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Governor

NEW YORK STATE
OFFICE OF CHILDREN & FAMILY SERVICES
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RENSSELAER, NY 12144

Gladys Carrión, Esq.
Commissioner

Local Commissioners Memorandum

Transmittal:	09-OCFS-LCM-07
To:	Local District Commissioners
Issuing Division/Office:	Division of Child Care Services
Date:	May 18, 2009
Subject:	Training Programs for Dislocated Worker One-time Disbursement Under the American Recovery and Reinvestment Act of 2009 Enhanced Market Rate for Legally-Exempt Family and In-Home Child Care Providers
Contact Person(s):	Rhonda Finlayson: (518) 474-3775 E-mail Address Rhonda.Finlayson@ocfs.state.ny.us
Attachments:	Attachment A: Market Rates for Legally-Exempt Family and In-Home Child Care Providers Including the Enhanced Market Rate Effective May 15, 2009 Attachment B: Child and Family Services Plan Amendment
Attachment Available Online:	N/A

I. Purpose

The purpose of this Local Commissioners Memorandum (LCM) is to inform social services districts of regulatory changes to Title 18 of the New York State Codes, Rules and Regulations (NYCRR), sections 404.5, 415.2 and 415.9, related to eligibility requirements for child care subsidies funded under the New York State Child Care Block Grant (NYSCCBG) and Title XX funds. The regulations were filed on an emergency basis and are effective as of May 15, 2009.

II. Background

The child care initiatives recently enacted into State regulation address the expanded need for child care services by families affected by the extensive loss of jobs and employment opportunities as a result of the economic downturn of the State and national economies. The changes to New York State regulations benefit needy families by allowing social services districts more options to serve low-income families.

III. Program Implications

There are three areas that are impacted by this change in regulation:

A. Dislocated Worker

The change in regulation to 18 NYCRR section 415.2(a)(3)(vii)(c) expands the categories of families that are eligible if funds are available and if a social services district has listed such families as eligible in its Child and Family Services Plan to address the needs of families where the caretaker(s) is a dislocated worker and is participating in a training program. Social services districts may choose to serve these families to provide safe and affordable child care to enable these caretakers to be trained in various skills, and rejoin the workforce in new employment.

18 NYCRR section 415.2(a)(3)(vii)(c) is added to read as follows:

(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.

B. One-time Disbursement Under the American Recovery and Reinvestment Act of 2009

The change to regulation 18 NYCRR section 404.5(b)(6)(xx) reflects the federal requirement that one-time payments disbursed under the American Recovery and Reinvestment Act of 2009 to recipients of Social Security, Supplemental Security Income (SSI), Railroad Retirement Benefits, and Veterans Disability Compensation or Pension Benefits be excluded as income for determining eligibility for any programs in receipt of federal funds.

18 NYCRR section 404.5(b)(6)(xx) is added to read as follows:

(xx) 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.

Child care programs funded under the New York State Child Care Block Grant and Title XX are federally funded programs to which this income exclusion applies. Local social services districts may not count the receipt of these payments as income in determining eligibility for child care services for ten months (including the month of receipt).

Local social services districts were previously notified of this income exclusion through a General Information System (GIS) notice, # 09-006, dated March 31, 2009.

C. Enhanced Market Rate for Legally-Exempt Family and In-Home Child Care Providers

Some social services districts have indicated that, in these difficult economic times, more families could be served, without a negative impact on family access to child care, if the enhanced market rate for legally-exempt family and in-home child care providers were lowered. Currently, there are two child care market rates established for legally-exempt family and in-home child care providers. The enhanced market rate is based on a 75 percent differential applied to the child care market rates established for registered family day care. It reflects an incentive to legally-exempt providers to pursue and obtain a minimum of ten hours of approved training. The other, the standard market rate, is based on a 65 percent differential applied to the child care market rates established for registered family day care and applies to legally-exempt family and in-home child care providers that have not obtained ten hours of training annually. Therefore, to assist the districts to serve more families during these difficult economic times, effective May 15, 2009, the change to New York State regulation establishes the enhanced market rate for legally-exempt family and in-home child care providers at a 70 percent differential applied to the child care market rates established for registered family day care. The adjusted enhanced market rates for legally-exempt family and in-home child care providers, as well as the current market rates for all other types of providers, are provided as Attachment A.

The regulation also provides flexibility to those social services districts that wish to maintain the enhanced rate at a higher level. A social services district has the option, if it so chooses in the child care portion of its Child and Family Services Plan, to increase the enhanced market rate for eligible legally-exempt family child care and in-home child care categories up to 75 percent of the applicable registered family day care market rate:

- for all providers;
- for those providers who were receiving the enhanced rate on the date of the regulations but only for the remainder of their current one-year enrollment period; or
- for those providers who were receiving the enhanced rate on the date of the regulations for the remainder of the time they remain enrolled and continue to meet the ten-hour annual training requirement.

The standard market rate will apply to all other caregivers of legally-exempt family child care and in-home child care.

IV. Required Actions

A social services district selecting the option in which the caretaker(s) is a dislocated worker participating in a training program and/or to expand the enhanced market rate for legally-exempt family and in-home child care providers must amend its 2007-2009 Child and Family Services Plan. The district must publish a public notice or publish a written press release notifying the public of the plan amendment. The district must complete Attachment B: Request to Amend the 2007-2009 Child and Family Services Plan.

The district's request to amend its plan, along with a copy of the public notice or written press release, should be mailed to: Ms. Amy Ryan, Office of Children and Family Services, Division of Child Care Services, Room 309S, 52 Washington Street, Rensselaer, NY 12144-2796, emailed to Amy.Ryan@ocfs.state.ny.us or faxed to Ms Ryan at (518) 474-9617. A district may implement the amendment after it receives written approval from the Office of Children and Family Services.

Social services districts that have not amended their Child and Family Services Plans to maintain the enhanced market rate for legally-exempt providers must review all currently authorized cases to determine that payment is authorized for the actual cost of care up to the applicable market rate. Reviews must take place as soon as possible, but no later than the next case action or recertification, whichever comes first.

Whenever the amount of child care benefits changes, social services districts must provide recipients with OCFS-LDSS 4781-Notice of Intent to Change Child Care Benefits as required by 18 NYCRR Part 358. In instances in which the market rates have decreased from the previous market rates, the district will need to reduce benefits. Please note that when a benefit is **reduced** due to changes in the market rates, the effective date for the reduction is **not** retroactive to May 15, 2009. Benefit reductions are to be made prospectively.

If the provider's rate is in excess of the market rate and the district does not have a contract with the provider, the parent who chooses to continue care with the provider must make up the difference. If the district has a contract to pay a rate that is higher than the market rate, the amount above the market rate is not reimbursable from State and federal funds.

V. System Implications

None.

VI. Effective Date

Changes are effective on May 15, 2009.

Issued By:

/s/ Janice M. Molnar

Name: Janice M. Molnar
Title: Deputy Commissioner
Division/Office: Division of Child Care Services

Attachment A:**Market Rates for Legally-Exempt Family and In-Home Child Care Providers Including the Enhanced Market Rate Effective May 15, 2009****GROUP A COUNTIES:****Nassau, Putnam, Rockland, Suffolk, and Westchester**

DAY CARE CENTER

	AGE OF CHILD			
	<u>Under 1 ½</u>	<u>1 ½ - 2</u>	<u>3 - 5</u>	<u>6-12</u>
WEEKLY	\$314	\$280	\$250	\$262
Exceptions:				
Westchester	\$378	\$331	\$274	--
DAILY	\$70	\$62	\$55	\$54
Exceptions:				
Nassau	\$75	\$77	--	--
Suffolk	\$80	\$70	--	--
Westchester	\$75	\$70	\$58	--
PART-DAY	\$47	\$41	\$37	\$36
Exceptions:				
Nassau	\$50	\$51	--	--
Suffolk	\$53	\$47		
Westchester	\$50	\$47	\$39	--
HOURLY	\$8.88	\$9.48	\$8.81	\$9.17

REGISTERED FAMILY DAY CARE

	AGE OF CHILD			
	<u>Under 1 ½</u>	<u>1 ½ - 2</u>	<u>3 - 5</u>	<u>6-12</u>
WEEKLY	\$250	\$250	\$250	\$250
Exceptions:				
Putnam	\$300	\$275	\$278	--
Suffolk	\$260	\$263	--	--
Westchester	\$300	--	\$331	--
DAILY	\$56	\$56	\$55	\$50
PART-DAY	\$37	\$37	\$37	\$33
HOURLY	\$8.00	\$8.89	\$7.75	\$8.00

Group A continued

GROUP FAMILY DAY CARE

	AGE OF CHILD			
	<u>Under 1 ½</u>	<u>1 ½ - 2</u>	<u>3 - 5</u>	<u>6-12</u>
WEEKLY	\$260	\$255	\$250	\$250
Exceptions:				
Rockland	--	--	\$261	--
Westchester	\$275	\$275	\$266	\$276
DAILY	\$58	\$56	\$55	\$56
Exceptions:				
Westchester	--	\$60	\$60	\$60
PART-DAY	\$39	\$37	\$37	\$37
Exceptions:				
Westchester	--	\$40	\$40	\$40
HOURLY	\$8.00	\$8.00	\$8.00	\$8.00

SCHOOL AGE CHILD CARE

	AGE OF CHILD			
	<u>Under 1 ½</u>	<u>1 ½ - 2</u>	<u>3 - 5</u>	<u>6-12</u>
WEEKLY	\$0	\$0	\$0	\$262
DAILY	\$0	\$0	\$0	\$54
PART-DAY	\$0	\$0	\$0	\$36
HOURLY	\$0	\$0	\$0	\$9.17

**LEGALLY-EXEMPT FAMILY CHILD CARE AND IN-HOME CHILD CARE
STANDARD RATE**

	AGE OF CHILD			
	<u>Under 1 ½</u>	<u>1 ½ - 2</u>	<u>3 - 5</u>	<u>6-12</u>
WEEKLY	\$163	\$163	\$163	\$163
DAILY	\$36	\$36	\$36	\$33
PART-DAY	\$24	\$24	\$24	\$22
HOURLY	\$5.20	\$5.78	\$5.04	\$5.20

Group A continued**LEGALLY-EXEMPT FAMILY CHILD CARE AND IN-HOME CHILD CARE
ENHANCED RATE**

	AGE OF CHILD			
	<u>Under 1 ½</u>	<u>1 ½ - 2</u>	<u>3 - 5</u>	<u>6-12</u>
WEEKLY	\$175	\$175	\$175	\$175
DAILY	\$39	\$39	\$39	\$35
PART-DAY	\$26	\$26	\$26	\$23
HOURLY	\$5.60	\$6.22	\$5.43	\$5.60

GROUP B COUNTIES: Columbia, Erie, Monroe, Onondaga, Ontario, Rensselaer, Saratoga, Schenectady, Tompkins and Warren

DAY CARE CENTER

	AGE OF CHILD			
	<u>Under 1 ½</u>	<u>1 ½ - 2</u>	<u>3 - 5</u>	<u>6-12</u>
WEEKLY	\$210	\$200	\$183	\$177
Exceptions:				
Saratoga	--	\$211	\$196	--
DAILY	\$50	\$48	\$43	\$38
Exceptions:				
Erie	--	--	\$44	--
Monroe	\$55	\$52	\$48	--
PART-DAY	\$33	\$32	\$29	\$25
Exceptions:				
Monroe	\$37	\$35	\$32	--
HOURLY	\$7.74	\$7.78	\$6.89	\$7.74

REGISTERED FAMILY DAY CARE

	AGE OF CHILD			
	<u>Under 1 ½</u>	<u>1 ½ - 2</u>	<u>3 - 5</u>	<u>6-12</u>
WEEKLY	\$150	\$150	\$145	\$136
Exceptions:				
Erie	--	\$161	--	--
Ontario	\$164	\$169	--	--
Saratoga	\$169	\$165	\$160	\$143
Schenectady	\$170	\$160	\$150	\$150
DAILY	\$34	\$35	\$31	\$31
Exceptions:				
Columbia	\$35	--	--	--
Erie	\$38	\$38	\$34	\$34
Saratoga	\$35	--	--	\$33
Warren	--	--	--	\$33
PART-DAY	\$23	\$23	\$21	\$21
Exceptions:				
Erie	\$25	\$25	\$23	\$23
Saratoga	--	--	--	\$22
Warren	--	--	--	\$22
HOURLY	\$5.00	\$5.17	\$5.00	\$4.45

Group B continued

GROUP FAMILY DAY CARE

	AGE OF CHILD			
	<u>Under 1 ½</u>	<u>1 ½ - 2</u>	<u>3 - 5</u>	<u>6-12</u>
WEEKLY	\$170	\$165	\$160	\$160
Exceptions:				
Erie	--	\$175	\$165	--
Schenectady	\$195	\$188	\$186	--
DAILY	\$38	\$35	\$35	\$33
Exceptions:				
Erie	--	--	--	\$34
PART-DAY	\$25	\$23	\$23	\$22
Exceptions:				
Erie	--	--	--	\$23
HOURLY	\$5.00	\$5.14	\$5.14	\$5.00

SCHOOL AGE CHILD CARE

	AGE OF CHILD			
	<u>Under 1 ½</u>	<u>1 ½ - 2</u>	<u>3 - 5</u>	<u>6-12</u>
WEEKLY	\$0	\$0	\$0	\$177
DAILY	\$0	\$0	\$0	\$38
PART-DAY	\$0	\$0	\$0	\$25
HOURLY	\$0	\$0	\$0	\$7.74

LEGALLY-EXEMPT FAMILY CHILD CARE AND IN-HOME CHILD CARE
STANDARD RATE

	AGE OF CHILD			
	<u>Under 1 ½</u>	<u>1 ½ - 2</u>	<u>3 - 5</u>	<u>6-12</u>
WEEKLY	\$98	\$98	\$94	\$88
DAILY	\$22	\$23	\$20	\$20
PART-DAY	\$15	\$15	\$13	\$13
HOURLY	\$3.25	\$3.36	\$3.25	\$2.89

Group B continued**LEGALLY-EXEMPT FAMILY CHILD CARE AND IN-HOME CHILD CARE
ENHANCED RATE**

	AGE OF CHILD			
	<u>Under 1 ½</u>	<u>1 ½ - 2</u>	<u>3 - 5</u>	<u>6-12</u>
WEEKLY	\$105	\$105	\$102	\$95
DAILY	\$24	\$25	\$22	\$22
PART-DAY	\$16	\$17	\$15	\$15
HOURLY	\$3.50	\$3.62	\$3.50	\$3.12

GROUP C COUNTIES:

Allegany, Broome, Cattaraugus, Cayuga, Chautauqua, Chemung, Chenango, Clinton, Cortland, Delaware, Essex, Franklin, Fulton, Genesee, Greene, Hamilton, Herkimer, Jefferson, Lewis, Livingston, Madison, Montgomery, Niagara, Oneida, Orleans, Oswego, Otsego, Schoharie, Schuyler, Seneca, St. Lawrence, Steuben, Sullivan, Tioga, Washington, Wayne, Wyoming, and Yates

DAY CARE CENTER

	AGE OF CHILD			
	<u>Under 1 ½</u>	<u>1 ½ - 2</u>	<u>3 - 5</u>	<u>6-12</u>
WEEKLY	\$171	\$165	\$155	\$136
Exceptions:				
Niagara	--	--	--	\$138
DAILY	\$40	\$37	\$34	\$31
Exceptions:				
Broome	--	\$40	\$38	--
PART-DAY	\$27	\$25	\$23	\$21
Exceptions:				
Broome	--	\$27	\$25	--
HOURLY	\$5.44	\$5.06	\$5.25	\$5.23

REGISTERED FAMILY DAY CARE

	AGE OF CHILD			
	<u>Under 1 ½</u>	<u>1 ½ - 2</u>	<u>3 - 5</u>	<u>6-12</u>
WEEKLY	\$135	\$130	\$125	\$125
Exceptions:				
Clinton	--	--	--	\$135
Oneida	--	--	\$130	--
DAILY	\$31	\$31	\$30	\$30
Exceptions:				
Clinton	--	--	--	\$34
Sullivan	--	--	--	\$31
PART-DAY	\$21	\$21	\$20	\$20
Exceptions:				
Clinton	--	--	--	\$23
Sullivan	--	--	--	\$21
HOURLY	\$3.18	\$3.00	\$3.00	\$3.00

Group C continued

GROUP FAMILY DAY CARE

	AGE OF CHILD			
	<u>Under 1 ½</u>	<u>1 ½ - 2</u>	<u>3 - 5</u>	<u>6-12</u>
WEEKLY	\$140	\$130	\$126	\$125
Exceptions:				
Oneida	\$150	\$150	\$135	--
Steuben	--	--	\$135	\$138
Washington	--	--	\$145	\$130
DAILY	\$34	\$33	\$31	\$30
PART-DAY	\$23	\$22	\$21	\$20
HOURLY	\$4.00	\$4.00	\$4.00	\$4.00

SCHOOL AGE CHILD CARE

	AGE OF CHILD			
	<u>Under 1 ½</u>	<u>1 ½ - 2</u>	<u>3 - 5</u>	<u>6-12</u>
WEEKLY	\$0	\$0	\$0	\$136
Exceptions:				
Niagara	--	--	--	\$138
DAILY	\$0	\$0	\$0	\$31
PART-DAY	\$0	\$0	\$0	\$21
HOURLY	\$0	\$0	\$0	\$5.23

LEGALLY-EXEMPT FAMILY CHILD CARE AND IN-HOME CHILD CARE
STANDARD RATE

	AGE OF CHILD			
	<u>Under 1 ½</u>	<u>1 ½ - 2</u>	<u>3 - 5</u>	<u>6-12</u>
WEEKLY	\$88	\$85	\$81	\$81
DAILY	\$20	\$20	\$20	\$20
PART-DAY	\$13	\$13	\$13	\$13
HOURLY	\$2.07	\$1.95	\$1.95	\$1.95

Group C continued**LEGALLY-EXEMPT FAMILY CHILD CARE AND IN-HOME CHILD CARE
ENHANCED RATE**

	AGE OF CHILD			
	<u>Under 1 ½</u>	<u>1 ½ - 2</u>	<u>3 - 5</u>	<u>6-12</u>
WEEKLY	\$95	\$91	\$88	\$88
DAILY	\$22	\$22	\$21	\$21
PART-DAY	\$15	\$15	\$14	\$14
HOURLY	\$2.23	\$2.10	\$2.10	\$2.10

**GROUP D COUNTIES:
Albany, Dutchess, Orange, and Ulster**

DAY CARE CENTER

	AGE OF CHILD			
	<u>Under 1 ½</u>	<u>1 ½ - 2</u>	<u>3 - 5</u>	<u>6-12</u>
WEEKLY	\$227	\$210	\$195	\$185
Exceptions:				
Dutchess	\$250	\$225	\$197	\$223
Orange	--	\$220	--	--
DAILY	\$51	\$47	\$44	\$44
Exceptions:				
Albany	--	\$50	\$45	--
PART-DAY	\$34	\$31	\$29	\$29
Exceptions:				
Albany	--	\$33	\$30	--
HOURLY	\$7.75	\$7.46	\$7.24	\$7.34

REGISTERED FAMILY DAY CARE

	AGE OF CHILD			
	<u>Under 1 ½</u>	<u>1 ½ - 2</u>	<u>3 - 5</u>	<u>6-12</u>
WEEKLY	\$191	\$185	\$175	\$175
Exceptions:				
Dutchess	--	--	--	\$180
Orange	\$200	\$200	\$200	\$200
DAILY	\$44	\$41	\$38	\$38
Exceptions:				
Dutchess	--	\$45	\$44	\$45
Orange	--	--	\$40	\$44
PART-DAY	\$29	\$27	\$25	\$25
Exceptions:				
Dutchess	--	\$30	\$29	\$30
Orange	--	--	\$27	\$29
HOURLY	\$7.00	\$6.00	\$6.00	\$6.10

Group D continued

GROUP FAMILY DAY CARE

	AGE OF CHILD			
	<u>Under 1 ½</u>	<u>1 ½ - 2</u>	<u>3 - 5</u>	<u>6-12</u>
WEEKLY	\$200	\$194	\$180	\$178
Exceptions:				
Orange	\$225	--	--	\$189
DAILY	\$45	\$45	\$43	\$40
Exceptions:				
Orange	\$54	--	\$45	\$44
PART-DAY	\$30	\$30	\$29	\$27
Exceptions:				
Orange	\$36	--	\$30	\$29
HOURLY	\$7.50	\$7.00	\$7.00	\$7.00

SCHOOL AGE CHILD CARE

	AGE OF CHILD			
	<u>Under 1 ½</u>	<u>1 ½ - 2</u>	<u>3 - 5</u>	<u>6-12</u>
WEEKLY	\$0	\$0	\$0	\$185
Exceptions:				
Dutchess	--	--	--	\$223
DAILY	\$0	\$0	\$0	\$44
PART-DAY	\$0	\$0	\$0	\$29
HOURLY	\$0	\$0	\$0	\$7.34

LEGALLY-EXEMPT FAMILY CHILD CARE AND IN-HOME CHILD CARE
STANDARD RATE

	AGE OF CHILD			
	<u>Under 1 ½</u>	<u>1 ½ - 2</u>	<u>3 - 5</u>	<u>6-12</u>
WEEKLY	\$124	\$120	\$114	\$114
DAILY	\$29	\$27	\$25	\$25
PART-DAY	\$19	\$18	\$17	\$17
HOURLY	\$4.55	\$3.90	\$3.90	\$3.98

Group D continued**LEGALLY-EXEMPT FAMILY CHILD CARE AND IN-HOME CHILD CARE
ENHANCED RATE**

	AGE OF CHILD			
	<u>Under 1 ½</u>	<u>1 ½ - 2</u>	<u>3 - 5</u>	<u>6-12</u>
WEEKLY	\$134	\$130	\$123	\$123
DAILY	\$31	\$29	\$27	\$27
PART-DAY	\$21	\$19	\$18	\$18
HOURLY	\$4.90	\$4.20	\$4.20	\$4.27

**GROUP E COUNTIES:
Bronx, Kings, New York, Queens, and Richmond**

DAY CARE CENTER

	AGE OF CHILD			
	<u>Under 1 ½</u>	<u>1 ½ - 2</u>	<u>3 - 5</u>	<u>6-12</u>
WEEKLY	\$370	\$255	\$224	\$185
DAILY	\$67	\$67	\$50	\$50
PART-DAY	\$45	\$45	\$33	\$33
HOURLY	\$17.64	\$17.00	\$16.21	\$12.18

REGISTERED FAMILY DAY CARE

	AGE OF CHILD			
	<u>Under 1 ½</u>	<u>1 ½ - 2</u>	<u>3 - 5</u>	<u>6-12</u>
WEEKLY	\$160	\$150	\$150	\$141
DAILY	\$36	\$39	\$35	\$31
PART-DAY	\$24	\$26	\$23	\$21
HOURLY	\$16.00	\$11.11	\$13.20	\$13.06

GROUP FAMILY DAY CARE

	AGE OF CHILD			
	<u>Under 1 ½</u>	<u>1 ½ - 2</u>	<u>3 - 5</u>	<u>6-12</u>
WEEKLY	\$175	\$175	\$160	\$150
DAILY	\$38	\$38	\$36	\$35
PART-DAY	\$25	\$25	\$24	\$23
HOURLY	\$16.41	\$15.17	\$11.73	\$17.14

SCHOOL AGE CHILD CARE

	AGE OF CHILD			
	<u>Under 1 ½</u>	<u>1 ½ - 2</u>	<u>3 - 5</u>	<u>6-12</u>
WEEKLY	\$0	\$0	\$0	\$185
DAILY	\$0	\$0	\$0	\$50
PART-DAY	\$0	\$0	\$0	\$33
HOURLY	\$0	\$0	\$0	\$12.18

Group E continued**LEGALLY-EXEMPT FAMILY CHILD CARE AND IN-HOME CHILD CARE
STANDARD RATE**

	AGE OF CHILD			
	<u>Under 1 ½</u>	<u>1 ½ - 2</u>	<u>3 - 5</u>	<u>6-12</u>
WEEKLY	\$104	\$98	\$98	\$92
DAILY	\$23	\$25	\$23	\$20
PART-DAY	\$15	\$17	\$15	\$13
HOURLY	\$10.40	\$7.22	\$8.58	\$8.49

**LEGALLY-EXEMPT FAMILY CHILD CARE AND IN-HOME CHILD CARE
ENHANCED RATE**

	AGE OF CHILD			
	<u>Under 1 ½</u>	<u>1 ½ - 2</u>	<u>3 - 5</u>	<u>6-12</u>
WEEKLY	\$112	\$105	\$105	\$99
DAILY	\$25	\$27	\$25	\$22
PART-DAY	\$17	\$18	\$17	\$15
HOURLY	\$11.20	\$7.78	\$9.24	\$9.14

SPECIAL NEEDS CHILD CARE

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.

The highest full-time market rate in the State is:

Weekly	\$ 378
Daily	\$ 80
Part-Day	\$ 53
Hourly	\$ 17.64

Attachment B:

Request to Amend 2007-2009 Child and Family Services Plan

District requesting the amendment _____

Check the option(s) that your district wishes to implement.

Dislocated Worker

Our district is requesting an amendment to Appendix G-2, Other Eligible Families if Funds are Available.

If funds are available, our district will serve families where the caretaker(s) is a dislocated worker who is participating in 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.

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.

Does your district apply any limitations to the programmatic eligibility? Yes No

If yes, describe eligibility criteria:

This amendment is effective _____. This option cannot be effective prior to May 15, 2009.

Commissioner Signature

Date

Attachment B: continued

District requesting the amendment _____

Enhanced Market Rate For Legally-Exempt Family and In-Home Child Care Providers

If a district elects to establish a payment rate that is in excess of the enhanced market rate for legally-exempt family and in-home child care providers, a district must state the percentage above the market rate it proposes to use:

Our district is requesting to increase the legally-exempt enhanced market rate up to _____ percent of the applicable registered family day care market rate. Market rate may not exceed 75 percent of the child care market rates established for registered family day care.

Districts that select the option to increase the legally-exempt enhanced market rate must also select one of the options listed below for which the legally-exempt enhanced market rate applies:

for all legally-exempt family and in-home child care providers that have been approved by the applicable legally-exempt caregiver enrollment agency or by the district for those portions of the district that are not covered by a legally-exempt caregiver enrollment agency as having completed ten or more hours of training annually;

for those legally-exempt family and in-home child care providers who were receiving the enhanced rate on the date of the regulations, but only for the remainder of their current one-year enrollment period; or

for those legally-exempt family and in-home child care providers who were receiving the enhanced rate on the date of the regulations, for the remainder of the time they remain enrolled and continue to meet the ten-hour annual training requirement.

This amendment is effective _____. This option cannot be effective prior to May 15, 2009.

Commissioner Signature

Date

Requests to amend the Child and Family Services Plan should be mailed to: Ms. Amy Ryan, Office of Children and Family Services, Division of Child Care Services, 52 Washington Street, Rensselaer, NY 12144-2796, emailed to Amy.Ryan@ocfs.state.ny.us or faxed to Ms. Ryan at (518) 474-9617.