

# Child Care

The Child Care section of the plan is effective on the date that it is approved by OCFS. The approval date for the Child Care section of the plan can be found on [the OCFS website](#).

## Appendix K: Child Care Administration

- 1. Total Estimated Funds Available: \$4375840
- 2. Projected spending for FFY 2022–2023: \$3000000
- 3. Does your district have a contract or formal agreement with another organization to perform any of the following functions using the NYSCCBG?

Function	Organization	Amount of Contract
<input type="checkbox"/> a. Subsidy eligibility screening		
<input type="checkbox"/> b. Determining if legally-exempt providers meet OCFS-approved additional local standards		
<input checked="" type="checkbox"/> c. Assistance in locating care	Chautauqua Opportunities, Inc	119159
<input type="checkbox"/> d. Child care information systems		
<input type="checkbox"/> e. Payment processing		
<input checked="" type="checkbox"/> f. Other <i>Please specify function:</i> Inspections	Chautauqua Opportunities, Inc.	119159

## Appendix L: Other Eligible Families if Funds are Available

Listed below are the optional categories of eligible families that your district can include as part of its County Plan. Select any categories your district wants to serve using the NYSCCBG funds and describe any limitations associated with the category.

Optional Categories	Option	Limitations
1. Public Assistance (PA) families participating in an approved activity in addition to their required work activity.	<input checked="" type="radio"/> Yes <input type="radio"/> No	None

2. PA families or families with incomes up to 200% of the State Income Standard when child care services are needed for the child to be protected because the caretaker is:		
a) participating in an approved substance abuse treatment program	<input checked="" type="radio"/> Yes <input type="radio"/> No	None.
b) homeless	<input checked="" type="radio"/> Yes <input type="radio"/> No	None.
c) a victim of domestic violence and participating in an approved activity	<input checked="" type="radio"/> Yes <input type="radio"/> No	Must comply with all eligibility requirements.
d) in an emergency situation of short duration	<input checked="" type="radio"/> Yes <input type="radio"/> No	Applies only to recipients of child care subsidy and/or Temporary Assistance (not applicants).
3. Families with an open child protective services case when child care is needed to protect the child.		
	<input checked="" type="radio"/> Yes <input type="radio"/> No	Must receive written recommendation from a Services worker.
4. Families with incomes 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:		
a) is physically or mentally incapacitated	<input checked="" type="radio"/> Yes <input type="radio"/> No	Incapacity must be verified by a medical professional at the onset of the disability and at the end of the expected duration of the diagnosis and /or recertification. Applies to both applicants and recipients of child care subsidy and for Temporary Assistance.
b) has family duties away from home	<input type="radio"/> Yes <input checked="" type="radio"/> No	
5. Families with incomes up to 200% of the State Income Standard when child care services are needed for the child's caretaker to actively seek employment.		
	<input type="radio"/> Yes <input checked="" type="radio"/> No	
6. PA families where a sanctioned parent or caretaker relative is participating in unsubsidized employment, earning wages at a level equal to or greater than the minimum amount under law.		
	<input checked="" type="radio"/> Yes <input type="radio"/> No	Sanctioned individuals must meet with a HHS Case Manager on a monthly basis and be employed.
7. Families with incomes up to 200% of the State Income Standard when child care services are needed for the child's caretaker to participate in:		
a) a public or private educational facility providing a standard high school curriculum offered by or approved by the local school district	<input checked="" type="radio"/> Yes <input type="radio"/> No	Satisfactory educational progress and attendance must be maintained, as determined by the educational institution in coordination with the HHS worker.
b) an education program that prepares an individual to obtain a NYS High School equivalency diploma	<input checked="" type="radio"/> Yes <input type="radio"/> No	Satisfactory educational progress and attendance must be maintained, as determined by the educational institution in coordination with the HHS worker.

c) a program providing basic remedial education in the areas of reading, writing, mathematics, and oral communications for individuals functioning below the ninth month of the eighth-grade level	<input checked="" type="radio"/> Yes <input type="radio"/> No	Satisfactory educational progress and attendance must be maintained, as determined by the educational institution in coordination with the HHS worker.
d) a program providing literacy training designed to help individuals improve their ability to read and write	<input checked="" type="radio"/> Yes <input type="radio"/> No	Satisfactory educational progress and attendance must be maintained, as determined by the educational institution in coordination with the HHS worker.
e) an English as a second language (ESL) instructional program designed to develop skills in listening, speaking, reading, and writing the English language for individuals whose primary language is other than English	<input checked="" type="radio"/> Yes <input type="radio"/> No	Satisfactory educational progress and attendance must be maintained, as determined by the educational institution in coordination with the HHS worker.
f) a two-year full-time degree granting program at a community college, a two-year college, or an undergraduate college with a specific vocational goal leading to an associate's degree or certificate of completion	<input checked="" type="radio"/> Yes <input type="radio"/> No	Satisfactory educational progress and attendance must be maintained, as determined by the educational institution in coordination with the HHS worker.
g) a training program, which has a specific occupational goal and is conducted by an institution other than a college or university that is licensed or approved by the State Education Department	<input checked="" type="radio"/> Yes <input type="radio"/> No	Satisfactory educational progress and attendance must be maintained, as determined by the educational institution in coordination with the HHS worker.
h) a prevocational skill training program such as a basic education and literacy training program	<input checked="" type="radio"/> Yes <input type="radio"/> No	Satisfactory educational progress and attendance must be maintained, as determined by the educational institution in coordination with the HHS worker.
i) a demonstration project designed for vocational training or other project approved by the Department of Labor	<input checked="" type="radio"/> Yes <input type="radio"/> No	Satisfactory educational progress and attendance must be maintained, as determined by the educational institution in coordination with the HHS worker.
<p><b>Note:</b> The caretaker must complete the selected programs listed within 30 consecutive calendar months. The caretaker cannot enroll in more than one program.</p>		
8. PA recipients or low-income families with incomes up to 200% of the State Income Standard who are satisfactorily participating in a two-year program other than one with a specific vocational sequence (leading to an associate's degree or certificate of completion and that is reasonably expected to lead to an improvement	<input checked="" type="radio"/> Yes <input type="radio"/> No	Satisfactory educational progress and attendance must be maintained, as determined by the educational institution in coordination with the HHS worker.

<p>in the caretaker's earning capacity). The caretaker must demonstrate his or her ability to successfully complete the course of study.</p>		
<p>9. PA recipients or low-income families with incomes up to 200% of the State Income Standard who are satisfactorily participating in a two-year college or university program (other than one with a specific vocational sequence) leading to an associate's degree or a certificate of completion that is reasonably expected to lead to an improvement in the caretaker's earning capacity. The caretaker must demonstrate his or her ability to successfully complete the course of study.</p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No</p>	<p>Satisfactory educational progress and attendance must be maintained, as determined by the educational institution in coordination with the HHS worker.</p>
<p>10. PA recipients or low-income families with incomes up to 200% of the State Income Standard who are satisfactorily participating in a four-year college or university program leading to a bachelor's degree and that is reasonably expected to lead to an improvement in the caretaker's earning capacity. The caretaker must demonstrate his or her ability to successfully complete the course of study.</p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No</p>	<p>Satisfactory educational progress and attendance must be maintained, as determined by the educational institution in coordination with the HHS worker.</p>
<p>11. Families with incomes up to the 200% of the State Income Standard when child care services are needed for the child's caretaker to participate in a program to train workers in an employment field that currently is or is likely to be in demand in the 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.</p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No</p>	<p>Satisfactory educational progress and attendance must be maintained, as determined by the educational institution in coordination with the HHS worker.</p>

## Appendix M #1: Reasonable Distance, Family Share, Federal and Local Priorities

### I. Reasonable Distance for Public Assistance Recipients to Travel to Child Care and Work

Define "reasonable distance" based on community standards for determining accessible child care.

1. The following defines "reasonable distance":

Reasonable distance is defined as 1 hour one way.

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

1 hour allows for sufficient time to get most places within the county.

### II. Family Share

"Family Share" is the weekly amount paid towards the costs of the child care services by the child's parent or caretaker. Your district must select a family share percentage from 1% to 10% to use in calculating the amount of family share. The weekly family share of child care costs is calculated by applying the family share percentage against the amount of the family's annual gross income that is in excess of the State Income Standard divided by 52.

*Note: The family share percentage selected here must match the percentage entered in the Program Matrix in the Welfare Management System (WMS) and the Child Care Time and Attendance (CCTA) system.*

Family Share Percentage selected by the district:

1%

Additional Description of this Family Share Percentage:

### III. Federal and Local Priorities

1. The district must rank the federally mandated priorities. Cases that are ranked 1 have the highest priority for receiving child care assistance. These rankings apply to case closings and case openings.

a. Very low income (200% State Income Standard):

Rank 1

Rank 2

Rank 3

b. Families with income up to 200% of the State Income Standard who have a child with special needs and a need for child care:

Rank 1

Rank 2

Rank 3

c. Families with income up to 200% of the State Income Standard who are experiencing homelessness:

Rank 1

Rank 2

Rank 3

2. Does the district have local priorities?

Yes

No

If yes, list them below and rank beginning with Rank 4.

None.

# Appendix M #2: Case Openings, Case Closings, and Waiting List

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## I. Case Openings When Funds Are Limited

If a social services district does not have sufficient funds to provide child care services to all families who are applying, the district may decide to open certain categories of families as funds become available. The district must open federal priorities first. If the district identified local priorities, they must be opened next. **After the federal and local priorities**, identify the basis upon which the district will open cases if funds become available. Select one of the options listed below and describe the process for opening.

- 1. Open cases based on **FIRST COME, FIRST SERVED**.
- 2. Open cases based on **INCOME**.

If opening based on income...

- The district will open cases starting from the lowest income to the highest income.
- The district will open cases based on income bands, starting from the lowest income band to the highest income band.

If using income bands, list the bands, starting from the one that will be opened first:

100% - 125%

126% - 150%

151% - 175%

176% - 200%

- 3. Open cases based on **CATEGORY OF FAMILY**.
- 4. Open cases based on **INCOME AND CATEGORY OF FAMILY**.
- 5. Open cases based on **OTHER CRITERIA**.

## II. Title XX Case Closings When Sufficient Funds Are Not Available

- The district **does not use** Title XX funds for child care assistance.
- The district **uses** Title XX funds for child care assistance (this option must be checked in Appendix N and Appendix P must be completed).

## III. Waiting List

The district will establish a waiting list when there are not sufficient funds to open all eligible cases.

- Yes
- No

The district will establish a waiting list when there are not sufficient Title XX funds available to open new cases or keep all current cases open.

- Yes
- No

# Appendix M #3: Fraud and Abuse Control Activities and Inspections

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## I. Fraud and Abuse Control Activities

1. Describe below the criteria the district will use to determine which child care subsidy applications suggest a higher than acceptable risk for fraudulent or erroneous child care subsidy payments in addition to procedures for referring such applications to the district's front-end detection system.

- Applicant is self employed, but cannot provide adequate business records
- Applicant has a history of denial, case closing or overpayment resulting from an investigation
- Applicant states he/she is working off the books
- Information on application is inconsistent with prior case information
- Documentation or information provided by applicant is inconsistent with the application
- Child Care provider lives in the same household as the child
- No absent parent information or information is inconsistent with application
- PO Box supplied as a mailing address without a reasonable explanation

2. Describe the sampling methodology used to determine which cases will require verification of an applicant's or recipient's continued need for child care, including, as applicable, verification of participation in employment, education, or other required activities.

*The district cannot use criteria such as the age of provider, the gender of provider, a post office box address, or evidence that the child lives in the same residence as the provider as indicators in drawing the sample.*

Examiners will review at recertification if the recipient is employed, involved in an educational program or other required activities and will request either from the client or the case manager documentation such as school schedule, work schedule, pay stubs, wage clearances, etc.

The Program Integrity Unit randomly chooses one case from each child care worker's recertification list to audit.

3. Describe the sampling methodology used to determine which providers of subsidized child care services will be reviewed for the purpose of comparing the child care provider's attendance forms for children receiving subsidized child care services with any Child and Adult Care Food Program inspection forms to verify that child care was actually provided on the days listed on the attendance forms.

On a monthly basis the sponsor of the CACFP Program, Chautauqua Opportunities, will submit to the district a random report of 30% of the providers which will include the days, children in attendance and the meals claimed. The district's Program Integrity Unit will then review the reports and compare the reports with the child care provider's attendance forms to verify that the child care provided and meals were claimed on the days listed on the attendance forms.

## II. Inspections of Child Care Provider Records and Premises

The district may choose to make announced or unannounced inspections of the records and premises of any provider/program that provides child care for subsidized children to determine if the child care

provider is in compliance with applicable laws and regulations and any additional requirements imposed on such a provider by the social services district per 18 NYCRR §415.4(h)(3).

The district has the right to make inspections *prior to subsidized children receiving care* of any child care provider, including care in a home, to determine whether the child care provider is in compliance with applicable laws and regulations and any additional requirements imposed on such a provider by the district.

The district must report violations of regulations as follows:

1. Violations by a licensed or registered child care provider must be reported to the applicable Office of Children and Families (OCFS) Regional Office.
2. Violations by an enrolled or enrolling legally-exempt child care provider must be reported to the applicable Enrollment Agency.

**Does the district choose to make inspections of such child care providers/programs?**

- No.
- Yes. Provide the details of your inspections plan below.

**Check the organization that will be responsible for conducting inspections:**

- Local social services staff  
*Provide the name of the unit and contact person:*
- Contracted Agency *(must correspond to Appendix K, Question 3f)*  
*Provide the name of the agency and contact person:*  
Chautauqua Opportunities, Inc., Susan Marker

**The following types of subsidized child care providers/programs are subject to this requirement:**

- Legally-Exempt Child Care**
  - In-Home
  - Family Child Care
  - Group programs not operating under the auspices of another government agency
  - Group programs operating under the auspices of another government agency
- Licensed or Registered Child Care**
  - Family Day Care
  - Registered School-Age Child Care
  - Group Family Day Care
  - Day Care Centers
  - Small Day Care Centers



# Appendix N: District Options

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Districts have some flexibility to administer their child care subsidy programs to meet local needs. Districts must complete Question I below. Note that all districts must complete the differential payment rate table in Appendix T.

I. The district selects:

- None of the options below
- One or more of the options below

II. Districts must check the options that will be included in the district's county plan and complete the appropriate appendix for any option checked below.

- 1. The district has chosen to establish funding set-asides for NYSCCBG (complete Appendix O).
- 2. The district has chosen to use Title XX funds for the provision of child care services (complete Appendix P).
- 3. The district has chosen to establish additional local standards for child care providers (complete Appendix Q).
- 4. The district has chosen to make payments to child care providers for more than 24 absences (complete Appendix R).
- 5. The district has chosen to make payments to child care providers for program closures (complete Appendix S).
- 6. The district has chosen to pay for transportation to and from a child care provider (complete Appendix T).
- 7. The district has chosen to pay a differential rate for licensed or registered child care providers that have been accredited by a nationally recognized child care organization (complete Appendix T).
- 8. The district has chosen to pay a differential rate above the required 5% minimum differential rate for child care services during non-traditional hours (complete Appendix T).
- 9. The district has chosen to pay a differential rate for **licensed / registered** child care providers caring for children experiencing homelessness above the 5% required minimum differential rate (complete Appendix T).
- 10. The district has chosen to pay a differential rate for **legally-exempt** child care providers caring for children experiencing homelessness (complete Appendix T).
- 11. The district has chosen to pay a differential rate in excess of the 25% maximum differential rate for child care providers that qualify for multiple differential rates to allow sufficient access to child care providers or services within the district (complete Appendix T).
- 12. The district has chosen to pay up to 75% of the enhanced market rate for legally-exempt family and in-home child care providers who have completed 10 hours of training, which has been verified by the Legally-Exempt Caregiver Enrollment Agency (complete Appendix T).
- 13. The district has chosen to pay an enhanced market rate for eligible legally-exempt group child care programs that meet required health and/or training requirements (complete Appendix T).

14. The district has chosen to expand eligibility for child care assistance beyond the requirements of SSL 410-w(9), in order to allow a parent or caretaker who works non-traditional hours to sleep (complete Appendix T).

15. The district has chosen to make payments to child care providers who provide child care services exceeding 24 consecutive hours (complete Appendix U).

16. The district has chosen to include 18-, 19- or 20-year-olds in the Child Care Services Unit (complete Appendix U).

17. The district requests a waiver from one or more regulatory provisions. Waivers are limited to those regulatory standards that are not specifically included in law (complete Appendix U).

18. The district has chosen to use local equivalent(s) of OCFS required form(s). Prior to using a local equivalent form the district must obtain OCFS, Division of Child Care Services (DCCS) written approval. **Any previous approvals for local equivalent forms will not be carried forward into this county plan. Therefore, any local equivalent forms a district wishes to establish or renew must be included in this plan and will be subject to review and approval by OCFS.**

List below the names and upload copies of the local equivalent form(s) that the district would like to use.

19. The district elects to use the OCFS-6025, Application for Child Care Assistance. The local district may add the district name and contact information to the form.

## Appendix O: Funding Set-Asides

### I. Total NYSCCBG Block Grant Amount, Including Local Funds

Category	Amount
	\$
	\$
	\$
	\$
	\$
<b>Total Set-Asides (NYSCCBG):</b>	\$

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

Category:

Description:

Category:

Description:

Category:

Description:

Category:

Description:

II. The following amounts are set aside for specific priorities from the Title XX block grant:

Category	Amount
	\$
	\$
	\$
<b>Total Set-Asides (Title XX):</b>	\$

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

Category:

Description:

Category:

Description:

Category:

Description:

## Appendix P: Title XX Child Care

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1. Enter the projected total of Title XX expenditures for the plan's duration: \$

Indicate the financial eligibility limits (percentage of State Income Standard) your district will apply based on family size. Maximum reimbursable limits are 275% for a family of one or two, 255% for a family of three, and 225% for a family of four or more. Districts that are utilizing Title XX funds only for child protective and/or preventive child care services must not enter financial eligibility limits as these services are offered without regard to income.

<b>Family Size</b>	<b>Eligibility Limit</b>
<b>Two People</b>	%
<b>Three People</b>	%
<b>Four People</b>	%

2. Programmatic Eligibility for Income Eligible Families (check all that apply)

- Employment
- Seeking employment
- Homelessness
- Education / training
- Illness / incapacity
- Domestic violence
- Emergency situation of short duration
- Participating in an approved substance abuse treatment program

3. Does the district apply any limitations to the programmatic eligibility criteria?

- Yes
- No

If yes, describe eligibility criteria:

4. Does the district prioritize certain eligible families for Title XX funding?

Yes

No

If yes, describe which families will receive priority:

5. Does the district use Title XX funds for child care for open child protective services cases?

Yes

No

6. Does the district use Title XX funds for child care for open child preventive services cases?

Yes

No

## Appendix Q: Additional Local Standards for Child Care Providers

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The district may propose local standards in addition to the State standards for legally-exempt providers who will receive child care subsidies issued by the district. This appendix must be completed for **each** additional local standard that the district wants to implement.

The district must coordinate with the local Enrollment Agency, including, but not limited to:

- Informing the Enrollment Agency of the intent to request an additional standard.
- Developing the stepwise process referenced in Question 5.
- Ensuring that no significant burden of work shall be incurred by the Enrollment Agency as a result of the additional local standard, unless such work is addressed in a separate contract or a formal agreement is in place, which are referenced in Question 3.
- Sharing any consent / release form that may be required.
- Keeping the Enrollment Agency informed of the approval status.

1. Select the additional local standard that will be required of child care providers / programs.

Verification, using the district's local records, that the provider has given the caretaker complete and accurate information regarding any report of child abuse or maltreatment in which he or she is named as an indicated subject *(only applies to legally exempt relative-only family child care and relative only in-home child care)*

Local criminal background check *(only applies to legally exempt relative-only family child care and relative only in-home child care)*

Require providers caring for subsidized children for 30 or more hours a week participate in the Child and Adult Care Food Program (CACFP) *(only applies to family child care programs)*

Note that districts are required to notify the Enrollment Agency, using the OCFS-2114, District Notification to Legally-Exempt Caregiver Enrollment Agency, of all providers on the referral list for whom the requirement is "not applicable."

Site visits by the district

Other  
*Please describe:*

2. Check below the type of child care program to which the additional local standard will apply and indicate the roles of the persons to whom it will apply in cases where the standard is person-specific.

Legally-exempt relative-only family child care program

Provider

Provider's employee

Provider's volunteer

Provider's household member age 18 or older

Legally-exempt relative-only in-home child care program

Provider

Provider's employee

Provider's volunteer

Legally-exempt family child care program

Provider

Provider's employee

Provider's volunteer

Provider's household member age 18 or older

Legally-exempt in-home child care program

Provider

Provider's employee

Provider's volunteer

Legally-exempt group program

Director

Employee

Volunteer

2a. Exceptions: There may be instances when the district may be unable to enact the additional standard, such as, the applicable person may reside outside of the district's jurisdiction, or the site of care may not be located within the district. In such cases, the district may create an exception to the applicability stated above.

Note: The Child Care Facility System cannot track such exceptions and, therefore, the district remains responsible for notifying the applicable Enrollment Agency, using the OCFS-2114, District Notification to Legally-Exempt Caregiver Enrollment Agency, that an additional standard is "not applicable" to the specific provider / person named on the referral list.

Place a check mark below to show any exception to the applicability of this Local Additional Standard to programs or roles previously identified.

- a. The district will not apply this additional local standard when the applicable person **resides** outside of the subsidy-paying district.
- b. The district will not apply this additional local standard when the **program's site of care is located outside** of the subsidy-paying district.

3. Districts are responsible for implementation of the additional local standard unless they have a formal agreement or contract with another organization. Check the organization that will be responsible for the implementation of the additional local standard.

- Local social services staff  
*Provide the name of the unit and contact person:*  
Child Care Unit, Jill Triana
- Contracted agency  
*Provide the name of the agency and contact person:*

4. Are there any fees or other costs associated with the additional local standard?

- Yes
- No

Note: Costs associated with the additional local standard cannot be passed on to the provider.

5. Describe, in chronological order, the steps for conducting the additional local standard. Include how the district will retrieve referrals from CCFS, communicate with providers and other applicable persons, determine compliance with the additional local standard, inform the Enrollment Agency whether the additional local standard has been "met," "not met," or is "not applicable" and monitor its timeliness. Include all agencies involved and their roles. Note that the district's procedures must be in accordance with 12-OCFS-LCM-01.

The following providers are exempt from the CACFP local standard in addition to those already indicated in 2a above:

- Those who provide short term care (less than 3 months) such as for school breaks
- Those who provide child care for children in foster care will be offered enrollment in the CACFP but are not required to enroll in the program.

Using the e-notice system, the local district will identify the list of providers potentially required to enroll in CACFP. For example, if care is being provided in the provider's home and is 30 hours or more per week.

For those providers that the additional standard does not apply, the local district will return the OCFS 2114 for those providers for whom the additional local standard is NOT APPLICABLE. For those providers that the additional standard does apply, the local district will send the provider the CACFP Acknowledgement form with a request to return within 15 days. If the form is not returned by the 10th day, a phone call will be made to the provider reminding them of the due date.

The standard will be considered MET when the Acknowledgement form is signed and returned within 15 days.

The standard will be considered NOT MET when either the Acknowledgement Agreement is not

returned within 15 days or when the provider refuses to agree to participate in CACFP. The local district notifies the Enrollment Agency using the OCFS 2114 of providers for whom the additional local standard applies as either:

- IS MET for those that have submitted the CACFP Acknowledgement and have agreed or;
- NOT MET for those that have refused to agree to participate in CACFP.

The CACFP sponsoring agency will notify the Chautauqua County Child Care Unit when the enrollment is complete and anytime a provider is not actively participating in the program.

The CACFP sponsoring agency will send to the Program Integrity Unit Supervisor by the 10th of each month a random 30% "Claim Attendance Detail Report" and the "Review Worksheet" of all providers enrolled.

6. Indicate how frequently the additional local standard will be applied.

The Standard will be applied (check all that apply):

- At initial enrollment and re-opening
- At each re-enrollment
- During the enrollment **review** period

7. Describe the justification for the additional local standard in the space below.

Requiring providers to participate in the CACFP will promote good nutrition, health and wellness for children cared for by legally exempt providers receiving subsidy within our district.

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The district may propose local standards in addition to the State standards for legally-exempt providers who will receive child care subsidies issued by the district. This appendix must be completed for **each** additional local standard that the district wants to implement.

The district must coordinate with the local Enrollment Agency, including, but not limited to:

- Informing the Enrollment Agency of the intent to request an additional standard.
- Developing the stepwise process referenced in Question 5.
- Ensuring that no significant burden of work shall be incurred by the Enrollment Agency as a result of the additional local standard, unless such work is addressed in a separate contract or a formal agreement is in place, which are referenced in Question 3.
- Sharing any consent / release form that may be required.
- Keeping the Enrollment Agency informed of the approval status.

1. Select the additional local standard that will be required of child care providers / programs.

- Verification, using the district's local records, that the provider has given the caretaker complete and accurate information regarding any report of child abuse or maltreatment in which he or she is named as an indicated subject (*only applies to legally exempt relative-only family child care and relative only in-home child care*)
- Local criminal background check (*only applies to legally exempt relative-only family child care and relative only in-home child care*)
- Require providers caring for subsidized children for 30 or more hours a week participate in the



Child and Adult Care Food Program (CACFP) *(only applies to family child care programs)*

*Note that districts are required to notify the Enrollment Agency, using the OCFS-2114, District Notification to Legally-Exempt Caregiver Enrollment Agency, of all providers on the referral list for whom the requirement is "not applicable."*

Site visits by the district

Other  
*Please describe:*

2. Check below the type of child care program to which the additional local standard will apply and indicate the roles of the persons to whom it will apply in cases where the standard is person-specific.

Legally-exempt relative-only family child care program

Provider

Provider's employee

Provider's volunteer

Provider's household member age 18 or older

Legally-exempt relative-only in-home child care program

Provider

Provider's employee

Provider's volunteer

Legally-exempt family child care program

Provider

Provider's employee

Provider's volunteer

Provider's household member age 18 or older

Legally-exempt in-home child care program

Provider

Provider's employee

Provider's volunteer

Legally-exempt group program

Director

Employee

Volunteer

2a. Exceptions: There may be instances when the district may be unable to enact the additional standard,

such as, the applicable person may reside outside of the district's jurisdiction, or the site of care may not be located within the district. In such cases, the district may create an exception to the applicability stated above.

*Note: The Child Care Facility System cannot track such exceptions and, therefore, the district remains responsible for notifying the applicable Enrollment Agency, using the OCFS-2114, District Notification to Legally-Exempt Caregiver Enrollment Agency, that an additional standard is "not applicable" to the specific provider / person named on the referral list.*

Place a check mark below to show any exception to the applicability of this Local Additional Standard to programs or roles previously identified.

- a. The district will not apply this additional local standard when the applicable person **resides** outside of the subsidy-paying district.
- b. The district will not apply this additional local standard when the **program's site of care is located outside** of the subsidy-paying district.

3. Districts are responsible for implementation of the additional local standard unless they have a formal agreement or contract with another organization. Check the organization that will be responsible for the implementation of the additional local standard.

- Local social services staff  
*Provide the name of the unit and contact person:*  
Child Care Unit, Jill Triana
- Contracted agency  
*Provide the name of the agency and contact person:*

4. Are there any fees or other costs associated with the additional local standard?

- Yes
- No

*Note: Costs associated with the additional local standard cannot be passed on to the provider.*

5. Describe, in chronological order, the steps for conducting the additional local standard. Include how the district will retrieve referrals from CCFS, communicate with providers and other applicable persons, determine compliance with the additional local standard, inform the Enrollment Agency whether the additional local standard has been "met," "not met," or is "not applicable" and monitor its timeliness. Include all agencies involved and their roles. Note that the district's procedures must be in accordance with 12-OCFS-LCM-01.

The district will include an "Authorization and Release" form and a "History of Child Abuse and Maltreatment Attestation Form" in the enrollment packets that it distributes to parents/caretakers which will authorize the Chautauqua County Department of Health & Human Services to conduct a check of the local child welfare records related to the child care attestations for the sole purpose of verifying the accuracy of the information submitted to the parent/caretaker. The individuals specified in question #2 above will be asked to sign the release. The records check will be required only for the types of child care specified in question #2 and will be required only to persons in the roles specified in question #2. If any of the individuals checked in question #2 above refuse to sign the release allowing Chautauqua County Department of Health & Human Services to review only the existing local child welfare records related to the child care attestations, the enrollment package will be considered incomplete and the enrollment process cannot move forward and will be withdrawn by the enrollment agency.

To initiate the additional standards check, per 12-OCFS-LCM-01, the Child Care Facility System will

automatically generate the E-Notice, LE-CCFS LD-003 Legally-Exempt Additional Standard Referral Notification, to inform the local district that the additional standards check must be conducted. Chautauqua County Department of Health & Human Services will run the CCFS report, LE Additional Local Standard Referral List to obtain the list of persons subject to the additional local standard as specified in question #2 above, to obtain specific information regarding the persons for whom Legally-Exempt Additional Standard(s) Review(s) must be conducted.

The local district will conduct the check of the local database to determine whether an individual checked in question #2 above is an indicated subject of a child abuse or maltreatment report. When the local records check reveals that an individual specified in question #2 above is an indicated subject of a child abuse or maltreatment report, the proposed child care provider will be required to submit to the Chautauqua County Department of Health & Human Services a copy of the written statement provided to the parent/caretaker concerning the indicated incident(s). This statement must be signed by the parent/caretaker acknowledging receipt of this information and the parent/caretaker's wish to use this child care provider despite the indication.

If the information regarding the indicated child protective report submitted by the provider does not substantially correlate with the information obtained during the local records check related to the child care attestations, the Chautauqua County Department of Health & Human Services will notify the provider that he or she has ten (10) calendar days to clarify the discrepancies in the information submitted to the district and parent/caretaker. Within the ten (10) calendar day period the provider must submit information to Chautauqua County Department of Health & Human Services and the parent/caretaker that either substantially correlates with the information obtained by the district's local database check of the records related to the child care attestations or that documents that the information obtained from the local database check of the records related to the child care attestations is inaccurate.

Chautauqua County Department of Health & Human Services will complete the OCFS 2114 and send it to the applicable Enrollment Agency to notify the Enrollment Agency of the determination, as follows:

The standard is Not Met:

- If the provider fails to clarify the discrepancies, the Chautauqua County Department of Health & Human Services will notify the Enrollment Agency that the additional standard has not been met.

The standard is Met:

- When the local database check of the child welfare records DOES NOT reveal that a person in the role specified in question 2 is an indicated subject of a report of child abuse or maltreatment.
- The information regarding the indicated child protective report correlates with the information obtained from the local database check and the parent/caretaker still chooses to use the provider, the Enrollment Agency will be notified that the additional standard has been met.

The standard is not applicable:

- The provider resides outside of the subsidy paying district.

6. Indicate how frequently the additional local standard will be applied.

The Standard will be applied (check all that apply):

- At initial enrollment and re-opening
- At each re-enrollment
- During the enrollment **review** period

7. Describe the justification for the additional local standard in the space below.

The local district wants to make sure that providers have told parents/caretakers about known child protective histories for themselves and any other individuals specified in question #2. The additional standard supports a State requirement for enrollment which requires the provider and relevant site persons to give the parent/caretaker true and accurate information regarding indicated child protective reports. The additional standard verifies the provider is telling the truth on the enrollment form. This promotes safer child care for children by verifying that true and accurate information about a caregivers history has been shared with the child(ren)'s parent/caretaker.

## Appendix R: Payment to Child Care Providers for Absences

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1. Our district will only pay for additional absences to providers with which the district has a contract or letter of intent.

- Yes
- No

2. The following providers are eligible for payment for additional absences (check all that are eligible):

- Day care center
- Group family day care
- Family day care
- Informal child care
- Legally-exempt group
- School-age child care

3. Number of additional absences above the required 24 allowed per child per provider per year:

36

4. List any limitations on reasons for additional absences for which the district will allow payment:

None.

5. List any other limitations on the above providers' eligibility for payment for additional absences:

Child Care program must be open and the child was not cared for at another child care program.

## Appendix S: Payment to Child Care Providers for Program Closures

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1. The following providers are eligible for payment for program closures:

- Day care center
- Group family day care
- Family day care
- Legally-exempt group
- School-age child care

2. The district will only pay for program closures to providers with which the district has a contract or letter of intent.

- Yes
- No

3. Enter the number of days allowed for program closures (maximum allowable time for program closures is five days):

5

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

In the event that the contractor's facility is closed due to a public health directive, not the fault of the contractor as determined by the Department of Health, the District will pay contractor up to five (5) days or until the approval to reopen is given, whichever is less.

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

## Appendix T: Transportation, Differential Payment Rates, Enhanced Market Rates for Legally-Exempt

# Providers, and Sleep

## I. Transportation

1. Are there circumstances where the district will reimburse for transportation?

- No  
 Yes

2. If the district will reimburse for transportation, describe any circumstances and limitations the district will use to reimburse. Include what type of transportation will be reimbursed (public and/or private) and how much your district will pay (per mile or trip). Note that if the district is paying for transportation, the Program Matrix in the Welfare Management System (WMS) should reflect this choice.

## II. Differential Payment Rates

1. Districts must complete the Differential Payment Rate Percent (%) column in the table below for each of the four (4) differential payment rate categories. For the two (2) categories that require a state minimum five percent (5%) differential payment rate, the district must enter "5%" or, if it chooses, a higher rate up to 15%.

The other two (2) differential payment rate categories in the table below are optional. If the district chooses not to set differential payment rates, the district must enter zero. If the district chooses to set a differential payment rate, enter the appropriate percentage up to 15 percent (15%). Note that if the district selects a differential payment rate for nationally accredited programs, then that rate must be in the range of five percent (5%) to 15 percent (15%).

Differential Payment Rate Category	Differential Payment Rate Percent	Instructions
<b>Homelessness: Licensed and Registered Providers</b> State required minimum of 5%	5%	Enter a percentage (%): 5% to 15%. (Must enter at least 5%)
<b>Homelessness: Legally-Exempt Providers</b>	0%	Enter 0% or a percentage (%) up to 15%.
<b>Non-traditional Hours: All Providers</b> State required minimum of 5%	5%	Enter a percentage (%): 5% to 15%. (Must enter at least 5%)
<b>Nationally Accredited Programs: Licensed and Registered Providers</b> <i>Legally-exempt child care providers are not eligible for a differential payment rate for accreditation.</i>	0%	Enter 0% or a percentage (%) from 5% to 15%.

2. Generally, differential payment rates may not exceed 25% above the applicable market rate or actual cost of care. However, a district may request a waiver from the Office to establish a payment rate that is in excess of 25% above the applicable market rate upon showing that the 25% maximum is insufficient to provide access within the district to child care providers or services that offer care addressing more than one of the differential payment rate categories. However, if your district wants to establish a payment rate that is more than 25% above the applicable market rate, describe below why the 25% maximum is insufficient to provide access to such child care providers or services.

## III. Increased Enhanced Market Rate for Legally-Exempt Family and In-Home Child Care Providers

1. The enhanced market rate for legally-exempt family and legally-exempt in-home child care providers who have completed 10 or more hours of training annually is a 70% differential applied to the market rates established for registered family day care. Indicate if the district is electing to establish a payment rate that is in excess of the enhanced market rate for legally-exempt family and in-home child care providers who have completed 10 or more hours of training annually and the training has been verified by the legally-exempt caregiver enrollment agency.

- No
- Yes

2. If yes, indicate the percent (71%–75%), not to exceed 75% of the child care market rate established for registered family day care.

%

#### **IV. Enhanced Market Rates for Legally-Exempt Group Child Care Programs**

*Answer both questions:*

1. Indicate if the district is electing to establish an enhanced market rate for child care services provided by legally-exempt group child care programs that have prepared an approved health care plan and have at least one caregiver in each classroom with age appropriate cardiopulmonary resuscitation (CPR) certification and the enhanced requirements have been verified by the enrollment agency.

- No
- Yes

If yes, indicate the percent (76%–81%), not to exceed 81% of the applicable market rate for day care centers.

%

2. Indicate if the district is electing to establish an enhanced market rate for child care services provided by legally-exempt group child care programs when, in addition to the training required in 18 NYCRR §415.13, the director has completed an approved course and a minimum of 15 hours of approved training annually and each employee with a caregiving role completes a minimum of 5 hours of approved training annually and the enhanced requirements have been verified by the enrollment agency.

- No
- Yes

If yes, indicate the percent (76%–81%), not to exceed 81% of the applicable market rate for day care centers.

%

If a district chooses to establish both legally-exempt group child care enhanced rates and a program is eligible for both enhanced rates, then the enhanced market rate must be based on the percentages selected for each individual market rate, up to a maximum of 87%.

#### **V. Sleep**

In accordance with SSL 410-w(9), up to eight hours of additional child care assistance must be authorized for all eligible children in a family, as needed, in order to allow a parent or caretaker to sleep, if the parent or caretaker works non-traditional hours, is eligible for and provided with child care assistance, and has a child under the age of six and not in school for a full day.

If the district chooses to expand eligibility for child care assistance beyond the requirements of SSL 410-w(9), in order to allow a parent or caretaker who works non-traditional hours to sleep, please describe below:

## Appendix U: Child Care Exceeding 24 Hours, Child Care Services Unit, and Waivers

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### I. Child Care Exceeding 24 Hours

1. Child care services may exceed 24 consecutive hours when such services are provided on a short-term emergency basis or in other situations where the caretaker's approved activity necessitates care for 24 hours on a limited basis. Check below under what circumstances the district will pay for child care exceeding 24 hours.

- On a short-term emergency basis
- The caretaker's approved activity necessitates care for 24 hours on a limited basis

2. Describe any limitations on the payment of child care services that exceed 24 consecutive hours.

For recipients of child care subsidy and/or TA who are employed.

### II. Child Care Services Unit (CCSU)

1. Indicate below if your district will include 18-, 19-, or 20-year-olds in the CCSU for determining family size and countable family income.

a. The district will include the following in the CCSU (check all that apply)

- 18-year-olds
- 19-year-olds
- 20-year-olds

**OR**

b. The district will only include the following in the CCSU when it will benefit the family (check all that apply)

- 18-year-olds
- 19-year-olds
- 20-year-olds

2. Describe the criteria your district will use to determine whether or not 18-, 19-, or 20-year olds are included in the CCSU.

Budgets will be computed that include and exclude the 18, 19 or 20 year old(s). Based on those calculations a decision will be made to include or exclude the individual(s) when it benefits the family.



### **III. Waivers**

1. Districts have the authority to request a waiver of any regulatory provision that is non-statutory. The waiver must be approved by OCFS before it can be implemented. Describe and justify why your district is requesting a waiver.