

**APPENDIX G-1  
CHILD CARE SECTION  
DATED 2007-2009**

**County:** New York City

**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: **Administration for Children's Services Division of Child Care and Head Start (ACS DCCHS)**

Transitioning Families: **ACS DCCHS**

Income Eligible Families: **ACS DCCHS**

Title XX: **ACS DCCHS**

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

Total NYSCCBG Amount:	<b>\$448,502,142 SFY 2007-2008</b>
A. Subsidy	\$423,774,321
B. Other program costs (excluding subsidy)	<b>\$16,085,738</b>
C. Administrative costs	<b>\$8,642,083</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>
<input type="checkbox"/> Eligibility screening		
<input type="checkbox"/> Screening of legally-exempt providers		
<input type="checkbox"/> Assistance in locating care		
<input type="checkbox"/> Child Care Information Systems		
<input checked="" type="checkbox"/> Other	<b>YMS - Payment Vendor</b>	<b>\$ .8 in CFY 07</b>

**APPENDIX G-2**

**II. Other Eligible Families if Funds are Available (Required Section)**

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

Optional Categories	Option	Limitations
1. Public Assistance (PA) families participating in an approved activity in addition to their required work activity.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
2. PA families or families with income up to 200% of the State Income Standard when the caretaker is:		
a) participating in an approved substance abuse treatment program	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
b) homeless	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
c) a victim of domestic violence	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
d) in an emergency situation of short duration	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
3. Families with an open child protective services case when child care is needed to protect the child.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
4. Families with income up to 200% of the State Income Standard when child care services are needed because the child's caretaker:		
a) is physically or mentally incapacitated	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
b) has family duties away from home	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
5. Families with income 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 6 months.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

6. PA families where a sanctioned parent is participating in unsubsidized employment, earning wages at a level equal to or greater than the minimum amount under law.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
7. Families with income up to 200% of the State Income Standard when child care services are needed for the child's caretaker to participate in:		
a) a public or private educational facility providing a standard high school curriculum offered by or approved by the local school district	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
b) an education program that prepares an individual to obtain a NYS High School equivalency diploma	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
c) a program providing basic remedial education in the areas of reading, writing, mathematics, and oral communications for individuals functioning below the ninth month of the eighth grade level	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
d) a program providing literacy training designed to help individuals improve their ability to read and write;	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
e) 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	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
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 degree or certificate of completion	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
g) a training program, which has a specific occupational goal and is conducted by an institution licensed or approved by the State Education Department other than a college or university	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
h) a prevocational skill training program such as, a basic education and literacy training program	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

<p>i) a demonstration project designed for vocational training or other project approved by the Department of Labor.</p> <p><b>The parent/caretaker must complete the selected programs listed under number seven within 30 consecutive calendar months. The parent/caretaker cannot enroll in more than one program.</b></p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<p>8. PA recipients and 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 associates degree or certificate of completion and that is reasonably expected to lead to an improvement in the parent/caretaker's earning capacity) as long as the parent(s) or caretaker is also working at least 17 ½ hours per week. The parent/caretaker must demonstrate his or her ability to successfully complete the course of study.</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p><b>Eligibility will be limited to non-PA recipients</b></p>
<p>9. PA recipients and 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 degree and that is reasonably expected to lead to an improvement in the parent/caretaker's earning capacity) as long as the parent(s) or caretaker is also working at least 17 ½ hours per week. The parent/caretaker must demonstrate his or her ability to successfully complete the course of study.</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p><b>Eligibility will be limited to non-PA recipients</b></p>

## APPENDIX G-3

### III. Reasonable Distance, Very Low Income, Definition of Engaged In Work For Child Care In Lieu of Temporary Assistance, 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": No more than one hour and fifteen minutes travel time, by public transportation or private car, between the caretaker's home and the child care provider.

Describe any steps/consultations made to arrive at your definition: Consultation with parents living throughout the city to determine maximum travel time from home to the work activity site, including time to stop at a child care provider.

#### 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 **200%** of the State Income Standard.

#### Definition of Engaged In Work For Child Care In Lieu of Temporary Assistance

The minimum number of hours for Federal Fiscal Year 2006 are:

- 20 hours for a single parent with a child under the age of six years old
- 30 hours for a single parent whose children are six years of age and older
- in two parent families the parents must be working a combined total of 55 hours with at least one parent working 30 or more hours.

If a district proposes a higher minimum number of required hours of work describe the requirement below.

- hours for a single parent with a child under the age of six years old
- hours for a single parent whose children are six years of age and older
- in two parent families the parents must be working a combined total of 55hours with at least one parent working or more hours.

#### 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: will range from 25.5 % to 33.3%. New York City will not use the State prescribed methodology of applying a formula to gross family income above the State Income Standard. Instead, a fee schedule will be utilized. Within a given fee band in the fee schedule, and, depending on family income, the family share percentage will range between 25.5% and 26% to 33.3% of remaining gross family income after subtracting the applicable SIS level. Family shares or fees will be capped at 10% of annual gross family income. A minimum weekly family share of \$3 for full-time care or \$2 for part-time care will be charged to families. If \$3 per week exceeds 25.5% of remaining income after subtracting the SIS from the highest income level listed in a given fee band, a \$3 per week minimum family share/fee for full-time care or \$2 per week for part-time care will apply to that entire fee band. A part-day weekly family share of 62.5% of the full-time weekly family share for a family of the same size and income will be charged for children, who receive part-day care.

**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.

**In the event that there are limited or no funds available, cases will be selected to be closed using the reverse of the priority order that will be used to open cases. (See the Case Opening section below.)**

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.

Eligible families will be placed on a waiting list if there are insufficient funds to open their cases. If additional funds become available (either through an increased allocation or attrition), cases will be selected to be opened in the priority order listed below.

**First**

Category 3e: A family with an open child protective services case when it is determined that such child care is needed to protect the child. These families will be funded using Title XX and local funds.

## **Second**

A family with an open child preventive services case when it is determined that such child care is needed to prevent the risk of foster care placement of the child. These families will be funded using Title XX and local funds.

## **Third**

Children with special needs from families that meet financial and programmatic eligibility requirements for NYSCCBG funding will receive first priority among all NYSCCBG eligible cases and third priority overall.

## **Fourth**

- Category 2 c (1): A family receiving public assistance when child care services are necessary to enable a teenage parent to attend high school or an equivalency program.
- Category 2 d (2). A family with income up to 200 percent of the State income standard which is at risk of becoming dependent on public assistance when child care services are needed:
  - To enable a teenage parent to attend high school or an equivalency program.

## **Fifth**

- Category 2 d (1): A family with income up to 200 percent of the State income standard which is at risk of becoming dependent on public assistance when child care services are needed:
  - For the child's caretaker(s) to be employed;
  - Each caretaker/parent in the family must be employed a minimum of 20 hours per week.
- Category 2 a and b: A family that has applied for or is receiving public assistance when child care services are needed for an eligible child who is age 13 or older and who has special needs or is under court supervision in order to enable the child's custodial parent or caretaker relative to participate in required activities including orientation, assessment or work activities as defined in 12 NYCRR §1300 or to engage in work.
- Category 3 a: A family receiving public assistance and child care services are necessary for a parent or caretaker relative to participate in an approved activity in addition to their required work activity.

## **Sixth**

- Category 3 d: A family receiving public assistance when child care services are needed to protect the child because the child's caretaker is physically or mentally incapacitated or has family duties away from home necessitating his or her absence.

## **Seventh**

- Category 3 f (2): A family with income up to 200 percent of the State income standard when child care services are needed for the child's caretaker to participate in educational or vocational activities including attendance in one of the secondary or post-secondary programs allowable under Part 415 of the State regulations and the district determines that the activity is a necessary part of a plan for the family's self support.

## **Eighth**

- Category 3 c (1): A family receiving public assistance or with income up to 200% of the State income standard when child care services are needed because the child's caretaker is participating in an approved substance abuse treatment program or an assessment of the need for substance abuse

treatment.

- Category 3 c (2): A family receiving public assistance or with income up to 200 percent of the State income standard when child care services are needed because the child's caretaker is:
  - Homeless
  - Receiving services for victims of domestic violence and needs child care to participate in an approved activity or for screening or assessment of the need for services for domestic violence victims.

#### **Ninth**

- Category 3 f (1): A family with income up to 200 percent of the State income standard when child care services are needed for the child's caretaker to actively seek employment for a period of up to six months, if the caretaker documents that he or she is currently registered with the New York State Department of Labor Community Service Center and the district determines that the activity is a necessary part of plan for the family's self support:

#### **Tenth**

- Category 3 d: A family with income up to 200 percent of the State income standard when child care services are needed because the child's caretaker is physically or mentally incapacitated or has family duties away from home necessitating his or her absence.

#### **Eleventh**

- A family with income between 200 percent and 275% of the State Income Standard (SIS) for a family of 2, 255% of the SIS for a family of 3 and 225% of the SIS for a family of 4 or more:
  - which is at risk of becoming dependent on public assistance when child care services are needed to enable a teenage parent to attend high school or an equivalency program or
  - when child care services are needed for the child's caretaker to participate in educational or vocational activities including attendance in one of the secondary or post-secondary programs allowable under Part 415 of the State regulations and the district determines that the activity is a necessary part of a plan for the family's self support or
  - when child care services are needed for the child's caretaker to participate in actively seeking employment for a period of up to six months, if the caretaker documents that he or she is currently registered with the New York State Department of Labor Community Service Center and the district determines that the activity is a necessary part of plan for the family's self support or
  - when child care services are needed for the child's caretaker(s) to be engaged in work.
  - when child care services are needed because the child's caretaker is physically or mentally incapacitated or has family duties away from home necessitating his or her absence.

These families will be funded using Title XX and local funds.

#### **Twelfth**

- A family with income up to 275% of the State Income Standard (SIS) for a family of 2, 255% of the SIS for a family of 3 and 225% of the SIS for a family of 4 or more:  
When the family is referred for child care services by non child welfare social services personnel.

These families will be funded using Title XX and local funds.

#### **Thirteenth**

- Category 3 g: PA recipients and families with incomes up to 200% of the SIS when the child care services are needed for the child's caretaker to attend a two year program other than one with a specific vocational sequence leading to an associates degree or certificate of completion or a four-

year college or university program leading to a bachelor degree provided:

- that the program is reasonably expected to lead to an improvement in the parent/caretaker's earning capacity)
- the parent(s) or caretaker is also participating in non-subsidized employment at least 17 ½ hours per week.\*
- the caretaker can demonstrate the ability to satisfactorily complete the course of study.

### **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.

#### **Income/Resource Indicators**

- **Working off the books, lack of pay stubs or lack of proof that income will be reported to IRS, State and local tax agencies. (currently or previously)**

At the time of eligibility determination, all cases of applicants or recipients who indicate that they work off the books and who only submit a letter or a "Referral to Employer for Employee Information Form" (ACD 1069) from their employer as documentation of employment income will be reviewed by an eligibility worker. If, upon review, the documentation of income is determined questionable by the worker the case, with supervisory approval, will be referred to New York City's (NYC's) FEDES Program.

- **Self employed but without adequate business records to support financial assertions**

At the time of eligibility determination, cases of applicants or recipients who indicate that they are self employed will be reviewed by an eligibility worker. If in the judgment of the eligibility worker the applicant/recipient did not submit adequate business records to support his/her financial assertions pertaining to self employment, the case, with supervisory approval, will be referred to NYC's FEDES program.

The district must describe below its sampling methodology used to determine which cases it will seek verification of participation in employment, education or other required activities. **A random sample of 400 cases will be chosen from the universe of approximately 40,000 non-public assistance child care subsidy cases. From the sample, we will seek verification of participation in the above specified activities of 100 cases per quarter.**

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.

**A random sample of 160 providers will be chosen from the universe of 260 informal providers of subsidized child care who are participating in the HRA sponsored CACFP. The attendance forms for subsidized children from 40 providers per quarter will be compared to the CACFP inspection forms for those same providers.**

## APPENDIX G-4

### IV. District Options (Required Section)

Districts have certain flexibility to administer the child care subsidy program to meet local needs. Check which options that your district wishes to include in your county plan. Complete attachments for any area(s) checked.

1.  Our district has identified local priorities in addition to the federal priorities (complete Appendix G-5).
2.  Our district has chosen to establish funding set-asides for NYSCCBG (complete Appendix G-6).
3.  Our district is using Title XX funds for the provision of child care services (complete Appendix G-7).
4.  Our district has chosen to establish additional local standards for child care providers (complete Appendix G-8).
5.  Our district has chosen to make payments to child care providers for absences (complete Appendix G-9).
6.  Our district has chosen to make payments to child care providers for program closures (complete Appendix G-10).
7.  Our district has chosen to pay for transportation to and from a child care provider (complete Appendix G-11).
8.  Our district has chosen to pay up to a 15% higher than the applicable market rates for regulated child care services that have been accredited by a nationally recognized child care organization (complete Appendix G-11).
9.  Our district has chosen to pay up to 15% higher than the applicable market rates for non-traditional hours (complete Appendix G-11).

**APPENDIX G-4 (continued)**

10.  Our district has chosen to pay for child care services while a caretaker who works the second or third shift sleeps (complete Appendix G-11).
11.  Our district has chosen to make payments to child care providers who provide child care services, which exceed 24 consecutive hours (complete Appendix G-12).
12.  Our district has chosen to include 18, 19 or 20 year olds in the Child Care Services Unit (complete Appendix G-12).
13.  Our district is seeking a waiver from one or more regulatory provisions. Such waivers are limited to those regulatory standards that are not specifically included in law (complete Appendix G- 12).
14.  Our district has chosen to pay for breaks in activity for low income families (non public assistance families, complete Appendix G-12).
15.  Our district has chosen to use local equivalent forms such as, but not limited to, child care application, client notification and/or legally exempt enrollment forms (attach copies of the local equivalent forms your district uses).

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.

**APPENDIX G-5**  
**PRIORITY POPULATIONS-ADDITIONAL LOCAL PRIORITIES**

In addition to the federal priorities of very low income families and families with children who have special needs, the following additional local priorities have been selected:

Category: **3 e** Rank: **1**

Description: A family with an open child protective services case when it is determined that such child care is needed to protect the child. These families will be funded with Title XX and local funds.

Category: Rank: **2**

Description: A family with an open child preventive services case when it is determined that such child care is needed to prevent the risk of foster care placement of the child. These families will be funded using Title XX and local funds.

Category: Rank: **3**

Description: Children with special needs from families that meet financial and programmatic eligibility requirements for NYSCCBG funding will receive third priority overall, but first priority among all NYSCCBG eligible cases, if limited funds are available.

Category: **2 c 1 and 2 d 2** Rank: **4**

Description: A family receiving public assistance when child care services are necessary to enable a teenage parent to attend high school or an equivalency program and  
A family with income up to 200 percent of the State income standard which is at risk of becoming dependent on public assistance when child care services are needed:  
◦ To enable a teenage parent to attend high school or an equivalency program.

Category: **2 d (1), 2 a, 2 b and 3 a** Rank: **5**

Description: -A family with income up to 200 percent of the State income standard which is at risk of becoming dependent on public assistance when child care services are needed:  
◦ For the child's caretaker(s) to be employed;  
◦ Each caretaker/parent in the family must be employed a minimum of 20 hours per week  
-A family that has applied for or is receiving public assistance when child care services are needed for an eligible child who is age 13 or older and who has special needs or is under court supervision in order to enable the child's custodial parent or caretaker relative to participate in required activities including orientation, assessment or work activities as defined in 12 NYCRR §1300 or to engage in work and  
-A family receiving public assistance and child care services are necessary for a parent or caretaker relative to participate in an approved activity in addition to their required work activity.

Category: **3 d** Rank: **6**

Description: A family receiving public assistance when child care services are needed to protect the child

because the child's caretaker is physically or mentally incapacitated or has family duties away from home necessitating his or her absence.

Category: **3 f (2)**

Rank: **7**

Description: A family with income up to 200 percent of the State income standard when child care services are needed for the child's caretaker to participate in educational or vocational activities including attendance in one of the secondary or post-secondary programs allowable under Part 415 of the State regulations and the district determines that the activity is a necessary part of a plan for the family's self support.

Category: **3 c (1) and 3 c (2)**

Rank: **8**

Description: -A family receiving public assistance or with income up to 200% of the State income standard when child care services are needed because the child's caretaker is participating in an approved substance abuse treatment program or an assessment of the need for substance abuse treatment.

-A family receiving public assistance or with income up to 200 percent of the State income standard when child care services are needed because the child's caretaker is:

- Homeless
- Receiving services for victims of domestic violence and needs child care to participate in an approved activity or for screening or assessment of the need for services for domestic violence victims.

Category: **3 f (1)**

Rank: **9**

Description: A family with income up to 200 percent of the State income standard when child care services are needed for the child's caretaker to actively seek employment for a period of up to six months, if the caretaker documents that he or she is currently registered with the New York State Department of Labor Community Service Center and the district determines that the activity is a necessary part of plan for the family's self support.

Category: **3 d**

Rank: **10**

- Description: A family with income up to 200 percent of the State income standard when child care services are needed because the child's caretaker is physically or mentally incapacitated or has family duties away from home necessitating his or her absence.

Category:

Rank: **11**

Description: A family with income between 200 percent and 275% of the State Income Standard (SIS) for a family of 2, 255% of the SIS for a family of 3 and 225% of the SIS for a family of 4 or more:

- which is at risk of becoming dependent on public assistance when child care services are needed to enable a teenage parent to attend high school or an equivalency program or
- when child care services are needed for the child's caretaker to participate in educational or vocational activities including attendance in one of the secondary or post-secondary programs allowable under Part 415 of the State regulations and the district determines that the activity is a necessary part of a plan for the family's self support or
- when child care services are needed for the child's caretaker to participate in actively seeking employment for a period of up to six months, if the caretaker documents that he or she is currently registered with the New York State Department of Labor Community Service Center

and the district determines that the activity is a necessary part of plan for the family's self support or

- when child care services are needed for the child's caretaker(s) to be engaged in work.
- when child care services are needed because the child's caretaker is physically or mentally incapacitated or has family duties away from home necessitating his or her absence.

These families will be funded using Title XX and local funds.

Category:

Rank: 12

Description: A family with income up to 275% of the State Income Standard (SIS) for a family of 2, 255% of the SIS for a family of 3 and 225% of the SIS for a family of 4 or more:

-When the family is referred for child care services by non child welfare social services personnel.

These families will be funded using Title XX and local funds.

Category: 3 g

Rank: 13

Description: Category 3 g: PA recipients and families with incomes up to 200% of the SIS when the child care services are needed for the child's caretaker to attend a two year program other than one with a specific vocational sequence leading to an associates degree or certificate of completion or a four-year college or university program leading to a bachelor degree provided:

- that the program is reasonably expected to lead to an improvement in the parent/caretaker's earning capacity)
- the parent(s) or caretaker is also participating in non-subsidized employment at least 17 ½ hours per week.\*
- the caretaker can demonstrate the ability to satisfactorily complete the course of study.

**APPENDIX G-6  
FUNDING SET-ASIDES**

**Total NYSCCBG Block Grant Amount Including Local  
Funds**

Category:	\$
Category:	\$
Category:	\$
Category:	\$
Category:	\$
Category:	\$
Category:	\$
<b>Total set asides</b>	<b>\$</b>

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

Category:

Category:

Category:

Category:

Category:

**APPENDIX G-6 (continued)**

The following amounts are set aside for specific priorities out of the Title XX block grant:

Category:	\$
Category:	\$
Category:	\$
<b>Total set asides (Title XX)</b>	<b>\$</b>

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

Category:

Category:

Category:

Category:



**APPENDIX G-8**  
**ADDITIONAL LOCAL STANDARDS FOR CHILD CARE PROVIDERS**

The district may propose local standards in addition to the State standards for providers who will receive child care subsidies.

1. Described below are the additional local standards that will be required of providers as well as which providers must comply with each additional standard.

**As part of a pilot program, until the city-wide implementation of state regulations for legally-exempt child care providers who meet the enrollment requirements established in 18 NYCRR part 415.4, ACS will search the National Sex Offender Registry, New York State Sex Offender Registry and the NYS Office of Court Administration's Criminal History Record of all legally-exempt providers utilized by ACS families residing in Manhattan and all legally exempt providers used by HRA-eligible families living in zip codes 10032, 10033, 10034, 10039, and 10040, to see if the provider, any employee, volunteer, or anyone in their household age 18 or over, is listed on the National Sex Offender Registry and the New York State Sex Offender Registry or has a criminal record or has been charged with a crime pending criminal prosecution. The criminal records will be reviewed in accordance with the guidelines issued in 01 OCFS LCM 11 to determine if the provider can be enrolled. When the National Sex Offender Registry or the New York State Sex Offender Registry reveals that a provider, any employee of the provider, any volunteer or household member 18 years of age or older is listed on the National Sex Offender Registry or the New York State Sex Offender Registry the provider will not be enrolled.**

**ACS will also conduct a search of the NYS Child Care Facilities System to determine if the provider has ever had a license or registration to operate a day care program revoked or suspended. If a provider has been denied a license or registration, or if they have had their license revoked or suspended this information will be reviewed in accordance with the guidelines issued in 05-OCFS-ADM-03 to determine if the provider can be enrolled.**

**ACS will also conduct a search of the Universal Case Management System, the Welfare Management System, CONNECTIONS, the Legal Tracking System and CCRS to determine if a provider has had a termination of parental rights or a child removed from their care. If a provider has had their parental rights terminated or had a child removed from their care this will be reviewed in accordance with the guidelines issued in 05-OCFS-ADM-03 to determine if the provider can be enrolled.**

**All legally-exempt providers utilized by ACS families residing in Manhattan will be informed that they may receive an announced or unannounced home visit. 10% of new providers will receive a home visit within 45 days of beginning care to determine if the information entered on the Health and Safety Checklist is true and accurate. Providers will be chosen by the legally-exempt enrollment unit from the transmittal provided by the voucher enrollment unit. Every tenth provider listed on the transmittal will be visited.**

**During the home visit, ACS will verify:**

- **information on the home safety attestation (OCFS-LDSS-4699)**
- **household members over age 18, employees and volunteers listed in the application**

**If there is a finding of a deficiency during a home visit:**

- **the parent will be notified**
- **ACS will assist the caregiver in working towards compliance in accordance with established timeframes**
- **If the caregiver fails to come into compliance according to the timeframes, enrollment will be terminated.**

**On the effective date of the contract between the NYS OCFS and the legally-exempt caregiver enrollment agencies that were selected to enroll legally-exempt providers, the ACS' search of the NYS Office of Court Administration's Criminal History Records and review of criminal records will be expanded to all legally-exempt providers who meet the enrollment requirements established in 18 NYCRR part 415.4 that are utilized by ACS and HRA-eligible families residing throughout New York City. As in the pilot program, the purpose of the searches will be to see if the provider, any employee, volunteer, or anyone in their household age 18 or over, has a criminal record or has been charged with a crime pending criminal prosecution. The criminal records will be reviewed in accordance with the guidelines issued in 01 OCFS LCM 11 to determine if the provider can be enrolled.**

2. Described below are the methods and resources that will be utilized to determine that these additional local standards are being met.

**Notice of background checks and home visits for informal providers will be included in the enrollment package. All criminal background checks will be conducted by ACS. ACS will check the New York State Sex offender via the Registry's toll free number.**

**ACS will notify the provider and the parent and terminate payment if the provider cannot be enrolled.**

**A provider will have up to five business days to:**

- Dispute accuracy of a finding of a crime against a child, a violent or other serious crime or misdemeanor, a revocation of a license or registration to operate a child day care program or false or misleading information.**
- Submit extenuating circumstances (for discretionary cases only). All disputes will be resolved by the Legal-Exempt Enrollment Unit in consultation with the General Counsel.**

**ACS will conduct home visits for 10% of new providers utilized by families residing in Manhattan as described above in section one.**

3. Described below are the procedures the district will use to notify the Legally Exempt Caregiver Enrollment Agency as to whether or not the legally exempt provider is in compliance with the additional local standards. (Districts only need to describe this procedure if the additional local standard is applied to legally exempt child care providers.)

**Procedures will be determined upon completion of the pilot project.**

4. Described below is the justification for each additional standard.

**ACS is committed to the safety of all children in our child care services, including those in license-exempt care. The database searches will provide the most accurate information about potential child care providers.**

**The home visits will provide for further verification of the information included in the health and safety attestation, ensuring that children are in a secure environment.**

**APPENDIX G-9  
PAYMENT TO CHILD CARE PROVIDERS FOR ABSENCES**

The following providers are eligible for payment for absences:  
(Check any that are eligible)

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Day Care Center       | <input checked="" type="checkbox"/> Legally Exempt Group  |
| <input checked="" type="checkbox"/> Group Family Day Care | <input checked="" type="checkbox"/> School Age Child Care |
| <input checked="" type="checkbox"/> Family Day Care       |   |

Our district will only pay for absences to providers with which the district has a contract or letter of intent.  Yes  No

Base period selected (check one)     3 months             6 months

Number of absences allowed during base period:

Period	Routine Limits (# of days)	Extenuating Circumstances (# of days)	Total Number of Absences Allowed (# of days)
In a month	12	3	15
Base period	24	16	40

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

Child's illness or disability, family emergency, religious observance, medical care or treatment, extreme weather conditions, child or child's caretaker must appear in court or keep other appointments related to the provision of preventive, foster care, adoption or child protective services or other needs as set forth in the child's service plan, child's caretaker is participating in an approved education or training program and child's absences coincide with a temporary suspension of such program for purposes including but not limited to holidays, school conferences and snow days.

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

We reserve the right to monitor inappropriate overuse of reimbursable absences by a provider or child care program. For family day care providers that receive payments through vouchers the routine limits are 6 days in a month, 12 days in six months.

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

**APPENDIX G-10**  
**PAYMENT TO CHILD CARE PROVIDERS FOR PROGRAM CLOSURES**

The following providers are eligible for payment for program closures:

Day Care Center

Legally Exempt Group

Group Family Day Care

School Age Child Care

Family Day Care

Our district will only pay for program closures to providers with which the district has a contract or letter of intent.     Yes     No

Enter the number of days allowed for program closures (maximum allowable program closures is five days). **5**

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

**Public school closure days such as New Years Day, July 4<sup>th</sup>, Labor Day, Thanksgiving and Christmas and/or due to extreme weather conditions.**

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

**APPENDIX G-11**  
**TRANSPORTATION, DIFFERENTIAL PAYMENT RATES, SLEEP**

**Transportation**

Describe below under what circumstances and limitations if any your district will use to reimburse for transportation, what type of transportation will be reimbursed (public vs. private), and how much your district will pay (per mile or trip). Note if paying for transportation, Appendix F will need to reflect this choice.

**Differential Payment Rates**

Indicate below the percentage above the market rate your district has chosen.

Accredited Programs may receive a differential payment up to **15%** above market rate.

Care during non-traditional hours may be paid up to **15%** above market rate.

Limitations to the above differentials are as follows:

**Our proposal to pay a differential payment of up to 15% above the market rate to accredited programs is contingent upon the availability of funds in the budget.**

**Payments of up to 15% above the market rate for care during non-traditional hours will only be available to licensed or registered programs or providers and is contingent upon the availability of funds in the budget. The differential rate will only be paid for night-time and week-end care provided for at least 3 hours per night/day. Night-time care must be provided between the hours of 6 PM and 8 AM.**

Payments may not exceed 15% above market rate. However, if your district wishes to establish a payment rate that is in excess of 15% above the applicable market rate must describe below why the 15% maximum is insufficient to provide access within the district to accredited programs and/or care provided during non-traditional hours.

**Sleep**

The following describes the standards that will be used in evaluating whether or not to pay for child care services while a parent or caretaker that works a second or third shift sleeps and any limitations pertaining to payment:

**There is no parent or legally responsible relative available to provide care during the second or third shifts that the other parent/caretaker works.**

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

**APPENDIX G-12**  
**CHILD CARE EXCEEDING 24 HOURS, CHILD CARE SERVICES UNIT, WAIVERS,**  
**BREAKS IN ACTIVITIES**

**Child Care Exceeding 24 Hours**

Child care services may exceed 24 consecutive hours when such services are provided on a short-term emergency basis or in other cases where the caretaker's approved activity necessitates care for 24 hours on a limited basis.

Describe any limitations for payment of child care services that exceed 24 consecutive hours.

**Child Care Services Unit**

The Child Care Service Unit is the basis upon which a district will determine which household and/or family members should be counted in determining family size and countable family income.

Our district will include the following in the Child Care Services Unit (check which ones apply).

18 year old       19 year old       20 year old

**-OR-**

Our district will include only the following in the Child Care Services Unit when it will benefit the family (check which ones apply).

18 year old       19 year old       20 year old

Describe the criteria your district will use to determine whether or not an 18, 19 or 20 year old is included in the Child Care Services Unit.

**Waivers**

Districts have the authority to request a waiver of any regulatory provision that is non-statutory. Describe and justify why your district is requesting a waiver.

**Breaks in Activities**

Districts may pay for child care services for low income families during breaks in activities for a period not to exceed two weeks or for a period not to exceed one month where child care arrangements would otherwise be lost and the subsequent activity is expected to begin within that period (check one).

two weeks       four weeks

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 any that are eligible):

entering an activity    waiting to begin employment    break between activities