



New York State  
Office of  
Children & Family  
Services

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David A. Paterson  
*Governor*

Gladys Carrión, Esq.  
*Commissioner*

Capital View Office Park  
52 Washington Street  
Rensselaer, NY 12144

February 13, 2009

Michael Weiner, Commissioner  
Erie County DSS  
Rath County Office Building  
95 Franklin Street - 8th Floor  
Buffalo, NY 14202-3959

Dear Commissioner Weiner:

This letter is to inform you that the child care section found in the administrative component of your Annual Plan Update 2008-2009 was approved on February 13, 2009. The child care section became effective on February 13, 2009.

This approval is being issued separate from the approval of other sections of your plan in order to accommodate your county's need to implement the child care services provisions. A letter approving the remaining sections of your plan will be sent upon their approval.

If you have any questions about this approval or the child care section found in your Annual Plan Update 2008-2009 please contact Ms. Amy Ryan, (518) 474-9620 or by e-mail at [Amy.Ryan@ocfs.state.ny.us](mailto:Amy.Ryan@ocfs.state.ny.us).

Sincerely,

A handwritten signature in cursive script, appearing to read "Janice Molnar".

Janice M. Molnar  
Deputy Commissioner  
Division of Child Care Services



**APPENDIX G-1**

**CHILD CARE SECTION  
 DATED 2007-2009**

**County:** Erie

**I. Administration (Required Section)**

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:

Public Assistance Families: **Day Care Unit**

Transitioning Families: **Day Care Unit**

Income Eligible Families: **Day Care Unit**

Title XX: **Services Division**

Indicate the use of New York State Child Care Block Grant (NYSCCBG) Funds.

FFY 06-07 Rollover Funds ( <i>this amount is available from the NYSCCBG ceiling report in the claiming system</i> )	<b>\$8,461,727</b>
Estimate of FFY 07-08 Rollover Funds	<b>\$5,427,066</b>
Estimate of Flexible Funds for Families (FFFS) for child care subsidies	<b>\$0</b>
NYSCCBG Allocation for SFY 08-09	<b>\$22,548,548</b>
Estimate of Local Share	<b>\$2,014,331</b>

**Total Estimated NYSCCBG Amount: \$29,989,945**

A. Subsidy	<b>\$28,318,775</b>
B. Other program costs (excluding subsidy)	<b>\$44,510</b>
C. Administrative costs	<b>\$1,626,660</b>

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

<u>Function:</u>	<u>Organization:</u>	<u>Amount of Contract:</u>
x Eligibility screening	<b>Child Care Coalition</b>	<b>\$44,510</b>

Function

- Assistance in locating care
  
- Child Care Information  
Systems
  
- Determining if legally-  
exempt providers meet  
State approved additional  
local standards (if  
applicable)
  
- Other

**County: Erie**

**APPENDIX G-3**

**III. Reasonable Distance, Very Low Income, Family Share, Case Closings and Openings, and Fraud and Abuse Control Activities\_ (Required Section)**

**Reasonable Distance**

Your district is required to define reasonable distance based on community standards for determining accessible child care.

The following defines "reasonable distance": **90 MINUTES OF TRAVEL (ONE WAY)**

Describe any steps/consultations made to arrive at your definition:  
**CONSULTED WITH EMPLOYMENT STAFF, DAY CARE STAFF, FINANCIAL ASSISTANCE STAFF AND DAY CARE PROVIDERS**

**Very Low Income**

Very Low Income is defined by each district and is used in determining priorities for child care benefits.

Very Low Income is defined as **125%** of the State Income Standard.

**Family Share**

Family share is the weekly amount paid towards the costs of the child care services by the child's parent or caretaker. In establishing family share, your district must select a percentage from 10% to 35% to use in calculating the family share. The family share of child care 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 our district **35%**.

**Case Closings (select one or two)**

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

- |                       |                                      |
|-----------------------|--------------------------------------|
| <b>1.175-200% SIS</b> | <b>4.Children with Special Needs</b> |
| <b>2.150-174% SIS</b> | <b>5.100-125% SIS</b>                |
| <b>3.126-149% SIS</b> | <b>6. 0-99% SIS</b>                  |

2. The district has not established priorities beyond the federally-mandated priorities. If all NYSCCBG funds are committed, case closings for families which are not eligible under a child care guarantee and are not a federally-mandated priority must be based on the length of time in receipt of services. The length of time used to close cases may be based either on the shortest or longest time receiving child care services but must be consistent for all families. The district has chosen to close cases based on:

- shortest time receiving child care services  
 longest time receiving child care services

### **Case Openings**

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

**1.0-99% SIS**

**4.126-149% SIS**

**2.100-125% SIS**

**5.150-174% SIS**

**3. Children with Special Needs**

**6. 175-200% SIS**

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

The district must identify below the criteria it will use to determine which child care subsidy applications suggest a higher than acceptable risk for fraudulent or erroneous child care subsidy payment and procedures for referring such applications to the district's front end detection system.

- 1. Client and the requested caregiver reside at the same address, adjacent address or very close proximity (i.e. across the street, front to rear structures, back to back properties).**
- 2. Care provided in the child's home.**

**Those applications will be referred to the district's Special Investigations Division (SID) FEDS Unit on a daily basis with: a cover form, copies of pertinent application pages and any other appropriate information. SID will process the referral within the existing time frame in current use. Reports will be returned to the requestor. Statistics and management reports will be available as needed.**

The district must describe below its sampling methodology used to determine which cases it will seek verification of an applicant or recipient's continued need for child care including, as applicable, verification of participation in employment, education or other required activities.

- 1. Each calendar month one percent (1%) of approved child care subsidy applications will be referred to SID upon completion of the third month of child care subsidy payments and or the third month of payments following the recertification process.**
- 2. The list of cases to be system generated from WMS data and supplied to SID. The cases will be randomly selected.**

**SID will seek verification of an applicant's or recipient's continued need for child care by contacting the employer, educational institute or provider of other required services to verify their participation in employment, education or other required services. SID will process the case within the existing time frame in current use. A report will be forwarded to the appropriate case worker with an assessment of the investigative findings. Statistics and management reports will be made available as needed.**

The district must describe below its sampling methodology used to determine which child care providers of subsidized child care services they will review for the purpose of comparing the child care providers' attendance forms for children receiving subsidized child care services and 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.

- 1. SID during the course of a year will randomly sample 57% of the child care providers, i.e. family day care, group family day care and legally exempt, which participate in the child and adult care food program (CACFP). SID will determine the last time CACFP inspected the sample providers' child care program and what children were present at that time. That information will be obtained from the monitoring checklist form (DOH 4118). The comparison of subsidy attendance will be a point in time referenced to in the CACFP monitoring forms. SID would then compare the attendance with the child care subsidy attendance form to verify that child care was actually provided on the days listed on the attendance forms.**
- 2. Child Care Centers will remain in the purview of OCFS.**

**APPENDIX G-4**

**There are no changes in regard to the Plan 2007-2009.**