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| LOCAL COMMISSIONERS MEMORANDUM |
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Transmittal No: 99 OCFS LCM-28

Date: September 30, 1999

Division: Development and
Prevention Services

TO: Local District Commissioners

SUBJECT: New York State Child Care Block Grant (NYSCCBG)
Subsidy Program Allocations

ATTACHMENTS: A: New York State Child Care Block Grant Allocation
B: Maintenance of Effort Level
C: Assurances
D: Eligible Families
(Available on-line)

The purpose of this Local Commissioners Memorandum (LCM) is to inform social services districts of their preliminary allocation and maintenance of effort (MOE) levels for the New York State Child Care Block Grant (NYSCCBG) subsidy program for the period April 1, 1999 through March 31, 2000, and to explain the allowable uses for these federal and State funds. The NYSCCBG allocation to districts includes in this issuance \$457,788,229, which is an increase of \$120 million in funds over the previous fiscal year. This LCM includes a set of assurances for compliance with federal and State legislation which must be agreed to by the local social services district, signed by the commissioner of the social services district, and returned to the Office of Children and Family Services by October 15, 1999 in order to access NYSCCBG funds.

The NYSCCBG is comprised of all of the federal child care funds appropriated under Title IV-A of the federal Social Security Act and additional federal funds the State chooses to transfer from the federal Temporary Assistance to Needy Families (TANF) Block Grant to the Child Care Development Block Grant (CCDBG), plus any State funds appropriated for child care subsidies and for activities to increase the availability and quality of child care programs. A portion of the NYSCCBG is to be allocated to social services districts to provide child care assistance to families in receipt of public assistance and to other low income families.

The State Budget for State Fiscal Year 1999-2000 includes appropriations for a child care reserve fund and for additional quality improvement activities and subsidy assistance. Districts will be notified of their additional subsidy allocations and their specific allocation and the requirements related to the child care reserve fund in a subsequent release.

ALLOCATION INFORMATION

Attachment A indicates district allocations of NYSCCBG subsidy funds for the period beginning April 1, 1999 and ending March 31, 2000. Allocations are listed on Attachment A for two six month periods to allow for the reporting of federal funds on a federal fiscal year basis. The allocations cover the period April 1, 1999 to September 30, 1999, the last half of federal fiscal year 1998-1999, and the period October 1, 1999 to March 31, 2000, the first half of federal fiscal year 1999-2000. Local social services districts were issued their NYSCCBG allocations for the first half of the federal fiscal year 1998-1999, October 1, 1998 through March 31, 1999, in 98 OCFS LCM-6. Any unspent NYSCCBG funds for the period October 1, 1998 to March 31, 1999 will be carried into and be available for the period ending September 30, 1999.

Each social services district may expend no more than five percent of its NYSCCBG allocation for administrative activities. Administrative activities do not include the costs of providing direct services such as eligibility determinations and re-determinations; preparation and participation in judicial hearings; child care placement; the recruitment, licensing, inspection, review and supervision of child care placements; rate setting; resource and referral services; training; and the establishment and maintenance of computerized child care information systems.

Districts, at their option, may make payments for eligible families for transportation to and from a child care provider. Districts will be reimbursed for transportation expenses charged by a child care provider that are separate and apart from the regular rate charged by the provider. Also, the district may make arrangements using other providers of transportation services. The cost of transportation is reimbursed as a program cost if the district has indicated in its Consolidated Services Plan that the district will use its NYSCCBG allocation to cover child care transportation costs. Any portion of a district's NYSCCBG allocation for the period October 1, 1998 through September 30, 1999 that is not claimed by the district by March 31, 2000 will be available to the district through the end of federal fiscal year 1999-2000, which is September 30, 2000. Claims for the period October 1, 1998 through September 30, 1999 cannot be rolled forward into the next federal fiscal year.

ELIGIBLE FAMILIES

There are three broad categories of families eligible for child care services under the NYSCCBG when such care is not otherwise eligible from a legally responsible relative of the child in need of services. Attachment D details the specifics for each of these categories.

The first category is families who are eligible for a child care guarantee.

Social services districts must guarantee child care services to families who have applied for or are in receipt of public assistance when such services are needed for a child under thirteen years of age in order to enable the child's custodial parent or caretaker relative to participate in activities required by a social services official including orientation, assessment or work activities as defined in 12 NYCRR Part 1300.9.

Social services districts must guarantee child care services to a family who is in receipt of public assistance when such services are needed for a child under 13 years of age in order to enable the child's custodial parent or caretaker relative to engage in work as defined by the social services district.

Child care assistance also must be guaranteed for a period up to twelve months after the month in which a family's eligibility for public assistance has ended due to an increase in income from employment or increased income from child support payments or because the family voluntarily ended assistance provided the family meets certain additional criteria.

The second category is families that are eligible if funds are available. This category includes such families as low income working families and teen parents who are completing high school.

The third category is families that are eligible if funds are available and if the district includes them as eligible families in the child care section of their consolidated services plan.

PARENTAL CHOICE

Social services districts must inform parents requesting NYSCCBG services that they may:

- a) choose to have care provided by one of the child day care providers with whom the social services district has contracted for the provision of child care services; or
- b) request a child care certificate which enables the parents to select from a full range of child care arrangements including care by child care providers, caregivers of informal child care and caregivers of legally-exempt group child care.

Parents must be given discretion in selecting or arranging for the purchase of child care services from any eligible provider. The case record should document that parents have been apprised of the full range of providers eligible for payment and of their right to elect to use a child care certificate. Social services districts must allow parents to select, and must have a method to pay, any and all legal providers with whom they do not contract. A contract may not be made a condition of receiving payment from NYSCCBG funds.

Changes in Section 410 of the Social Services Law require the State to establish additional health and safety standards for informal and legally-exempt providers who care for subsidized children. Local social services districts will be able to propose local standards in addition to the State standards. Enrollment forms will be revised to reflect the new State standards. Districts must inform families who may wish to utilize an informal or legally-exempt provider that payment may only be made to providers who meet these standards.

REIMBURSEMENT

Claims for expenditures for child care services for families receiving public assistance will be reimbursed at 75 percent with NYSCCBG funds up to the district's NYSCCBG allocation. Claims for expenditures for child care services for all other eligible families will be reimbursed at 100 percent NYSCCBG funds, as long as the district's MOE is maintained, up to the district's NYSCCBG allocation.

MAINTENANCE OF EFFORT

Social services districts must maintain local spending for child care services at a level established by the Office of Children and Family Services in accordance with State statute. The MOE for each social services district is listed in Attachment B. Note that the MOE has not changed from the previous year even though NYSCCBG funding has increased significantly.

The MOE was calculated by totaling the local district share of expenditures in federal fiscal year 1994-1995 for child care services claimed under the following categories: State Low Income Day Care program and administrative costs, Transitional Child Care, At-Risk Low Income Child Care, Child Care and Development Block Grant, Emergency Assistance to Families, JOBS-related child care and employment-related child care. In addition, the MOE for those social services districts participating in the Child Assistance Program (CAP) were adjusted to reflect the district share for federal fiscal year 1996-1997 CAP child care expenditures included in their NYSCCBG allocation.

Each social services district must meet its MOE level in cash in federal fiscal year 1997-1998 and in each subsequent federal fiscal year. The MOE is met by the 25 percent local share of claims for expenditures for public assistance recipients as reported on Schedule A and any other non- Title XX expenditures that are allowable but not reimbursed under the district's NYSCCBG allocation. Claims submitted under NYSCCBG will be processed to ensure that the district's MOE requirement is met. Claims for administrative costs exceeding the 5% administrative cap will not count toward meeting the MOE.

ASSURANCES

Welfare reform legislation has created some programmatic and procedural requirements both on the federal and State levels that will be implemented with the child care portion of the Consolidated Services Plan and revised child care regulations. The revised regulations and child care plan are expected to be released in the near future.

Until such time as the regulations are promulgated and the child care plans are filed, local social services districts must attest to their compliance to these requirements. The assurances are found in Attachment C. All districts must sign and date Attachment C: Assurances which prescribes actions required by federal or State statute or regulations and must ensure that their delivery of child care services incorporates these assurances. These assurances must be returned by October 15, 1999 to:

Eileen Mahoney
Bureau of Early Childhood Services
Office of Children and Family Services
Riverview Center 6th Floor
40 North Pearl Street
Albany, New York 12243

SYSTEMS INFORMATION

Procedures for the authorization of payment for child care services in the Welfare Management System (WMS) are as follows:

For child care payments for eligible families applying for or receiving public assistance, districts can continue to use the DSS-3209 IM/WMS Authorization. Districts may, at their option, utilize the DSS-2970 WMS Services Authorization to authorize payment for child care for public assistance families. Service Type Suffix Code (Data Element #23021) value "S" designates child care services funded under the NYSCCBG for public assistance applicants/recipients and reimbursed at 75% federal and state share up to the district's allocation ceiling.

For child care payments for all other eligible families (including transitional child care families), districts must authorize in WMS/Services by using Service Type Suffix Code value "R" on the DSS-2970 WMS Services Authorization which designates child care services funded under NYSCCBG for non-public assistance families and reimbursed at 100% federal and state share up to the district's allocation ceiling.

In circumstances of an adult only public assistance case in which the children are not included in the public assistance filing unit, child care payment is authorized as a public assistance family and reimbursed at 75% federal and state share. Cases in which children are in receipt of public assistance but the caretaker is not included in the public assistance filing unit, child care is authorized in WMS Services and reimbursed at 100% federal and state share up to the district's allocation ceiling.

WMS Services continues to support monitoring the issuance and return of child care certificates. Instructions for the child care certificate can be found in 92 LCM-138 and in the BICS Operations Manual, page A-82, BICS Production Request 32, in the addition dated April 1, 1993. Information is also provided in the BICS Services Payment Processing Manual, II. Authorizations, E. Self Selected Day Care Certificates, pages II 25-27.

CLAIMING INSTRUCTIONS

Instructions for claiming program costs are contained in the Office of Temporary and Disability Assistance Fiscal Reference Manual (Volume II, Chapter 3). NYSCCBG expenditures for child care subsidies for families receiving public assistance are claimed on Schedule H Non-Title XX Services for Recipients (LDSS-4283), line 2 (Day Care Services for Children), column 7 (Day Care Block Grant 75%). NYSCCBG program expenditures for child care subsidies for all other eligible families are claimed on the Schedule H, line 2, column 6 (Day Care Block Grant 100%). NYSCCBG expenditures for child care transportation services are claimed on the Schedule H, line 6, columns 6 and 7. Line 12, columns 6 and 7, are the total of expenditures on lines 2 and 6, for columns 6 and 7, respectively. Enter on line 14 (fees collected), columns 6 and 7, the total fees required from families responsible for paying a fee. Line 15 (Net Expenditures), columns 6 and 7, is the result of subtracting the amounts on line 13 (Refunds and Cancellations) and line 14 (Fees Collected) from the amount on line 12 (Total Expenditures) for columns 6 and 7, respectively. Line 16 (Day Care Reimbursement) is the total reimbursement, from Federal and State funding combined, for NYSCCBG expenditures. The amount on line 16, column 6 is equal to the amount on line 15, column 6. The amount on line 16, column 7 is 75% of the amount on line 15, column 7. Line 20 (Local Share), column 7 is the remaining 25% of the amount on line 15, column 7.

Administrative expenditures for NYSCCBG are claimed in accordance with the Services RMS as Child Care Block Grant costs on line 5, section 1 (associated A-87 costs are claimed on line 5, section 2) of the Schedule D-2, Allocation for Claiming of General Services Expenditures (LDSS-2347B). Instructions for completing the Schedule D-2 are contained in Chapter 9 of Volume 3 of the Fiscal Reference Manual County Cost Allocation Plan for districts outside of New York City. For New York City districts, the instructions are contained in Chapter 9 of Volume 4 of the Fiscal Reference Manual.

ADDITIONAL CLAIMING REQUIREMENTS: NYSCCBG child counts and expenditures also should be reported on the Schedule G-2 Summary of Payments for Day Care-Services Authorized (LDSS-2109). Expenditures made under the Services Types allowed should be reported on the G-2, the BICS Schedule G-2 Report, and to the Automated Claiming System.

TRAINING COSTS: Claiming instructions for district administrative expenditures related to the training of employees which are claimed on the Schedule D-6 "Reimbursement For Training" (LDSS-2347-C) for the CCDBG program are covered in Chapter 13 of Volume 3 of the Fiscal Reference Manual for districts outside of New York City. New York City would refer to Volume 4 of the Fiscal Reference Manual.

CONTACT PERSON

If you have any questions regarding information contained in this LCM, please contact Eileen Mahoney of the Bureau of Early Childhood Services at 1-800-343-8859 extension 3-0711, or direct dial (518) 473-0711. Ms. Mahoney also may be contacted on-line, OFISLINK User ID #SVC109.

If you have any fiscal questions, please contact the Bureau of Local Financial Operations:

Regions 1-4 - Roland Levie at 1-800-343-8859, extension 4-7549
or dial direct (518) 474-7549; User ID #FMS001.
Region 5 - Marvin Gold at (212) 383-1733; User ID #0FM270.

If you have WMS/Services questions, please contact Gerald Seeley of the Bureau of Services Information Systems at 1-800-343-8859, extension 2-3087, or dial direct (518) 402-3087; User ID #0FL130.

If you have WMS/IM questions, please contact Tully Lenihan of the Office of Temporary and Disability Assistance at (518) 474-8749; User ID #73A002.

Melvin I. Rosenblat
Deputy Commissioner
Division of Administration

Donald K. Smith
Deputy Commissioner
Division of Services and
Community Development

ATTACHMENT A
 NEW YORK STATE CHILD CARE BLOCK GRANT
 LOCAL DISTRICT ALLOCATION
 4/1/99 - 3/31/00

DISTRICT	APRIL 1, 1999 THROUGH SEPTEMBER 30, 1999	OCTOBER 1, 1999 THROUGH MARCH 31, 2000	TOTAL ALLOCATION
Albany	4,296,052	4,296,051	8,592,103
Allegany	553,975	553,974	1,107,949
Broome	2,549,602	2,549,601	5,099,203
Cattaraugus	764,900	764,900	1,529,800
Cayuga	673,889	673,889	1,347,778
Chautauqua	2,665,205	2,665,205	5,330,410
Chemung	1,197,931	1,197,931	2,395,862
Chenango	570,310	570,309	1,140,619
Clinton	831,920	831,919	1,663,839
Columbia	529,630	529,629	1,059,259
Cortland	577,563	577,563	1,155,126
Delaware	523,449	523,449	1,046,898
Dutchess	1,793,363	1,793,363	3,586,726
Erie	10,914,747	10,914,746	21,829,493
Essex	439,720	439,720	879,440
Franklin	556,930	556,929	1,113,859
Fulton	516,822	516,822	1,033,644
Genesee	668,913	668,912	1,337,825
Greene	420,118	420,117	840,235
Hamilton	61,183	61,182	122,365
Herkimer	617,962	617,962	1,235,924
Jefferson	1,143,378	1,143,378	2,286,756
Lewis	284,718	284,718	569,436
Livingston	629,488	629,487	1,258,975
Madison	698,450	698,449	1,396,899
Monroe	14,037,467	14,037,467	28,074,934
Montgomery	497,796	497,796	995,592
Nassau	9,898,149	9,898,149	19,796,298
Niagara	2,491,661	2,491,660	4,983,321

ATTACHMENT A
 NEW YORK STATE CHILD CARE BLOCK GRANT
 LOCAL DISTRICT ALLOCATION
 4/1/99 - 3/31/00

DISTRICT	APRIL 1, 1999 THROUGH SEPTEMBER 30, 1999	OCTOBER 1, 1999 THROUGH MARCH 31, 2000	TOTAL ALLOCATION
Oneida	2,672,261	2,672,261	5,344,522
Onondaga	6,546,827	6,546,826	13,093,653
Ontario	997,454	997,453	1,994,907
Orange	2,338,010	2,338,010	4,676,020
Orleans	517,432	517,431	1,034,863
Oswego	875,899	875,899	1,751,798
Otsego	629,071	629,071	1,258,142
Putnam	446,384	446,384	892,768
Rensselaer	1,234,702	1,234,701	2,469,403
Rockland	2,357,704	2,357,704	4,715,408
St Lawrence	1,477,025	1,477,024	2,954,049
Saratoga	912,725	912,724	1,825,449
Schenectady	1,456,495	1,456,495	2,912,990
Schoharie	287,638	287,637	575,275
Schuyler	190,127	190,126	380,253
Seneca	342,320	342,320	684,640
Steuben	1,917,827	1,917,826	3,835,653
Suffolk	7,628,695	7,628,695	15,257,390
Sullivan	672,616	672,616	1,345,232
Tioga	600,369	600,369	1,200,738
Tompkins	944,786	944,785	1,889,571
Ulster	1,525,648	1,525,647	3,051,295
Warren	488,129	488,128	976,257
Washington	581,670	581,670	1,163,340
Wayne	727,586	727,586	1,455,172
Westchester	7,582,845	7,582,844	15,165,689
Wyoming	387,376	387,375	774,751
Yates	232,738	232,738	465,476
New York City	120,916,479	120,916,478	241,832,957
State Total	228,894,129	228,894,100	457,788,229

ATTACHMENT B
NEW YORK STATE CHILD CARE BLOCK GRANT

MAINTENANCE OF EFFORT
Federal Fiscal Year 1995 Basis

DISTRICT	MOE AMOUNT	DISTRICT	MOE AMOUNT
Albany	1,019,127	Oneida	283,468
Allegany	68,895	Onondaga	1,204,201
Broome	518,534	Ontario	73,752
Cattaraugus	34,769	Orange	32,900
Cayuga	15,101	Orleans	36,152
Chautauqua	558,879	Oswego	41,453
Chemung	63,364	Otsego	28,900
Chenango	27,933	Putnam	62,728
Clinton	99,395	Rensselaer	164,819
Columbia	7,848	Rockland	235,830
Cortland	53,422	St Lawrence	101,658
Delaware	34,955	Saratoga	30,127
Dutchess	193,433	Schenectady	228,165
Erie	1,264,742	Schoharie	12,101
Essex	16,498	Schuyler	9,515
Franklin	26,381	Seneca	19,292
Fulton	38,407	Steuben	148,022
Genesee	49,813	Suffolk	692,326
Greene	20,310	Sullivan	28,491
Hamilton	2,738	Tioga	22,049
Herkimer	14,318	Tompkins	70,752
Jefferson	81,936	Ulster	208,356
Lewis	11,454	Warren	22,063
Livingston	76,936	Washington	32,583
Madison	12,147	Wayne	39,416
Monroe	4,221,021	Westchester	1,018,071
Montgomery	11,738	Wyoming	13,806
Nassau	1,574,621	Yates	11,683
Niagara	364,420		
		New York City	52,937,271
		State Totals	68,293,085

ATTACHMENT C

New York State Child Care Block Grant

ASSURANCES

The social services district assures that when providing child care services under the New York State Child Care Block Grant (NYSCCBG) it will:

- (1) provide parents with information about the full range of providers eligible for payment with child care subsidy funds;
- (2) offer child care certificates to assist parents in accessing care;
- (3) inform clients of criteria to consider when selecting a child care provider;
- (4) allow parents to select any legal eligible child care provider (Districts may disapprove providers chosen by families with a preventive or protective case under certain circumstances);
- (5) establish at least one method of paying for child care provided by caregivers who do not have a contract with the district;
- (6) provide payment for the actual cost of care (rate charged by the provider to non-subsidized families unless a lower payment rate has been established in a negotiated contract) up to the applicable market rate;
- (7) review enrollment forms for informal and legally-exempt group child care providers to ensure providers are operating legally and comply with State standards and any additional State-approved local standards;
- (8) ensure that families with very low income and families with children who have special needs are given priority for subsidies;
- (9) guarantee child care services to a family who has applied for or is in receipt of public assistance when such services are needed for a child under 13 years of age in order to enable the child's custodial parent or caretaker relative to participate in activities required by a social services official including orientation, assessment, or work activities as defined in 12 NYCRR Part 1300.9.

- (10) guarantee child care services to a family who is in receipt of public assistance when such services are needed for a child under 13 years of age in order to enable the child's custodial parent or caretaker relative to engage in work as defined by the social services district;
- (11) guarantee child care subsidies for up to 12 months for families whose public assistance has ended, who need child care for a child under 13 years of age in order for the parent or caretaker relative to engage in work, whose income is within 200% of the State income standard, who received public assistance in three of the six months prior to case closing, and whose assistance was terminated as a result of increased hours or income from employment or increased income from child support or because the family voluntarily closed its case;
- (12) inform recipients of public assistance and former public assistance recipients of the child care guarantees for eligible families;
- (13) inform families in receipt of public assistance of their responsibility to locate child care;
- (14) inform families in receipt of public assistance of the criteria the district will use to determine that a family has demonstrated an inability to obtain needed child care because of the following reasons:
 - unavailability of appropriate child care within a reasonable distance from the individual's home or work site;
 - unavailability or unsuitability of informal child care by a relative or under other arrangements; or
 - unavailability of appropriate and affordable regulated child care arrangements;
- (15) offer two choices of legal child care, at least one of which must be a licensed or registered provider, to recipients of public assistance who have requested assistance in locating child care for a required work activity and who have demonstrated an inability to obtain care;
- (16) inform recipients of public assistance that their public assistance benefits cannot be reduced or terminated when they demonstrate that they are unable to work due to the lack of child care for a child under the age of thirteen; and
- (17) advise recipients of family assistance that the time during which they are excepted from the reduction or termination of benefits due to the lack of available child care will still count toward the families' time limit on family assistance benefits.

Commissioner's signature/ Date

ATTACHMENT D

ELIGIBLE FAMILIES

1. Families which are guaranteed child care. A social services district must guarantee child care services to the following families.

a. A social services district must guarantee child care services to a family that has applied for or is in receipt of public assistance when such services are needed for a child under 13 years of age in order to enable the child's custodial parent or caretaker relative to participate in activities required by a social services official including orientation, assessment, or work activities as defined in 12 NYCRR Part 1300.9.

b. A social services district must guarantee child care services to a family that is in receipt of public assistance when such services are needed for a child under 13 years of age in order to enable the child's custodial parent or caretaker relative to engage in work as defined by the social services district.

c. For a family with a closed public assistance case, a social services district must guarantee child care services for a period up to 12 consecutive months after the month in which the public assistance case closed, provided:

- (1) the case closed due to increased income from either employment or child support or because the family voluntarily ended assistance;
- (2) the family received public assistance in at least three of the six months immediately preceding the case closing;
- (3) the family includes an eligible child that is under the age of 13 and needs child care services in order to enable the child's parent(s) or caretaker relative(s) to engage in work; and
- (4) the family has income at or below 200% of the applicable State income standard.

2. Families that are eligible when funds are available. A social services district must provide child care services to a family eligible under this category, to the extent that the district continues to have funds available from the New York State Child Care Block Grant or any local funds appropriated for such program, subject to any priorities or set asides as approved by the Office of Children and Family Services.

a. A family applying for or receiving public assistance when child care services are needed for an eligible child who is age 13 or older and

who has special needs or is under court supervision in order to enable the child's custodial parent or caretaker relative to participate in activities required by a social services official including orientation, assessment, or work activities as defined in 12 NYCRR Part 1300.9.

b. A family receiving public assistance when child care services are needed for an eligible child who is age 13 or older and who has special needs or is under court supervision in order to enable the child's custodial parent or caretaker relative to engage in work as defined by the social services district.

c. A family receiving public assistance when child care services are necessary:

- (1) to enable a teenage parent to attend high school or an equivalency program; or
- (2) for the child to be protected because the child's parent or caretaker relative is physically or mentally incapacitated or has family duties away from home necessitating his or her absence.

d. A family with income up to 200 percent of the State income standard which is at risk of becoming dependent on public assistance when child care services are needed:

- (1) for the child's caretaker(s) to be engaged in work; or
- (2) to enable a teenage parent to attend high school or an equivalency program.

3. Families that are eligible if funds are available and if the social services district has listed such families as eligible in the district's consolidated services plan. The following families are eligible provided the social services district has listed such families as eligible families in the district's consolidated services plan and the district continues to have funds available from the NYSCCBG or any local funds appropriated for such program:

a. A family receiving public assistance and child care services are necessary for a parent or caretaker relative to participate in an approved activity in addition to their required work activity.

b. A family receiving public assistance or with income up to 200% of the State income standard when child care services are needed for the child to be protected because the child's caretaker is:

- (1) participating in an approved substance abuse treatment program or in screening for or an assessment of the need for substance abuse treatment;

- (2) 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
- (3) 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.

c. A family with income up to 200% of the State income standard when child care services are needed for the child to be protected because the child's caretaker is physically or mentally incapacitated or has family duties away from home necessitating his or her absence.

d. A family with an open child protective services case when it is determined on a case-by-case basis that such child care is needed to protect the child.

e. A family with income up to 200 percent of the State income standard when child care services are needed for the child's caretaker to participate in one of the following activities provided such activity is an allowable activity set forth in the social services district's consolidated services plan and the district determines that the activity is a necessary part of a plan for the family's self-support:

- (1) actively seek employment for a period of up to six months as established by the social services district in its Consolidated Services Plan, if the caretaker documents that he or she is currently registered with the New York State Department of Labor Community Service Center; or
- (2) educational or vocational activities including attendance in one of the secondary or post-secondary programs allowable under Part 415 of the State regulations.