

# 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

Describe how your 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:

<b>a. Public Assistance Families:</b>	Child Care Unit
<b>b. Transitioning Families:</b>	Child Care Unit
<b>c. Income Eligible Families:</b>	Child Care Unit
<b>d. Title XX:</b>	N/A

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

Item	Amount
<b>a. FFY 2018-2019 Rollover funds:</b> <i>(available from the NYSCCBG ceiling report in the claiming system)</i>	\$1320473
<b>b. Estimate FFY 2019-2020 Rollover Funds:</b>	\$2174989
<b>c. Estimate of Flexible Funds for Family Services transferred to the NYSCCBG:</b>	\$0
<b>d. NYSCCBG Allocation 2020:</b>	\$4068653
<b>e. Estimate of Local Share:</b>	\$85,000
<b>Total Estimated NYSCCBG Amount:</b>	\$6,328,642
<b>f. Subsidy:</b>	\$5,953,642
<b>g. Other program costs excluding subsidy:</b>	\$0
<b>h. Administrative costs:</b>	\$375,000

### 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 checked="" type="checkbox"/> b. Determining if legally-exempt providers meet OCFS-approved additional local standards <i>(must be noted in Appendix Q with the corresponding additional standard)</i>	Chautauqua Opportunities, Inc.	0
<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> <b>Inspections</b>	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
<b>1. Public Assistance (PA) families participating in an approved activity in addition to their required work activity.</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No	None
<b>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:</b>		
<b>a) participating in an approved substance abuse treatment program</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No	Applies only to recipients of child care subsidy and/or Temporary Assistance (not applicants).
<b>b) homeless</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No	Applies only to recipients of child care subsidy and/or Temporary Assistance (not applicants).

<p><b>c) a victim of domestic violence and participating in an approved activity</b></p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No</p>	<p>Applies only to recipients of child care subsidy and/or Temporary Assistance (not applicants). Must comply with all eligibility requirements.</p>
<p><b>d) in an emergency situation of short duration</b></p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No</p>	<p>Applies only to recipients of child care subsidy and/or Temporary Assistance (not applicants).</p>
<p><b>3. Families with an open child protective services case when child care is needed to protect the child.</b></p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No</p>	<p>Must receive written recommendation from a Services worker.</p>
<p><b>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:</b></p>		
<p><b>a) is physically or mentally incapacitated</b></p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No</p>	<p>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 only to recipients of child care subsidy and/or Temporary Assistance (not applicants).</p>
<p><b>b) has family duties away from home</b></p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No</p>	<p>Applies only to recipients of child care subsidy and/or Temporary Assistance (not applicants).</p>
<p><b>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 for a period up to six months. Child care services will be available only for the portion of the day the family can document is directly related to the caretaker engaging in such activities.</b></p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No</p>	<p>Limited to 3 months. Job search logs must be submitted monthly to HHS staff. Applies only to recipients of child care subsidy and/or Temporary Assistance (not applicants).</p>
<p><b>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.</b></p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No</p>	<p>Sanctioned individual must meet with a HHS case manager on a monthly basis and be employed.</p>

**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:**

<p><b>a) a public or private educational facility providing a standard high school curriculum offered by or approved by the local school district</b></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><b>b) an education program that prepares an individual to obtain a NYS High School equivalency diploma</b></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><b>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</b></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><b>d) a program providing literacy training designed to help individuals improve their ability to read and write</b></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><b>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</b></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><b>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</b></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><b>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</b></p>	<input checked="" type="radio"/> Yes <input type="radio"/> No	<p>Satisfactory educational progress and attendance must be maintained, as determined by the educational institution in coordination with the HHS worker.</p>
<p><b>h) a prevocational skill training program such as a basic education and literacy training program</b></p>	<input checked="" type="radio"/> Yes <input type="radio"/> No	<p>Satisfactory educational progress and attendance must be maintained, as determined by the educational institution in coordination with the HHS worker.</p>
<p><b>i) a demonstration project designed for vocational training or other project approved by the Department of Labor</b></p>	<input checked="" type="radio"/> Yes <input type="radio"/> No	<p>Satisfactory educational progress and attendance must be maintained, as determined by the educational institution in coordination with the HHS worker.</p>
<p><b>Note:</b> <i>The caretaker must complete the selected programs listed within 30 consecutive calendar months. The caretaker cannot enroll in more than one program.</i></p>		
<p><b>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 in the caretaker's earning capacity) if the caretaker is also working at least 17½ hours per week. The caretaker must demonstrate his or her ability to successfully complete the course of study.</b></p>	<input checked="" type="radio"/> Yes <input type="radio"/> No	<p>Satisfactory educational progress and attendance must be maintained, as determined by the educational institution in coordination with the HHS worker.</p>
<p><b>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 if the caretaker is also working at least 17½ hours per week. The caretaker must demonstrate his or her ability to successfully complete the course of study.</b></p>	<input checked="" type="radio"/> Yes <input type="radio"/> No	<p>Satisfactory educational progress and attendance must be maintained, as determined by the educational institution in coordination with the HHS worker.</p>

<p><b>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 if the caretaker is also working at least 17½ hours per week. The caretaker must demonstrate his or her ability to successfully complete the course of study.</b></p>	<input checked="" type="radio"/> Yes <input type="radio"/> No	<p>Satisfactory educational progress and attendance must be maintained, as determined by the educational institution in coordination with the HHS worker.</p>
<p><b>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.</b></p>	<input checked="" type="radio"/> Yes <input type="radio"/> No	<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, Recertification Period, Family Share, Very Low Income, 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. Recertification Period

The district's recertification period for low income child care cases is every:

- Six months
- Twelve months

### III. 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 10% to 35% 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:

20%

Additional Description of this Family Share Percentage:

*Note: The family share percentage selected here must match the percentage entered in the Program Matrix in the Welfare Management System (WMS).*

#### **IV. 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.

#### **V. 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 as defined in Section IV:

- Rank 1
- Rank 2
- Rank 3

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

- Rank 1
- Rank 2
- Rank 3

c. Families with incomes up to 200% of the State Income Standard that 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.

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

---

### 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. Case Closings When Sufficient Funds Are Not Available

If a social services district does not have sufficient funds to continue to provide child care assistance to all families in its current caseload, the district may decide to discontinue child care assistance to certain



categories of families. The district must close federal priorities last. If the district identified local priorities, they must be closed next to last. **After the federal and local priorities**, describe the basis upon which the district will close cases if sufficient funds are not available.

**If no priorities are established beyond the federally mandated priorities** and all funds are committed, case closings for families that are not eligible under a child care guarantee and are not under a federally mandated priority must be based on the length of time they have received services (must choose #1 below).

Select one of the options listed below and describe the process for closing.

1. Close cases based on **AMOUNT OF TIME** receiving child care services.

If closing based on amount of time...

- The district will close cases starting from the shortest time receiving child care services to the longest time.
- The district will close cases starting from the longest time receiving child care services to the shortest time.
2. Close cases based on **INCOME**.
3. Close cases based on **CATEGORY OF FAMILY**.
4. Close cases based on **INCOME AND CATEGORY OF FAMILY**.
5. Close cases based on **OTHER CRITERIA**.

### III. Waiting List

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

- No
- Yes

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

---

### 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 and audit to ensure that verification was documented in the case record.

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 two sponsors of the CACFP Program, Chautauqua Opportunities and the YWCA 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 and meals were actually provided 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:**

**Chautauqua County:** Child Care

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

---

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 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 child care providers caring for children experiencing homelessness above the required minimum differential rate (complete Appendix T).
- 10. 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).
- 11. 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).
- 12. 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).
- 13. The district has chosen to pay for child care services while a caretaker who works the second or third shift sleeps (complete Appendix T).
- 14. The district has chosen to make payments to child care providers who provide child care services exceeding 24 consecutive hours (complete Appendix U).
- 15. The district has chosen to include 18-, 19- or 20-year-olds in the Child Care Services Unit (complete Appendix U).
- 16. 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).
- 17. The district has chosen to pay for breaks in activity for low income families (non-public assistance families) (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

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

---

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

Local criminal background check

Require providers caring for subsidized children for 30 or more hours a week participate in the Child and Adult Care Food Program (CACFP).

*Note that districts are required to notify the Enrollment Agency, using the OCF5-2114, 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 (must correspond to Appendix K, Question 3b)  
*Provide the name of the agency and contact person:*

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

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. Answer both questions.

1. The Standard will be applied:

At initial enrollment and re-opening

At each re-enrollment

2. The district will assess compliance with the additional local standard:

*During the enrollment **review** period*, and the district will notify the Enrollment Agency of the results within 25 days from the E-Notice referral date.

*During the 12-month enrollment period*, and the district will notify the Enrollment Agency of the results promptly. Note that this option is always applicable to an additional local standard requiring participation in CACFP.

**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.

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

Local criminal background check

Require providers caring for subsidized children for 30 or more hours a week participate in the Child and Adult Care Food Program (CACFP).

*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, Senior Social Welfare Examiner
- Contracted agency (must correspond to Appendix K, Question 3b)  
*Provide the name of the agency and contact person:*

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

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. Answer both questions.

1. The Standard will be applied:

- At initial enrollment and re-opening
- At each re-enrollment

2. The district will assess compliance with the additional local standard:

- During the enrollment **review** period*, and the district will notify the Enrollment Agency of the results within 25 days from the E-Notice referral date.
- During the 12-month enrollment period*, and the district will notify the Enrollment Agency of the results promptly. Note that this option is always applicable to an additional local standard requiring participation in CACFP.

**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 caregiver's history has been shared with the child(ren)'s parent/caretaker.

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

---

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

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

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

- Yes

No

3. Base Period:

3 months

6 months

4. Number of absences allowed per child 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	12	3	15

**Note:** The number of absences per month and base period selected here must match the attendance group numbers entered in CCTA.

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

12 temporary absences will be allowed as long as the childcare program is open and the child was not cared for at another childcare program. Extenuating circumstances will be approved only if the absence is for: Illness verified by a Dr.'s statement, court appearances or medical appointments.

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

If allocations decrease, the District will consider decreasing the number of paid absences or extending the base period so that child care can be provided for the maximum number of children.

**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

---

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 Rate for Legally-Exempt Providers, Legally-Exempt Programs, and Sleep

---

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 §415.4(f), the caregiver 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

1. Does the district choose to pay for child care services while a caretaker that works a second or third shift sleeps?

No

Yes

2. The following describes the standards the district will use to evaluate whether to pay for child care services while a caretaker that works a second or third shift sleeps, as well as any limitations pertaining to payment:

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 an provided with child care assistance, and has a child under the age of six and not in school for a full day.

Additionally, Chautauqua County will authorize up to eight hours of child care assistance, as needed, to allow a parent or caretaker to sleep, if the parent or caretaker works non-traditional hours, is eligible for and provided child care assistance, and needs child care assistance only for children over six years of age or who are enrolled in school for a full day.

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

8

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

---

## 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 or 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. 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.

Family co-pay

Waive 18 NYCRR §415.3(e) which requires that each family receiving child care services, with the exception

of a family on temporary assistance, pay a family share based on income. This waiver pertains only to families in receipt of child care in lieu of Temporary Assistance, and only for the child(ren) participating in an Early Head Start Child Care Partnership Program.

#### Flexibility in eligibility periods

Waive 18 NYCRR § 404.1(d) which requires that redetermination be made not less than every 12 months. This waiver will allow districts to match child care eligibility periods to the Early Head Start Child Care Partnership Program period regardless of disruptions in the parent's eligibility. This waiver only applies to the child(ren) participating in an Early Head Start Child Care Partnerships.

#### Flexibility in reporting changes in family circumstances

Waive 18 NYCRR § 415.4(b)(2), which requires applicants and recipients to report immediately any change in financial circumstances, living arrangements, employment, household composition, or other circumstances that affect the family's need or eligibility for child care services.

The waiver would relax the income documentation/verification requirements and revise the redetermination process to relax/eliminate the need for parents to report even small changes in their circumstances that lead to a loss of eligibility for child care. This waiver would pertain only if the parent only has a child participating in an Early Head Start Partnership Program.

### **IV. Breaks in Activities**

1. 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. If your district will pay for breaks in activities, indicate below for how long of a break that the district will pay for (check one):

- Two weeks
- Four weeks
- The district will not pay for breaks in activities

2. 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 all that are eligible):

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