



Office of Children and Family Services

Andrew M. Cuomo
Governor

52 WASHINGTON STREET
RENSELAER, NY 12144

Sheila J. Poole
Acting Commissioner

Local Commissioners Memorandum

Transmittal:	15-OCFS-LCM-05
To:	Local District Commissioners
Issuing Division/Office:	Division of Child Care Services
Date:	June 2, 2015
Subject:	Expansion of the Child Care Assistance Program
Attachments:	Attachment A: Application for Expansion of the Child Care Assistance Program

I. Purpose

The purpose of this Local Commissioners Memorandum (LCM) is to inform local social services districts (districts) of the availability of funds for the Expansion of the Child Care Assistance Program, including how districts may apply for such funding.

II. Background

The Fiscal Year 2016 Enacted Budget includes \$5 million to be distributed to districts that agree to use the funds to expand the availability of subsidized child care in their districts. Any district that accepts this funding must certify that it will **NOT** use the funds to supplant other state, federal or local funds for child care subsidies.

Additionally, the commissioners of the districts must agree to comply with the program requirements of the New York State Child Care Block Grant (NYSCCBG) subsidy program as set forth in Title 5-C of Article 6 of the Social Services Law; Title 18 of the New York State Code of Rules and Regulations (18 NYCRR) Parts 358, 404, 405, 407, 415, and 628; and the New York State Office of Children and Family Services (OCFS) policy directives, including Administrative Directives (ADMs), Local Commissioners Memoranda (LCMs), and Informational Letters (INFs). Section 410-x(4) of the Social Services Law requires OCFS to establish in regulation the applicable market-related payment rates that establish the ceilings for state and federal reimbursement for payments made under the NYSCCBG. The amount to be paid or allowed for child care assistance funded under the NYSCCBG and under Title XX shall be the actual cost of care but no more than

the applicable rate established in regulations. Districts must pay the applicable market rate for child care assistance unless the actual cost of care is less, in which case the district must pay the actual cost of care. The district also must agree to comply with the requirements for the federal Child Care and Development Fund (CCDF). Districts provide legal assurances of their compliance as part of the submittal of their Child and Family Services Plans.

III. Funding Availability

A total of \$5 million is available for the Expansion of the Child Care Assistance Program for the period July 1, 2015, through June 30, 2016.

For the purpose of determining a method to distribute these funds, OCFS developed categories of districts by ranking districts according to the number of children ages 0-14 in the district¹ and established budget caps for each category. The breaks for each population category, the budget caps for each category, and the counties falling into each category are as follows:

New York City – up to \$2,000,000 will be available to New York City

High Child Population Districts (more than 125,000 children ages 0-14) – up to \$500,000 per district in this category – Erie, Monroe, Nassau, Suffolk, Westchester

Medium Child Population Districts (25,000 – 125,000 children ages 0-14) – up to \$250,000 per district in this category – Albany, Broome, Dutchess, Niagara, Oneida, Onondaga, Orange, Rensselaer, Rockland, Saratoga, Schenectady, Ulster

Small Child Population Districts (fewer than 25,000 children ages 0-14) – up to \$100,000 per district in this category – Allegany, Cattaraugus, Cayuga, Chautauqua, Chemung, Chenango, Clinton, Columbia, Cortland, Delaware, Essex, Franklin, Fulton, Genesee, Greene, Hamilton, Herkimer, Jefferson, Lewis, Livingston, Madison, Montgomery, Ontario, Orleans, Oswego, Otsego, Putnam, Schoharie, Schuyler, Seneca, St. Lawrence, Steuben, Sullivan, Tioga, Tompkins, Warren, Washington, Wayne, Wyoming, Yates

To be eligible for these funds, districts must complete the attached application (see Attachment A). If the amount requested exceeds the \$5 million available for this program, each district that applied will be offered a prorated share of the amount requested. If the amount requested is less than the \$5 million available for this program, each district that applied will be offered the opportunity to increase its request in order to fully utilize the funds available.

IV. Eligible Applicants

In order to be eligible to apply, districts in the State of New York will have to meet at least one of the following criteria:

- The district had no rollover of claims through the period ending September 30, 2014.

¹ Source: U.S. Department of Commerce, Census Bureau, American Community Survey 2009-2013, Table B01001, Sex by Age.

- The district does not have sufficient funding to open cases for all eligible families that do not fall under the child care guarantee.
- The district is currently not opening any cases.

V. Allowable Uses of Funds

The purpose of the Expansion of the Child Care Assistance Program is to expand the availability of subsidized child care. Any district that accepts this funding must certify that it will **NOT** use the funds to supplant other state, federal or local funds for child care subsidies. As with the NYSCCBG subsidy program, there are three broad categories of families eligible for child care services under the NYSCCBG when such care is not otherwise available from the caretaker(s) of the child in need of services. Eligible families are defined in 18 NYCRR Section 415.2. Districts are required to include this information in the district's Child and Family Services Plans, including a description of the types of families that the district has chosen to serve and prioritize under the second and third categories listed below. The following categories are eligible for NYSCCBG services.

The first category is families that are eligible for a child care guarantee.

The second category is families that are eligible if funds are available. This category includes such families as low-income working families and teen parents who are completing high school.

The third category is families that are eligible if funds are available and if the district includes them as eligible families in the child care section of the Child and Family Services Plan.

Districts must inform parents or caretakers requesting services under this program that they may either:

- choose to have care provided by one of the child day care providers with whom the district has contracted for the provision of child care services; or
- request a child care certificate, which enables parents or caretakers to select from a full range of child care arrangements, including care by regulated child care providers and providers of legally exempt child care.

The child's parent or caretaker must be given discretion in selecting or arranging for the purchase of child care services from any eligible provider. The case record should document that the parent or caretaker has been apprised of the full range of providers eligible for payment and of their right to elect to use a child care certificate. Districts must allow parents or caretakers to select, and must have a method to also pay any and all legally operating providers, regardless of whether the parents or caretakers have a contract with the provider. A contract may not be made a condition of receiving payment from funds under this program.

Funding under this program will be available for services provided from July 1, 2015, through June 30, 2016.

VI. Program Implications

These are one-time funds. Claims against this program will not be factored into future NYSCCBG allocation methodologies.

Otherwise, these funds will be treated the same as all other NYSCCBG subsidy funds. For example, families will have fair hearing rights and a right to aid continuing.

VII. Funding Applications

OCFS is asking districts interested in this funding to submit a simple application, which can be found in Attachment A, Application for the Expansion of the Child Care Assistance Program.

Applications for the Expansion of the Child Care Assistance Program funds are due at OCFS no later than **5 p.m. on June 19, 2015**. Please submit applications electronically to the **OCFS mailbox** at 5MCCS.Expansion@ocfs.ny.gov. Please enter “**Expansion of Child Care Assistance Program: Application**” in the subject field.

VIII. Evaluation of Applications

Applications will be evaluated to determine if they meet at least one of the following criteria:

- District had no rollover of NYSCCBG allocation as of claims through the period ending September 30, 2014.
- District is currently not opening cases up to 200% of the federal poverty level.
- District is currently not opening any cases.

As long as at least one of these criteria is met, a district will be eligible for funding under this program.

IX. Questions about the Application

Questions about the Expansion of the Child Care Assistance Program or its application should be directed to the **OCFS mailbox** at 5MCCS.Expansion@ocfs.ny.gov. Please enter “**Expansion of Child Care Assistance Program**” in the subject field to facilitate directing the email to the appropriate office.

X. Claiming and Reporting Instructions

Expansion of the Child Care Assistance Program expenditures must be claimed as F17 functional costs and reported on the Schedule D “DSS Administrative Expenses Allocation and Distribution by Function and Program.” These costs are carried to the RF17 claim package for special project claiming. These costs should be reported as program costs under the project label “Expansion of CC Assistance” on the LDSS-4975A, “RF17 Worksheet, Distribution of Allocated Costs to Other Reimbursable Programs,” and the LDSS-923B, “Schedule of Payments for Expenses Other Than Salaries for Other

Reimbursable Programs (Summary Program).” Administrative costs may be claimed for up to five percent of the Expansion of the Child Care Assistance Program funds.

For each district, the expenditures reported for the Expansion of the Child Care Assistance Program will be reimbursed by the state up to the amount of the district’s grant.

In order to receive reimbursement, claims for expenditures of the Expansion of the Child Care Assistance Program funds for the period July 1, 2015, through June 30, 2016, must be submitted by the district by August 31, 2016.

XI. Contacts:

- Program questions: Joe Ziegler, OCFS Division of Child Care Services: (518) 402-6520; Joe.Ziegler@ocfs.ny.gov
- Claiming questions: OTDA Bureau of Financial Services:
 - Regions I-IV – Dan Stuhlman; (518) 474-7549; Dan.Stuhlman@otda.ny.gov
 - Region V-VI – Michael Simon; (212) 961-8250; Michael.Simon@otda.ny.gov
- WMS/Services questions: Tina McCarthy, OCFS IT Operations; (800) 342-3727; Tina.McCarthy@its.ny.gov

Janice M. Molnar, Ph.D.

Issued By:

Janice M. Molnar, Ph.D.
Deputy Commissioner
Division of Child Care Services

ATTACHMENT A

NEW YORK STATE
OFFICE OF CHILDREN AND FAMILY SERVICES
**APPLICATION FOR THE EXPANSION OF THE CHILD CARE
ASSISTANCE PROGRAM**

I. APPLICANT INFORMATION

NAME OF DISTRICT: [REDACTED]		
NAME OF DISTRICT CONTACT PERSON: [REDACTED]	CONTACT INFORMATION PHONE: [REDACTED]	CONTACT INFORMATION EMAIL: [REDACTED]

II. SELECT APPLICABLE CATEGORY (select all that apply)

- Our district had no rollover of our NYSCCBG allocation as of claims through the period ending September 30, 2014.
- Our district does not have sufficient funding to open cases for all eligible families that do not fall under the child care guarantee.
- Our district is currently not opening any cases.

III. BUDGET CAP CATEGORY

- New York City – **up to \$2,000,000**
- High Child Population Districts (more than 125,000 children ages 0-14) – **up to \$500,000**
– Erie, Monroe, Nassau, Suffolk, Westchester
- Medium Child Population Districts (25,000 – 125,000 children ages 0-14) – **up to \$250,000**
– Albany, Broome, Dutchess, Niagara, Oneida, Onondaga, Orange, Rensselaer, Rockland, Saratoga, Schenectady, Ulster
- Small Child Population Districts (fewer than 25,000 children ages 0-14) – **up to \$100,000**
– Allegany, Cattaraugus, Cayuga, Chautauqua, Chemung, Chenango, Clinton, Columbia, Cortland, Delaware, Essex, Franklin, Fulton, Genesee, Greene, Hamilton, Herkimer, Jefferson, Lewis, Livingston, Madison, Montgomery, Ontario, Orleans, Oswego, Otsego, Putnam, Schoharie, Schuyler, Seneca, St. Lawrence, Steuben, Sullivan, Tioga, Tompkins, Warren, Washington, Wayne, Wyoming, Yates

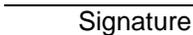
IV. AMOUNT REQUESTED \$ [REDACTED]

Note: The amount requested cannot exceed the cap amount of your district's budget category listed above.

- V. [REDACTED] County Department of Social Services certifies that it will NOT use the funds to supplant other state, federal or local funds for child care subsidies.**

VI. CERTIFICATION AND APPROVAL OF LOCAL SOCIAL SERVICES DISTRICT COMMISSIONER

As commissioner of the applicant district named above, I certify that I approve this application for the Expansion of the Child Care Assistance Program.

	
Name	Title
	
Signature	Date