

# Child Care

The Child Care section of the plan is effective on the date that it is approved by OCFS. The approval date for the Child Care section of the plan can be found on [the OCFS website](#).

## Appendix K: Child Care Administration

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

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

- a. Public Assistance Families:** MCDHS Division Of Financial Assistance
- b. Transitioning Families:** MCDHS Division of Financial Assistance
- c. Income Eligible Families:** MCDHS Division of Financial Assistance
- d. Title XX:** MCDHS Division of Child & Family Services

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

<b>Item</b>	<b>Amount</b>
<b>a. FFY 2018-2019 Rollover funds:</b> <i>(available from the NYSCCBG ceiling report in the claiming system)</i>	\$269,315
<b>b. Estimate FFY 2019-2020 Rollover Funds:</b>	\$1,068,816
<b>c. Estimate of Flexible Funds for Family Services transferred to the NYSCCBG:</b>	\$0
<b>d. NYSCCBG Allocation 2020:</b>	\$39,124,255
<b>e. Estimate of Local Share:</b>	\$4,221,021
<b>Total Estimated NYSCCBG Amount:</b>	\$42,110,507
<b>f. Subsidy:</b>	\$39,995,746
<b>g. Other program costs excluding subsidy:</b>	\$0
<b>h. Administrative costs:</b>	\$2,114,761

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

Function	Organization	Amount of Contract
<input checked="" type="checkbox"/> a. Subsidy eligibility screening	Workforce Development Corporation	0.00
<input type="checkbox"/> b. Determining if legally-exempt providers meet OCFS-approved additional local standards <i>(must be noted in Appendix Q with the corresponding additional standard)</i>		
<input checked="" type="checkbox"/> c. Assistance in locating care	TBA	Not to exceed \$125,000
<input type="checkbox"/> d. Child care information systems		
<input type="checkbox"/> e. Payment processing		
<input type="checkbox"/> f. Other <i>Please specify function:</i>		

## Appendix L: Other Eligible Families if Funds are Available

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

Optional Categories	Option	Limitations
<b>1. Public Assistance (PA) families participating in an approved activity in addition to their required work activity.</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No	
<b>2. PA families or families with incomes up to 200% of the State Income Standard when child care services are needed for the child to be protected because the caretaker is:</b>		
<b>a) participating in an approved substance abuse treatment program</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No	
<b>b) homeless</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No	
<b>c) a victim of domestic violence and participating in an approved activity</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No	
<b>d) in an emergency situation of short duration</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No	Authorization limited to requests submitted in writing and subject to administrative approval on a case-by-case basis.
<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 <input type="radio"/> No	

<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 <input type="radio"/> No	Authorization is limited to families with written documents from the family's treating physician/mental health professional indicating the reason for the incapacity, its expected duration, and that the applicant is unable to provide care.
<b>b) has family duties away from home</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No	
<b>5. Families with incomes up to 200% of the State Income Standard when child care services are needed for the child's caretaker to actively seek employment for a period up to six months. Child care services will be available only for the portion of the day the family can document is directly related to the caretaker engaging in such activities.</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No	Authorization is limited to families already in receipt of a low-income daycare subsidy; coverage can continue for up to thirty (30) days to seek new employment.
<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 <input type="radio"/> No	
<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 <input type="radio"/> No	Authorization is limited to student/parent caretakers (under the age of 21) who maintain 85% attendance rate in high school
<b>b) an education program that prepares an individual to obtain a NYS High School equivalency diploma</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No	Authorization is limited to student/parent caretakers who maintain 85% attendance rate; GED program must be in addition to 17.5 hours of weekly employment.
<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>	<input checked="" type="radio"/> Yes <input type="radio"/> No	Authorization is limited to student/parent caretakers who maintain 85% attendance rate; program must be in addition to 17.5 hours of weekly employment.
<b>d) a program providing literacy training designed to help individuals improve their ability to read and write</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No	Authorization is limited to student/parent caretakers who maintain 85% attendance rate; program must be in addition to 17.5 hours of weekly employment.

<p><b>e) an English as a second language (ESL) instructional program designed to develop skills in listening, speaking, reading, and writing the English language for individuals whose primary language is other than English</b></p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No</p>	<p>Authorization is limited to student/parent caretakers who maintain 85% attendance rate; program must be in addition to 17.5 hours of weekly employment.</p>
<p><b>f) a two-year full-time degree granting program at a community college, a two-year college, or an undergraduate college with a specific vocational goal leading to an associate's degree or certificate of completion</b></p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No</p>	<p>Authorization is limited to student/parent caretakers who maintain a minimum 2.0 GPA; program must be in addition to 17.5 hours of weekly employment.</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 <input type="radio"/> No</p>	<p>Authorization for program must be in addition to 17.5 hours of weekly employment.</p>
<p><b>h) a prevocational skill training program such as a basic education and literacy training program</b></p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No</p>	<p>Authorization for program must be in addition to 17.5 hours of weekly employment.</p>
<p><b>i) a demonstration project designed for vocational training or other project approved by the Department of Labor</b></p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No</p>	<p>Authorization for program must be in addition to 17.5 hours of weekly employment.</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) if the caretaker is also working at least 17½ hours per week. The caretaker must demonstrate his or her ability to successfully complete the course of study.</b></p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No</p>	
<p><b>9. PA recipients or low-income families with incomes up to 200% of the State Income Standard who are satisfactorily participating in a two-year college or university program (other than one with a specific vocational sequence) leading to an associate's degree or a certificate of completion that is reasonably expected to lead to an improvement in the caretaker's earning capacity if the caretaker is also working at least 17½ hours per week. The caretaker must demonstrate his or her ability to successfully complete the course of study.</b></p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No</p>	

<p><b>10. PA recipients or low-income families with incomes up to 200% of the State Income Standard who are satisfactorily participating in a four-year college or university program leading to a bachelor's degree and that is reasonably expected to lead to an improvement in the caretaker's earning capacity if the caretaker is also working at least 17½ hours per week. The caretaker must demonstrate his or her ability to successfully complete the course of study.</b></p>	<input checked="" type="radio"/> Yes <input type="radio"/> No	
<p><b>11. Families with incomes up to the 200% of the State Income Standard when child care services are needed for the child's caretaker to participate in a program to train workers in an employment field that currently is or is likely to be in demand in the future, if the caretaker documents that he or she is a dislocated worker and is currently registered in such a program, provided that child care services are only used for the portion of the day the caretaker is able to document is directly related to the caretaker engaging in such a program.</b></p>	<input type="radio"/> Yes <input checked="" type="radio"/> No	

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

### I. Reasonable Distance for Public Assistance Recipients to Travel to Child Care and Work

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

1. The following defines "reasonable distance":

Within one hour travel time from daycare site to work site or work site to daycare site.

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

This has been the established/approved DHS policy.

### II. Recertification Period

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

- Six months
- Twelve months

### III. Family Share

"Family Share" is the weekly amount paid towards the costs of the child care services by the child's parent or caretaker. Your district must select a family share percentage from 10% to 35% to use in calculating the amount of family share. The weekly family share of child care costs is calculated by applying the family share percentage against the amount of the family's annual gross income that is in excess of the State Income Standard divided by 52.

*Note: The family share percentage selected here must match the percentage entered in the Program Matrix in the Welfare Management System (WMS) and the Child Care Time and Attendance (CCTA) system.*

Family Share Percentage selected by the district:

10%

Additional Description of this Family Share Percentage:

The family share percentage is being lowered from 20% to 10%, effective 2/1/21.

*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 **165%** 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.

None

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

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### 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**.
- 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**.
- 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**.

Describe the criteria the district will use to select cases to be closed:

The district chooses not to close cases due to insufficient NY State Child Care Block Grant (NYSCCBG) funds. In the event of insufficient NYSCCBG funds, the district will use local funds.

### III. Waiting List

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

No

Yes

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

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### 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.

Monroe County utilizes three methodologies for identifying and investigating fraud: Front End Detection System (FEDS), Back End Detection System (BEDS) and Child Care Program Integrity (CCPI).

#### CCPI

Monroe County intends to utilize the Child Care Program Integrity matrix to more effectively identify and focus its investigational efforts on cases with a higher likelihood of fraud. This new methodology will replace various strategies outlined in previous plans.

#### FEDS

FEDS referrals on Child Care cases are determined at all eligibility interviews using the Electronic Investigation System and the Child Care/Day Care Indicators as approved in the FEDS Plan.

#### Monroe County's Child Care Indicators:

##### Child Care Indicators for Provider Daycare:

- Hours of Care do not match hours approved/hours parent(s) are working
- Inconsistencies on Child Care Request form
- Provider may be working during hours claimed for children
- Inconsistencies in Household members (application) vs CCFS listed members
- Provider is parent of the child's Absent Parent

##### Child Care Indicators for Clients

- No absent parent information, or Application/information has inconsistencies regarding absent parent.

- Self-employed without adequate business records to support financial assertions
- Work hours do not match Child Care hours
- Prior History of constant denials, case closings, fraud, overpayments
- New In-Home care case
- Questionable paperwork submitted
- Non-Legal Union (NLU) not on application, but on TA or SNAP case Application inconsistent with prior case information
- Documents provided are inconsistent with Applicant information
- P.O. Box used as primary mailing address without reasonable explanation Working off-the-books (currently or previously)

Income Eligible Child Care eligibility staff will screen new applications for assistance as they are received. A Senior Eligibility Evaluator will complete a Child Care FEDS referral for all applications having an approved indicator. Child Care FEDS referrals will be sent to and processed by the Monroe County Special Investigations Unit Investigators. Collateral contacts may be made, DMV Searches, City Tax Assessment, County Clerk Search, Department of Labor Search, U.S. Postal check, landlord, employer, a review of case file, a home visit, and related items as necessary depending on the Child Care Indicators.

The application process will not be interrupted while waiting for the results of an investigation.

### **BEDS**

In addition to the Front-End Detection investigations, Monroe County employs a Back-End Detection System (BEDS) for investigative activity as well. There are a growing number of children being cared for by legally exempt providers in the child's home for whom the local Child Care Council does not have authority or oversight to investigate fraud. As such, Monroe County DHS will investigate cases identified through a number of sources to be at high risk of fraud.

During the course of any fraud investigation (provider fraud or parent fraud) the LDSS may make announced or un-announced site visits during a provider's licensed care hours. For legally-exempt providers, announced or un-announced site visits will occur during the hours they are authorized to provide care. The OCFS licensor or the Child Care Council staff often assist the LDSS throughout 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.*

As a BEDS activity, Monroe County will generate a monthly report and conduct an investigation of new day care authorizations where the day care is being provided in the legal residence of the child. For those cases reviewed within the first 90 days of day care authorization, Monroe County investigators will conduct a site visit at addresses where the day care is being provided in the legal residence of the child to verify that the care is being provided and confirm the provider identity.

In addition to the FEDS, BEDS and CCPI investigations, the LDSS will investigate, on a case by case basis, the following issues:

- referrals received through the LDSS fraud hotline
- referrals from OCFS
- referrals from Child Care Council
- referrals from internal daycare payables – over-capacity, non-traditional hours, over-capacity, non-traditional hours, anomalies in provider/client signatures, parent-fees and dates attended vs. dates authorized
- absent parents
- parents employed by a temp agency or working varying hours
- self-employed parents
- parents out of compliance with OTDA/OCFS/LDSS program mandates

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.

When Monroe County is investigating a case of suspected child care fraud, the investigators will reach out to the OCFS licensor or the Child Care Council to ensure that any Child and Adult Care Food Program inspection forms match MCDHS Child Care Time & Attendance (CCTA) records. Specifically, the MCDHS Investigator will email the Child Care Council or the OCFS licensor to inquire if the subject of the fraud investigation is enrolled in and receiving services via the Child and Adult Care Food Program. If they are, they will ask for copies of the inspection forms that correspond to the time period under investigation and review them to ensure that information is consistent. If discrepancies between the Child and Adult Care Food Program inspection forms and the CCTA records are discovered, the Investigator will notify either the OCFS licensor or Child Care Council and share any pertinent information. Investigation of any discrepancies involving the Child and Adult Care Food Program records is the responsibility of OCFS licensor or the Child Care Council.

## II. Inspections of Child Care Provider Records and Premises

The district may choose to make announced or unannounced inspections of the records and premises of any provider/program that provides child care for subsidized children to determine if the child care provider is in compliance with applicable laws and regulations and any additional requirements imposed on such a provider by the social services district per 18 NYCRR §415.4(h)(3).

The district has the right to make inspections *prior to subsidized children receiving care* of any child care provider, including care in a home, to determine whether the child care provider is in compliance with applicable laws and regulations and any additional requirements imposed on such a provider by the district.

The district must report violations of regulations as follows:

1. Violations by a licensed or registered child care provider must be reported to the applicable Office of Children and Families (OCFS) Regional Office.
2. Violations by an enrolled or enrolling legally-exempt child care provider must be reported to the applicable Enrollment Agency.

### Does the district choose to make inspections of such child care providers/programs?

- No.
- Yes. Provide the details of your inspections plan below.

### Check the organization that will be responsible for conducting inspections:

- Local social services staff
- Provide the name of the unit and contact person:*  
Allan Jarvie, Special Investigations Unit
- Contracted Agency *(must correspond to Appendix K, Question 3f)*
- Provide the name of the agency and contact person:*

### The following types of subsidized child care providers/programs are subject to this requirement:

**Legally-Exempt Child Care**

- In-Home
- Family Child Care
- Group programs not operating under the auspices of another government agency
- Group programs operating under the auspices of another government agency

**Licensed or Registered Child Care**

- Family Day Care
- Registered School-Age Child Care
- Group Family Day Care
- Day Care Centers
- Small Day Care Centers

## Appendix N: District Options

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Districts have some flexibility to administer their child care subsidy programs to meet local needs. Districts must complete Question I below. Note that all districts must complete the differential payment rate table in Appendix T.

I. The district selects:

- None of the options below
- One or more of the options below

II. Districts must check the options that will be included in the district's county plan and complete the appropriate appendix for any option checked below.

- 1. The district has chosen to establish funding set-asides for NYSCCBG (complete Appendix O).
- 2. The district has chosen to use Title XX funds for the provision of child care services (complete Appendix P).
- 3. The district has chosen to establish additional local standards for child care providers (complete Appendix Q).
- 4. The district has chosen to make payments to child care providers for absences (complete Appendix R).
- 5. The district has chosen to make payments to child care providers for program closures (complete Appendix S).

- 6. The district has chosen to pay for transportation to and from a child care provider (complete Appendix T).
- 7. The district has chosen to pay a differential rate for licensed or registered child care providers that have been accredited by a nationally recognized child care organization (complete Appendix T).
- 8. The district has chosen to pay a differential rate above the required 5% minimum differential rate for child care services during non-traditional hours (complete Appendix T).
- 9. The district has chosen to pay a differential rate for child care providers caring for children experiencing homelessness above the required minimum differential rate (complete Appendix T).
- 10. The district has chosen to pay a differential rate in excess of the 25% maximum differential rate for child care providers that qualify for multiple differential rates to allow sufficient access to child care providers or services within the district (complete Appendix T).
- 11. The district has chosen to pay up to 75% of the enhanced market rate for legally-exempt family and in-home child care providers who have completed 10 hours of training, which has been verified by the Legally-Exempt Caregiver Enrollment Agency (complete Appendix T).
- 12. The district has chosen to pay an enhanced market rate for eligible legally-exempt group child care programs that meet required health and/or training requirements (complete Appendix T).
- 13. The district has chosen to pay for child care services while a caretaker who works the second or third shift sleeps (complete Appendix T).
- 14. The district has chosen to make payments to child care providers who provide child care services exceeding 24 consecutive hours (complete Appendix U).
- 15. The district has chosen to include 18-, 19- or 20-year-olds in the Child Care Services Unit (complete Appendix U).
- 16. The district requests a waiver from one or more regulatory provisions. Waivers are limited to those regulatory standards that are not specifically included in law (complete Appendix U).
- 17. The district has chosen to pay for breaks in activity for low income families (non-public assistance families) (complete Appendix U).
- 18. The district has chosen to use local equivalent(s) of OCFS required form(s). Prior to using a local equivalent form the district must obtain OCFS, Division of Child Care Services (DCCS) written approval. **Any previous approvals for local equivalent forms will not be carried forward into this county plan. Therefore, any local equivalent forms a district wishes to establish or renew must be included in this plan and will be subject to review and approval by OCFS.**

List below the names and upload copies of the local equivalent form(s) that the district would like to use.

The Monroe County Department of Human Services Notification to Legally Exempt Caregiver Enrollment Agency

- 19. The district elects to use the OCFS-6025, Application for Child Care Assistance. The local district may add the district name and contact information to the form.

# Appendix O: Funding Set-Asides

## I. Total NYSCCBG Block Grant Amount, Including Local Funds

Category	Amount
	\$
	\$
	\$
	\$
	\$
<b>Total Set-Asides (NYSCCBG):</b>	\$

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

Category:

Description:

Category:

Description:

Category:

Description:

Category:

Description:

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

Category	Amount
	\$
	\$
	\$
<b>Total Set-Asides (Title XX):</b>	\$

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

Category:

Description:

Category:

Description:

Category:

Description:

## Appendix P: Title XX Child Care

1. Enter the projected total of Title XX expenditures for the plan's duration: **\$4036206**

Indicate the financial eligibility limits (percentage of State Income Standard) your district will apply based on family size. Maximum reimbursable limits are 275% for a family of one or two, 255% for a family of three, and 225% for a family of four or more. Districts that are utilizing Title XX funds only for child protective and/or preventive child care services must not enter financial eligibility limits as these services are offered without regard to income.

Family Size	Eligibility Limit
<b>Two People</b>	%
<b>Three People</b>	%

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

- Employment
- Seeking employment
- Homelessness
- Education / training
- Illness / incapacity
- Domestic violence
- Emergency situation of short duration
- Participating in an approved substance abuse treatment program

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

- Yes
- No

If yes, describe eligibility criteria:

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

- Yes
- No

If yes, describe which families will receive priority:

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

- Yes
- No

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

- Yes
- No

# Appendix Q: Additional Local Standards for Child Care Providers

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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:*

Child Care sites must be in compliance with local city or municipal health & safety codes.

2. Check below the type of child care program to which the additional local standard will apply and indicate the roles of the persons to whom it will apply in cases where the standard is person-specific.

Legally-exempt relative-only family child care program

Provider

Provider's employee

Provider's volunteer

Provider's household member age 18 or older

Legally-exempt relative-only in-home child care program

- Provider
- Provider's employee
- Provider's volunteer

Legally-exempt family child care program

- Provider
- Provider's employee
- Provider's volunteer
- Provider's household member age 18 or older

Legally-exempt in-home child care program

- Provider
- Provider's employee
- Provider's volunteer

Legally-exempt group program

- Director
- Employee
- Volunteer

2a. Exceptions: There may be instances when the district may be unable to enact the additional standard, such as, the applicable person may reside outside of the district's jurisdiction, or the site of care may not be located within the district. In such cases, the district may create an exception to the applicability stated above.

*Note: The Child Care Facility System cannot track such exceptions and, therefore, the district remains responsible for notifying the applicable Enrollment Agency, using the OCFS-2114, District Notification to Legally-Exempt Caregiver Enrollment Agency, that an additional standard is "not applicable" to the specific provider/person named on the referral list.*

Place a check mark below to show any exception to the applicability of this Local Additional Standard to programs or roles previously identified.

- a. The district will not apply this additional local standard when the applicable person **resides** outside of the subsidy-paying district.
- b. The district will not apply this additional local standard when the **program's site of care is located outside** of the subsidy-paying district.

3. Districts are responsible for implementation of the additional local standard unless they have a formal agreement or contract with another organization. Check the organization that will be responsible for the implementation of the additional local standard.

Local social services staff  
*Provide the name of the unit and contact person:*  
Allan Jarvie, Special Investigations Unit

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.

Monroe County will apply the same health and safety standards to legally- exempt (L-E) family and L-E in-home child care program sites as are applied to housing units for public assistance recipients in accordance with Social Service Law 143-B, in determining whether violations may pose a health or safety risk to children. Attached is a listing of property violations determined by the Monroe County Department of Public Health that pose significant risk of health or safety concerns. Monroe County will, for each location where subsidized L-E family and L-E in-home childcare is provided within the county, determine, to the extent possible, whether there are open property code violations for the site.

Monroe County will process the Child Care Facility System (CCFS) referrals for this additional standard at the time of the initial enrollment and at re-enrollment. Additionally, Monroe County will investigate a L-E family or L-E in-home child care site from any hotline, whistleblower, complaint, or other outside tips or concerns regarding open health or safety violations.

**a.** SIU Investigator receives the e-notice referral and cross references the address, which has been added to CCFS by the Enrollment Agency (EA), with a health and safety violation report received from the City of Rochester on a monthly basis. Should the site be outside the city limits, the investigator will contact the appropriate municipality to determine if there are any health and safety violations consistent with the list provided by the Monroe County Health Department (attached).

**b.** When there is a current, open health and safety code violation(s) for an enrolled or enrolling providers of L-E family and L-E in-home child care site, a Monroe County Special Investigations Unit (SIU) Investigator will immediately send a letter to the family and contact the L-E in-home child care provider in person or by mail to discuss and evaluate the open code violation/s. All correspondence has contact information for the SIU Investigator and the City Inspector. At all steps of this process, the investigator will check the L-E family and L-E in-home provider's status in CCFS to determine if the provider has withdrawn their application or has been denied. If the L-E family or L-E in-home provider has not withdrawn or been denied, the district will follow up with the City or municipality on a weekly basis to see if open health and safety code violations have been resolved. The SIU Investigator will send a notification to the EA within 25 days and may monitor the case for up to another 20 days with periodic checks of the City Violations system for certain cases where extra time is needed to correct the violation and/or allow the City Inspector time to clear the violations.

**c.** The district will notify the EA as to whether the standard is "Met," "Not Met" or "Not Applicable," utilizing an electronic worksheet approved by NYS OCFS (5-23-2017) in collaboration with the Child

Care Council, Inc. (Enrollment Agency).

- "Met" indicates that either a) there were no open health and safety code violations; b) any open health and safety code violations have been resolved; or c) violations are in the process of being corrected. Notice of "met" will be provided to the EA within 25 days. For c), the situation will be monitored for up to an additional 20 days and if violations are not corrected, notice will be sent to the EA that the standard has not been met.
- "Not Met" indicates the site has open health and safety violation that may pose a health and safety risk for children receiving care and that the L-E family or L-E in-home child care provider has made no efforts towards clearing the violations or even with efforts to do so, was unsuccessful in doing so, or the municipality determined that the property was uninhabitable and issued a vacate order. Notification of "Not Met" will be provided to the EA within 25 days of referral, or, in cases that were initially "Met" because the provider was working to resolve the issue but was ultimately unable to do so, within 45 days of referral. (Note: The time frame may be extended in situations where the provider is working to correct the violations but may need extra time to do so.) The violation/s does not affect the parent's eligibility; they do not need to re-apply. Monroe County will inform parents via a letter sent within 5 days that they need to find a new child care provider and the reason(s) why. Parents are expected to submit a new child care request within 10 days. At that time, the District will end payment to the provider while the parent remains eligible.
- The additional standard is considered "Not Applicable" if the site is outside of Monroe County. Notification to the EA will be with 25 days of the CCFS e-notice referral.

**d. Please Note:** Monroe County will process complaints/concerns received outside of the enrollment/re-enrollment period in the same manner. All complaints received will be cross-checked with the City Health and Safety Code Violation report. Contact will be made with the provider and the parent in the manner cited above. The time frames and criteria for "Met," "Not Met" and "Not Applicable" still apply.

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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.**

Monroe County Department of Human Services has partnered with the City of Rochester and the Lead-Free Coalition of Rochester and Monroe County to identify best practices in mitigating health and safety risks for children in our community, particularly children living in poverty. This additional standard will assist providers, parents and the community in minimizing environmental health and safety hazards to children receiving care in L-E family and L-E in-home child care sites.

Please see uploaded list of Health & Safety Violation Codes.

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

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

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

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

- Yes
- No

3. Base Period:

- 3 months
- 6 months

4. Number of absences allowed per child during base period:

Period	Routine Limits (# of days)	Extenuating Circumstances (# of days)	Total Number of Absences Allowed (# of days)
In a Month	3		3
Base Period	3		18

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

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

Payment will be allowed for all routine absences due to illness.

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

Payments will only be made if the child care program is open and the parent is scheduled to work or attend an approved activity.

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

## Appendix S: Payment to Child Care Providers for Program Closures

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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.

Monroe County will only pay temporary program closures for reasons specified in the contract.

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

## Appendix T: Transportation, Differential Payment Rates, Enhanced Market Rate for Legally-Exempt Providers, Legally-Exempt Programs, and Sleep

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1. Are there circumstances where the district will reimburse for transportation?

- No

Yes

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

## II. Differential Payment Rates

1. Districts must complete the Differential Payment Rate Percent (%) column in the table below for each of the four (4) differential payment rate categories. For the two (2) categories that require a state minimum five percent (5%) differential payment rate, the district must enter "5%" or, if it chooses, a higher rate up to 15%.

The other two (2) differential payment rate categories in the table below are optional. If the district chooses not to set differential payment rates, the district must enter zero. If the district chooses to set a differential payment rate, enter the appropriate percentage up to 15 percent (15%). Note that if the district selects a differential payment rate for nationally accredited programs, then that rate must be in the range of five percent (5%) to 15 percent (15%).

Differential Payment Rate Category	Differential Payment Rate Percent	Instructions
<b>Homelessness: Licensed and Registered Providers</b> State required minimum of 5%	5%	Enter a percentage (%): 5% to 15%. ( <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>	10%	Enter 0% or a percentage (%) from 5% to 15%.

2. Generally, differential payment rates may not exceed 25% above the applicable market rate or actual cost of care. However, a district may request a waiver from the Office to establish a payment rate that is in excess of 25% above the applicable market rate upon showing that the 25% maximum is insufficient to provide access within the district to child care providers or services that offer care addressing more than one of the differential payment rate categories. However, if your district wants to establish a payment rate that is more than 25% above the applicable market rate, describe below why the 25% maximum is insufficient to provide access to such child care providers or services.

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

1. The enhanced market rate for legally-exempt family and legally-exempt in-home child care providers who have completed 10 or more hours of training annually is a 70% differential applied to the market rates established for registered family day care. Indicate if the district is electing to establish a payment rate that is in excess of the enhanced market rate for legally-exempt family and in-home child care providers who have completed 10 or more hours of training annually and the training has been verified by the legally-exempt caregiver enrollment agency.

No

Yes

2. If yes, indicate the percent (71%–75%), not to exceed 75% of the child care market rate established for registered family day care.

75%

#### IV. Enhanced Market Rates for Legally-Exempt Group Child Care Programs

Answer both questions:

1. Indicate if the district is electing to establish an enhanced market rate for child care services provided by legally-exempt group child care programs that have prepared an approved health care plan and have at least one caregiver in each classroom with age appropriate cardiopulmonary resuscitation (CPR) certification and the enhanced requirements have been verified by the enrollment agency.

No

Yes

If yes, indicate the percent (76%–81%), not to exceed 81% of the applicable market rate for day care centers.

%

2. Indicate if the district is electing to establish an enhanced market rate for child care services provided by legally-exempt group child care programs when, in addition to the training required in 18 NYCRR §415.4(f), the caregiver has completed an approved course and a minimum of 15 hours of approved training annually and each employee with a caregiving role completes a minimum of 5 hours of approved training annually and the enhanced requirements have been verified by the enrollment agency.

No

Yes

If yes, indicate the percent (76%–81%), not to exceed 81% of the applicable market rate for day care centers.

%

If a district chooses to establish both legally-exempt group child care enhanced rates and a program is eligible for both enhanced rates, then the enhanced market rate must be based on the percentages selected for each individual market rate, up to a maximum of 87%.

#### V. Sleep

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

No

Yes

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

In accordance with SSL 410-w(9), up to eight hours of additional child care assistance must be authorized for all eligible children in a family, as needed, in order to allow a parent or caretaker to sleep, if the parent or caretaker works non-traditional hours, is eligible for and provided with child care assistance, and has a child under the age of six and not in school for a full day.

Additionally, Monroe County will authorize up to 8 hours of child care assistance, as needed, to allow a parent or caretaker to sleep, if the parent or caretaker works non-traditional hours, is eligible for and provided child care assistance, and needs child care assistance for children up to and including the age of twelve who are enrolled in school for a full day, during school breaks and over the summer.

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

8

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

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### 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.

**Childcare services exceeding 24 hours may be paid with Administrative approval and supporting documentation.**

### 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.

Financial criteria only, when inclusion of the 18/19/20 year old makes the household eligible for assistance.

### 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.

Monroe County requests a waiver of the regulatory provision 415.1(o) -- defining engaged in work as 20 hours per week on average, effective 9/25/19. Monroe County has fewer than 100 cases where the individual is engaged in less than 20 hours per week of work but needs child care to maintain this part-time employment. With our current funding levels, we don't want to initiate any limitations that would reduce our block grant spending. Also, with the community focus on child care, as well as our local ESPRI (Empire State Poverty Reduction Initiative) focus on poverty reduction, we believe this waiver would allow individuals to move towards self-sufficiency even as they are not yet engaged in work at least 20 hours per week.

### IV. Breaks in Activities

1. Districts may pay for child care services for low-income families during breaks in activities either for a period not to exceed two weeks or for a period not to exceed four weeks when child care arrangements would otherwise be lost and the subsequent activity is expected to begin within that period. If your district will pay for breaks in activities, indicate below for how long of a break that the district will pay for (check one):

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

2. Districts may provide child care services while the caretaker is waiting to enter an approved activity or employment or on a break between approved activities. The following low-income families are eligible for child care services during a break in activities (check all that are eligible):

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