

# Child Care

## 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:

- |                                       |                                                                                            |
|---------------------------------------|--------------------------------------------------------------------------------------------|
| <b>a. Public Assistance Families:</b> | Administration for Children's Services, Division of Child and Family Well-Being (ACS CFWB) |
| <b>b. Transitioning Families:</b>     | ACS CFWB                                                                                   |
| <b>c. Income Eligible Families:</b>   | ACS CFWB                                                                                   |
| <b>d. Title XX:</b>                   | ACS CFWB                                                                                   |

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

Item	Amount
<b>a. FFY 2016-2017 Rollover funds:</b> <i>(available from the NYSCCBG ceiling report in the claiming system)</i>	\$
<b>b. Estimate FFY 2017-2018 Rollover Funds:</b>	\$
<b>c. Estimate of Flexible Funds for Family Services transferred to the NYSCCBG:</b>	\$
<b>d. NYSCCBG Allocation 2018:</b>	\$490783690
<b>e. Estimate of Local Share:</b>	\$301073543
<b>Total Estimated NYSCCBG Amount:</b>	\$784591351
<b>f. Subsidy:</b>	\$776915299
<b>g. Other program costs excluding subsidy:</b>	\$
<b>h. Administrative costs:</b>	\$7676052

### 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 type="checkbox"/> a. Subsidy eligibility screening		\$
<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 type="checkbox"/> c. Assistance in locating care		\$
<input type="checkbox"/> d. Child care information systems		\$
<input checked="" type="checkbox"/> e. Payment processing	YMS	\$1621963
<input checked="" type="checkbox"/> f. Other <i>Please specify function:</i> <b>professional development and special needs rate eligibility</b>	CUNY, PDI	\$1131678

## 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 type="radio"/> Yes <input checked="" type="radio"/> No	
<b>b) homeless</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No	Limited to families with income up to 200% of SIS. Families on cash assistance are not eligible for this eligibility category regardless of their cash assistance status.

<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 type="radio"/> Yes <input checked="" type="radio"/> No	
<b>3. Families with an open child protective services case when child care is needed to protect the child.</b>	<input type="radio"/> Yes <input checked="" 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 type="radio"/> Yes <input checked="" type="radio"/> No	
<b>b) has family duties away from home</b>	<input type="radio"/> Yes <input checked="" 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 is able to document is directly related to the caretaker engaging in such activities.</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No	
<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 type="radio"/> Yes <input checked="" 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	
<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	
<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	

<p><b>d) a program providing literacy training designed to help individuals improve their ability to read and write</b></p>	<input checked="" type="radio"/> Yes <input type="radio"/> No	
<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>	<input checked="" type="radio"/> Yes <input type="radio"/> No	
<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>	<input checked="" type="radio"/> Yes <input type="radio"/> No	
<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>	<input checked="" type="radio"/> Yes <input type="radio"/> No	
<p><b>h) a prevocational skill training program such as a basic education and literacy training program</b></p>	<input checked="" type="radio"/> Yes <input type="radio"/> No	
<p><b>i) a demonstration project designed for vocational training or other project approved by the Department of Labor</b></p>	<input checked="" type="radio"/> Yes <input type="radio"/> No	
<p><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.</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) as long as 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>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 as long as 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>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 as long as 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>Limited to families with income up to 200% of SIS. Families on cash assistance are not eligible for this eligibility category regardless of their cash assistance status.</p>
<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

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

1. 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.

2. 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.

## 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.

Family Share Percentage selected by the district:

35%

**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 **200%** 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.

4) Very low income and victim of domestic violence

- 5) Very low income and employment or education/vocation activities.
  - 6) Very low income and participating in a four year college program and working 17 ½ hours per week.
  - 7) Very low income and actively seeking employment for six months.
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## Appendix M #2: Case Openings, Case Closings, and Waiting List

### 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**.

List below the remaining category 2 and 3 families included in 18 NYCRR §415.2(a)(2) and 18 NYCRR §415.2(a)(3) that are not federal or local priorities in the order they will be opened first.

1. Families with children who have special needs. Children with special needs from families that meet financial and programmatic eligibility requirements for NYSCCBG funding.
2. Families with very low income.
3. Very low income and victim of domestic violence or homeless.
4. Very low income and employment or education/vocation activities.
5. Very low income and participating in a four year college program and working 17 ½ hours per week.
6. Very low income and actively seeking employment for six months.

- 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:

Taking into account our district's federal priorities, cases that have received a child care subsidy the longest will be closed first. The last cases to be closed are families eligible for a child care subsidy that have a child with special needs.

Cases will be closed in the following order:

1. Very low income and actively seeking employment for 6 months.
2. Very low income and attending four year college and working 17 ½ hours per week
3. Very low income and Employment or Educational /Vocational activities
4. Very low income and/Domestic Violence or Homeless
5. Very low income
6. Families that have a child with special needs

### III. Waiting List

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

- No
- Yes

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

### 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.

The following are the indicators used:

- (a) Working off the books (currently or previously)



- (b) Self-employed and without business records to support financial assertions.
- (c) P.O. Box used as a mailing address without cause (i.e., high crime area)
- (d) Client unsure of own address
- (e) An individual has no identification to verify his/her identity or the identification is suspect
- (f) Prior history of denial, case closing or overpayments resulting from an investigation or prior fraud history
- (g) Application inconsistent with prior case history or with information provided on application
- (h) Child(ren) in the household under the age of six with no birth certificate
- (i) Child care provider lives in same household as the child
- (j) Missing or inconsistent absent parent information
- (k) Income reported as expired minimum wage
- (l) Change in family composition other than birth/adoption of a child, death or divorce
- (m) Applicant cannot provide pay stubs for an occupation that traditionally provides pay stubs
- (n) A referral to employer for employee income information that appears to be amended or tampered with
- (o) Applicant works more than five days per week.

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.*

The district will seek verification of a minimum for 25% of all new applicants. The district will seek verification of additional cases as circumstances warrant, including, but not limited to, 100% of clients applying for or recertifying for Child Care in Lieu of Cash Assistance (CLOCA), as long as they are otherwise eligible.

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.

A random sample of 40 providers will be chosen from the informal providers with a subsidized child who are participating in CACFP. The attendance forms for subsidized children from 10 providers per quarter will be compared to the CACFP inspection forms for those same providers.

## **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.

**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

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## Appendix N: District Options

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 for child care services while a caretaker who works the second or third shift sleeps (complete Appendix T).
- 13. The district has chosen to make payments to child care providers who provide child care services exceeding 24 consecutive hours (complete Appendix U).
- 14. The district has chosen to include 18-, 19- or 20-year-olds in the Child Care Services Unit (complete Appendix U).
- 15. 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).
- 16. The district has chosen to pay for breaks in activity for low income families (non-public assistance families) (complete Appendix U).
- 17. 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 attach copies of the local equivalent form(s) that the district would like to use.

- CFWB-012 (subsidy application)
- CFWB-012A (subsidy application instructions)
- CFWB-012B (subsidy application document checklist)
- Recertification package:
  - ECE-023 Notice of Mail in Recertification
  - ECE-020 (Income from Employment and Other Sources)
  - ECE-021 (Household Information for CC Recertification)
  - ECE-022 (Documentation for Child Care Recertification)
  - ECE-024 (Recertification signature page)
  - ECE-025 (Child Care Services for Eligible Families)
- ECE-019 (Denial of Application)
- C of O Additional Local Standard spreadsheet

18. 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:

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# Appendix P: Title XX Child Care

1. Enter the projected total of Title XX expenditures for the plan's duration: **\$26099250**

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.

<b>Family Size</b>	<b>Eligibility Limit</b>
<b>Two People</b>	275%
<b>Three People</b>	255%
<b>Four People</b>	225%

## 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

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## Appendix Q: Additional Local Standards for Child Care Providers

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:*

**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 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 provider / program not operating under the auspices of another government agency
  - Provider / director
  - Provider's employee
  - Provider's volunteer

- Legally-exempt group provider / program operating under the auspices of another government or tribal agency
  - Provider / director
  - Provider's employee
  - Provider's 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.

c. The district will not apply this additional local standard when **the informal provider is younger than 18 years** of age.

**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:*  
Division of Child and Family Well Being, Shari Gruber

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.**

The provider is required to sign a release which will allow ACS to request a criminal background check.

If any of the individuals checked in question #2 above refuses to sign the authorization, which would allow ACS to check for criminal convictions, the enrollment package will be considered incomplete and the enrollment process cannot move forward and will be withdrawn by the enrollment agency

ACS receives the referral from CCFS by accessing the Legally Exempt Additional Standards Due/Overdue-DSS report on a daily basis.

ACS sends the request for background check to the Office of Court Administration (OCA).

The OCA runs the criminal background check and reports the results to ACS.

1. In accordance with 12-OCFS-LCM-01, within 25 days of receiving the E-Notice, ACS will complete the OCFS-approved local equivalent to the OCFS 2114 , and send it to the applicable Enrollment Agency to notify the Enrollment Agency of the determination of: "Met", "Not Met" or "Not Applicable" for all persons referred on the CCFS reports.

- The standard is "met" when all the local criminal background checks, for applicable persons are conducted and the results have been received by ACS from OCA.
- The standard is "not met" if the applicable local criminal background checks cannot be completed

due to the lack of cooperation of the provider or other person who is required to participate.

- The standard is “not applicable” when the program's site of care is located outside of the subsidy-paying district. ACS will notify the LECEA that the standard is not applicable when this occurs.

Additionally, when a criminal conviction exists, ACS provides the record of any criminal convictions to the applicable enrollment agency within 25 days of the CCFS referral. and The enrollment agency evaluates the criminal history in accordance with OCFS policy

ACS monitors the timeliness for conducting the additional local standard by utilizing the Legally Exempt Additional Standards Due/Overdue-DSS report on a daily basis.

## 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.

The background check promotes a safer child care environment for children because it identifies persons with criminal histories who have not been truthful on the enrollment form.

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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:*

Local criminal background check for arrests for violent crimes, crimes against children, or other serious crimes

**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 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 provider / program not operating under the auspices of another government agency

Provider / director

Provider's employee

Provider's volunteer

Legally-exempt group provider / program operating under the auspices of another government or tribal agency

Provider / director

Provider's employee

Provider's 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.
- c. The district will not apply this additional local standard when **the informal provider is younger than 18 years** of age.

**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:*  
Division of Child and Family Well Being - Shari Gruber
- 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.**

The provider is required to sign a release which will allow ACS to request a criminal background check.

If any of the individuals checked in question #2 above refuses to sign the authorization, which would allow ACS to check for arrests, the enrollment package will be considered incomplete, the enrollment process cannot move forward and the enrollment will be withdrawn by the enrollment agency

ACS receives the referral from CCFS by accessing the Legally Exempt Additional Standards

Due/Overdue-DSS report on a daily basis.

ACS sends the request for background check to the Office of Court Administration (OCA).

The OCA runs the criminal background check and reports the results to ACS.

In accordance with 12-OCFS-LCM-01, ACS will complete the OCFS approved local form equivalent to the OCFS 2114, and within 25 days of the referral date, send it to the applicable Enrollment Agency to notify the Enrollment Agency of the determination of: "Met", "Not Met" or "Not Applicable for all persons referred on the CCFS report.

ACS evaluates any pending arrests to determine whether there are charges pending which involve a crime against a child, a violent crime, or another serious crime.

- The standard is "met" when the provider or other applicable person does not have a charge pending which involves a crime against a child, a violent crime or another serious crime.
- The standard is "not met" if the provider or other applicable person has a charge pending which involves a crime against a child, a violent crime or another serious crime.
- The standard is "not applicable" when the program's site of care is located outside of the subsidy-paying district. ACS will notify the LECEA that the standard is not applicable when this occurs.

ACS monitors the timeliness for conducting the additional local standard by utilizing the Legally Exempt Additional Standards Due/Overdue-DSS report on a daily basis.

## 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.

As per New York State Corrections Law section 752(2), ACS believes that granting enrollment to a legally exempt family or in-home provider who has an arrest for a crime against a child or a violent or other serious charge as defined in 01 OCFS LCM 11 would pose an unreasonable risk to the safety and welfare of a child in their care.

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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:*

local criminal background check for arrests for crime of fraud or activity that indicates a lack of business integrity

**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 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 provider / program not operating under the auspices of another government agency

Provider / director

Provider's employee

Provider's volunteer

Legally-exempt group provider / program operating under the auspices of another government or tribal agency

Provider / director

Provider's employee

Provider's 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.

c. The district will not apply this additional local standard when **the informal provider is younger than 18 years** of age.

**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:*

Division of Child and Family Well Being - Shari Gruber

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.**

The provider is required to sign a release which will allow ACS to request a criminal background check.

If any of the individuals checked in question #2 above refuses to sign the authorization, which would allow ACS to check for arrests for crime of fraud or activity that indicates a lack of business integrity, the enrollment package will be considered incomplete and the enrollment process cannot move forward and will be withdrawn by the enrollment agency

ACS receives the referral from CCFS by accessing the Legally Exempt Additional Standards Due/Overdue-DSS report on a daily basis.

ACS sends the request for background check to the Office of Court Administration (OCA).

The OCA runs the criminal background check and reports the results to ACS.

ACS evaluates any pending arrests to determine whether there are charges pending which involve a check for arrests for crime of fraud or activity that indicates a lack of business integrity.

In accordance with 12-OCFS-LCM-01, ACS will complete the OCFS approved local form equivalent to the OCFS 2114, and, within 25 days from the referral date, send it to the applicable Enrollment Agency to notify the Enrollment Agency of the determination of: "Met", "Not Met" or "Not Applicable for all persons referred on the CCFS report.

- The standard is "met" when the provider does not have a charge pending which involve fraud or other activity that indicates a lack of business integrity.
- The standard is "not met" if the provider has a charge pending which involves fraud or other activity that indicates a lack of business integrity.
- The standard is "not applicable" when the program's site of care is located outside of the subsidy-paying district. ACS will notify the LECEA that the standard is not applicable when this occurs.

ACS monitors the timeliness for conducting the additional local standard by utilizing the Legally Exempt Additional Standards Due/Overdue-DSS report on a daily basis.

**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.**

State regulations permit a social service district to defer a claim for reimbursement upon notification of the existence of a pending criminal charge involving fraud [18 NYCRR 415.4(c)(9)(ii)(c)]. On the same basis and as a subsidy fraud control measure, a provider must meet the additional standard.

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:*

Proof of identity

**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 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 provider / program not operating under the auspices of another government agency

Provider / director

Provider's employee

Provider's volunteer

Legally-exempt group provider / program operating under the auspices of another government or tribal agency

Provider / director

Provider's employee

Provider's 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.

c. The district will not apply this additional local standard when **the informal provider is younger than 18 years** of age.

**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:*

- Contracted agency (must correspond to Appendix K, Question 3b)

*Provide the name of the agency and contact person:*

WHEDCo - Diana Perez

*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.

At the time of enrollment or re-enrollment, during the enrollment packet review process, the provider submits to the Enrollment Agency an original or copy of one of the following forms of documentation to verify his/her identity:

· Current valid photo ID issued by government, employer, school or other official institution/agency including but not limited to:

- o Driver's license/non-driver's identification card
- o Passport or visa
- o Naturalization or citizenship certificate
- o School or military ID card
- o Employment authorization card
- o Permanent resident card
- o Government benefit card (e.g., Welfare/Medicaid/Food Stamps)
- o IDNYC

· OR at least two of the following non-photo IDs including but not limited to:

- o Social security card
- o Birth certificate
- o Baptismal certificate
- o Government benefit card (e.g., Welfare/Medicaid/Food Stamps)
- o Life insurance policy

· The Enrollment Agency maintains a copy of the documentation in the provider's files. The additional standard is met when the provider submits the required documentation of identity to the Enrollment Agency.

· The additional standard is not met when the provider does not submit the required documentation of identity to the Enrollment Agency.

The additional standard is "not applicable" when the program's site of care is located outside of the subsidy-paying district.

**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.**

ACS requests verification of the provider's identity to deter fraud.

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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:*

Proof of the location where child care is provided

**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 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 provider / program not operating under the auspices of another government agency

Provider / director

Provider's employee

Provider's volunteer

Legally-exempt group provider / program operating under the auspices of another government or tribal agency

Provider / director

Provider's employee

Provider's 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.
- c. The district will not apply this additional local standard when **the informal provider is younger than 18 years** of age.

**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:*
- Contracted agency (must correspond to Appendix K, Question 3b)  
*Provide the name of the agency and contact person:*  
WHEDCo - Diana Perez

*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.**

At enrollment, during the packet review process, the legally exempt family child care provider, who resides at the child care site, must submit an original or copy of one of the following forms of documentation to the Enrollment Agency to verify the location of the child care site, as follows:

- Statement from landlord on his/her official stationery\*
- Lease or deed with the provider's name
- Rent statement/receipt with preprinted address\*
- Mortgage records (the provider may [for privacy reasons] cross out any specific financial information on the document)
- Tax records for residence
- A utility bill with the provider's address (the provider may [for privacy reasons] cross out any specific financial information on the document)\*

- A bank statement with the provider's address (the provider may [for privacy reasons] cross out any specific financial information on the document)\*
- Provider's school records indicating address\*

\*Documents cannot be more than 60 days old

When the legally exempt family child care does not reside at the child care site, the legally exempt family child care provider must submit the following forms of documentation to the Enrollment Agency to verify the location of the child care site, as follows:

- o a letter from the owner or tenant of the residence, where care is taking place, approving use of the residence for such care, AND
- o one of the following forms of documentation to verify that the property owner or tenant, submitting the letter, does reside at the child care site:
  - o Lease or deed with the provider's name
  - o Rent statement/receipt with preprinted address\*
  - o Mortgage records (the provider may [for privacy reasons] cross out any specific financial information on the document)
  - o Tax records for residence
  - o A utility bill with the provider's address (the provider may [for privacy reasons] cross out any specific financial information on the document)\*
  - o A bank statement with the provider's address (the provider may [for privacy reasons] cross out any specific financial information on the document)\*
  - o Provider's school records indicating address\*

\*Documents cannot be more than 60 days old

· The additional standard is "Met" when the required documentation, as described, is submitted to the Enrollment Agency.

· The additional standard is "Not Met" when the required documentation, as described, is NOT submitted to the Enrollment Agency

· The additional standard is "Not Applicable" when the provider site of care is not located within NYC.

**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.**

ACS requests verification of the location of providing child care in order to deter fraud and verify the location where child care is being provided and confirm what residence is being assessed for health and safety standards.

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:*  
Certificate of Occupancy

**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 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 provider / program not operating under the auspices of another government agency

- Provider / director
- Provider's employee
- Provider's volunteer

Legally-exempt group provider / program operating under the auspices of another government or tribal agency

- Provider / director
- Provider's employee
- Provider's 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.

c. The district will not apply this additional local standard when **the informal provider is younger than 18 years** of age.

**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:*  
Division of Child and Family Well Being - Shari Gruber
- 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.**

ACS receives the referral from CCFS by accessing the Legally Exempt Additional Standards Due/Overdue-DSS report on a daily basis.

The requirement for the Certificate of Occupancy applies to initially enrolling and re-opening group programs. However, since the CCFS referral includes group programs which are not subject to the requirement, the ACS Quality Assurance Supervisor will identify which legally exempt group providers are and are not subject to this standard.

For the applicable group programs, the Quality Assurance Supervisor will verify the existence of a valid Certificate of Occupancy (C of O), Temporary Certificate of Occupancy (TCO) or Letter of No Objection (LNO) for each legally-exempt group provider by using the NYC Department of Buildings (DOB) Building Information Systems (BIS) database which is currently located at: <http://a810-bisweb.nyc.gov/bisweb/bispi00.jsp>. If a program does not have a valid C of O, TCO or LNO visible in BIS or the C of O, TCO or LNO indicates a non-educational use, the Quality Assurance Supervisor will contact NYC DOB to verify the information.

The Quality Assurance Supervisor will indicate on C of O Additional Local Standard spreadsheet, (the OCFS-approved local substitute for the OCFS 2114), whether or not the standard has been met, has not been met, or is not applicable. The completed excel spreadsheet will be sent to the Legally-Exempt Caregiver EA, WHEDCo, daily via e-mail. This will occur within ten (10) business days or less of the program's temporary enrollment.

If the legally-exempt group program has a valid C of O, TCO or an LNO for providing child care verified by the Quality Assurance Supervisor, the standard is "Met."

If the legally-exempt group program does not have a valid C of O, TCO or LNO for providing child care verified by the Quality Assurance Supervisor, the standard is "Not Met."

If the legally exempt group program site of care is outside of NYC, the additional standard is "Not

Applicable.”

If the legally exempt group program was enrolled as of December 31, 2016, and has had continuous enrollment since December 31, 2016, the additional standard is “Not Applicable.”

If the legally exempt group program is a Summer Day Camp operating under the jurisdiction of the New York City Department of Health and Mental Hygiene, the additional standard is “Not Applicable.”

ACS monitors the timeliness for conducting the additional local standard by utilizing the Legally Exempt Additional Standards Due/Overdue-DSS report on a daily basis.

**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.**

Answer to above Question 6a: Other: Initial Enrollment of a new program or re-opening of a program that did not have enrollments as of January 1, 2017.

The C of O, TCO or an LNO will provide ACS with information concerning the safety of the building and the maximum capacity to occupy it. A C of O, TCO or LNO are key documents used to determine the legal use and maximum occupancy of a building. This information is not included as part of the Certificate of Filing from the NYC Department of Health and Mental Hygiene. The Certificates detail how a building can be safely occupied. Knowing how a building can be safely occupied makes sure that legally exempt group programs are operating at a safe and legal location and that children being served are receiving care in a safe environment.

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

**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	12	3	15
Base Period	24	16	40

**5. 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.

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

NYC ACS reserves the right to monitor inappropriate over use of reimbursable absences by a provider or child care program. For family day care and group family day care providers that receive payment 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 S: Payment to Child Care Providers for Program Closures

**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.**

Public school closure days such as, New Year's Day, July 4th, Labor Day, Thanksgiving and Christmas and/or due to extreme weather conditions.

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

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

**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>	0%	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. Enhanced Market Rate for Legally-Exempt Family and In-Home Child Care Providers

1. 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 percent, not to exceed 75% of the child care market rate established for registered family day care.

%

#### IV. 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:

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

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

### 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.

### 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.**

**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.**

The New York City Administration for Children’s Services (NYC ACS) requests the following three waivers:

1. NYC ACS requests a waiver from 18 NYCRR § 415.2(a)(2)(iv) to require that families work (not families that fall under the transitional child care guarantee) work at least 20 hours per week as a condition of eligibility for child care subsidy. This waiver request is consistent with the requirements of 18 NYCRR § 385.2(f) and 18 NYCRR § 415.1(o)(1)-(2) which provide, in part, for the local social services district to define engaged in work in the district’s employment plan submitted to and approved by the New York State Department of Labor. In its plan, NYC requires the paid employment or work experience to be at least 20 hours weekly. The waiver request is also consistent with Social Services Law 410(1) which provides for child care only when the parent is unavailable for a “substantial part of the day.” Neither State law nor regulations define “substantial part of the day.” NYC ACS believes that 20 hours is appropriate.
2. NYC ACS requests a waiver of 18 NYCRR § 415.4(b)(1) allowing: (1) Income eligibility for a child enrolled in a Head Start collaboration program to be continuous as long as the child remains enrolled in the collaboration program for up to two years; and (2) Income eligibility for a child dually enrolled in a pre-kindergarten program to remain eligible until the subsequent school year. The Office of Child Care states in ACYF-PIQ-CC-99-02 that “the Lead Agency may establish different eligibility period for children in Head Start, Early Head Start or State pre-K/child care collaborative programs than generally applies to CCDF-funded children.” Our agency currently serves over 1,800 children in Head Start collaboration programs. Additionally, over 7, 300 children are dually enrolled in child care and pre-kindergarten programs in New York City. Streamlining eligibility will provide consistency for both the children and the programs that serve them.
3. NYC ACS requests a waiver from 18 NYCRR §404.5(b)(5) to exempt research stipend payments to participants in a multi-year Child Development Study from being considered income from child care subsidy applicants.

**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

**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

## Appendix M.1

### III. Family Share

New York City will not use the State prescribed methodology of applying a formula to gross family income above the State Income Standard (SIS). 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 be 35% of remaining gross family income after subtracting the applicable SIS level. Family shares or fees will be capped at 17% of annual gross family income. A minimum weekly family share of \$15 per week for full-time care or \$9 for part-time care will be charged to families. If \$15 per week exceeds 35% of remaining income after subtracting SIS from the highest income level listed in a given fee band, a \$15 per week minimum family share/fee for full-time care or \$9 per week for part-time care will apply to that entire fee band. A part-day weekly family share of 61% 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. Households in receipt of Child Care in Lieu of Cash Assistance (CILOCA) are required to pay \$15 per week for their family share.