

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:

a. Public Assistance Families:	Temporary Assistance
b. Transitioning Families:	Services - day care
c. Income Eligible Families:	Services - day care
d. Title XX:	N/A

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

Item	Amount
a. FFY 2017-2018 Rollover funds: <i>(available from the NYSCCBG ceiling report in the claiming system)</i>	\$369104
b. Estimate FFY 2018-2019 Rollover Funds:	\$479314
c. Estimate of Flexible Funds for Family Services transferred to the NYSCCBG:	\$0
d. NYSCCBG Allocation 2019:	\$1672522
e. Estimate of Local Share:	\$0
Total Estimated NYSCCBG Amount:	\$2151836
f. Subsidy:	\$1851836
g. Other program costs excluding subsidy:	\$0
h. Administrative costs:	\$110,000

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>	Accord Corporation	0
<input type="checkbox"/> c. Assistance in locating care		
<input type="checkbox"/> d. Child care information systems		
<input type="checkbox"/> e. Payment processing		
<input type="checkbox"/> f. Other <i>Please specify function:</i>		

Appendix L: Other Eligible Families if Funds are Available

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

Optional Categories	Option	Limitations
1. Public Assistance (PA) families participating in an approved activity in addition to their required work activity.	<input checked="" type="radio"/> Yes <input type="radio"/> No	NA
2. PA families or families with incomes up to 200% of the State Income Standard when child care services are needed for the child to be protected because the caretaker is:		
a) participating in an approved substance abuse treatment program	<input checked="" type="radio"/> Yes <input type="radio"/> No	Active PA only
b) homeless	<input type="radio"/> Yes <input checked="" type="radio"/> No	NA
c) a victim of domestic violence and participating in an approved activity	<input type="radio"/> Yes <input checked="" type="radio"/> No	

d) in an emergency situation of short duration	<input checked="" type="radio"/> Yes <input type="radio"/> No	Fire, destruction of home or caring for an elderly relative Parent with significant medical needs (I.E. - chemotherapy)
3. Families with an open child protective services case when child care is needed to protect the child.	<input checked="" type="radio"/> Yes <input type="radio"/> No	NA
4. Families with incomes up to 200% of the State Income Standard when child care services are needed for the child to be protected because the child's caretaker:		
a) is physically or mentally incapacitated	<input checked="" type="radio"/> Yes <input type="radio"/> No	
b) has family duties away from home	<input checked="" type="radio"/> Yes <input type="radio"/> No	Only up to full time
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.	<input checked="" type="radio"/> Yes <input type="radio"/> No	PA only up to 3 months
6. PA families where a sanctioned parent or caretaker relative is participating in unsubsidized employment, earning wages at a level equal to or greater than the minimum amount under law.	<input checked="" type="radio"/> Yes <input type="radio"/> No	NA
7. Families with incomes up to 200% of the State Income Standard when child care services are needed for the child's caretaker to participate in:		
a) a public or private educational facility providing a standard high school curriculum offered by or approved by the local school district	<input checked="" type="radio"/> Yes <input type="radio"/> No	NA
b) an education program that prepares an individual to obtain a NYS High School equivalency diploma	<input checked="" type="radio"/> Yes <input type="radio"/> No	NA
c) a program providing basic remedial education in the areas of reading, writing, mathematics, and oral communications for individuals functioning below the ninth month of the eighth-grade level	<input checked="" type="radio"/> Yes <input type="radio"/> No	NA
d) a program providing literacy training designed to help individuals improve their ability to read and write	<input type="radio"/> Yes <input checked="" type="radio"/> No	Authorized literacy program

<p>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</p>	<input type="radio"/> Yes <input checked="" type="radio"/> No	
<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's degree or certificate of completion</p>	<input checked="" type="radio"/> Yes <input type="radio"/> No	<p>For a demand occupation (List maintained by Cattaraugus County One Stop) Full time and maintaining a C average</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>	<input checked="" type="radio"/> Yes <input type="radio"/> No	<p>See above , also including training provided by home health agencies, approved by the New State Department of Health, for home health care occupations.</p>
<p>h) a prevocational skill training program such as a basic education and literacy training program</p>	<input type="radio"/> Yes <input checked="" type="radio"/> No	
<p>i) a demonstration project designed for vocational training or other project approved by the Department of Labor</p>	<input checked="" type="radio"/> Yes <input type="radio"/> No	<p>NA</p>
<p><i>Note: 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>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.</p>	<input checked="" type="radio"/> Yes <input type="radio"/> No	<p>For a demand occupation (List maintained by Cattaraugus County One Stop) Maintain a C average.</p>
<p>9. PA recipients or low-income families with incomes up to 200% of the State Income Standard who are satisfactorily participating in a two-year college or university program (other than one with a specific vocational sequence) leading to an associate's degree or a certificate of completion that is reasonably expected to lead to an improvement in the caretaker's earning capacity 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.</p>	<input checked="" type="radio"/> Yes <input type="radio"/> No	<p>See above</p>

<p>10. PA recipients or low-income families with incomes up to 200% of the State Income Standard who are satisfactorily participating in a four-year college or university program leading to a bachelor's degree and that is reasonably expected to lead to an improvement in the caretaker's earning capacity 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.</p>	<input checked="" type="radio"/> Yes <input type="radio"/> No	<p>See above</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>	<input checked="" type="radio"/> Yes <input type="radio"/> No	<p>See above</p>

Appendix M #1: Reasonable Distance, Recertification Period, Family Share, Very Low Income, Federal and Local Priorities

I. Reasonable Distance

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

1. The following defines "reasonable distance":

Cattaraugus County is a geographically large and rural. Employment is limited and often individuals drive outside of Cattaraugus county. The average commute time for families served by the day care unit is approximately 45 minutes. Reasonable distance is measured on a case by case basis and an hour for commute time is not unusual.

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

The day care unit and the temporary assistance unit agree on this definition. This continues to be true. Job opportunities are extremely limited in Cattaraugus County.

II. Recertification Period

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

- Six months
- Twelve months

III. Family Share

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"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.

Family Share Percentage selected by the district:

10%

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:

The district will open cases based on income bands.

First, 100-125% of the federal poverty level

Secondly, 125-150% of the federal poverty level

Thirdly, 150-175% of the federal poverty level

Lastly, 175-200% of the federal poverty income level.

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.
- 2. Close cases based on **INCOME**.

If closing based on income...

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

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

First to be closed are 200-175% of Federal Poverty Level.

Secondly, to be closed are 175-150% of the Federal Poverty Level

Thirdly, to be closed are 150-125% of the Federal Poverty Level

Lastly, to be closed are 125-100% of the Federal Poverty Level

- 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.

The district will use the following FED's indicators: working off the books; application inconsistent with prior case, prior history of denial, self employment without adequate business records, documents for information provided are inconsistent with application, such as different name used for signature; post office box used without reasonable explanation, no absent parent information, prior application showing legal responsible relative who is not listed in the home during recent day care application.

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.

Check pay stubs and hours of work, if hours of day care do not match hours of work, we request clock in/out hours; acquire school schedules if within a 6 month period any case has not been reassessed for income, job change, schedule, etc., then the child care unit will review the case and those cases will be recertified at that time of review if appropriate. This ensures 100% of cases will be reviewed every 6 months.

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.

Accord Corporation will be reviewing cases, beginning with those that have had some concerning issues but were not disqualified at face value.

Accord Corporation runs the child care food program for Cattaraugus County, and will ask the county for attendance with sample providers. Again, Accord will begin to sample with any "questionable" situations, if anything.

Of the child care providers that participate in the child and adult care food program(CACFP), excluding day care centers, Accord will provide site inspections on those providers who are enrolled in the food program and whom it feels may be providing DSS with questionable child care information. After those providers are chosen (let us say that would be 10 providers,) DSS will compare the site inspection reports sent to the day care unit of the remaining providers that also have children being paid through the block grant. The DSS /day care unit will compare its time sheets with site inspection reports lists of children in attendance during the inspection.

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 for the purpose of determining whether the child 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)

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.

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
	\$0
	\$0
	\$0
	\$0
	\$0
Total Set-Asides (NYSCCBG):	\$0

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
	\$
	\$
	\$
Total Set-Asides (Title XX):	\$

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: **\$0**

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

Eligibility Limit

Two People

%

Three People

%

Four People

%

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 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 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 provider / program not operating under the auspices of another government agency

- Provider / director
- Provider's employee
- Provider's volunteer

Legally-exempt group provider / program operating under the auspices of another government or tribal agency

- Provider / director
- Provider's employee
- Provider's 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.
- c. The district will not apply this additional local standard when **the informal provider is younger than 18 years** of age.

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 (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.

1. A legally-exempt family child care provider who provides care on an average of **30 hours or more per week** is required to fully participate in the Child and Adult Care Food Program (CACFP) as a condition of enrollment to provide child care subsidized by the Cattaraugus County Department of Social Services.
2. The district distributes the Cattaraugus County Legally Exempt Family Child Care Additional Standard Acknowledgement Agreement form to applicants and recipients of child care services along with the LDSS-OCFS 4699, Enrollment Form for Legally-Exempt Family Child Care and Legally-Exempt In-Home Child Care.
3. The legally-exempt family child care provider is required to sign and submit the Cattaraugus County Legally Exempt Family Child Care Additional Standard Acknowledgement Agreement form to the enrollment agency along with the LDSS-OCFS 4699, Enrollment Form for Legally-Exempt Family Child Care and Legally-Exempt In-Home Child Care.
4. The Enrollment Agency documents receipt of the Cattaraugus County Legally Exempt Family Child Care Additional Standard Acknowledgement Agreement form in CCFS. In accordance with OCFS guidance and the specifics of this additional standard, the Cattaraugus County Legally Exempt Family Child Care Additional Standard Acknowledgement Agreement form is required for the enrollment packet to be considered complete. When the Cattaraugus County Legally Exempt Family Child Care Additional Standard Acknowledgement Agreement form is not received or not complete, the enrollment cannot progress and, in accordance with OCFS guidance, the packet will be withdrawn if the provider does not submit a completed Cattaraugus County Legally Exempt Family Child Care Additional Standard Acknowledgement Agreement form within the mandatory timeframes.
5. Through E-Notices and reports, the Child Care Facility System will notify the Cattaraugus County Department of Social Services of all enrolling/enrolled/re-enrolling family-child care providers for whom the additional standard process may be applicable. The Cattaraugus County Department of Social Services must run the LD Additional Standard Referral List in CCFS to obtain the list of enrolling/enrolled/re-enrolling family-child care providers for whom a determination of applicability is required.
6. The Cattaraugus County Department of Social Services must determine, for each family child care provider on the referral list, whether the additional standard for CACFP participation is applicable to the provider, as follows:

Applicable The family child care provider provides care, on average, of 30 hours or more per week.

Not Applicable: The family child care provider provides care at a site that is located outside Cattaraugus County. The family child care provider provides care, on average, of LESS THAN 30 hours per week.
7. Cattaraugus County Department of Social Services must make the following notifications:

a. Notify the Enrollment Agency whether the CACFP participation additional standard is “not applicable” to each family child care provider on the Additional Standard Referral List.

b. Notify the applicable CACFP Sponsoring Agency of the name and contact information for each family child care provider who is required to participate in CACFP as determined in the previous step.

8. The CACFP Sponsoring Agency contacts the family child care provider and facilitates the provider’s enrollment in CACFP.

9. Cattaraugus County Department of Social Services obtains the status of the provider’s “participation” in CACFP from the CACFP Sponsoring agency in a manner agreed upon between the two agencies.

10. Upon receiving notification from the CACFP sponsoring agency, as to *whether the provider IS or IS NOT actively participating in CACFP*, the Cattaraugus County Department of Social Services determines whether the provider is meeting the additional standard as follows:

a. The Cattaraugus County Department of Social Services will consider the Cattaraugus County additional local enrollment standard of participation in CACFP to be **MET** when the legally-exempt family child care provider who provides care on the average of 30 hours or more per week; and

i. has completed, signed, dated, and submitted the Cattaraugus County Legally Exempt Family Child Care Additional Standard Acknowledgement Agreement form to the Enrollment Agency responsible for enrolling the provider; and

ii. has enrolled with the CACFP program including signing the CACFP Pre-Approval checklist (CACFP-106) and the Continuous Application and Agreement for Day Care Homes Participation (CACFP-3705) and has completed the follow-up visit with CACFP, all within the CACFP required time frames; and

iii. fully cooperates with all requirements of CACFP, including inspections and/or follow-up visits; and

iv. begins claiming CACFP reimbursement no later than the month following the sign-up date and continues to submit monthly claims to CACFP on a timely basis.

b. Cattaraugus County Department of Social Services will consider the Cattaraugus County additional local enrollment standard of participation in CACFP to be **NOT MET** when the legally-exempt family child care provider is caring for a subsidized child an average of 30 or more hours a week, and the provider;

i. does not submit a completed Cattaraugus County Legally-Exempt Family Child Care Additional Standard Acknowledgement Agreement form; and/or

ii. was not initially required to participate in CACFP due to providing child care for less than an average of 30 hours per week and fails to notify the EA of an increase in hours of care which would require the legally-exempt family child care provider to comply with the additional standard; and/or

iii. changes location of care and fails to notify the Cattaraugus County Department of Social Services, CACFP, and/or the EA of the change.

iv. refuses to sign up for CACFP; and/or

v. does not cooperate with any part of the CACFP enrollment process; and/or

vi. does not remain in compliance with the CACFP regulations; and/or

vii. fails to cooperate with any CACFP inspection or home visit; and/or

viii. fails to submit monthly claims to CACFP on a timely basis.

11. Cattaraugus County Department of Social Services informs the Enrollment Agency whether the additional local standard has been met by completing the OCFS-2114, District Notification to Legally-Exempt Caregiver Enrollment Agency and sending it to the Enrollment Agency within 25 days from the date the Cattaraugus County Department of Social Services received the CCFS E-Notice.

12. Upon receipt of the written determination of the additional local standard from the Cattaraugus County Department of Social Services, the Enrollment Agency enters the results in CCFS.

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 CACFP additional standard benefits children in legally-exempt family child care programs.

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	0	12
Base Period	24	0	24

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

Any except for below.

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

Not if the provider is unavailable.

*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):

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

None

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
Homelessness: Licensed and Registered Providers State required minimum of 5%	5%	Enter a percentage (%): 5% to 15%. (Must enter at least 5%)
Homelessness: Legally-Exempt Providers	5%	Enter 0% or a percentage (%) up to 15%.

Non-traditional Hours: All Providers State required minimum of 5%	5%	Enter a percentage (%): 5% to 15%. (<i>Must</i> enter at least 5%)
Nationally Accredited Programs: Licensed and Registered Providers <small>Legally-exempt child care providers are not eligible for a differential payment rate for accreditation.</small>	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:

No other adult in the home that is appropriate to care for the child(ren) during sleep hours.

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

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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.

Employer mandated overtime /training

Deployment

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.

If excluding 18, 19 or 20 year old family member(s) makes family ineligible, we will include the member(s).

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.

Request to waive the requirement that a client receiving unpaid training must be in training conducted by an institution licensed or approved by NYS Education Department. to be eligible for child care subsidy. In Cattaraugus County, the field home health care is one of the few fields open to many under skilled individuals which pays a living wage. It is difficult for these individuals to attend the necessary unpaid training without assistance for child care. NYS Department of Health, and not the NYS Department of Education provides the training which is provided by the home health care agencies.

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

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