

Child and Family Services Plan Annual Plan Update Amendments for Child Care Regulations Effective October 1, 2023.

Due to statutory amendments and regulatory changes, effective October 1, 2023, a number of amendments are necessary to the Child Care Assistance Program (CCAP) section of the Child and Family Services Plan (CFSP) 2023 Annual Plan Update (APU). To simplify the amendment process, the Office of Children and Family Services (OCFS) is making automatic amendments to all districts' currently approved 2023 APUs as outlined herein. Districts must complete the Preliminary Eligibility section of Part One of this form to either opt in or out of preliminary eligibility. Districts that opted to provide child care assistance using Title XX funds in their 2023 APU must also complete Part Two below. This form and any additional amendment requests to revise district options in accordance with regulatory changes must be submitted to OCFS at:

ocfs.sm.districtsupport.subsidy@ocfs.ny.gov

For more information about program implications related to these amendments, please refer to 23-OCFS-ADM-18, *2023 Changes to Child Care Assistance Regulations: Parts 404 and 415*.

NAME OF DISTRICT: Niagara		
NAME OF DISTRICT CONTACT PERSON: Kim Bickle	CONTACT PHONE: 716-439-7789	CONTACT EMAIL: kimberly.bickle@niagaracounty.com

The 2023 APU is hereby amended to reflect the following changes:

Part One: NYS Child Care Block Grant

II. Federal and Local Priorities: Removed

III. Funding Set-Asides: Removed

V. District Options of Other Eligible Families (Category 3 Cases): Removed

NEW VIII. Preliminary Eligibility

Districts may opt to provide child care assistance during the eligibility determination period (the application period) for families who are in need of child care services, in accordance with the eligibility criteria established in 23-OCFS-ADM-18, *2023 Changes to Child Care Assistance Regulations: Parts 404 and 415*. Select one:

the district **will** provide child care assistance during the eligibility determination (application) period.

the district **will not** provide child care assistance during the eligibility determination (application) period.

Part Two: Title XX Child Care

Districts that did not opt in their 2023 APU to use Title XX funds for child care assistance are not required to complete this section unless the district is now choosing to use Title XX funds for child care assistance.

- The district will use Title XX funds for child care assistance with an income eligibility level of up to 85% of the SMI.
- The district will use Title XX funds for child care assistance for protective and/or preventive cases only.
- The district will no longer use Title XX funds for child care assistance.

I. Funding: Revised

Financial eligibility income limit is 85% of the State Median Income

III. Programmatic Eligibility: Revised

Districts that only use Title XX funds for protective and/or preventive cases and districts that do not use Title XX funds are not required to complete this section.

Each district that opts above to use Title XX funds to provide child care assistance for cases other than protective and/or preventive must complete the following section indicating whether or not the district will provide child care assistance to such families under the new income eligibility threshold of 85% of the SMI.

1. Families Receiving Temporary Assistance:

- a. when such services are needed for an eligible child aged 13 or older, who has special needs or is under court supervision, in order to enable the child's parent(s) or caretaker relative(s) to participate in activities required by social services officials including orientation, assessment, or work activities defined in 18 NYCRR Part 385
 - Yes
 - No
- b. for a child aged 13 or older, who has special needs or is under court supervision, in order to enable the child's parent(s) or caretaker relative(s) to engage in work as defined by the social services district
 - Yes
 - No
- c. When child care services are necessary for a parent or caretaker to participate in an approved activity in addition to their required work activity
 - Yes
 - No
- d. When child care services are necessary for a sanctioned parent or caretaker to participate in unsubsidized employment, whereby the parent or caretaker relative

receives earned wages at a level equal to or greater than the minimum amount required under Federal and State Labor Law

Yes

No

2. Families Receiving Temporary Assistance or Families with Income up to 85% of the SMI and child care services are needed when the child's caretaker is:

a. receiving services for victims of domestic violence, or is participating in a screening or assessment to receive services for victims of domestic violence

Yes

No

b. participating in an approved substance abuse treatment program, or in screening for or an assessment of the need for substance abuse treatment

Yes

No

c. in an emergency situation 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

Yes

No

d. a teenage parent attending high school or an equivalency program

Yes

No

e. physically or mentally incapacitated or has family duties away from home necessitating their absence

Yes

No

f. attending a two-year degree granting program at a community college, a two-year college, or an undergraduate college leading to an associate degree or a certificate of completion

Yes

No

g. attending a four year college or university program leading to a bachelor's degree provided the program is reasonably expected to improve the earning capacity of the caretaker and the caretaker can demonstrate his or her ability to successfully complete the course of study

Yes

No

h. experiencing homelessness, in accordance with section 725 of Subtitle VII-B of the McKinney-Vento Act

Yes

No

3. Families with Income up to 85% of the SMI and child care services are needed:

a. for the child's caretaker to be engaged in work as defined in section 18 NYCRR §415.1(o)(1)

Yes

No

b. for the child's caretaker to actively seek employment as defined in 18 NYCRR §415.1(p) for a period of up to six months, if the caretaker documents that he or she is currently registered with a New York State Department of Labor's Division of Employment Services Office

Yes

No

c. for one of the child's caretakers to be engaged in work and the child's other caretaker is physically or mentally incapacitated or has family duties away from home necessitating their absence

Yes

No

d. When child care services are needed for the child's caretaker to attend an educational facility providing a standard high school curriculum offered by or approved by the local school district

Yes

No

e. When child care services are needed for the child's caretaker to attend an education program that prepares an individual to obtain a New York State high school equivalency diploma

Yes

No

f. When child care services are needed for the child's caretaker to attend 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 in those areas

Yes

No

g. When child care services are needed for the child's caretaker to attend a program providing literacy training designed to help individuals improve their ability to read and write

Yes

No

- h. When child care services are needed for the child's caretaker to attend 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 native or primary language is other than English
Yes
No
- i. When child care services are needed for the child's caretaker to attend a training program which has a specific occupational goal and is conducted by an institution licensed or approved by the State Education Department other than a college or university
Yes
No
- j. When child care services are needed for the child's caretaker to attend a prevocational skills training program
Yes
No
- k. When child care services are needed for the child's caretaker to attend a demonstration project designed for vocational training or other projects approved by the Department of Labor
Yes
No
- l. 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 near future, if the caretaker documents that he or she is a dislocated worker and is currently registered in such a program
Yes
No

Note: Unless care is provided under option 2g, the caretaker must complete the selected educational or vocational programs listed above within 48 consecutive calendar months. The caretaker cannot enroll in more than one program.

IV. Priority: Removed

V. Title XX Set Asides: Removed

VI. Case Closing When Funds Are Limited: Revised.

Case closings must be based on the amount of time families have received services. Districts that have opted to use Title XX funds for child care assistance must indicate which cases will be closed first. Please select one.

- the district will close cases starting from the shortest time receiving services to the longest time

the district will close cases starting from the longest time receiving services to the shortest time

Other: Has the district chosen to further amend Part Two of the 2023 APU?

Yes No

If yes, please list changes:

Part Three: District Options that Apply to Both NYSCCBG and Title XX

I. Family Share. Revised

The family share will be set at 1% of income exceeding the federal poverty level (FPL) for all families who are required to pay a family share.

II. Payment to Child Care Providers for Absences: Revised

Districts are required to reimburse up to 80 absences per child, per provider, per state fiscal year, when a child is temporarily absent from child care.

III. Payment to Child Care Providers for Program Closures: Revised

Districts are required to pay up to 20 program closures per licensed, registered, permitted (in New York City), or legally exempt group program per state fiscal year.

The district will be provided with notice of receipt of this form if there are no changes beyond the noted automatic amendments. For changes related to Title XX and for districts that opt in to preliminary eligibility, an approval notice will be provided upon receipt and review of the above sections.

<u>Meghan Lutz</u>	<u>Commissioner</u>
NAME	TITLE
<u>Meghan Lutz</u>	<u>10 1 23 1 2023</u>
SIGNATURE	DATE