



New York State  
Office of  
Children & Family  
Services

[www.ocfs.state.ny.us](http://www.ocfs.state.ny.us)

David A. Paterson  
*Governor*

Gladys Carrión, Esq.  
*Commissioner*

Capital View Office Park  
52 Washington Street  
Rensselaer, NY 12144

May 19, 2009

Ms. Linda Huffner, Commissioner  
Chemung County Human Resource Center  
P.O. Box 588  
425 Pennsylvania Ave.  
Elmira, NY 14902

Dear Commissioner Huffner:

This letter is to inform you that the child care section found in the administrative component of your Annual Plan Update 2008-2009 was approved on May 19, 2009. The child care section became effective on May 19, 2009.

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

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

Sincerely,

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

Janice M. Molnar  
Deputy Commissioner  
Division of Child Care Services

cc: Veronica Hart



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

**County:** Chemung

**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: Temporary Assistance (TA)

Transitioning Families: Temporary Assistance (TA)

Income Eligible Families: Temporary Assistance (TA)

Title XX: Temporary Assistance (TA)

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

FFY 06-07 ( <i>this amount is available from the NYSCCBG ceiling report in the claiming system</i> )	\$ 50,909
Estimate of FFY07-08	\$ 0
Estimate of Flexible Funds for Families (FFFS) for child care subsidies	\$ 0
NYSCCBG Allocation for SFY 08-09	\$3,184,847
Estimate of Local Share	\$ 63,364

**Total Estimated NYSCCBG Amount:** \$3,248,211

A. Subsidy	\$2,966,390
B. Other program costs (excluding subsidy)	\$ 0
C. Administrative costs	\$ 232,127

3. Does your district have a contract or formal agreement with another organization to perform any of the following functions? YES – Chemung Co. Child Care Council

<u>Function:</u>	<u>Organization:</u>	<u>Amount of Contract:</u>
X Eligibility screening	Chemung Co. Child Care Council	\$481,335 total
X Assistance in locating care	(same)	(included)
X Child Care Information Systems	(same)	(included)
X Determining if legally- exempt providers meet State approved additional local standards (if applicable)	(same)	(included)
<input type="checkbox"/> Other		

**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.

<b>Optional Categories</b>	<b>Option</b>	<b>Limitations</b>
1. Public Assistance (PA) families participating in an approved activity in addition to their required work activity.	X 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	X Yes <input type="checkbox"/> No	This applies only to PA families who are successfully participating in a mandated program
b) homeless	X Yes <input type="checkbox"/> No	This applies only to PA families while seeking housing, not to exceed 30 days.
c) a victim of domestic violence	X Yes <input type="checkbox"/> No	This applies only to PA families while participating in an approved DV program.
d) in an emergency situation of short duration	X Yes <input type="checkbox"/> No	This applies only to PA families when child care is needed, in non-work related situations, in order to retain the day care slot.
3. Families with an open child protective services case when child care is needed to protect the child.	X 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	X Yes <input type="checkbox"/> No	The incapacitation must be verified by a licensed medical professional and will be reviewed after 30 days.
b) has family duties away from home	<input type="checkbox"/> Yes X No	

<p>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.</p>	<p><input type="checkbox"/> Yes X No</p>	
<p>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.</p>	<p>X Yes <input type="checkbox"/> No</p>	
<p>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:</p>		
<p>a) a public or private educational facility providing a standard high school curriculum offered by or approved by the local school district</p>	<p>X Yes No</p>	
<p>b) an education program that prepares an individual to obtain a NYS High School equivalency diploma</p>	<p><input type="checkbox"/> Yes X No</p>	
<p>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</p>	<p><input type="checkbox"/> Yes X No</p>	
<p>d) a program providing literacy training designed to help individuals improve their ability to read and write;</p>	<p><input type="checkbox"/> Yes X No</p>	
<p>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</p>	<p><input type="checkbox"/> Yes X No</p>	

<p>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</p>	<p><input type="checkbox"/> Yes X No</p>	
<p>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</p>	<p><input type="checkbox"/> Yes X No</p>	
<p>h) a prevocational skill training program such as, a basic education and literacy training program</p>	<p><input type="checkbox"/> Yes X No</p>	
<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>	<p><input type="checkbox"/> Yes X No</p>	
<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>	<p><input type="checkbox"/> Yes X No</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 two-year college or university program (other than one with a specific vocational sequence) leading to an associates degree or a certificate of completion 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>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>10. 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>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	

### APPENDIX G-3

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

#### Reasonable Distance

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

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

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

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

#### 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 **100%** of the State Income Standard.

#### Family Share

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

Family Share Percentage selected by our district **35%**.

**Note: Make sure the % selected here matches the % selected in Appendix F.**

#### 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.

**The Chemung County district has established local priorities beyond the federally mandated priorities. If all NYSCCBG funds are committed, out 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.**

- 1. The first categories of cases to be closed are those in the optional categories found in Appendix G-2. They will be closed based on income, from the highest to lowest income; the highest being closed first.**
- 2. The second category of cases to be closed is special needs from the highest to lowest income; the highest being closed first.**
- 3. The third category of cases to close is employed. Those cases with the highest income would close first. In cases where income is the same, the tiebreaker will be the date of application; the most recent date being the first to close. If cases are closed due to insufficient funds, those families will be placed on a waiting list.**

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.

**Families whose cases were closed due to insufficient NYSCCBG funds will be placed on a waiting list. Those cases will be given priority over new applicants and their cases will be opened in reverse of case closings. Once all cases on the waiting list have been addressed new cases will be opened in reverse order of case closing.**

### **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.

**Cases are referred to our Special Investigative Unit when: there is a prior history of overpayment resulting from an investigation.**

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

**The Temporary Assistance and Services cases are recertified every 6 months. The continued need of child care is determined at each recertification and Child Care Council is notified of any changes. Chemung County Child Care Council is also notified by the LDSS of changes that occur within the 6 months.**

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.

**Chemung County DSS has contracted with Chemung County Child Care Council for this service. Chemung County Child Care Council reviews copies of the CACFP Monitor inspection forms. Every four months, they will pull at least 20 cases (75%) and compare the CACFP Monitor inspection forms against the subsidy billing form. They look for any discrepancies in billing days and time between the CACFP program and subsidy billing. If there are any discrepancies in what hours are being billed, what was approved for child care, or if the days billed are different from CACFP, verification of attendance at employment and/or school is requested. They also administer the CACFP so everything is done on site.**

#### 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. X Our district is using Title XX funds for the provision of child care services (complete Appendix G-7).
4. X Our district has chosen to establish additional local standards for child care providers (complete Appendix G-8).
5. X Our district has chosen to make payments to child care providers for absences (complete Appendix G-9).
6. X 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. X Our district has chosen to pay up to 15% higher than the applicable market rates for non-traditional hours (complete Appendix G-11).
10. X 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. X Our district has chosen to include 18, 19 or 20 year olds in the Child Care Services Unit (complete Appendix G-12).

**APPENDIX G-4 (continued)**

- 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. X Our district has chosen to pay for breaks in activity for low income families (non public assistance families, complete Appendix G-12).
- 15. X 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.

UPDATE NOTE: Copies of child care forms distributed are attached.

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

The following providers are eligible for payment for program closures:

- X Day Care Center  Legally Exempt Group
- X Group Family Day Care X School Age Child Care
- X Family Day Care

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

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

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

**The district will allow the program to select up to 5 nationally recognized holidays in which they can close and still remain eligible for payment.**

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 \_\_\_\_\_ % 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:

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:

Child care will be approved for children not attending elementary school when the parent works a third shift.

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