care license or registration or had a child care license or registration suspended or revoked.*

3. *For enrollment and re-enrollment of legally-exempt child care providers, local districts may obtain approval from OCFS to implement additional standards for subsidized child care. Examples of additional local standards which have been approved by OCFS include unannounced visits to the home or facility, and local criminal background checks.*
4. *On an ongoing basis, the following monitoring and enforcement activities occur:*
   a. *Per OCFS regulations, legally-exempt caregiver enrollment agencies conduct on-site inspections, announced or unannounced, on an annual basis of at least 20 percent of the currently enrolled legally-exempt family child care providers that do not participate in the Child and Adult Care Food Program (CACFP). Providers who are participating in CACFP receive routine visits from the New York State Department of Health. Any concerns related to the provision of child care are shared with the local social services districts.*
   b. *Complaints received regarding health and safety requirements for enrolled legally-exempt child care providers must be investigated by the applicable legally-exempt caregiver enrollment agency.*
   c. *Child care providers are required to submit a Corrective Action Plan to address non-compliance issues cited as a result of an inspection or complaint investigation.*
   d. *Legally-exempt caregiver enrollment agencies may terminate enrollment and local districts may suspend issuance of subsidy payments when non-compliance exists.*
   e. *Non-compliance must be corrected within a maximum of 30 days and legally-exempt caregiver enrollment agencies must verify the correction of the non-compliance.*
   f. *OCFS has established guidelines for legally-exempt caregiver enrollment agencies to follow when taking action against a non-compliant caregiver. OCFS has developed three training courses for legally-exempt caregiver enrollment agency staff addressing enrollment procedures, non-compliance issues and critical decision-making.*

3.1.5 Does the State/Territory conduct developmental screenings of children? Lead Agencies are not required to conduct developmental screenings of children, but they State/Territory may choose to voluntarily conduct or require programs to conduct such screenings for other purposes.

☐ Yes. Describe_____

a) If yes, are resources and supports provided to programs for conducting developmental screenings?

☐ Yes. Describe_____
☐ No
☐ Other. Describe _____

b) If yes, are resources and supports provided to programs to track when follow-up to screening is needed?

☐ Yes. Describe _____
☐ No
☐ Other. Describe_____

☐ No
☒ Other. Describe *The State Education Department , through the Early Intervention Program, conducts screenings of children, OCFS does not.*

3.1.6 Data & Performance Measures on Licensing and Health and Safety Compliance – What data elements, if any, does the State/Territory currently have access to related to licensing compliance? What, if any, performance measures does the Lead Agency use for ensuring health and safety? The purpose of these questions is for Lead Agencies to provide a description of their capacity to provide information, not to require Lead Agencies to collect or report this information. For any data elements checked, Lead Agencies may choose to describe for whom they access to these data on such as only licensed programs, only programs caring for children receiving CCDF subsidies, only providers participating in quality improvement systems, or only for certain age groups (e.g., infants and toddlers or school-age children).

a) Data on licensing and health and safety. Indicate if the Lead Agency or another agency has access to data on:

☒ Number of licensed programs. Describe (optional*) The system of record is the Child Care Facility System(CCFS).CCFS reports include the number of all regulated programs and the maximum capacity of these programs.*
☒ Numbers of programs operating that are legally exempt from licensing. Describe (optional*) the lead agency has access to data on numbers of programs operating that are legally exempt from lincensing, but only for programs that are caring for children receiving CCDF subsidies.*
☒ Number of programs whose licenses were suspended or revoked due to non-compliance. Describe (optional) OCFS has access to the enforcement status of every licensed or registered child care program.
☐ Number of injuries and fatalities in child care as defined by the State/Territory. Describe (optional)
☒ Number of monitoring visits received by programs. Describe

(optional)CCFS records information on every inspection performed for all reasons.
☒ Caseload of licensing staff. Describe (optional) *CCFS collects information concerning which cases are overseen by which staff and can run reports on caseloads.*
☐ Number of programs revoked from CCDF due to non-compliance with health and safety requirements. Describe (optional)_____
☒ Other. *Describe CCFS has been programmed to report on a multitude of statistical data, such as: number of applications in process, number and variety of violations, status of violations, number of overdue inspections, safety assessments in process, completed or overdue etc.*
☐ None

b) **Performance measurement**. What, if any, performance measures does the State/Territory use in its licensing system to monitor compliance with CCDF health and safety requirements?
As noted above, the Child Care Facility System (CCFS), a statewide automated database, includes data on the number and variety of regulatory violations, the enforcement status of every regulated child care program in the state, and other variables relevant to compliance with health and safety requirements. OCFS uses this information primarily as a management tool. It is also used to inform the development of CCDF-funded professional development for both providers and regulatory staff. In addition, OCFS can evaluate performance measures on licensing and health and safety requirements such as: the timeliness of initial licensing; renewal licensing; complaint investigations; safety assessments; and the number, type, and timeliness of completed inspections. Regional Office managers can assess this info against the caseloads of the staff in their offices. Home Office can also evaluate Regional Office operations, targets, and overall compliance with statutory and policy guidelines. OCFS's contracted registration offices, which operate by way of performance-based contracts, are also assessed using these standards, and can be fiscally penalized for not meeting contractually agreed-upon standards. Besides data from CCFS, OCFS also has the benefit of information shared by the NY Department of Health (DOH) Child and Adult Care Food Program (CACFP). For example, DOH frequently notifies OCFS if, during a CACFP site visit, overcapacity violations are observed; also if extremely poor conditions exist in the household. In essence, this provides OCFS with an "extra pair of eyes."

c) **Evaluation**. What, if any, are the State/Territory's plans for evaluation related to licensing and health and safety? Evaluation can include efforts related to monitoring implementation of an initiative, validation of standards or assessment tools, or looking at outcomes in programs or the system and may be ongoing or conducted periodically.
In addition to what is described in b) above, OCFS is currently developing a series of monthly management reports that will pull data from its Child Care Facility System (CCFS) to identify trends, workloads, timeliness, adherence to regulatory requirements, inspection reasons, and follow-up monitoring data. These reports will be used as tools for regional managers to assess their office workloads, identify

problem areas and institute changes to better serve children in child care settings. OCFS is also taking first steps in a plan to require approval of both trainers and training topics that will meet the 30-hour training requirement for all caretakers in regulated child care programs. This plan will include an electronic system that will store all information concerning approved training programs, approved trainers, individual training records, and associated work sites, topic areas and hours completed. OCFS will begin to monitor all programs for compliance with recent changes in law that require that a staff person trained in CPR and First Aid be on-site at all times the program is in operation.

3.1.7 Goals for the next Biennium - In this section, Lead Agencies are asked to identify at least one goal for the upcoming biennium. Lead Agencies are encouraged to include measurable and achievable goals. Lead Agencies may include existing goals (e.g., already identified in a State strategic plan or established by the Governor for a Lead Agency). ACF will target technical assistance efforts to help Lead Agencies achieve their goal(s). Lead Agencies are not required to establish a goal for each sub-section of 3.1. What are the Lead Agency's goals for the licensing and health and safety system in the coming biennium? What progress does the State/Territory expect to make on core areas (e.g. higher licensing standards, more programs covered by licensing standards or health and safety requirements, more frequent visits or other effective enforcement, improved technical assistance, or fewer serious non-compliances?)

Regulated Child Care

OCFS has begun a comprehensive review of its child care regulations. This includes reaching out to unions, providers, parents, child care resource and referral agencies, sister State agencies, and many other child care stakeholders. The changes will reflect new laws such as: additional reporting requirements concerning child abuse reports, requiring that there be a caretaker with CPR and first aid in all child care settings during the hours of operation, strengthening regulations for aquatic activities, reviewing the need for physical activities for all children in child care, limiting screen time activities, re-evaluating health and infection control standards, expanding the definition and requirements for adequate supervision, prohibiting physical restraints, updating crib standards to comply with federal standards and much more. In addition, recent changes in New York State law allow child care programs to be licensed or registered for a period of four years (was two years). This change will permit OCFS inspectors to focus on their presence in the field (announced and unannounced site visits), rather than completing applications and renewal paperwork. The longer renewal period, together with the introduction of hand-held computers, which will provide access to CCFS while in the field, is expected to change both the method by which licensors complete office work and the number of inspection visits in the field. OCFS has as its goal to increase the number of routine announced visits. More frequent site visits are expected to increase technical assistance, compliance with regulatory standards, and help to identify problems before they

become serious non-compliance issues. The legal process involved in authorizing proposed regulations and the roll- out plan will extend through the coming biennium.

Exempt Care
As part of a larger-scale review of New York State's child care subsidy regulations and policies, OCFS will conduct a targeted review of policies and regulations related to the enrollment and ongoing monitoring of legally-exempt child care providers.

Orientation
In order to provide prospective child care providers an overview of the regulatory requirements for operating child care in New York State, a mandatory orientation session is being developed. It is hoped that better informed individuals will be better prepared to take on the obligations and responsibilities associated with providing safe and reliable child care.

Child Health
OCFS will continue to work collaboratively with the New York State Department of Health concerning data sharing, lead poisoning in children, obesity prevention, and fetal alcohol spectrum disorders.

3.2 Establishing Voluntary Early Learning Guidelines (Component #2)

For purposes of this section, voluntary early learning guidelines include the expectations for what children should know (content) and be able to do (skills). The term *early learning guidelines* (ELGs) refers to age-appropriate developmental learning guidelines for infants and toddlers and school-age children. These guidelines are voluntary in that States/Territory are not mandated to develop such guidelines or implement them in a specified manner.

3.2.1 Has the State/Territory developed voluntary early learning guidelines for children? Check any early learning guidelines the State/Territory has developed.

☒ Birth-to-three
☒ Three-to-five
☒ Five years and older
☐None.**Skip to 3.2.6.**

If yes, insert web addresses, where possible:

Which State/Territory agency is the lead for the early learning guidelines? *The Council on Children and Families, through the Early Childhood Advisory Council (ECAC) has developed early learning guidelines for children ages birth through 5; The New York State Education Department has developed early learning standards for what children should be able to know and do by the end of their pre-school experience, upon entering kindergarten. The State Education*

Department also has standards for children age 5 (kindergarten) and older. The early learning guidelines developed by the ECAC's Workforce Development Work Group are in draft form (see http://www.ccf.state.ny.us/TempPosting/appendix3_2_1_1_ELG.pdf*) and will soon be distributed to key stakeholders for vetting. They have been aligned with the State Education Department's Pre-Kindergarten Standards (*http://www.p12.nysed.gov/upk*) and the recently-published Head Start Child Outcomes Framework (see http://www.hsnrc.org/cdi/pdfs/UGCOF.pdf for a copy of the framework).*

3.2.2 Do the early learning guidelines cover a range of domains across physical, cognitive, and social and emotional development? Check all that apply for each age group as applicable in the chart below.

Domains	**Birth-to-Three ELGs**	**Three-to-Five ELGs**	**Five and Older ELGs**
Physical development and health	☒	☒	☒
Social and emotional development	☒	☒	☒
Approaches to learning	☒	☒	☒
Logic and reasoning (e.g., problem-solving)	☒	☒	☒
Language development	☒	☒	☒
Literacy knowledge and skills	☒	☒	☒
Mathematics knowledge and skills	☒	☒	☒
Science knowledge and skills	☒	☒	☒
Creative arts expression (e.g., music, art, drama)	☒	☒	☒
Social studies knowledge and skills	☒	☒	☒
English language development (for dual language learners)	☒	☒	☐
List any domains not covered in the above _____	☐	☐	☐
Other. Describe ____ ____	☐	☐	☐

3.2.3 To whom are the early learning guidelines disseminated and in what manner? Check all audiences and methods that your State/Territory has chosen to use in the chart below.

	Information Dissemination	Voluntary Training	Mandatory Training
Parents in the child care subsidy system	☐	☐	☐
Parents using child care	☐	☐	☐

more broadly			
Practitioners in child care centers	☐	☐	☐
Providers in family child care home homes	☐	☐	☐
Practitioners in Head Start	☐	☐	☐
Practitioners in Early Head Start	☐	☐	☐
Practitioners in public Pre-K program	☐	☐	☐
Practitioners in elementary schools	☐	☐	☐
Other. List_____	☐	☐	☐

3.2.4Are voluntary early learning guidelines incorporated into other parts of the child care system? Check which ways, if any, the State/Territory incorporates its early learning guidelines into other parts of the child care system.

☐ To define the content of training required to meet licensing requirements
☐ To define the content of training required for program quality improvement standards (e.g., QRIS standards)
☐ To define the content of training required for the career lattice or professional credential
☐ To require programs in licensing standards to develop curriculum/learning activities based on the voluntary ELGs
☐ To require programs in quality improvement standards to develop curriculum/learning activities based on the voluntary ELGs
☐ To develop State-/Territory –approved curricula
☐Other. List_____
☒None.

3.2.5 Are voluntary early learning guidelines aligned with into other parts of the child care system? Check the standards, if any, with which the State/Territory aligns its early learning guidelines.

☒Cross-walked to align with Head Start Outcomes Framework
☐ Cross-walked to align with K-12 content standards
☒Cross-walked to align with State/Territory pre-k standards
☐ Cross-walked with accreditation standards
☐Other. List _____
☐None.

3.2.6 Describe how your State/Territory uses ongoing assessments and measures of school readiness assessment using the following series of questions. In this section, assessment is framed with two distinct purposes/tools – 1) ongoing assessment of children's progress within the classroom to improve and individualize instruction (this corresponds to 3.2.6a) and 2) assessments conducted at

kindergarten entry to inform policymakers about the school readiness of children across the State on a broad range of domains, used to guide program initiatives (this corresponds to 3.2.6b).

In the description for each Yes response, please include a) who administers and b) how often assessments are conducted.

a) Are programs required to conduct ongoing assessments of children's progress of children using measures aligned with the early learning guidelines or other child standards?

☐ Yes. Describe _____

b-1) If yes, are programs encouraged to use information from ongoing assessments to improve practice and individual children's needs?

☐ Yes. Describe _____
☐ No
☐ Other. Describe _____

b-2) If yes, is information on child's progress reported to parents?

☐ Yes. Describe_____
☐ No
☐ Other. Describe _____

☒ No
☐ Other. Describe _____

b) Does the State/Territory use measures to track the readiness of children as they kindergarten?

☐ Yes. Describe_____

c-1) If yes, do the measures cover the developmental domains identified in 3.2.2?

☐ Yes. Describe_____
☐ No
☐ Other. Describe_____

c-2) If yes, are the measures used on all children or samples of children?

☐ All children. Describe _____
☐ Samples of children. Describe _____
☐ Other. Describe _____

c-3) If yes, is the information from the school readiness measures used to target program quality improvement activities?

☐ Yes. Describe _____
☐ No

☐Other. Describe _____

☒No
☐Other. Describe _____

c) Is school readiness information linked to the statewide longitudinal data system (SLDS, program of the Department of Education)?

☐ Yes. Describe _____
☐ No
☒ Not applicable. State does not have an SLDS.

3.2.7 Data & Performance Measures on Voluntary Early Learning Guidelines – What data elements, if any, does the State/Territory have access to on the dissemination of, implementation of, or children's attainment of the early learning guidelines? What, if any, performance measures does the State/Territory use for dissemination and implementation of the early learning guidelines? The purpose of these questions is for Lead Agencies to provide a description of their capacity to provide information, not to require Lead Agencies to collect or report this information. For any data elements checked in (a) below, Lead Agencies may provide an optional description about the data they have access to (e.g., the Lead Agency may have data for only licensed programs, only programs caring for children receiving CCDF subsidies, only providers participating in quality improvement systems, or only for certain age groups (e.g., infants and toddlers or school-age children).

a) **Data on voluntary early learning guidelines**. Indicate if the Lead Agency or another agency has access to data on:

☐ Number/percentage of child care providers trained on ELG's for preschool aged children. Describe (optional) _____
☐ Number/percentage of child care providers trained on ELG's for infants and toddlers. Describe (optional) _____
☐ Number of programs using ELG's in planning for their work. Describe (optional)_____
☐ Number of parents trained on or served in family support programs that use ELG's. Describe (optional) _____
☐Other. Describe _____
☒None

b) **Performance measurement**. What, if any, are the Lead Agency's performance measures related to dissemination and implementation of the early learning guidelines? _____

c) **Evaluation**. What are the State/Territory's plans, if any, for evaluation related to early learning guidelines and the progress of children in child care? Evaluation can include efforts related to monitoring implementation of an initiative validation of standards or program assessment tools, or looking at outcomes in programs or the system and may be ongoing or conducted

periodically. _____

3.2.8 Goals for the next Biennium - In this section, Lead Agencies are asked to identify at least one goal for the upcoming biennium. Lead Agencies are encouraged to include measurable and achievable goals. Lead Agencies may include existing goals (e.g., already identified in a State strategic plan or established by the Governor for a Lead Agency). ACF will target technical assistance efforts to help Lead Agencies achieve their goal(s). What are the Lead Agency's goals for using voluntary early learning guidelines in the coming biennium? What progress does the Lead Agency expect to make related to early learning guidelines? *During the next biennium, the Early Learning Guidelines (ELG) will be revised subsequent to the review of stakeholders in the field, and professional development activities will be organized to assist programs in understanding the appropriate ways to use them for focused program improvement and as a means to document child progress. Also during the next biennium, the draft standards for QUALITYstarsNY will be revised based on the Field Test that was completed in December, 2010. The ELG are referenced in the current draft standards; the new draft standards will include extra points for programs that implement the ELG and include a curriculum that has been aligned with the ELG.*

3.3 Creating Pathways to Excellence for Child Care Programs through Program Quality Improvement Activities (Component #3)

Many States have chosen to use targeted quality funds and other resources to develop a systematic framework for evaluating, improving, and communicating the level of quality in early childhood programs (i.e. QRIS). States and Territories will provide a self-assessment on current program quality improvement activities by responding to questions in this section and then describe their goals for the upcoming Biennium.

For purposes of this section, States and Territories will respond according to a Quality Rating and Improvement System (QRIS) framework. QRIS refers to a systematic framework for evaluating, improving and communicating the level of quality in early childhood programs and contains five key elements:

1. Program standards
2. Supports to programs to improve quality
3. Financial incentives and supports
4. Quality assurance and monitoring
5. Outreach and consumer education

While not all States and Territories have developed or implemented a formal QRIS, all are pursuing quality improvement strategies that can be described within this framework (based upon previous CCDF Plans). Over time, States and Territories are encouraged to work on linking their quality improvement initiatives and strategies across all of these elements, culminating in a comprehensive Quality Rating and Improvement System with adequate support for providers to attain higher levels of quality and transparency for parents and the community regarding the quality of child care.

a) Describe which entities are involved in planning and administering the program quality improvement activities in 3.3, including State/Territory entities and local or community level entities. *The Quality Improvement Work Group (QIWG) of the Early Childhood Advisory Council (ECAC) is the group with primary responsibility for the development and implementation of standards for QUALITYstarsNY, New York State's quality rating and improvement system. The QIWG is co-chaired by leaders from the New York State Education Department (NYSED), the child care administrator from the Office of Children and Family Services (OCFS) and a nationally-recognized expert in quality rating and improvement systems. Membership in the QIWG includes advocates, child care resource and referral agencies, private sector child care providers, foundations committed to supporting the field of early care and education, professional development partners, staff from the Civil Service Employees Association (CSEA), other state agencies whose mission intersects with this topic and the Head Start Collaboration Project. The field test of QUALITYstarsNY was funded by ARRA resources and administered by the City University of New York's Early Childhood Professional Development Institute. Third-party evaluation results from the field test were released and reported to the QIWG, which is responsible for making necessary revisions to the program standards and overall design of the system. It will also be the responsibility of the QIWG to draft standards for school-age child care programs, which have not yet been included in QUALITYstarsNY.*

Information for the following sections is provided, where possible, from the experience with the field test of QUALITYstarsNY. Some sections, such as 3.3.1 below, are relevant and appropriate given New York's efforts, through the field test of QUALITYstarsNY, in developing and testing the draft standards for programs. The content of other sections, including 3.3.3, 3.3.4, and 3.3.5, were not included as part of the scope of the field test. These areas will be addressed during the next biennium as we move closer toward full implementation of QUALITYstarsNY.

3.3.1 Element 1 – Program Standards

Definition – For purposes of this section, program standards refers to the expectations for quality, or quality indicators, which identify different levels of and pathways to improved quality. Minimum licensing standards and health and safety requirements provided in section 3.1 are also program standards but in this section, we focus on those standards that build upon and go beyond those minimum requirements.

a) Does your State/Territory's have quality improvement standards that include indicators covering the following areas beyond what is required for licensing? Check any indicators, if any, that your State/Territory has chosen to establish.

- ☐ Ratios and group size
- ☒ Health, nutrition and safety
- ☒ Learning environment and curriculum
- ☒ Staff/Provider qualifications and professional development
- ☒ Teacher/providers-child relationships

☒Teacher/provider instructional practices
☒Family partnerships and family strengthening
☒Community relationships
☒Administration and management
☒Developmental screenings
☒Child assessment for the purposes of individualizing instruction and/or targeting program improvement
☒Cultural competence
☐Other. Describe_____
☐None. If checked, skip to 3.3.2.

b) Does your State/Territory have quality improvement standards with provisions about the care of any of these groups of children? Check any provisions your State/Territory has chosen to establish.

☒Children with special needs as defined by your State/Territory
☒Infants and toddlers
☐ School-age children
☒Children who are dual language learners
☐ None

c) How do your State/Territory's quality standards link to State/Territory licensing requirements? Check any linksbetween your State/Territory's quality standards and licensing requirements.

☒Licensing is a pre-requisite for participation
☒Licensing is the first tier of the quality levels
☐ State/Territory license is a "rated" license.
☐Other. Describe _____
☐ Not linked.

d) Do your State/Territory's quality improvement standards align with or have reciprocity with any of the following standards? Check any alignment, if any, between your State/Territory's quality standards and other standards.

☐ Programs that meet State/Territory pre-k standards are able to meet all or part of the quality improvement standards (e.g., content of the standards is the same, or there is a reciprocal agreement between pre-k and the quality improvement system)
☒Programs that meet Federal Head Start Performance Standards are able to meet all or part of the quality improvement standards (e.g., content of the standards is the same, or there is a reciprocal agreement between Head Start and the quality improvement system)
☒Programs that meet national accreditation standards are able to meet all or part of the quality improvement standards (e.g., content of the standards is the same, or an alternative pathway to meeting the standards)
☐Other. Describe_____

☐ None

3.3.2 Element 2 –Supports to Programs to Improve Quality

Definition – For purposes of this section, supports to programs to improve quality refers to such activities as technical assistance and consultation services for programs to assist in meeting child care quality improvement standards.

a) Check which types of and for what purposes the State/Territory uses supports to child care programs, if any, in the following chart. If none, skip to 3.3.3.

Types and Purposes of Support	**Information or Written Materials**	**Training**	**On-Site Consultation**
☒ Attaining and maintaining licensing compliance	☒	☐	☐
☒ Attaining and maintaining quality improvement standards beyond licensing	☒	☐	☐
☐ Attaining and maintaining accreditation	☐	☐	☐
☒Providing targeted technical assistance in specialized content areas:			
Health and safety	☒	☒	☒
Infant/toddler care	☒	☒	☒
School-age care	☐	☐	☐
Inclusion	☒	☒	☒
Teaching dual language learners	☒	☒	☒
Mental health	☒	☒	☒
Business management practices	☒	☒	☒
Other. Describe_____	☐	☐	☐
☐ None. Skip to 3.3.3.			

b) Methods used to customize quality improvement supports to the needs of individual programs include:

☒Program improvement plans
☒Technical assistance on the use of program assessment tools
☐Other. Describe _____

c) Is technical assistance linked to entering the QRIS or targeted to help programs forward on QRIS?

☒Yes. Describe *Based on the program's scores on the applicable Environmental Rating Scale, and other factors that were assessed as*

part of the field test of QUALITYstarsNY, a Quality Improvement Plan was developed by the program with the help of a Quality Improvement Consultant. Professional development has been available with the use of targeted scholarship funds and selected intensive technical assistance support from local child care resource and referral agencies. This scholarship support will be continued during the next biennium
☐ No
☐Other. Describe _____

3.3.3 Element 3 – Financial Incentives and Supports

Definition – For purposes of this section, financial incentives refers to the types of monetary supports offered to programs in meeting and sustaining licensing and QRIS or other child care quality improvement standards for programs.

a) Identify which types of financial incentives are offered and to which providers in the following chart. Check which incentives and supports, if any, the State/Territory chooses to offer. If none, skip to 3.3.4.

Types of Financial Incentives and Supports for Programs	Child Care Centers	Child Care Homes	License-Exempt Providers
☒ Grants to programs to meet or maintain licensing	☐	☒	☐
☐ Grants to programs to meet QRIS or similar quality level	☐	☐	☐
☐ One-time awards or bonuses on completion of quality standard attainment	☐	☐	☐
☐ Tiered reimbursement tied to quality for children receiving subsidy	☐	☐	☐
☐ On-going, periodic grants or stipends tied to maintaining quality	☐	☐	☐
☐ Tax credits tied to meeting program quality standards	☐	☐	☐
☐ Other. Describe _____	☐	☐	☐
☐None. Skip to 3.3.4.	☐	☐	☐

3.3.4 – Element 4 - Quality Assurance and Monitoring

Definition – For purposes of this section, quality assurance and monitoring refers to the ways that the State/Territory measures program quality for the purposes of its QRIS or other quality improvement system and the methods for measuring that the child care quality improvement standards for programs are met initially and maintained over time.

a) What tools, if any, does the State/Territory use to measure and monitor the quality of programs? Check all that apply and briefly describe using the chart below, including which programs are required to participate and the frequency of assessments. **If none, skip to 3.3.5.**

Types of Program Quality Assessment Tools	**Child Care Centers**	**Child Care Homes**	**License-Exempt Providers**
☒Environment Rating Scales (e.g., ECERS, ITERS, SACERS, FDCRS) Describe, including frequency of assessments. *The ECERS-R, ITERS-R and FCCERS were the main independent assessment tools used in the field test of QUALITYstarsNY, and it is expected that they will be used when NY's QRIS is eventually brought to scale.*	☒ Infant/Toddler ☒Preschool ☒School-Age	☒	☐
☐ Classroom Assessment Scoring System (CLASS) Describe, including frequency of assessments. _____	☐	N/A	☐
☐ Program Administration Scale (PAS) for child care centers or Business Administration Scale (BAS) for family child care homes Describe, including frequency of assessments._____	☐	☐	☐
☐ Customized instrument, including submission of written documentation, developed for State/Territory quality improvement system. This may include instruments developed for quality improvements in 21st CenturyLearningCenter programs Describe, including frequency of assessments. _____	☐	☐	☐
☒ Other. Describe *As part of the field test of NY's QRIS, QUALITYstarsNY, a sample of preschool classroom in child care centers were assessed using the Supports for Early Literacy Assessment (SELA) and the Supports for Social-Emotional Growth Assessment (SSEGA); and a sample of infant/toddler classrooms and family child care homes were observed using the Program for Infant/Toddler Care Program Assessment Ratings Scale (PARS). Their continued use going forward has not yet been determined.*	☒	☒	☐
☐ None. Skip to 3.3.5.	☐	☐	☐

b) What steps, if any, has the State/Territory taken to align quality assurance and monitoring across funding streams and sectors in order to minimize duplication?

☐ Have a mechanism to track different quality assessments/monitoring activities to avoid duplication
☐ Include QRIS or other quality reviews as part of licensing enforcement

☐ Have compliance monitoring in one sector (e.g., Head Start/Early Head Start, State/Territory pre-k) serve as validation for compliance with quality improvement system (e.g., QRIS) without further review
☐Have monitoring for meeting accreditation standards serve as validation for compliance with quality improvement system (e.g., QRIS) without further review
☐Other. Describe _____
☒None

3.3.5 – Element 5 - Outreach and Consumer Education

Definition – For purposes of this section, outreach and consumer education refers to the strategies used to promote the child care quality improvement standards to parents, programs and the general public.

a) Does the State/Territory use symbols or simple icons to communicate levels of quality for child care programs beyond what may communicated to parents about licensing status and licensing compliance as reported in 3.1.3? (e.g. stars, or gold/silver/bronze levels).

☒Yes. If yes, how is it used?
☐ Resource and referral/consumer education services use with parents seeking care
☐ Parents enrolling in child care subsidy are educated about the system and the quality level of the provider that they are selecting
☐ Searchable database on the web
☐ Voluntarily, visibly posted in programs
☐ Mandatory to post visibly in programs
☐ Used in marketing and public awareness campaigns
☒Other. Describe *The quality rating and improvement system field test focused on the standards and did not actually rate programs. Once implemented, QUALITYstarsNY will issue 1 to 5 stars. We anticipate utilizing most of the strategies listed above.*
☐ No. If no, skip to 3.3.6.

b) Does the State/Territory use any forms of media to reach parents and the public to communicate about levels of quality for child care programs? Check which forms, if any, the State/Territory uses to communicate levels of quality for child care programs.

☐ Print
☐ Radio
☐ Television
☐ Web
☐ Telephone
☐ Social Marketing
☐Other. Describe_____

☒None

c) Describe any targeted outreach for culturally and linguistically diverse families.
_____

3.3.6. Quality Rating and Improvement System (QRIS)

a) **Based on the five key elements of a QRIS described above in 3.3.1 through 3.3.5,** does your State/Territory have a quality rating and improvement system (QRIS) or similar quality improvement system in place?

☐ Yes, the State/Territory has a QRIS or similar quality improvement system that includes linked activities in all five elements operating State/Territory-wide.
- ☐ Participation is voluntary for _____
- ☐ Participation is mandatory for _____

☒Yes, the State/Territory has a QRIS or similar quality improvement system that includes linked activities in all five elements operating as a pilot or in a few localities but not State/Territory-wide.

☐ No, the State/Territory does not have a QRIS or similar quality improvement system that includes linked activities in all five elements.
- ☐ State/Territory is in the development phase
- ☐ State/Territory has no plans for development

☐Other. Describe_____

b) If yes to 3.3.6a, **CHECK** the types of providers eligible to participate in the QRIS:

☒Child care centers
☒Group child care homes
☒Family child care homes
☐ In-home child care
☐ License exempt providers
☒Early Head Start programs
☒Head Start programs
☒Pre-kindergarten programs
☐ School-age programs
☐Other. Describe_____

3.3.7. If the State/Territory has or will have any quality improvement strategies for targeted groups of providers (e.g., relative caregivers or caregivers who are legally exempt from licensing) that are not described in your responses to any question in section 3.3 above, please describe.

Legally-exempt providers are eligible for an enhanced subsidy rate by participating in 10 hours of professional development a year.

3.3.8 Data & Performance Measures on Program Quality – What data elements, if any, does the State/Territory currently have access to related to the quality of programs? What, if any, does the State/Territory use for performance measures on

program quality improvement? The purpose of these questions is for Lead Agencies to provide a description of their capacity to provide information, not to require Lead Agencies to collect or report this information. For any data elements checked in (a) below, Lead Agencies may provide an optional description about the data they have access to (e.g., the Lead Agency may have data for only licensed programs, only programs caring for children receiving CCDF subsidies, only providers participating in quality improvement systems, or only for certain age groups (e.g., infants and toddlers or school-age children).

a) **Data on program quality**. Indicate if the Lead Agency or another agency has access to data on:

- ☐ Data on the quality level for individual programs (e.g. QRIS level) as defined by your State/Territory. Describe (optional) _____
- ☐ Number of programs that move program quality levels annually (up or down). Describe (optional) _____
- ☐ Program scores on program assessment instruments. List instruments: _____ Describe (optional) _____
- ☐ Classroom scores on program assessment instruments. List instruments:_____ Describe (optional) _____
- ☐ Qualifications for teachers or caregivers with in each program. Describe (optional) _____
- ☐ Number/Percentage of children receiving CCDF assistance in licensed care. Describe (optional) _____
- ☐ Number/percentage of children receiving CCDF assistance who attend care at each of the tiers of the quality as defined by the State/Territory
- ☐ Number/Percentage of programs receiving financial assistance to meet higher program standards. Describe (optional) _____
- ☐ Other. Describe (optional) _____
- ☒ None

b) **Performance measurement**. What, if any, are the Lead Agency's performance measures on program quality? *None*

c) **Evaluation**. What, if any, are the State/Territory's plans for evaluation related to program quality? Evaluation can include efforts related to monitoring implementation of an initiative, validation of standards or assessment tools, or looking at outcomes in programs or the system and may be ongoing or conducted periodically. *None*

3.3.9 Goals for the next Biennium - In this section, Lead Agencies are asked to identify at least one goal for the upcoming biennium. Lead Agencies are encouraged to include measurable and achievable goals. Lead Agencies may include existing goals (e.g., already identified in a State strategic plan or established by the Governor for a Lead Agency). ACF will target technical assistance efforts to help Lead Agencies achieve their goal(s). Lead Agencies are not required to establish a goal for each sub-section in 3.3. What are the

State/Territory's goals for the program quality improvement system in the coming biennium? What progress does the State/Territory expect to make across the five key elements for quality improvement systems*? During the next biennium, the QUALITYstarsNY standards will be revised and a system of professional development will be developed to assist programs, regardless of the success of efforts to fully fund this quality rating and improvement system. Work will continue to align the technical assistance (consultation) support offered to programs via multiple sources and auspices.*

3.4 Pathways to Excellence for the Workforce – Professional Development Systems and Workforce Initiatives (Component #4)

Pathways to excellence for the workforce builds on the significant investments States and Territories have made in the area of professional development systems to ensure a well-qualified workforce with opportunities for growth from entry level through master teacher, with an increasing emphasis on the many additional roles in the child care system (e.g. adult educators such as consultants, technical assistance providers, trainers, and higher education faculty). In this section, States and Territories provide a self-assessment on current professional development and workforce activities and describe their goals for the upcoming Biennium.

For purposes of this section, States and Territories will respond according to five key elements for workforce systems:

1) Core Knowledge and Competencies
2) Career Pathways (or Career Lattice)
3) Professional Development Capacity
4) Access to Professional Development
5) Compensation, Benefits and Workforce Conditions

a) Describe which entities are involved in planning and administering the activities in Section 3.4, including State/Territory entities and local or community level entities. *The Workforce Development Work Group of the Early Childhood Advisory Council (ECAC) is dedicating efforts to many of the elements of the workforce system listed above. All of the work products are in draft form and will be vetted by stakeholders in the field as soon as possible.*

3.4.1 Workforce Element 1 - Core Knowledge and Competencies

Definition – For purposes of this section, core knowledge and competencies (CKCs) refers to the expectations for what the workforce should know (content) and be able to do (skills) in their role working with and/or on behalf of children and their families. These CKCs provide a foundation for professional development design (including instructional practices) and other quality improvement efforts.

a) Has the State/Territory developed core knowledge and competencies (CKCs) for practitioners working with and/or on behalf of children?

☒Yes
☐ No, the State/Territory has not developed core knowledge and competencies. Skip to question 3.4.2.
☐Other. Describe_____

If yes, insert web addresses, where possible: *See the previously published draft,* http://www.earlychildhoodnyc.org/pdfs/eng/NYS%20Core%20Knowledge%20with%20Crosswalk%2012-17-09.pdf, *and the current version of the revised draft,* http://www.ccf.state.ny.us/TempPosting/appendix3_4_1CoreBodyKnowledgeREvisedDraft.pdf .

b) Check which of the following teaching and learning topics, if any, are covered in the CKCs.

☒Child growth, development and learning
☒Health, nutrition, and safety
☒Learning environment and curriculum
☒Interactions with children
☒Family and community relationships
☒Professionalism and leadership
☒Observation and assessment
☒Program planning and management
☒Diversity
☐Other. Describe _____
☐ None

c) Are the CKCs incorporated into other parts of the child care system? Check which ways, if any, the State/Territory incorporates its CKCs into other parts of the child care system.

☐ To define the content of training required to meet licensing requirements
☐ To define the content of training required for program quality improvement standards (as reported in section 3.3)
☐ To define the content of training required career lattice or credential
☐ To correspond to the early learning guidelines
☐ To define curriculum and degree requirements at institutions of higher education
☐Other. Describe_____
☒None

d) Are the CKCs aligned with other State/Territory or national standards? Check which ways, if any, the State/Territory aligns its CKCs with other standards.

☒Cross-walked with the Child Development Associate (CDA) competencies
☐ Cross-walked with national teacher preparation standards (e.g., NAEYC standards for early childhood professional preparation, National Board of Professional Teaching Standards, Head Start SOLAR staff skills indicators)
☐ Cross-walked with apprenticeship competencies
☐Other. Describe _____
☐ None

e) Check for which roles, if any, the State/Territory developed supplemental or specialized competencies.

☐Staff working directly with children in centers, including aides, assistants, teachers, master teachers. Describe _____
☐Providers working directly with children in family child care homes, including aides and assistants. Describe _____
☐Administrators in centers (including educational coordinators, directors). Describe _____
☐Technical assistance providers (including mentors, coaches, consultants, home visitors, etc.). Describe _____
☐Education and training staff (such as trainers, CCR&R staff,faculty).Describe_____
☐Other. Describe_____
☒None

f) Check if the State/Territory has developed any supplemental or specialized competencies for practitioners/providers working with the following ages.

☐ Birth-to-three
☐ Three-to-five
☐ Five and older
☐Other. Describe _____
☒None

3.4.2 Workforce Element 2 - Career Pathways

Definition – For purposes of this section, career pathways (or career lattice) defines the options and sequence of qualifications and ongoing professional development to work with children. Career pathways assist professionals in understanding their career options and identify steps for advancement for the workforce recognizing and rewarding higher levels of preparation and mastery of practice to promote higher quality services for children.

a) Does the State/Territory have a career pathway which defines the sequence of qualifications related to professional development (education, training and technical assistance) and experience required to work with children?

☒Yes. Describe *A "career lattice" is under development that will help early childhood practitioners quantify their professional growth by taking account of their experience working in early childhood, their formal education, their participation in professional development, and their credentials and certifications. It will be part of a larger workforce registry that will verify and track the education, employment history, and professional development of directors, staff, and trainers.*
☐ No, the State/Territory has not developed a career pathway. Skip to question 3.4.3.

Insert web addresses, where possible: _____

b) Check for which roles, if any, the career pathways include qualifications, specializations or credentials.

☐ Staff working directly with children in centers, including aides, assistants, teachers, master teachers. Describe _____
☐ Providers working directly with children in family child care homes, including aides and assistants. Describe _____
☐Administrators in centers (including educational coordinators, directors). Describe _____
☐Technical assistance providers (including mentors, coaches, consultants, home visitors, etc.). Describe _____
☐Education and training staff (such as trainers, CCR&R staff, faculty).Describe_____
☒Other. Describe *The "career lattice" is designed to apply multiple kinds of early learning programs, not just child care. Therefore, in recognition of the different roles and program requirements, it is not a map of a career pathway, but a career calculator concept. Once finalized, it will be the basis for an online worksheet that will calculate accrued points for the early childhood professional.*
☐ None

c) Does the career pathways (or lattice) include specializations or credentials, if any, for working with any of the following children?

☒ Infants and toddlers
☒ Preschoolers
☒ School-age children
☐ Dual language learners
☒ Children with disabilities, children with developmental delays, and children with other special needs
☐Other. Describe_____
☐ None

d) In what ways, if any, is the career pathway (or lattice) used?

☐ Voluntary guide and planning resource
☐Required placement for all practitioners and providers working in programs that are licensed or regulated in the State/Territory to serve children birth to 13
☐Required placement for all practitioners working in programs that receive public funds to serve children birth to 13
☐Required placement for adult educators (i.e., those that provide training, education and/or technical assistance)
☐Required placement for participation in scholarship and/or other incentive and support programs
☐Required placement for participation in the QRIS or other quality improvement system
☒Other. Describe *Currently, this is a project of an interdisciplinary group of early childhood professional and representatives from institutions of higher education; once a final draft is developed, it will be shared with the field and revised as necessary prior to implementation.*
☐None

e) Are individuals' qualifications, professional development, and work experience verified prior to placement on the career pathway (or lattice?)?

☐ Yes. If yes, describe _____-
☒No

3.4.3 Workforce Element 3 – Professional Development Capacity

Definition – For purposes of this section, professional development incorporates higher education, training and technical assistance. Higher education capacity refers to capability of the higher education system to meet the needs of the diverse workforce including the provision of content that addresses the full range of development and needs of children. Training and technical assistance capacity refers to capability of the training and technical assistance system to meet the needs of the diverse workforce including the provision of content that addresses the full range of development and needs of children.

a) Has the State/Territory assessed the availability of degree programs in early-childhood education, school-age care or youth development, and related fields in the State/Territory (e.g., both physical location and distance-based, accessibility to practitioners, etc.)?

☐ Yes. If yes, describe_____
☒No

b) Has the State/Territory assessed the availability of early-childhood and school-age and related training and technical assistance programs in the State/Territory (e.g., both physical location and distance-based, degree level, etc.)?

☐ Yes. If yes, describe_____
☒No

c) What quality assurance mechanisms, if any, are in place for the degree programs and courses offered by the State/Territory institutions?

☐ Standards set by the institution
☒Standards set by the State/Territory higher education board
☐ Standards set by program accreditors
☐Other. Describe_____
☐ None

d) What quality assurance mechanisms, if any, are in place for the training and technical assistance programs offered by the State/Territory?

☒Training approval process. Describe: *A training approval process is being developed as an integral component of a statewide workforce registry. The New York City Early Childhood Professional Institute is working with a statewide group of early childhood stakeholders, both at the Early Childhood Advisory Council level and beyond, to build the framework that will constitute both the process and content of a training approval process.*
☒Trainer approval process. Describe: *The NYS Early Learning Trainer Credential is just beginning to be rolled out. There are two types of approved trainers: 1) credentialed trainers, the approval of whom is based on their experience working with children and families, their experience providing professional development, and their formal education; and 2) verified credentialed trainers, who are individuals who have completed approved training-of-trainer courses. The trainer approval process has been developed by the New York City Early Childhood Professional Development Institute in collaboration with the New York State Association for the Education of Young Children. For more information, see www.nycecpdi.org.*
☐Training and/or technical assistance evaluations. Describe_____
☐Other. Describe_____
☐ None

e) Does the State/Territory have articulation agreements in place across and within institutions of higher education?

☐ Yes. If yes, describe_____
☒No

f) Does the State/Territory have articulation agreements that translate training and/or technical assistance into higher education credit?

☐ Yes. If yes, describe_____
☒No

3.4.4 Workforce Element 4 – Access to Professional Development

Definition – For purposes of this section, access to professional development (training, education and technical assistance) refers to the degree to which practitioners are made aware of, and receive supports and assistance to utilize, professional development opportunities.

a) Does the State/Territory have professional development opportunities accessible for professionals in various or all sectors of the early childhood and school-age field?

☒Yes. If yes, for which sectors?
- ☒Child care
- ☒Head Start/Early Head Start
- ☒Pre-Kindergarten
- ☒Public schools
- ☒Early intervention/special education
- ☐Other. Describe_____

☐ No

b) Does the State/Territory have a State/Territory-wide, coordinated and easily accessible clearinghouse of information about professional development opportunities available to all members of the early childhood and school-age workforce? Lead Agencies are not required to have a professional development system, but States/Territories may develop such clearinghouses to promote access to professional development opportunities.

☐ Yes. If yes, describe_____
☒No

Insert web addresses, where possible:_____

c) What supports, if any, does the State/Territory provide to promote access to training and education activities?

☒Scholarships. *Describe The Education Incentive Program is a flexible scholarship program available to child care providers who meet income guidelines. Priority is given to training and/or professional development activities that offer credit or lead an appropriate early childhood credential. Funds are allocated twice a year and are available on a first-come, first-served bases to qualifying individuals.*
☒Free training and education. Describe *Free evening videoconference trainings are available to all NYS licensed child care providers. They are broadcast live, via satellite, from 6:45PM to 9:15 PM, to 90 training sites located throughout the state. Typically, about 2,000 providers attend each videoconference. Six of these trainings are offered per year; they address NY's required training topic areas, as*

well as the Child Development Associate (CDA) National Credentialing Program's trainings requirements. At each site, there are co-trainers to lead guided activities related to the program content. Attendees must participate in the activities to receive credit for the training and they are given a 10-question test at the end of the training that they must pass to receive a certificate for the training. In 2010, over 10,000 trainees attended videoconferences.

☐ Reimbursement for training and education expenses. Describe_____
☐ Grants. Describe_____
☐ Loans. Describe_____
☐ Loan forgiveness programs. Describe _____
☐ Substitute pools. Describe _____
☐ Release time. Describe_____
☐ Other. Describe_____
☐ None

d) Does the State/Territory have career advisors for early childhood and school-age practitioners?

☐ Yes. If yes, describe _____
☒ No

e) Does the State/Territory have mentors, coaches, consultants, and/or other specialists available to provide technical assistance to the workforce?

☒ Yes. If yes, describe *One of the core functions of New York State's network of child care resource and referral agencies (CCR&Rs) is to provide intensive technical assistance to local programs and providers. With CCDF support, all NYS CCR&R agencies are engaged in the process of meeting national quality assurance standards for CCR&R practice developed by the National Association of Child Care Resource and Referral Agencies (NACCRRA). One of the positive benefits of this will be a more consistent approach to intensive technical assistance across the state and more detailed and consistent collection of data on that work. In addition, seven CCR&Rs operate regional Infant and Toddler Resource Centers that provide support to programs caring for babies and toddlers. These centers have developed a pool of trained Infant Toddler Specialists who work closely with programs to improve quality in infant and toddler settings.*
☐ No

3.4.5 Workforce Element 5- Compensation, Benefits and Workforce Conditions

Definition – For purposes of this section, rewards for education and training refers to any financial supports provided to practitioners for participating in and completing education or training or for increasing compensation.

a) Does the State/Territory have a salary or wage scale for various professional roles?

☐ Yes. If yes, describe_____
☒No

b) Does the State/Territory provide financial rewards for participation in professional development, such as one-time salary bonuses for completing a training or education program?

☐ Yes. If yes, describe _____
☒No

c) Does the State/Territory provide sustained financial support on a periodic, predictable basis, such as annual wage supplements, based on the highest level of training and education achieved?

☐ Yes. If yes, describe _____
☒No

d) Does the State/Territory have a program to offer or facilitate benefits (e.g. health insurance coverage, retirement, etc.) to the workforce?

☐ Yes. If yes, describe _____
☒No

3.4.6 Data & Performance Measures on the Child Care Workforce – What data elements, if any, does the State/Territory currently have access to related to the child care workforce? What, if any, does the State/Territory use for performance measures on professional development and workforce initiatives? The purpose of these questions is for Lead Agencies to provide a description of their capacity to provide information, not to require Lead Agencies to collect or report this information. For any data elements checked in (a) below, Lead Agencies may provide an optional description about the data they have access to (e.g., the Lead Agency may have data for only licensed programs, only programs caring for children receiving CCDF subsidies, only providers participating in quality improvement systems, or only for certain age groups (e.g., infants and toddlers or school-age children).

a) **Data on the child care workforce**. Indicate if the Lead Agency or another agency has access to data on:

☒ Data on the size of the child care workforce. Describe (optional) *totals by staff role by modality (excluding child care centers in NYC, which are not subject to NYS regulation)*

☐Data on the demographic characteristics of practitioners or providers working directly with children. Describe (optional)_____
☐Records of individual teachers or caregivers and their qualifications. Describe (optional)_____
☐Retention rates. Describe (optional) _____
☐Records of individual professional development specialists and their qualifications. Describe (optional) _____
☒ Qualifications of teachers or caregivers linked to the programs in which they teach. Describe (optional): *OCFS reviews the qualifications of child care center teachers, aides, and family-based providers based on the minimum requirements in regulation. Many providers hold degrees which exceed the regulatory standards. OCFS does not keep records concerning standards above and beyond the basic qualifications needed to fill a position*.
☒Number of scholarships awarded. Describe (optional) *Educational Incentive Program data are available from the Lead Agency contractor*.
☐ Number of individuals receiving bonuses or other financial rewards or incentives. Describe (optional) _____
☐ Number of credentials and degrees conferred annually. Describe (optional)_____
☐Data on T/TA completion or attrition rates. Describe (optional) _____
☐Data on degree completion or attrition rates. Describe (optional)_____
☐Other. Describe_____
☐ None

b) Does the State/Territory have a workforce data system, such as a workforce registry, which tracks workforce demographics, compensation, and qualifications and ongoing professional development for practitioners working with children birth to age 13*? The Early Childhood Advisory Council Workforce Development Work Group is overseeing the development of a workforce staff registry, that will verify and track the education, employment history, and professional development of directors, staff, and trainers.*

Definition– For purposes of this section, a workforce data system refers to a system, such as a workforce registry, that tracks the size and characteristics of the child care workforce, including longitudinal data to monitor changes over time. The data system also can produce records to validate and verify qualifications or ongoing professional development for licensing, accreditation, QRIS, wage incentives, and credentials.

☐ Yes.

b-1) If yes, which roles are included in the workforce data system? For each role checked, indicate in your description whether participation is voluntary or mandatory.

☐ Staff working directly with children in centers, including

aides, assistants, teachers, master teachers. Describe _____
☐ Providers working directly with children in family child care homes, including aides and assistants. Describe _____
☐Administrators in centers (including educational coordinators, directors). Describe _____
☐Technical assistance providers (including mentors, coaches, consultants, home visitors, etc.). Describe _____
☐Education and training staff (such as trainers, CCR&R staff, faculty).Describe _____
☐Other. Describe_____
☐ None

b-2) Does the workforce data system apply to:
☐all practitioners working in programs that are licensed or regulated by the State/Territory to serve children birth to 13?
☐all practitioners working in programs that receive public funds to serve children birth to age 13?

☒No

c) **Performance measurement**. What, if any, performance measures does the State/Territory use related to its workforce and professional development systems? _____

d) **Evaluation**. What, if any, are the State/Territory's plans for evaluation related to its workforce and professional development systems? Evaluation can include efforts related to monitoring implementation of an initiative, validation of standards or assessment tools, or looking at outcomes in programs or the system and may be ongoing or conducted periodically.
_____

3.4.7 Goals for the next Biennium - In this section, Lead Agencies are asked to identify at least one goal for the upcoming biennium. Lead Agencies are encouraged to include measurable and achievable goals. Lead Agencies may include existing goals (e.g., already identified in a State strategic plan or established by the Governor for a Lead Agency). ACF will target technical assistance efforts to help Lead Agencies achieve their goal(s). Lead Agencies are not required to establish a goal for each sub-section in 3.4. What are the State/Territory's goals for the building the professional development system and improving conditions for the workforce in the coming biennium? What progress does the State/Territory expect to make across the five key elements for the workforce and professional development system described above?

Core Knowledge and Competencies
During the next biennium, the most significant progress in the establishment of a professional development system will most likely be seen in the first element described above. The "Core Body of Knowledge" review process has been ongoing since early 2010. Once the document is complete, the skills, competencies, and attitudes will

become a foundation for professional development across settings. Individuals working with young children will be able to chart their progress in the acquisition of these essential features of effective teaching.

Career Pathways
During the next biennium, the Career Lattice will be completed, the Pathways work will be reviewed, and both will be disseminated to the field. We anticipate that the Staff Registry will continue to be in development-without ample resources to develop its capacity as a statewide instrument, possible approaches may include limited pilot studies with targeted populations.

Professional Development Capacity
Included in the goals for the next biennium, the Early Learning Trainer Credential, now in its infancy, should become increasingly familiar to trainers and professional development specialists. By the end of the next biennium, our goal is to have a critical mass of experts registered and approved in the system, so as to set the stage for requiring that the training hours needed by providers to meet their regulatory training requirement (30 hours over two years) be obtained only from credentialed trainers or approved trainings. In addition, in support of the quality-improvement activities of the two unions that were elected to represent family-based child care providers – the United Federation of Teachers (UFT) for New York City-based providers and the Civil Service Employees Association (CSEA) for providers throughout the rest of the state – State general funds have been authorized to support a Professional Development Child Care Grant Program, a key component of which will be a Train-the-Trainer Program to develop a training base of providers that will work regionally to offer on-going child care workshops for legally-exempt providers to facilitate the completion of 10 hours or more of training annually. To expand availability and access to training, CSEA will utilize CSEA WORK Institute's online learning center to expand course content to include child care provider business record maintenance and management modules. The online courses will provide a supportive learning environment that promotes access to training by offering access 24/7. UFT will customize its professional development program by including the management of a training voucher program and the design, development, and presentation of video training sessions, web-based training, classroom training, and a coaching mentoring model that will serve to support the implementation of a research-based early childhood curriculum.

QUALITYstarsNY
New York State's quality rating and improvement system will continue to grow, even if slowly. While gradually expanding, it will reinforce the elements of an effective professional development system. As the standards are revised in the next biennium, possible incentives that can't be incorporated into the system will be considered. Extensive training and orientation activities are being planned for child care and early education staff to become more knowledgeable about the observation tools and self-assessment opportunities that exist. We are hopeful that an increase in the awareness

of the critical elements of what constitutes a quality early learning experience for young children on the part of providers will itself help child care providers to improve their practice.

AMENDMENTS LOG

CHILD CARE AND DEVELOPMENT FUND PLAN FOR: _____
FOR THE PERIOD: 10/1/11 – 9/30/12

Lead Agencies are required to request approval from Administration for Children and Families (ACF) whenever a "substantial" change in the Lead Agency's approved CCDF plan occurs. Please refer to the ACF Program Instruction regarding CCDF Plan amendments for more information
http://www.acf.hhs.gov/programs/ccb/law/guidance/current/pi2009-01/pi2009-01.htm

Plan amendments must be submitted to ACF within 60 days of the effective date of the change. Under the regulation, the plan amendment must be approved no later than the 90th day following the date on which the amendment is received by ACF unless the Lead Agency and ACF mutually agree in writing to extend the period. (§98.18 (b)).

ACF encourages Lead Agencies to contact the Child Care program staff in the appropriate ACF Regional Office to discuss any proposed amendment as early as possible.

Instructions for Submitting Amendments:

Complete the first 3 columns of the Amendment Log and send a copy of the Log (showing the latest amendment sent to ACF) and the amended section(s) to the ACF Regional Office contact. Lead Agency also should indicate the Effective Date of the amended section in the footer at the bottom of the amended page(s). A copy of the Log, showing the latest amendment pending in ACF, is retained as part of the Lead Agency's Plan.

ACF will complete column 4 and returns a photocopy of the Log to the grantee following its review and approval of the amendment. The Lead Agency replaces this page in the Plan with the copy of the Log received from ACF showing the approval date.

Note: This process depends on repeated subsequent use of the same Log page over the life of the Plan. At any time the Log should reflect all amendments, both approved and pending in ACF. The Lead Agency is advised to retain "old" plan pages that are superseded by amendments in a separate appendix to its Plan. This is especially important as auditors will review CCDF Plans and examine effective date of changes.

SECTION AMENDED	EFFECTIVE/ PROPOSED	DATE SUBMITTED TO	DATE APPROVED BY ACF

	EFFECTIVE DATE	ACF	

Appendix 1

Quality Performance Report

The purpose of this annual report is to capture State/Territory progress on improving the quality of child care. Specifically, this report will:

- Provide a national assessment of State's and Territory's progress toward improving the quality of child care, including a focus on program quality and child care workforce quality;
- Track State's and Territory's annual progress toward meeting high quality indicators and benchmarks, including those that they set for themselves in their CCDF Plans and those that are of interest to the U.S. Department of Health and Human Services in measuring CCDF program performance;
- Assist national and State/Territory technical assistance efforts to help States/Territories make strategic use of quality funds; and
- Assist with program accountability and compliance efforts tied to quality investments.

This report collects data in relation to the four components of child care quality used as a quality framework in Part 3 of the Child Care and Development Fund Plan for FY 2012-2013:

1. Ensuring health and safety of children through licensing and health and safety standards
2. Establishing early learning guidelines
3. Creating pathways to excellence for child care programs through program quality improvement activities
4. Creating pathways to an effective, well-supported child care workforce through professional development systems and workforce initiatives.

Lead Agencies are asked to provide the status on the State/Territory's progress in meetings its goals as reported in the FY 2012-2013 CCDF Plan, and provide data on the results of those activities. Because of the flexibility in administering the CCDF program, it is expected that Lead Agencies may not have information and data available to respond to all questions. At a minimum, Lead Agencies are expected to report on their progress toward meeting the goals articulated in the CCDF Plan for this Biennium. Lead Agencies may provide narrative updates in the data sections, including any plans for reporting data in the future, if actual data is not currently available.

This annual report will be submitted to ACF no later than December 31, 2012 and the first submittal will reflect the period October 1, 2011 through September 30, 2012.

Ensuring the Health and Safety of Children (Component #1)

In this section, Lead Agencies provide information on the minimum health and safety standards and activities in effect over the past year as of September 30, 2012.

A1.1 Progress on Overall Goals

Based on the goals described in the Lead Agency's CCDF Plan at Section 3.1.7, please report your progress using the chart below. You may include any significant areas of progress that that were not anticipated in the Plan, as well. For each goal listed, briefly describe the improvement with specific examples or numeric targets where possible (e.g., revised licensing regulation to include elements related to SIDS prevention, Lowered caseload of licensing staff to 1:50, or increased monitoring visits to twice annually for child care centers). If applicable, describe any barriers to implementing your planned goals.

Goals Described in FY 2012-2013 CCDF Plan	Describe Progress – Include Examples and Numeric Targets where Possible

Note: If your licensing standards changed during this period, please provide a brief summary of the major changes and submit the updated regulations to the National Resource Center for Health and Safety in Child Care (www.nrckids.org.)

A1.2 Key Data

A1.2.1 Number of licensed programs

a) How many licensed center-based programs operated in the State/Territory as of September 30, 2012? _____ or ☐ Data not available

b) How many licensed home-based programs operated in the State/Territory as of September 30, 2012? _____ or ☐ Data not available

c) Does the State/Territory have data on the number or percentage of programs (i.e., paid care provided on a regular basis by an unrelated caregiver outside of the child's own home) operating in the State/Territory are subject to licensing regulations?

☐ Yes. If yes, include the number/percentage of programs and describe

☐ No

A1.2.2 What percentage of programs received monitoring visits, and at what frequency, for each provider category during the last fiscal year?

a) What percentage of licensed center-based programs were visited as of the end of the last fiscal year? _____ What was the average number of visits? _____

b) What percentage of licensed family child care programs were visited as of the end of the last fiscal year? _____ What was the average number of visits? _____

c) What percentage of legally exempt providers, receiving CCDF were visited as of the end of the last fiscal year? What was the average number of visits? _____

☐ Data not available

A1.2.3 How many programs had their licenses suspended or revoked due to licensing violations as defined in your State/Territory during the last fiscal year?

	Suspended	Revoked
Licensed Centers		
Licensed Homes		
☐ Data not available		

A1.2.4 How many programs were terminated from participation in CCDF subsidies due to failure to meet licensing or minimum CCDF health and safety requirements during the last fiscal year?

Child Care Centers _____
Group Child Care Homes _____
Family Child Care Homes _____
In-Home Providers _____
☐ Data not available

A1.2.5 How many previously license-exempt providers were brought under the licensing system during the last fiscal year? _____

A1.2.6 How many injuries as defined by the State/Territory occurred in child care during the last year? Please indicate the universe of programs on which the number is based (e.g., licensed providers, CCDF providers, or all providers). _____

A1.2.6 How many fatalities occurred in child care as of the end of the last year? Please indicate the universe of programs on which the number is based (e.g., licensed providers, CCDF providers, or all providers). _____

Establishing Early Learning Guidelines (Component #2)

A2.1 Progress on Overall Goals

A2.1.1 Did the State/Territory make any changes to its voluntary early learning guidelines (including guidelines for school-age children) as reported in 3.2 during the last fiscal year?

☐ Yes. Describe _____
☐ No

A2.1.2 Based on the goals described in the Lead Agency's CCDF Plan at Section 3.2.8, please report your progress. You may include any significant areas of progress that that were not anticipated in the Plan, as well. For each goal listed, briefly describe the improvement with specific examples or numeric targets where possible (e.g., Expanded the number of programs trained on using the ELG's, Aligned the ELG's with Head Start Outcomes Framework). If applicable, describe any barriers to implementing your planned goals.

Goals Described in FY 2012-2013 CCDF Plan	Describe Progress – Include Examples and Numeric Targets where Possible

A2.2 Key Data

A2.2.1 How many programs were trained on early learning guidelines (ELG's) or standards over the last fiscal year?

Provider Categories	Birth to Three ELG's	Three-to-Five ELG's	Five and Older ELG's
How many center-based programs were trained on ELG's over the past year?	_____	_____	_____
How many children are served in program implementing the ELG's? Separate by age group if possible (e.g., infants and toddlers, preschoolers, school-age children)	_____	_____	_____
How many family child care programs were trained on ELG's over the past year?	_____	_____	_____
How many children are served in program implementing the ELG's? Separate by age group if possible (e.g., infants and toddlers, preschoolers, school-age children)	_____	_____	_____
How many legally exempt providers were trained on ELG's over the past year?	_____	_____	_____

Provider Categories	**Birth to Three ELG's**	**Three-to-Five ELG's**	**Five and Older ELG's**
How many children are served in programs implementing the ELG's? Separate by age group if possible (e.g., infants and toddlers, preschoolers, school-age children)	_____	_____	_____
☐ Data not available			

Pathways to Excellence for Child Care Programs through Program Quality Improvement Activities (Component #3)

A3.1 Progress on Overall Goals

A3.1.1 Based on the goals described in the Lead Agency's CCDF Plan at Section 3.3.9, please report your progress. You may include any significant areas of progress that that were not anticipated in the Plan, as well. For each goal listed, briefly describe the improvement with specific examples or numeric targets where possible (e.g., Expanded the number of programs included in the QRIS, Aligned the QRIS standards with Head Start performance standards, or expanded the number of programs with access to an on-site quality consultant). If applicable, describe any barriers to implementing your planned goals.

Goals Described in FY 2012-2013 CCDF Plan	**Describe Progress – Include Examples and Numeric Targets where Possible**

A3.2 Key Data

A3.2.1 How many programs received targeted technical assistance in the following areas during the last fiscal year?

Health and safety _____
Infant and toddler care _____
School-age care _____
Inclusion _____
Teaching dual language learners _____
Understanding developmental screenings and/or observational assessment tools for program improvement purposes _____
Mental health _____
Business management practices _____
☐ Data not available

A3.2.2 How many programs received financial support to achieve and sustain quality during the last fiscal year?

a) One-time, grants, awards or bonuses:

Child Care Centers _____
Family Child Care Homes _____
☐ Data not available

b) On-going or Periodic quality stipends:
Child Care Centers _____
Family Child Care Homes _____
☐ Data not available

A3.2.3 What is the participation rate (number and percentage) in the State/Territory QRIS or other quality improvement system for programs over the last fiscal year? When reporting the percentages, please indicate the universe of programs on which the percentage is based (e.g., licensed providers, CCDF providers, or all providers).

Child Care Centers QRIS _____ or Other Quality Improvement System _____
Family Child Care Homes QRIS _____ or Other Quality Improvement System _____
License-Exempt Providers QRIS _____ or Other Quality Improvement System _____
☐ Data not available

A3.2.4 How many programs moved up or down within the QRIS or achieved another quality threshold established by the State/Territory over the last fiscal year? If quality threshold is something other than QRIS, describe the metric used, such as accreditation.

Child Care Centers _____
Family Child Care Homes _____
License-Exempt Providers _____
☐ Data not available

A3.2.5 How many programs are at each level of quality? Describe metric if other than QRIS, such as accreditation.

Child Care Centers _____
Family Child Care Homes _____
License-Exempt Providers _____
☐ Data not available

A3.2.6 What percentage of CCDF subsidized children were served in a program participating in the State or Territory's quality improvement system during the last fiscal year? What percentage are in high quality care as defined by the State/Territory? **Note**. If the State/Territory does not have a formal QRIS, the State/Territory may define another quality indicator and report it here.

Percentage of CCDF children served in participating programs
Percentage of CCDF children served in high quality care (May define with assessment scores, accreditation, or other metric, if no QRIS.)
☐ Data not available

Pathways to Excellence for the Child Care Workforce: Professional Development Systems and Workforce Initiatives (Component #4)

A4.1 Progress on Overall Goals

A4.1.1 Based on the goals described in the Lead Agency's CCDF Plan at Section 3.4.7, please report your progress. You may include any significant areas of progress that that were not anticipated in the Plan, as well. For each goal listed, briefly describe the improvement with specific examples or numeric targets where possible (e.g., Implement a wage supplement program, Develop articulation agreements). If applicable, describe any barriers to implementing your planned goals.

Goals Described in FY 2012-2013 CCDF Plan	Describe Progress – Include Examples and Numeric Targets where Possible

A4.2 Key Data

A4.2.1 How many teachers/caregivers had the following qualifications as of the end of the last fiscal year?

	Child Care Center Teachers	Family Child Care Providers
Child Development Associate (CDA)		
State/Territory Credential		
Associate's degree		
Bachelor's degree		
Graduate/Advanced degree		
☐ Data not available		

A4.2.2 How many teachers/caregivers were included in the State/Territory's professional development registry during the last fiscal year?

Staff in child care centers _____
Family child care home providers _____
License-exempt practitioners _____
☐ Data not available

A4.2.3 How many teachers/caregivers received credit-based training and/or education as defined by the State/Territory during the last fiscal year?

Staff in child care centers _____
Family child care home providers _____
License-exempt practitioners _____
☐ Data not available

A4.2.4 How many credentials and degrees were awarded during the last fiscal year? If possible, list the type of credential or degree and in what type of setting the practitioner worked.

Setting	Type of Credential	Type of Degree
Staff in child care centers	List and provide number	List and provide number
Family child care home providers	List and provide number	List and provide number
License-exempt practitioners	List and provide number	List and provide number
☐ Data not available		

A4.2.5 How many teachers or other professionals received technical assistance such as coaching, mentoring or consultation during the last fiscal year? Describe any data you track on coaching, mentoring, or specialist consultation. If possible, include in what type of setting the practitioner worked.

Setting	Type of Technical Assistance
Staff in child care centers	List and provide number
Family child care home providers	List and provide number
License-exempt practitioners	List and provide number
☐ Data not available	

A4.2.6 What financial supports were funded over the past fiscal year to support teachers and caregivers in meeting and maintaining standards and qualifications as of the end of the last fiscal year?

☐ Scholarships. How many teachers received? _____
☐ Reimbursement for Training Expenses. How many teachers received? _____
☐ Loans. How many teachers received? _____
☐ Wage supplements. How many teachers received? _____
☐ Other. Describe _____
☐ Data not available

APPENDIX 2

CCDF PROGRAM ASSURANCES AND CERTIFICATIONS

The Lead Agency, named in Part 1 of this Plan, assures (§98.15) that:

(1) upon approval, it will have in effect a program that complies with the provisions of the Plan printed herein, and is administered in accordance with the Child Care and Development Block Grant Act of 1990 as amended, Section 418 of the Social Security Act, and all other applicable Federal laws and regulations. (658D(b), 658E(a))

(2) the parent(s) of each eligible child within the State who receives or is offered child care services for which financial assistance is provided is given the option either to enroll such child with a child care provider that has a grant or contract for the provision of the service; or to receive a child care certificate. (658E(c)(2)(A)(i))

(3) in cases in which the parent(s) elects to enroll the child with a provider that has a grant or contract with the Lead Agency, the child will be enrolled with the eligible provider selected by the parent to the maximum extent practicable. (658E(c)(2)(A)(ii))

(4) the child care certificate offered to parents shall be of a value commensurate with the subsidy value of child care services provided under a grant or contract. (658E(c)(2)(A)(iii))

(5) with respect to State and local regulatory requirements, health and safety requirements, payment rates, and registration requirements, State or local rules, procedures or other requirements promulgated for the purpose of the Child Care and Development Fund will not significantly restrict parental choice among categories of care or types of providers. (658E(c)(2)(A), §98.15(p), §98.30(g), §98.40(b)(2), §98.41(b), §98.43(c), §98.45(d))

(6) that children receiving services under the CCDF are age-appropriately immunized, and that the health and safety provisions regarding immunizations incorporate (by reference or otherwise) the latest recommendation for childhood immunizations of the State public health agency. (§98.41(a)(1))

(7) that CCDF Discretionary funds are used to supplement, not supplant, State general revenue funds for child care assistance for low-income families. (P.L. 109-149)

The Lead Agency also certifies that:

(1) it has procedures in place to ensure that providers of child care services for which assistance is provided under the Child Care and Development Fund afford parents unlimited access to their children and to the providers caring for their children during the normal hours of operations and whenever such children are in the care of such providers. (658E(c)(2)(B))

(2) it maintains a record of substantiated parental complaints and makes information regarding such complaints available to the public on request. (658E(c)(2)(C))

(3) it will collect and disseminate to parents of eligible children and the general public consumer education information that will promote informed child care choices. (658E(c)(2)(D))

(4) it has in effect licensing requirements applicable to child care services provided in the State. (658E(c)(2)(E))

(5) there are in effect within the State (or other area served by the Lead Agency), under State or local law, requirements designed to protect the health and safety of children; these requirements are applicable to child care providers that provide services for which assistance is made available under the Child Care and Development Fund. (658E(c)(2)(E))

(6) procedures are in effect to ensure that child care providers of services for which assistance is provided under the Child Care and Development Fund comply with all applicable State or local health and safety requirements. (658E(c)(2)(G))

(7) payment rates under the Child Care and Development Fund for the provision of child care services are sufficient to ensure equal access for eligible children to comparable child care services in the State or sub-State area that are provided to children whose parents are not eligible to receive assistance under this program or under any other Federal or State child care assistance programs. (658E(c)(4)(A))

CCDF Regulations 45 CFR §98.13(b)(2)-(6) require the following certifications.

1. **Assurance of compliance with Title VI of the Civil Rights Act of 1964:**
   http://www.hhs.gov/forms/HHS690.pdf

2. **Certification regarding debarment:**
   http://www.acf.hhs.gov/programs/ofs/grants/debar.htm

3. **Definitions for use with certification of debarment:**
   http://www.acf.hhs.gov/programs/ofs/grants/debar.htm

4. **HHS certification regarding drug-free workplace requirements:**
   http://www.acf.hhs.gov/programs/ofs/grants/drugfree.htm

5. **Certification of Compliance with the Pro-Children Act of 1994:**
   http://www.acf.hhs.gov/programs/ofs/grants/tobacco.htm

6. **Certification regarding lobbying:**
   http://www.acf.hhs.gov/programs/ofs/grants/lobby.htm

These certifications were obtained in the 1997 Plan and need not be collected again if there has been no change in Lead Agency. If there has been a change in Lead Agency, these certifications must be completed and submitted with the Plan.