

# Child Care

## 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> | Temporary Assistance |
| <b>b. Transitioning Families:</b>     | Temporary Assistance |
| <b>c. Income Eligible Families:</b>   | Temporary Assistance |
| <b>d. Title XX:</b>                   | Temporary Assistance |

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

| Item   | Amount        |
|--|---------------|
| <b>a. FFY 2016-2017 Rollover funds:</b><br><i>(available from the NYSCCBG ceiling report in the claiming system)</i> | \$0           |
| <b>b. Estimate FFY 2017-2018 Rollover Funds:</b>   | \$204, 800    |
| <b>c. Estimate of Flexible Funds for Family Services transferred to the NYSCCBG:</b>                                 | \$0           |
| <b>d. NYSCCBG Allocation 2018:</b>   | \$3, 553, 217 |
| <b>e. Estimate of Local Share:</b>   | \$169983      |
| <b>Total Estimated NYSCCBG Amount:</b>   | \$3928000     |
| <b>f. Subsidy:</b>   | \$3, 535, 200 |
| <b>g. Other program costs excluding subsidy:</b>   | \$294600      |
| <b>h. Administrative costs:</b>  | \$98200       |

### 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 |
|----------|--------------|--------------------|
|----------|--------------|--------------------|

Chemung County: Child Care

|  |                                      |          |
|--|--------------------------------------|----------|
| <input checked="" type="checkbox"/> <b>a. Subsidy eligibility screening</b>  | Chemung County<br>Child Care Council | \$100000 |
| <input checked="" type="checkbox"/> <b>b. Determining if legally-exempt providers meet OCFS-approved additional local standards</b><br><i>(must be noted in Appendix Q with the corresponding additional standard)</i> | Chemung County<br>Child Care Council | \$5000   |
| <input checked="" type="checkbox"/> <b>c. Assistance in locating care</b>  | Chemung County<br>Child Care Council | \$5000   |
| <input type="checkbox"/> <b>d. Child care information systems</b>  |                                      | \$       |
| <input checked="" type="checkbox"/> <b>e. Payment processing</b>   | Chemung County<br>Child Care Council | \$       |
| <input type="checkbox"/> <b>f. Other</b><br><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   |
|--|--|---|
| <b>1. Public Assistance (PA) families participating in an approved activity in addition to their required work activity.</b>   | <input checked="" type="radio"/> Yes<br><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<br><input type="radio"/> No | This applies only to PA families successfully participating in a program. |
| <b>b) homeless</b>   | <input checked="" type="radio"/> Yes<br><input type="radio"/> No | This applies only to PA families successfully participating in a program. |
| <b>c) a victim of domestic violence and participating in an approved activity</b>  | <input checked="" type="radio"/> Yes<br><input type="radio"/> No | This applies only to PA families successfully participating in a program. |

|   |  |   |
|---|--|---|
| <b>d) in an emergency situation of short duration</b>   | <input checked="" type="radio"/> Yes<br><input type="radio"/> No | This applies only to PA families when child care is needed, in non-work related situations, in order to retain the day care slot.   |
| <b>3. Families with an open child protective services case when child care is needed to protect the child.</b>  | <input checked="" type="radio"/> Yes<br><input type="radio"/> No | This applies only to PA families successfully participating in a program.   |
| <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>  |  |   |
| <b>a) is physically or mentally incapacitated</b>   | <input checked="" type="radio"/> Yes<br><input type="radio"/> No | The incapacitation must be verified by a licensed medical professional and will be reviewed after 30 days.  |
| <b>b) has family duties away from home</b>  | <input checked="" type="radio"/> Yes<br><input type="radio"/> No | This applies only to PA families successfully participating in a program.   |
| <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 is able to document is directly related to the caretaker engaging in such activities.</b> | <input checked="" type="radio"/> Yes<br><input type="radio"/> No | Parents can seek employment for 30 days and receive child care for up to 40 hours a week. If the parent does not find employment after 30 days their case will close.   |
| <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>  | <input checked="" type="radio"/> Yes<br><input type="radio"/> No | None  |
| <b>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:</b>  |  |   |
| <b>a) a public or private educational facility providing a standard high school curriculum offered by or approved by the local school district</b>  | <input checked="" type="radio"/> Yes<br><input type="radio"/> No | Verification must be provided via a letter of enrollment or schedule. Parent must provide documentation of continued participation at time of re-certification in order to continue eligibility. If the parent does not provide documentation of participation, then the case will be closed. |
| <b>b) an education program that prepares an individual to obtain a NYS High School equivalency diploma</b>  | <input checked="" type="radio"/> Yes<br><input type="radio"/> No | Verification must be provided via a letter of enrollment or schedule. Parent must provide documentation of continued participation at time of re-certification in order to continue eligibility. If the parent does not provide documentation of participation, then the case will be closed. |

|  |  |   |
|--|--|---|
| <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 type="radio"/> Yes<br/><input checked="" type="radio"/> No</p> |   |
| <p><b>d) a program providing literacy training designed to help individuals improve their ability to read and write</b></p>  | <p><input type="radio"/> Yes<br/><input checked="" type="radio"/> No</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 type="radio"/> Yes<br/><input checked="" type="radio"/> No</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<br/><input type="radio"/> No</p> | <p>Verification must be provided via a letter of enrollment or schedule. The parent must be employed for at least 20 hours per week in order to also receive child care assistance while attending college. Parent must provide documentation of continued enrollment at time of re-certification in order to continue to be eligible for child care while attending college. If the parent does not provide documentation of continued enrollment they will no longer be eligible for child care other than the time they are working.</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>                       | <p><input checked="" type="radio"/> Yes<br/><input type="radio"/> No</p> | <p>Verification must be provided via a letter of enrollment or schedule. The parent must be employed for at least 20 hours per week in order to also receive child care assistance while attending a training program. Parent must provide documentation of continued enrollment at time of re-certification in order to continue to be eligible for child care while attending a training program. If the parent does not provide documentation of continued enrollment they will no longer be eligible for child care other than the time they are working.</p> |
| <p><b>h) a prevocational skill training program such as a basic education and literacy training program</b></p>  | <p><input type="radio"/> Yes<br/><input checked="" type="radio"/> No</p> |   |

|  |  |   |
|--|--|---|
| <p><b>i) a demonstration project designed for vocational training or other project approved by the Department of Labor</b></p>   | <p><input type="radio"/> Yes<br/><input checked="" type="radio"/> No</p> |   |
| <p><i><b>Note:</b> The caretaker must complete the selected programs listed within 30 consecutive calendar months. The caretaker cannot enroll in more than one program.</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) as long as 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>                     | <p><input checked="" type="radio"/> Yes<br/><input type="radio"/> No</p> | <p>Verification must be provided via a letter of enrollment or schedule. The parent must be employed for at least 20 hours per week in order to also receive child care assistance while attending college. Parent must provide documentation of continued enrollment at time of re-certification in order to continue to be eligible for child care while attending college. If the parent does not provide documentation of continued enrollment they will no longer be eligible for child care other than the time they are working.</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 as long as 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> | <p><input checked="" type="radio"/> Yes<br/><input type="radio"/> No</p> | <p>Verification must be provided via a letter of enrollment or schedule. The parent must be employed for at least 20 hours per week in order to also receive child care assistance while attending college. Parent must provide documentation of continued enrollment at time of re-certification in order to continue to be eligible for child care while attending college. If the parent does not provide documentation of continued enrollment they will no longer be eligible for child care other than the time they are working.</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 as long as 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>   | <p><input checked="" type="radio"/> Yes<br/><input type="radio"/> No</p> | <p>Verification must be provided via a letter of enrollment or schedule. The parent must be employed for at least 20 hours per week in order to also receive child care assistance while attending college. Parent must provide documentation of continued enrollment at time of re-certification in order to continue to be eligible for child care while attending college. If the parent does not provide documentation of continued enrollment they will no longer be eligible for child care other than the time they are working.</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> | <p><input type="radio"/> Yes<br/><input checked="" type="radio"/> No</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":

Chemung County DSS defines reasonable distance as 22 miles between home or work with child care accessible along the way.

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

Contacted the Chemung County Planning Board to determine the distance between county borders. Considered the location of major employers in Chemung County. Consulted the Chemung County Transit to determine the accessibility of bus routes throughout the county. Considered the location of licensed and regulated child care providers throughout 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.

Family Share Percentage selected by the district:

25%

**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 **100%** 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.

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## 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:

- 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:



- 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

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## 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.

Criteria:

- applicant is working off the books (currently or previously)
- current application is inconsistent with prior case information
- applicant has a prior history of denial, case closing or overpayment resulting from an investigation (ie: FEDS, Fraud)
- no absent parent information or information is inconsistent with prior application
- no documentation to verify the applicant's identity
- applicant cannot provide birth certificate for a child younger than 6 years of age
- applicant is self-employed but cannot provide adequate business records to support financial assertions
- documents or information provided is inconsistent with application
- PO box used as a mailing address without reasonable explanation
- applicant is unsure of own address
- child care provider lives in the same household as the child

Referral to district's FEDS unit are as follows:

The LDSS TANF eligibility worker or the Child Care Council's Subsidy Specialist identifies an application that meets one or more of the above criteria and completes a referral in the Special Investigation

Unit (SIU) computer program within one business day of the eligibility interview. All referrals are tracked in the SIU program. All supporting documentation is provided to the SIU unit and entered into the SIU case file. The SIU unit conducts an investigation and notifies the LDSS TANF eligibility worker or the Child Care Council's Subsidy Specialist of the results of the investigation.

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.*

Temporary Assistance cases are re-certified every 6 months and low income child care cases every 12 months. In both instances, verification of need for child care, including verification in employment, education, or other required activities must be provided. All cases are also reviewed throughout the certification period when changes are reported and verification affecting eligibility must be provided. A random sample of 40 active low income cases which is 10% of the 400 cases will be audited each year.

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.

Chemung County contracts with the Chemung County Child Care Council to administer the Child Care Subsidy program. The Child Care Council is also the sponsor for the Child Adult Care Food Program. The Child Care Council's Parent Services Supervisor will conduct a review on a quarterly basis. The review will consist of at least 20 child care subsidy cases. The Council's Parent Services Supervisor will compare child attendance forms for the subsidy program and the CACFP program and also the on-site monitoring forms completed by the Council's CACFP Specialist. The Council's Parent Services Supervisor will look for any discrepancies in the days and hours the child is reported in care in each of the programs.

If there are any discrepancies in the days and hours being billed between each of the programs, the Council's Parent Services Supervisor will review the subsidy file to compare the days and hours the parent was approved for child care to determine if there is a clear reason for any discrepancy.

## **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

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## 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 for child care services while a caretaker who works the second or third shift sleeps (complete Appendix T).
- 13. The district has chosen to make payments to child care providers who provide child care services exceeding 24 consecutive hours (complete Appendix U).
- 14. The district has chosen to include 18-, 19- or 20-year-olds in the Child Care Services Unit (complete Appendix U).
- 15. 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).
- 16. The district has chosen to pay for breaks in activity for low income families (non-public assistance families) (complete Appendix U).
- 17. 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 attach copies of the local equivalent form(s) that the district would like to use.

- 18. 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.

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## 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 |
|----------|--------|
|          | \$     |

\$

\$

**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: **\$300000**

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>   | 200%                     |
| <b>Three People</b> | 200%                     |
| <b>Four People</b>  | 200%                     |

**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:

Verification of illness/incapacity must be provided by a licensed medical professional and will be reviewed after 30 days.

**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:*

Proof of Identity

## 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:*

Ruth Harvey - Chemung County Child Care Council

*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's contract agency distributes the Chemung County Additional Local Standard for Enrollment of Legally Exempt and Legally-Exempt In-Home Child Care Providers – Site Visit and Proof of Identity Notice to applicants and recipients of child care services with the LDSS – OCFS 4699, Enrollment Form for Legally Exempt Family Child Care and In Home Child Care and Legally Exempt Group Family Child Care.

To initiate the additional standards check, per NYS OCFS policy, the Child Care Facility System will automatically generate the referral for the applicable child care program types and individual roles, specified in question # 2 above, to the local district. The local district must run the Legally-Exempt Additional Standards Referral List in CCFS to obtain the list of enrolling/enrolling/re-enrolling legally-exempt family child care providers and legally-exempt in-home child care providers for whom a determination is required.

The individual's specified in question #2 above, will be required to provide a copy of ONE of the following forms of identification to the district's contract agency to verify his/her identity:

- Current driver's license or driver's identification card
- Current passport or VISA
- Naturalization or citizenship certificate
- School or Military ID
- Employment Authorization Card
- Permanent Resident Card
- Government Benefit Card

OR at least TWO of the following non-photo ID's including but not limited to:

- Social Security Card
- Birth Certificate
- Baptismal Certificate
- Government Benefit Card
- Life Insurance Policy

In accordance with 12-OCFS-LCM-01, Chemung County Department of Social Services will complete the OCFS-2114, District Notification to Legally-Exempt Caregiver Enrollment Agency, and send it to the applicable Enrollment Agency to notify the Enrollment Agency of the determination of: "Met", "Not

Met" or "Not Applicable.

- The standard is "met" when the Legally Exempt Provider submits the required documentation listed above to the district's contract agency.
- The standard is "not met" when the Legally Exempt Provider does not submit the required documentation listed above to the district's contract agency.
- The standard is "not applicable" for providers specified in question #2 above: when the **program's site of care is located 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.**

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

The additional standard requiring Proof of Identity is a strategy for CCDHS to utilize to deter fraud.

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

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

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

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

- Verification, using the district's local records, that the provider has given the caretaker complete

and accurate information regarding any report of child abuse or maltreatment in which he or she is named as an indicated subject

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:*  
Ruth Harvey-Chemung County Council

*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 for children approved for subsidy for 30 or more hours per week is required to fully participate in the Child Adult Care Food Program (CACFP) as a condition of enrollment to provide child care subsidized through CCDHS.
2. The district's contract agency distributes the Chemung County Legally Exempt Family Child Care Additional Standard Acknowledgement Agreement Form to applicants and recipients of child care services with the LDSS – OCFS 4699, Enrollment Form for Legally Exempt Family Child Care and In Home Child Care and Legally Exempt Group Family Child Care. (Note: In Home Child Care

providers are not eligible by CACFP to participate and thus are not required by CCDHS to participate).

3. The Legally Exempt Family Child Care Provider is required to sign and submit the Chemung County Legally Exempt Family Child Care Additional Standard Acknowledgement Agreement Form to the Enrollment Agency 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 Chemung County Legally Exempt Family Child Care Additional Standard Acknowledgement Agreement Form in CCFS. In accordance with OCFS guidance and specifics of this additional standard, the Chemung County Legally Exempt Family Child Care Additional Standard Acknowledgment Form is required for the enrollment packet to be considered complete. When the Chemung County Legally Exempt Family Child Care Additional Standard Acknowledgment Form is not received or complete, the enrollment cannot progress, and in accordance with OCFS guidance, the packet will be withdrawn if the provider does not submit a completed form.
5. Through E-notices and reports the CCFS will notify the district's contract agency of all enrolling/enrolled/re-enrolling Legally Exempt Family Child Care Providers for whom the additional standard may be applicable. The local district's contract agency must run the Legally Exempt Additional Standard Referral List in CCFS to obtain the list of enrolling/enrolled/re-enrolling Legally Exempt Family Child Care providers for whom the determination is provided.
6. The district's contract agency determines whether the Legally Exempt Family Child Care Provider is required to participate in CACFP.
  1. For Legally-Exempt Family Child Care Providers who are required to participate in CACFP, the district's contract agency makes a referral to the CACFP sponsor.
  2. For all referred Legally-Exempt Family Child Care Providers who are not required to participate in CACFP, the district's contract agency notifies the Enrollment Agency in writing, using the OCFS 2114, that the additional standard is "not applicable"

7. For Legally-Exempt Family Child Care Providers who are required to participate in CACFP, the district's contract agency will determine whether or not the Legally Exempt Family Child Care Provider is actively participating in CACFP.

8. The district's contract agency will verify whether the Legally Exempt Family Child Care Provider complies with all CACFP requirements and is actively claiming no later than the month following the CACFP application to participate date and continue to submit monthly CACFP claims on a timely basis

9. If the district's contract agency determines that the Legally Exempt Family Child Care Provider who is required to meet the CACFP Additional Standard but refuses to do so or elects not to do so, then the District Contractor notifies the Enrollment Agency in writing, using the OCFS 2114, that the additional standard is "not met". The Enrollment Agency will document all information regarding the Additional Standard into CCFS.

10. The local district contract agency will provide the local district with quarterly reports that include:

- # of LE providers required to participate in CACFP
- # of LE providers required to participate in CACFP but have not complied and is thus not eligible to receive subsidy payments.
  - The standard is "met" when the Legally Exempt Family Child Care Additional Standard Acknowledgment Form is completed and signed and the Legally Exempt Family Child Care Provider applies to participate in CACFP and is actively participating in CACFP and continues to participate in CACFP.
  - The standard is "not met" when the Legally Exempt Family Child Care Additional Standard Acknowledgment Form is not complete or not signed and/or the Legally Exempt Provider refuses to participate in CACFP or submit timely CACFP claims.
  - The standard is "not applicable" when the individual is not required to participate as identified in question #2 above.
    - when the program's site of care is located outside of the subsidy-paying district.
    - when the informal provider is younger than 18 years of age.
    - when the provider is NOT caring for subsidized children for 30 or more hours a week

**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.**

This additional standard will aid in improving the health and nutrition of children cared for by Legally Exempt providers receiving subsidy payments within our district.

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

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

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

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

- Verification, using the district's local records, that the provider has given the caretaker complete and accurate information regarding any report of child abuse or maltreatment in which he or she is named as an indicated subject
- 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:*  
Ruth Harvey, Chemung County Child Care Council

*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.**

To initiate the additional standards check, per NYS OCFS policy, the Child Care Facility System will automatically generate the referral for the applicable child care program types and individual roles, specified in question # 2 above, to the local district. The local district must run the Legally-Exempt Additional Standards Referral List in CCFS to obtain the list of enrolling/enrolling/re-enrolling legally-exempt family child care providers and legally-exempt in-home child care providers for whom a determination is required.

1. The district's contract agency distributes the Chemung County Additional Local Standard for Enrollment of Legally Exempt and Legally-Exempt In-Home Child Care Providers – Site Visit and Proof of Identity Notice to applicants and recipients of child care services with the LDSS – OCFS 4699, Enrollment Form for Legally Exempt Family Child Care and In Home Child Care and Legally Exempt Group Family Child Care.
2. The district's contract agency will conduct a site visit to all Legally Exempt Family and In home Child Care Providers to whom this additional standard applies as specified in question #2 above.
3. The district's contract agency will during the site visit, verify whether the care is being provided by the identified provider at the location provided in the enrollment packet.
4. The district's contract agency will provide the results of the site visit to the Enrollment Agency

whenever there is a non-compliance issue identified at the visit. The Enrollment Agency will address any non-compliance issues with the Legally Exempt Family Child Care Provider.

5. The district's contract agency will report to CCDHS on a quarterly basis regarding the number of site visits completed.
6. For legally-exempt child care providers to whom additional standard applies that are specified in question #2, the district contractor will determine whether the additional standard was "**met**," "**not met**" or "**not applicable**", will record the results on the *OCFS-2114 District Notification To Legally-Exempt Caregiver Enrollment Agency*, and provide the OCFS-2114 to the Enrollment Agency.
  - The standard will be considered "met" when the district's contract agency has conducted the site visits and the Legally Exempt Family and In home Child Care Provider is the individual providing the care at the location identified in the enrollment packet.
  - The standard will be considered "not met" if the Legally Exempt Family and In home Child Care Provider is not providing the care or the care is not being provided at the location identified in the enrollment packet.
  - The standard will be considered "not applicable" for individuals whose role is not checked in question #2 above: when the program's site of care is located 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 site visits will provide oversight to verify provision of care and location of care as identified in the enrollment packet. This will enhance the utilization of subsidy payments in programs that are in compliance with the requirements.

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

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

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

- Sharing any consent/release form that may be required.
- Keeping the Enrollment Agency informed of the approval status.

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

Verification, using the district's local records, that the provider has given the caretaker complete and accurate information regarding any report of child abuse or maltreatment in which he or she is named as an indicated subject

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:*  
Ruth Harvey, Chemung County Child Care Council

*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 Chemung County Child Care Council, acting as the district contractor includes in the enrollment package it distributes to parents, both a Notification of Additional Local Standard for a Chemung County Release of Local Criminal History Background Check which authorize the local criminal history background checks. The Notification of Additional Local Standard for a Local Criminal Background Check informs the provider that the individuals in the roles specified in question #2 above must sign the authorization, and, return the releases to the Enrollment Agency with the enrollment package. If any of the individuals identified in question #2 above refuses to sign the authorization, which would allow Chemung County Department of Social Services to arrange for the local criminal background check, the enrollment package will be considered incomplete. The enrollment process cannot move forward, and, consequently, the enrollment package will be withdrawn by the enrollment agency.

To initiate the additional standard 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. The designated district will run the CCFS report, LE Additional Local Standard Referral List to obtain the list of persons (as specified in question # 2 above) for whom Legally Exempt Additional Standard(s) Review(s) must be conducted and other pertinent information.

The Chemung County Child Care Council, acting as the district contractor contacts the local Law Enforcement agency, the Chemung County Sheriff to arrange the local criminal background check. Once completed, the results of the criminal background check are returned to the designated person at Chemung County Child Care council.

When the search results in a misdemeanor and/or felony conviction, the Chemung County Department of Social Services will provide the list of criminal convictions and the information pertaining to each conviction to the applicable enrollment agency. In accordance with the Guide to Enrollment, the EA will evaluate any discrepancies in the conviction(s) and the enrollment forms for the applicable individual(s). "

In accordance with 12-OCFS-LCM-01, Chemung County Department of Social Services will notify the applicable Enrollment agency within 25 days of the initial referral date by completing the OCFS-2114, District Notification to Legally-Exempt Caregiver Enrollment Agency, and sending it to the applicable Enrollment Agency The determination: of whether the additional standard is "met", or "not met" is made as follows:

The standard is "met" when the Chemung County Release Form for Local Criminal History Background Check is completed, signed by those that are required to do so and submitted to the EA and the required criminal background checks are conducted.

The standard is "not met" when the applicable background checks can't be completed due to the lack of cooperation due to the provider or other persons required to participate, according to their roles as indicated in question #2.

## **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.**

Criminal Background checks will ensure that basic health and safety standards are being met and ensure the information provided pertaining to the provision of childcare is correct.

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:*  
 Chemung County Department of Social Services, Mindy Banfield

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 local district and the district's contractor will include a "Notification of Chemung County Additional Local Standard for the Enrollment of Legally-Exempt Family Child Care Providers, In-Home Child Care Providers, and Legally-Exempt Group Providers Authorization & Release Form" in the enrollment packets it distributes to parents which will allow the Chemung County Department of Social Services (CCDSS) to conduct a check of the local child welfare records related to the child care attestations for the sole purpose of verifying the accuracy of the information submitted to the parent/caretaker per 18 NYCRR § 415.4(f)(7)(ii).

2. The individuals specified in question #2 above will be asked to sign and date the Notification of Chemung County Additional Local Standard for the Enrollment of Legally-Exempt Family Child Care Providers, In-Home Child Care Providers, and Legally-Exempt Group Providers Authorization & Release Form.

3. The signed release(s) is/are *required*, for all persons in the roles specified in question #2, for the enrollment packet to be considered complete. If any of the individuals checked in question #2 above refuses to sign the release, which would allow CCDSS to review only the existing local child welfare records related to the child care attestations, the enrollment package will be considered *incomplete* and the enrollment process cannot move forward and will be *withdrawn* by the enrollment agency in accordance with State policy. All the required authorizations must be received and recorded in the Child Care Facility System (CCFS), before the EA may determine the enrollment package to be complete.

4. To initiate the additional standards check, per NYS OCFS policy, the CCFS will automatically generate the referral for the applicable child care program types and individual roles, specified in question # 2 above, to the CCDSS. The CCDSS must run the Legally-Exempt Additional Standards Referral List in CCFS to obtain the list of enrolling/enrolled/re-enrolling Legally-Exempt Family Child Care Providers and other individuals for whom a determination is required. However, since CCFS cannot identify any "Exceptions" stated in question # 2, the CCDSS must identify the exceptions. When a referred individual is subject to an exception specified in question #2, the additional standard will not apply and the District will notify the applicable enrollment agency that the additional standard is "**not applicable**" to the individual.

5. 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 Chemung County DSS will notify the child care provider that he/she has 10 calendar days to submit to CCDSS a copy of the "Child Abuse and Maltreatment History Attestation Form" provided to the parent/caretaker concerning the indicated incident(s). This form must be signed by the parent/caretaker acknowledging receipt of this information and the parent/caretaker's wish to use this child care provider.

6. If the information regarding the indicated child protective report submitted by the provider on the Child Abuse and Maltreatment History Attestation Form does not substantially correlate with the



information obtained during the local records check, the CCDSS 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 CCDSS and the parent/caretaker that either substantially correlates with the information obtained by the district's local database check of the records related to the child care attestations or the provider submits information to the district which documents that the information obtained from the local database check of the records related to the child care attestations is inaccurate. If the provider fails to clarify the discrepancies the CCDSS will notify the Enrollment Agency that the additional standard is **"not met."**

7. If the information on the "Child Abuse and Maltreatment History Attestation Form" regarding the indicated child protective report submitted by the provider to the parent/caretaker and the local district correlates with the information obtained from the local database check, the District will notify the Enrollment Agency that the additional standard has been **"met."** When the local records check reveals that an individual specified in questions #2 is not an indicated subject of a children abuse or maltreatment report, the CCDSS will notify the Enrollment Agency that the additional standard "met".

8. When a referred individual is subject to an exception specified in question #2, the additional standard will not apply and the District will notify the applicable enrollment agency that the additional standard is **"not applicable"** to the individual.

- The district will not apply this additional local standard when the applicable person resides outside of the subsidy-paying district.
- The district will not apply this additional local standard when the informal provider is younger than 18 years of age.

9. For legally-exempt child care providers referred through CCFS and are specified in question #2, the CCDSS will determine whether the additional standard was **"met," "not met"** or **"not applicable"** as stated above. The CCDSS will record the results on the *OCFS-2114 District Notification to Legally-Exempt Caregiver Enrollment Agency* form. This notification will be given/mailed to the applicable Enrollment Agency within 25 days of the CCFS referral date so that she/he may take any necessary action.

## 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 indicated child protective histories for themselves and any other persons specified in #2. The additional standard

supports 18 NYCRR § 415.4(f)(7)(ii), a State requirement for enrollment which requires the provider and relevant site persons have given the parent true and accurate information regarding indicated child protective reports. The additional standard verifies the provider is telling the truth on the enrollment form. This promotes safer child care for children by verifying that true and accurate information about a caregiver’s history has been shared with the child(ren)’s parent/caretaker.

## Appendix 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<br>(# of days) | Extenuating Circumstances<br>(# of days) | Total Number of Absences Allowed<br>(# of days) |
|-------------|-------------------------------|--|---|
| In a Month  | 12                            | 3  | 15  |
| Base Period | 12                            | 8  | 20  |

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

Absences can be claimed and paid for when the child is SCHEDULED to be in attendance and is ABSENT.

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

Absences CANNOT be claimed and paid for when the child care program IS NOT OPEN and accessible to eligible families.

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

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## 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.**

- These may include a State, Federal or Nationally recognized holiday, Natural Disaster, a State of Emergency in the County, or other emergency closings due to circumstances beyond the child care program's control, other than a substantiated regulatory violation.
- Reimbursement is only for children in receipt of child care subsidy who would otherwise be present at the child care program.
- Reimbursement is not available for the day the program is closed if the child is in need of child care services and the child receives subsidized child care services, from a different provider, on the same day.

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

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## Appendix T: Transportation, Differential Payment Rates, Enhanced Market Rate for

# Legally-Exempt Family and In-Home Providers, 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.

Not applicable

## 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><br>State required minimum of 5%  | 5%                                | Enter a percentage (%): 5% to 15%. ( <i>Must</i> 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%. ( <i>Must</i> 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.**

Not applicable

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

**1. 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 percent, not to exceed 75% of the child care market rate established for registered family day care.**

%

### **IV. 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:**

The district will pay for up to 8 hours of child care services when a sole caretaker parent or both parents (in a two parent household) works 3rd shift and the child/children are not attending school. In a two parent family when one parent is working the 3rd shift and the second parent works 1st shift and the child/children are not attending school, child care services will be provided up to 8 hours for sleep for the parent working 3rd shift.

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

8

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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.**

Not applicable

## **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.**

The district will include 18 and 19 year olds in the CCSU as long as the individual is enrolled as a full time high school student.

## **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.**

Not applicable

#### 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