

**WAYNE COUNTY**  
**2012-2016 CFSP – CHILD CARE**  
**APPENDIX K**  
Child Care Administration

Describe how your local district is organized to administer the child care program, including any functions that are subcontracted to an outside agency.

1. Identify the unit that has primary responsibility for the administration of child care for:

Public Assistance Families: Temporary Assistance  
Transitioning Families: Services Division  
Income Eligible Families: Services Division  
Title XX: N/A

2. Provide the following information on the use of New York State Child Care Block Grant (NYSCCBG) Funds.

FFY 2009-2010 Rollover funds (available from the NYSCCBG ceiling report in the claiming system): .....\$0.00  
Estimate FFY 2010-11 Rollover Funds .....\$0.00  
Estimate of Flexible Funds for Families (FFS) for child care subsidies.....\$0.00  
NYSCBG Allocation 2011-12 .....\$997,247.00  
Estimate of Local Share .....\$39,416.00  
**Total Estimated NYSCCBG Amount** .....\$1,036,663.00  
**a. Subsidy** .....\$858,688.00  
**b. Other program costs excluding subsidy** .....\$128,948.00  
**c. Administrative costs** .....\$49,027.00

3. Does your district have a contract or formal agreement with another organization to perform any of the following functions?

Function	Organization	Amount of Contract
<input type="checkbox"/> Eligibility screening		
<input type="checkbox"/> Determining if legally-exempt providers meet State-approved additional standards		
<input type="checkbox"/> Assistance in locating care		
<input type="checkbox"/> Child Care Information Systems		
<input checked="" type="checkbox"/> Other	Child Care Council	\$123,662.00

## APPENDIX L

### Other Eligible Families if Funds are Available (Required)

Listed below are the optional categories of eligible families that your district can include as part of its County Plan. Select any categories your county 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="checkbox"/> Yes <input type="checkbox"/> No	
2. PA families or families with income up to 200% of the State Income Standard when the caretaker is:		
a) participating in an approved substance abuse treatment program	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
b) homeless	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
c) a victim of domestic violence	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
d) in an emergency situation of short duration	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
3. Families with an open child protective services case when child care is needed to protect the child.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
4. Families with income up to 200% of the State Income Standard when child care services are needed because the child's caretaker:		
a) is physically or mentally incapacitated	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Doctor verification of Need and eligibility (Item a)
b) has family duties away from home	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
5. Families with income up to 200% of the State Income Standard when child care services are needed for the child's caretaker to actively seek employment for a period up to six months.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Verification of job search activities and/or appointments
6. PA families where a sanctioned parent is participating in unsubsidized employment, earning wages at a level equal to or greater than the minimum amount under law.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

<p>7. Families with income up to 200% of the State Income Standard when child care services are needed for the child's caretaker to participate in:</p> <p>a) a public or private educational facility providing a standard high school curriculum offered by or approved by the local school district</p> <p>b) an education program that prepares an individual to obtain a NYS High School equivalency diploma</p> <p>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</p> <p>d) a program providing literacy training designed to help individuals improve their ability to read and write</p> <p>e) 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</p> <p>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 degree or certificate of completion</p> <p>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</p> <p>h) a prevocational skill training program such as a basic education and literacy training program</p> <p>i) a demonstration project designed for vocational training or other project approved by the Department of Labor</p> <p><b>Note:</b> The parent/caretaker must complete the selected programs listed under number seven within 30 consecutive calendar months. The parent/caretaker cannot enroll in more than one program.</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>In accordance with 18NYCRR 415</p>
<p>8. PA recipients and low-income families with incomes up to 200% of the State Income Standard</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Child care provided during work hours and</p>

<p>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 in the parent/caretaker's earning capacity) as long as the parent(s) or caretaker is also working at least 17½ hours per week. The parent/caretaker must demonstrate his or her ability to successfully complete the course of study.</p>		<p>recipient must meet work requirements</p>
<p>9. PA recipients and 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 parent/caretaker's earning capacity as long as the parent(s) or caretaker is also working at least 17½ hours per week. The parent/caretaker must demonstrate his or her ability to successfully complete the course of study.</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Child care provided during work hours and recipient must meet work requirements</p>
<p>10. PA recipients and 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 parent/caretaker's earning capacity as long as the parent(s) or caretaker is also working at least 17½ hours per week. The parent/caretaker must demonstrate his or her ability to successfully complete the course of study.</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Child care provided during work hours and recipient must meet work requirements</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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	

## APPENDIX M

### Reasonable Distance, Very Low Income, Family Share, Case Closing and Openings, Recertification Period, Fraud and Abuse Control Activities (Required)

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#### Reasonable Distance

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

The following defines “reasonable distance”: Provider is no more than one hour travel time from home, school or work location.

Describe any steps/consultations made to arrive at your definition: Arrived here to give client maximum flexibility in deciding which provider to use.

#### Very Low Income

Define “very low income” as it is used in determining priorities for child care benefits.

“Very Low Income” is defined as 200% of the State Income Standard.

#### Family Share

“Family share” is the weekly amount paid towards the costs of the child care services by the child’s parent or caretaker. In establishing family share, your district must select a percentage from 10% to 35% to use in calculating the family share and justify this percentage decision. 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.

Family Share Percentage selected by the county 25%.

**Note:** The percentage selected here must match the percentage selected in Title XX Program Matrix in WMS.

#### Case Closings

The district must describe below how priority is given to federally mandated priorities and describe local priorities. If all NYSCCBG funds are committed, the district will discontinue funding to those families that have lower priorities in order to serve families with higher priorities. Describe below how districts will select cases to be closed in the event that there are insufficient or no funds available.

1. Identification of local priorities in addition to the required federal priorities (select one).
  - The district has identified local priorities in addition to the required federal priorities (Complete Section 2)
  - The district has not identified local priorities in addition to the required federal priorities (Complete Section 3).
2. Describe how priority is given to federally mandated priorities and describe local priorities. If all NYSCCBG funds are committed, the district will discontinue funding to those families that have lower priorities in order to serve families with higher priorities. Describe in the space below how the district will select cases to be closed in the event that there are insufficient or no funds available.

a. The district will select cases to be closed based ONLY on income.

No.

Yes. Check 1 or 2 below.

1)  The district will close cases from the highest income to lowest income.

2)  The district will close cases based on income bands. Describe the income bands, beginning at 200% of the State Income Standard and ending at 100% of the State Income Standard:

200% to 176%;175% to 151%;150% to 126%;125% to 101%;100% to 0%.

b. The district will select cases to be closed based ONLY on categories of families.

No.

Yes. List the categories in the order that they will be closed, including the optional categories selected in Appendix L:

c. The district will select cases to be closed based on a combination of income and family category.

No.

Yes. List the categories and income groupings in the order that they will be closed:

d. The district will select cases to be closed on a basis other than the options listed above.

No.

Yes. Describe how the district will select cases to be closed in the event that there are insufficient funds to maintain the district's current case load:

e. The last cases to be closed will be those that fall under federal priorities. Identify how your district will prioritize federal priorities. Cases that are ranked 1 will be closed last.

Very low income     Rank 1     Rank 2

Families that have a child with special needs     Rank 1     Rank 2

3. If all NYSCCBG funds are committed, case closings for families that are not eligible under a child care guarantee and are not a federally mandated priority must be based on the length of time in receipt of services. The length of time used to close cases may be based either on the shortest or longest time the family has received child care services, but must be consistent for all families.

a. Identify how the district will prioritize federal priorities. Cases that are ranked 1 will be closed last.

Very low income     Rank 1     Rank 2

Families that have a child with special needs  Rank 1  Rank 2

- b. The district will close cases based on the federal priorities and the amount of time the family has been receiving child care services.

Shortest time receiving child care services

Longest time receiving child care services

4. The district will establish a waiting list for families whose cases were closed because our county did not have sufficient funds to maintain our current caseload.

No.

Yes. Describe how these cases will be selected to be reopened if funds become available:

A waiting list of all cases closed due to insufficient funds will be compiled. In the event that funds become available, cases on the waiting list will be selected for reopening based on the same income bands as identified above, starting with the lowest-income band and proceeding upward. *Within* each such income band, cases will be opened in order of their time on the waiting list, starting with those waiting the longest to those waiting shorter times.

### Case Openings

Describe below how priority is given to federally mandated priorities and how the district will select cases to be opened in the event that insufficient funds are available.

1. The first cases to be opened will be those that fall under the federal priorities.

Identify how your district will prioritize federal priorities. Cases that are ranked 1 will be opened first.

Very low income  Rank 1  Rank 2

Families that have a child with special needs  Rank 1  Rank 2

2. The district will select cases to be opened based ONLY on income.

No.

Yes. Check 1 or 2 below.

1)  The district will open cases from the highest income to lowest income.

2)  The district will open cases based on income bands. Describe the income bands, beginning at 200% of the State Income Standard and ending at 100% of the State Income Standard:

Cases will be opened based in income bands in the reverse order as specified under Case Closings; bands are 0%-100%, 101%-125%, 126%-151%, 151%-175%, and 176%-200%.

3. The district will select cases to be opened based ONLY on category.

No.

Yes. List the categories in the order that they will be opened, including the optional categories selected in Appendix L:

4. The district will select cases to be opened based on a combination of income and category of family.

No.

Yes. List the categories and income groupings in the order that they will be opened:

5. The district selects cases to be opened on a basis other than the options listed above.

No.

Yes. Describe how the district will select cases to be opened in the event that there are not sufficient funds to open all eligible families:

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

No.

Yes. Describe how these cases will be selected to be opened when funds become available:

Cases will be opened based in income bands and a first come served basis within each band. Bands are 0%-100%, 101%-125%, 126%-151%, 151%-175%, and 176%-200%.

The district's recertification period is every  six months  twelve months

### **Fraud and Abuse Control Activities**

**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 payment in addition to procedures for referring such applications to the district's front-end detection system.**

The district will identify higher than acceptable risk for fraudulent or erroneous child care subsidy payments by reviewing information contained in applications and the applicant's employment verification and then comparing it to provider information. If the information raises a concern for fraud or erroneous payments, the provider and/or parent will be contacted for further clarification. We will also do further investigations for cases where there is conflicting information based on WMS information, arrest reports, child support postal checks, or school attendance information.

If there is still concern over the risk for fraud, the district will check to see if the client or provider is active FS or MA. If the client or provider is active with one of these programs, the examiner will be informed of the concern. If it affects the temporary assistance case, the temporary assistance worker will do a FEDS referral. If the temporary assistance worker feels



the information has no bearing on the temporary assistance case, the day care assistance worker will complete do a FEDS referral.

If a case is closed with no fraudulent concerns but an overpayment has occurred, the amount will be entered in CAMS for recoupment. If the client fails to pay on this amount, the client will not be eligible for further benefits unless they pay half of the amount owed prior to receiving further benefits. The remainder will be recouped in their Family Share that will not exceed \$10.00 per week over and above the 25%.

If there is concern of fraud on the provider's part, the district will request the legally exempt enrollment agency to visit the home of the legally exempt child care providers. The local staff will also review the legally exempt paperwork and WMS system for information.

**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.**

All cases in which day care assistance is needed for a limited time frame are tracked by noting the information on the Notice of Decision, or, if for longer than 6 months, by the use of the case file. This alerts both the person doing the authorization and the accounting department, where the payments are done, of attendance limits. Ongoing cases are recertified every 6 months and employment is verified by reviewing 8 weeks' worth of pay stubs or another source that verifies gross wages and the number of hours employed over an 8 week period or longer.

**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.**

At this time, the number of informal providers in the Child and Adult Care Food programs are few, therefore it seems reasonable to conduct a sampling once per year. The Child Care Council will provide DSS with "Food Assistance" information on at least 50% of the providers participating in the Food program. DSS will then compare this information to the bills submitted to us for day care subsidy. This will help to verify attendance.

**APPENDIX N**  
**District Options (Required)**

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Districts have some flexibility to administer their child care subsidy programs to meet local needs. Check which options that your district wishes to include in your county plan. Complete the attached appendices for any area(s) checked.

1.  The district has chosen to establish funding set-asides for NYSCCBG (complete Appendix O).
2.  The district is using 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 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 up to 15% higher than the applicable market rates for regulated child care services that have been accredited by a nationally recognized child care organization (complete Appendix T).
8.  The district has chosen to pay up to 15% higher than the applicable market rates for non-traditional hours (complete Appendix T).
9.  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).
10.  The district has chosen to pay for child care services while a caretaker who works the second or third shift sleeps (complete Appendix T).
11.  The district has chosen to make payments to child care providers who provide child care services, which exceed 24 consecutive hours (complete Appendix U).
12.  The district has chosen to include 18-, 19- or 20-year-olds in the Child Care Services Unit (complete Appendix U).
13.  The district is seeking a waiver from one or more regulatory provisions. Such waivers are limited to those regulatory standards that are not specifically included in law (complete Appendix U).
14.  The district has chosen to pay for breaks in activity for low income families (non public assistance families). Complete Appendix U.

15.  The district has chosen to use local equivalent forms such as, but not limited to, child care application, client notification, and/or enrollment forms (attach copies of the local equivalent forms your district uses).

*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.*

**APPENDIX O**  
Funding Set-Asides (Optional)

**Total NYSCCBG Block Grant Amount, Including Local Funds**

Category:	.....	\$
Category:	.....	\$
Category:	.....	\$
Category:	.....	\$
Category:	.....	\$
Category:	.....	\$
Category:	.....	\$

**Total Set-Asides**.....\$

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

Category:  
Description:

Category:  
Description:

Category:  
Description:

Category:  
Description:

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

Category:	.....	\$
Category:	.....	\$
Category:	.....	\$

**Total Set-Asides (Title XX)**.....\$

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

Category:

Description:

Category:

Description:

Category:

Description:

Category:

Description:

**APPENDIX P**  
Title XX Child Care (Optional)

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Enter projected total Title XX expenditures for the plan's duration: .....\$ 5,000.00

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.

Family Size: (2)      %      (3)      %      (4)      %

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

- Title XX:     employment                       education/training  
               seeking employment             illness/incapacity  
               homelessness                       domestic violence  
               emergency situation of short duration  
               participating in an approved substance abuse treatment program

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

- Yes     No

(See Technical Assistance #1 for information on limiting eligibility.)

If yes, describe eligibility criteria:

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

- Yes     No

If yes, describe which families will receive priority:

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

- Yes     No

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

- Yes     No

**APPENDIX Q #1**

**ADDITIONAL LOCAL STANDARDS FOR CHILD CARE PROVIDERS (OPTIONAL)**

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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. This appendix must be completed for **each** additional standard that the district wishes to implement.

1. Check or describe in the space provided below the additional local standards that will be required of child care providers/programs.

- Verification that the provider has given the parent/caretaker complete and accurate information regarding any report of child abuse or maltreatment in which they are named as an indicated subject
- Local criminal background check
- Requirement that providers that care for subsidized children for 30 or more hours a week participate in the Child and Adult Food Care Program (CACFP)
- Site visits by the local district
- Other (please describe):

2. Check below the type of child care program to which the additional 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 family child care program. Check all that apply.
  - Provider     Provider's Employee     Provider's Volunteer
  - Provider's household member age 18 or older
- Legally-exempt in-home child care program. Check all that apply.
  - Provider     Provider's Employee     Provider's Volunteer
- Legally-exempt group providers not operating under the auspices of another government agency. Check all that apply.
  - Provider     Provider's Employee     Provider's Volunteer
- Legally-exempt group providers operating under the auspices of another government or tribal agency. Check all that apply.
  - Provider     Provider's Employee     Provider's Volunteer

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 (**Services Team II, Robert Hoe**)

Provide the name of the unit and contact person:

Contracted agency

Provide the name of the agency and contact person:

4. Are there any costs associated with the additional standard?

Yes     No

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

5. Describe the steps for evaluating whether the additional local standard has been met.

The district will include a release form in the enrollment packets it distributes to parents which will allow the Wayne County Department of Social 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 per 18 NYCRR (f)(7)(ii). 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.

The signed release(s) specified in question #2 is/are *required*, for all persons in the roles, for the enrollment packet to be considered complete. If any of the individuals checked in question #2 above refuses to sign the release, which would allow Wayne County Department of Social 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 in accordance with State policy.

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 Wayne County Department of Social 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.

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 Wayne County Department of Social 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 Wayne County Department of Social 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 the provider submits information to the district which documents that the information obtained from the local database check of the records related to the child care attestations is inaccurate. If the provider fails to clarify the discrepancies the Wayne County Department of Social Services will notify the Enrollment Agency that the additional standard *has not been met*.

If the information regarding the indicated child protective report submitted by the provider to the parent/caretaker and the local district 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*.

6. Indicate how frequently reviews of the additional standard will be conducted. Check all that apply.

Legally-Exempt Programs:

- Initial enrollment                       During the 12-month enrollment period  
 Re-enrollment(**Once a year thereafter**)    Other

7. In the space below, described the procedures the district will use to notify the Legally-Exempt Caregiver Enrollment Agency (EA) as to whether the legally-exempt provider is in compliance with the additional local standards. Districts must notify the EA within 25 days from the date they received the referral from the EA. (Districts need to describe this procedure only if the additional local standard is applied to legally-exempt child care providers.)

Within 25 days of the date of the referral, the local district will notify the Enrollment Agency in writing of the local district determination as follows:

The additional standard is met when:

- The local records check is conducted as specified in question # 5 and no record is found
- The local records check is conducted, a record is found and the district determines that the provider has given the parent/caretaker true and accurate information regarding any indicated reports applicable to the persons specified in question 2.

The additional standard is not met when:

- The local records check is conducted as specified in question # 5, a record is found and the district determines that the provider has NOT given the parent/caretaker true and accurate information regarding any indicated reports applicable to the persons specified in question 2.

The district will maintain a file, which documents how the determination was made as to whether or not the additional local standard has been met.

**8.** Describe the justification for the additional 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 persons specified in # 2. The additional standard supports 18 NYCRR (f)(7)(ii), a State requirement for enrollment which requires the provider and relevant site persons have given the parent 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 caregiver's history has been shared with the child(ren)'s parent/caretaker.

## APPENDIX Q #2

### ADDITIONAL LOCAL STANDARDS FOR CHILD CARE PROVIDERS (OPTIONAL)

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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. This appendix must be completed for **each** additional standard that the district wishes to implement.

1. Check or describe in the space provided below the additional local standards that will be required of child care providers/programs.

- Verification that the provider has given the parent/caretaker complete and accurate information regarding any report of child abuse or maltreatment in which they are named as an indicated subject
- Local criminal background check
- Requirement that providers that care for subsidized children for 30 or more hours a week participate in the Child and Adult Food Care Program (CACFP)
- Site visits by the local district
- Other (please describe):

2. Check below the type of child care program to which the additional 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 family child care program. Check all that apply.
  - Provider     Provider's Employee     Provider's Volunteer
  - Provider's household member age 18 or older
- Legally-exempt in-home child care program. Check all that apply.
  - Provider     Provider's Employee     Provider's Volunteer
- Legally-exempt group providers not operating under the auspices of another government agency. Check all that apply.
  - Provider     Provider's Employee     Provider's Volunteer
- Legally-exempt group providers operating under the auspices of another government or tribal agency. Check all that apply.
  - Provider     Provider's Employee     Provider's Volunteer

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:

Contracted agency

Provide the name of the agency and contact person:

4. Are there any costs associated with the additional standard?

Yes  No

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

5. Describe the steps for evaluating whether the additional local standard has been met.

**The district will conduct a local criminal history background check to verify the truthfulness of the attestations pertaining to the criminal history of the individuals checked in question #2 above. In the enrollment package, the district will provide release forms, which will authorize local criminal history database checks. The individuals checked in question #2 above will be required to sign a release which will allow our Department to conduct a local criminal history check. The individual will be instructed to return the enrollment package including the signed release form. If the individual checked in question #2 above refuses to sign an authorization for a local criminal background check, the enrollment package will be considered incomplete, the enrollment process cannot move forward and the enrollment package will be withdrawn by the enrollment agency. When the enrollment agency receives the enrollment packet they will notify the district of the receipt of the release. When the signed release is received, the district will arrange for a local database check for criminal convictions to be conducted by either the Sheriff's department or the Probation Department. If a search results in a criminal convictions history, the day care staff will provide the convictions history information to the enrollment agency so that any discrepancies as to what was reported in the enrollment packet by the potential provider and others are identified and the Enrollment agency may take proper action.**

**The standard is " met" when all the applicable criminal background checks are conducted. The standard is considered to be " not met" if the applicable criminal background checks cannot be completed due to the lack of cooperation of the provider or other person who is required to participate.**

6. Indicate how frequently reviews of the additional standard will be conducted. Check all that apply.

Legally-Exempt Programs:

Initial enrollment  During the 12-month enrollment period

Re-enrollment (**Once a year thereafter**)  Other

7. In the space below, described the procedures the district will use to notify the Legally-Exempt Caregiver Enrollment Agency (EA) as to whether the legally-exempt provider is in compliance with the additional local standards. Districts must notify the EA within 25 days from the date they received the referral from the EA. (Districts need to describe this procedure only if the additional local standard is applied to legally-exempt child care providers.)

**The Day Care unit remits the results of the criminal background check to the Enrollment Agency.**

8. Describe the justification for the additional standard in the space below.

**To ensure information that could affect the safety of the children in legally exempt childcare settings is shared.**

**The Department of Social Services wants to make sure that providers have told parents about known law enforcement convictions for themselves and any adults 18 years or older residing in the provider's home where child care is to take place.**

**In rare situations, providers are deemed unsafe to be around any children by the Family and Children Services Units due to a serious law enforcement convictions and the Department wants to make sure parents have a chance to make educated decisions about using providers.**

**APPENDIX R**  
**Payment to Child Care Providers for Absences (Optional)**

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

- Day Care Center                       Legally-Exempt Group  
 Group Family Day Care                       School Age Child Care  
 Family Day Care

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

- Yes     No

Base period (check one)                       3 months                       6 months

Number of absences allowed during base period:

Period	Routine Limits (# of days)	Extenuating Circumstances (# of days)	Total Number of Absences Allowed (# of days)
In a month	12	3	15
Base period	24	16	40

List reasons for absences for which the district will allow payment:

In accordance with 18 NYCRR 415.6 only.

List any limitations on the above providers' eligibility for payment for absences:

DSS will not pay if another provider has provided care and charged DSS for that period of time or if the provider is closed and unable to provide care.

**Note:** Legally-exempt family child care and in-home child care providers are **not** eligible to receive payment for absences.

## APPENDIX S

### Payment to Child Care Providers for Program Closures (Optional)

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The following providers are eligible for payment for program closures:

- Day Care Center                       Legally-Exempt Group  
 Group Family Day Care       School Age Child Care  
 Family Day Care

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

- Yes       No

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

List the allowable program closures for which the county will provide payment.

**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 Rate for Legally-Exempt and In-Home Providers, and Sleep (Optional)

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#### Transportation

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

None

#### Differential Payment Rates

Indicate the percentage above the market rate your county has chosen.

- Accredited programs may receive a differential payment up to \_\_\_\_\_ % above market rate.
- Care during non-traditional hours may be paid up to \_\_\_\_\_ % above market rate.
- Limitations to the above differentials:

Payments may not exceed 15% above market rate. However, if your district wishes to establish a payment rate that is more than 15% above the applicable market rate, describe below why the 15% maximum is insufficient to provide access within the district to accredited programs and/or care provided during non-traditional hours.

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

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 annually completed 10 or more hours of training and the training has been verified by the legally-exempt caregiver enrollment agency.

No.

Yes. Our market rate will not exceed 75% of the child care market rate established for registered family day care.

#### Sleep

The following describes the standards that will be used in evaluating whether or not to pay for child care services while a parent or caretaker that works a second or third shift sleeps, as well as any limitations pertaining to payment:

Up to 8 hours sleep if care was not otherwise available during the night.

Indicate the number of hours allowed by your district (maximum number of hours allowed is eight).

8 Hours



## APPENDIX U

### Child Care Exceeding 24 Hours, Child Care Services Unit, Waivers, and Breaks in Activities (Optional)

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#### Child Care Exceeding 24 Hours

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 county will pay for child care exceeding 24 hours.

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

Describe any limitations for payment of child care services that exceed 24 consecutive hours.

#### Child Care Services Unit (CCSU)

Indicate below if your county will include 18-, 19-, or 20-year-olds in the CCSU, which is used in determining family size and countable family income.

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

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

#### OR

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

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

#### Waivers

Districts have the authority to request a waiver of any regulatory provision that is non-statutory. Describe and justify why your county is requesting a waiver.

#### Breaks in Activities

Districts may pay for child care services for low income families during breaks in activities either for a period not to exceed two weeks or for a period not to exceed four weeks when child care arrangements would otherwise be lost and the subsequent activity is expected to begin within that period. Indicate below if your county will make such payments (check one).

- Two weeks                       Four weeks

Districts may provide child care services while the caretaker is waiting to enter an approved activity or employment or on a break between approved activities. The following low income

families are eligible for child care services during a break in activities (check any that are eligible):

- Entering an activity
- Waiting for employment
- On a break between activities