

# 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:**

- a. Public Assistance Families:** Special Services Unit
- b. Transitioning Families:** Special Services Unit
- c. Income Eligible Families:** Special Services Unit
- d. Title XX:** Special Services Unit

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

<b>Item</b>	<b>Amount</b>
<b>a. FFY 2016-2017 Rollover funds:</b> <i>(available from the NYSCCBG ceiling report in the claiming system)</i>	\$463294
<b>b. Estimate FFY 2017-2018 Rollover Funds:</b>	\$669346
<b>c. Estimate of Flexible Funds for Family Services transferred to the NYSCCBG:</b>	\$0
<b>d. NYSCCBG Allocation 2018:</b>	\$2074346
<b>e. Estimate of Local Share:</b>	\$70752
<b>Total Estimated NYSCCBG Amount:</b>	\$2743692
<b>f. Subsidy:</b>	\$1915772
<b>g. Other program costs excluding subsidy:</b>	\$387724
<b>h. Administrative costs:</b>	\$117131

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

<b>Function</b>	<b>Organization</b>	<b>Amount of Contract</b>
<input type="checkbox"/> <b>a. Subsidy eligibility screening</b>		\$

**b. Determining if legally-exempt providers meet OCFS-approved additional local standards**  
*(must be noted in Appendix Q with the corresponding additional standard)*

Child Development Council - In Home Quality Improvement \$41316

**c. Assistance in locating care**

\$

**d. Child care information systems**

\$

**e. Payment processing**

\$

**f. Other**  
*Please specify function:*

Child Development Council \$207972

**Recruitment, Training, and Retention (\$83,432); Health and Safety Grants for Prospective Registered Providers (\$10,000); Registration, Inspection, and Complaint Investigation (\$114,540)**

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

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

Optional Categories	Option	Limitations
<b>1. Public Assistance (PA) families participating in an approved activity in addition to their required work activity.</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No	
<b>2. PA families or families with incomes up to 200% of the State Income Standard when child care services are needed for the child to be protected because the caretaker is:</b>		
<b>a) participating in an approved substance abuse treatment program</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No	Subject to 30 day approval by DSS
<b>b) homeless</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No	Subject to 30 day approval by DSS
<b>c) a victim of domestic violence and participating in an approved activity</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No	Subject to 30 day approval by DSS
<b>d) in an emergency situation of short duration</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No	Subject to 30 day approval by DSS

3. Families with an open child protective services case when child care is needed to protect the child.	<input checked="" type="radio"/> Yes <input type="radio"/> No	Subject to 180 day approval by DSS
<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>		
a) is physically or mentally incapacitated	<input checked="" type="radio"/> Yes <input type="radio"/> No	Subject to periodic review and approval based on timeframes designated by medical statements.
b) has family duties away from home	<input checked="" type="radio"/> Yes <input type="radio"/> No	Subject to 30 day approvals by DSS
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.	<input checked="" type="radio"/> Yes <input type="radio"/> No	
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.	<input checked="" type="radio"/> Yes <input type="radio"/> No	
<b>7. Families with incomes up to 200% of the State Income Standard when child care services are needed for the child's caretaker to participate in:</b>		
a) a public or private educational facility providing a standard high school curriculum offered by or approved by the local school district	<input checked="" type="radio"/> Yes <input type="radio"/> No	
b) an education program that prepares an individual to obtain a NYS High School equivalency diploma	<input checked="" type="radio"/> Yes <input type="radio"/> No	
c) a program providing basic remedial education in the areas of reading, writing, mathematics, and oral communications for individuals functioning below the ninth month of the eighth-grade level	<input checked="" type="radio"/> Yes <input type="radio"/> No	
d) a program providing literacy training designed to help individuals improve their ability to read and write	<input checked="" type="radio"/> Yes <input type="radio"/> No	
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	<input checked="" type="radio"/> Yes <input type="radio"/> No	
f) a two-year full-time degree granting program at a community college, a two-year college, or an undergraduate college with a specific vocational goal leading to an associate's degree or certificate of completion	<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><i><b>Note:</b> The caretaker must complete the selected programs listed within 30 consecutive calendar months. The caretaker cannot enroll in more than one program.</i></p>		
<p><b>8. PA recipients or low-income families with incomes up to 200% of the State Income Standard who are satisfactorily participating in a two-year program other than one with a specific vocational sequence (leading to an associate's degree or certificate of completion and that is reasonably expected to lead to an improvement in the caretaker's earning capacity) 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><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 checked="" type="radio"/> Yes <input 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":

Reasonable distance is defined as any distance requiring less than 45 minutes travel time from parent or caretaker's home to reach the child care provider and is 25 miles or less, when combined with the travel necessary to reach work or a work related activity, is less than an hour and 15 minutes. In the case of a parent or caretaker who must walk with a child under the age of 6 to and from the child care provider [such as a bus stop], reasonable distance will not exceed one half mile. Consideration will be made for factors such as the need to walk in non-daylight hours and the type of walkway [ie county road with no sidewalk]. The definition of reasonable distance will include reasonable accommodation for caretakers and children with disabilities or health problems, and the age of child.

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

This definition coincides our counties employment plan.

## 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:

20%

**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.

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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.

The district will open category 2 families and then category 3 families.

- 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.

**If closing based on amount of time...**

- The district will close cases starting from the shortest time receiving child care services to the longest time.
- The district will close cases starting from the longest time receiving child care services to the shortest time.
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**.

### 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.

Below is a list of identified indicators of high risks Tompkins County Department of Social Services takes actions on. If any one of the following is present application or recertification, we try to resolve with applicant or recipient by requiring additional information. If this is unsuccessful we complete a FEDS referral and send to our Investigation Unit..

- Working off the books.
- Self -employed without adequate business records.
- PO box used as a mailing address without cause.
- No documentation to verify identity, or documentation of identity is questionable.
- Documentation or information provided is inconsistent with application or prior case history.
- Overpayment resulting from previous investigation.
- Provider lives in same household as parent and child.

- No absent parent information or information is inconsistent with application.

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.*

TCDSS reviews all cases at recertification for verification of continued need for child care. Hence, every twelve months the client must provide all documents to verify their participation in employment, education or required activities and continued need for child care. The department tracks cases that have no set schedule to provide verification for child care. The department requires clients to turn in their monthly pay stubs and work schedules for verification and/or class schedule for education courses.

For clients engaged in classes the department requires that they submit their class schedule to compare days they are receiving day care. For the classes that attendance can be tracked, e.g. ESL, the department requires that they provide signed attendance forms.

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.

Three times a year the Enrollment Agency will visit providers and complete the Monitoring Checklist, documenting children in attendance at time of the visit. The EA will send the Monitoring Checklist to the Division Coordinator in the Special Services Unit. The Coordinator will compare the Monitoring Checklist to our monthly billing sheets to verify the children billed for were actually in attendance.

## 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

## 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.

- 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>	<b>\$</b>

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

Category:

Description:

Category:

Description:

Category:

Description:

Category:

Description:

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

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

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

Category:

Description:

Category:

Description:

Category:

Description:

# Appendix P: Title XX Child Care

1. Enter the projected total of Title XX expenditures for the plan's duration: **\$239,060.00**

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>	%
<b>Three People</b>	%
<b>Four People</b>	%

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

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

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

- Yes
- No

If yes, describe eligibility criteria:

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

- Yes
- No

If yes, describe which families will receive priority:

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

Yes

No

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

Yes

No

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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:*
- Contracted agency (must correspond to Appendix K, Question 3b)  
*Provide the name of the agency and contact person:*  
Child Development Council, Molly McGriff.

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*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 individuals checked in question #2 will be asked to sign a release. This release will allow the Tompkins Department of Social Services to conduct a local child welfare data base check of existing records related to the child care attestations for the sole purpose of verifying the accuracy of the information submitted to the parent/caretaker. Household members 18 years or older will only be required to sign the release when care is not provided in the home of the child.

If any of the individuals checked in question #2 above refuses to sign the release, which would allow Tompkins County Department of Social Services to review only the existing local child welfare records related to the child care attestation, the enrollment package will be considered incomplete and the enrollment process cannot move forward. It will be withdrawn by the enrollment agency.

To initiate the additional standards check, per NYS OCFS policy, the Child Care Facility [CCFS] will automatically generate an E-notice referral instructing the LDSS to run the CCFS report, LE additional standards referral list, and obtain the list of applicable persons as specified in question #2 above, to the LDSS. When a local database check of the records related to the child care attestation reveal that an individual checked in question #2 is an indicated subject of a child abuse or maltreatment report, the proposed provider will be required to submit to The Tompkins County Department of Social Services a copy of the written statement provided to the parent/caretaker concerning the indicated incident[s]. This statement must be signed by the parent/caretaker acknowledging receipt of this information and the parent/caretaker's wish to use this child care provider.

If the information regarding the indicated child protective report submitted by the provider does not substantially correlate with the information obtained from the local database check of the records related to the child care attestations, the Tompkins County Department of Social Services and the parent/caretaker will notify the provider that they have ten [10] calendar days to clarify the discrepancies in the information submitted to the district and parent/caretaker. Within the ten [10] calendar day period the provider must submit information to the Tompkins County Department of Social Services and the parent/caretaker that either substantially correlates with the information obtained by the district's local database check of the records related to the child care attestations or the provider submits information to the district which documents that the information obtained from the local database check of the records related to the child care attestations is inaccurate.

- If the provider fails to clarify the discrepancies the Tompkins County Department of Social Services will notify the Enrollment Agency the additional standard is **"Not Met"**.
- If the information regarding the indicated child protective report correlates with the information obtained from the local database check and the parent/caretaker still chooses to use the provider, the Tompkins County Department of Social Services will notify the Enrollment Agency the additional standard is **"Met"**
- **When the local records check does not reveal a record wherein the person was an indicated subject of a child abuse or maltreatment report, the Enrollment Agency will be notified that the additional standard has been "met"**.

In accordance with 12-OCFS-LCM-01 Tompkins County Department of Social Services will complete the OCFS-2114, District Notification To Legally-Exempt Caregiver Enrollment Agency, to notify the Enrollment Agency of the determination of: "Met", "Not Met", or "Not Applicable".

**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 Tompkins County Department of Social Services has implemented these additional standards to ensure information that could affect the safety of children in legally-exempt child care settings is shared. The Department wants to make sure that providers have told parents about known child protective histories for themselves and any adult 18 years or older residing in the provider's home where the child care is to take place. The Department also wants to make sure we give parents every opportunity to make educated decisions about the providers they chose for their child 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:*



**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:*  
Child Development Council, Sue Dale Hall

*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 notified of the additional standard by the Enrollment Agency who sends to the provider the "Notification of Tompkins County Additional Local Standard for the Enrollment of Legally Exempt Family Child Care Provider" and "In Home Child Care Providers and Release Authorization" form with the enrollment package.

The district contractor, the Day Care and Child Development Council of Tompkins County INC. conducts home visits for 100% of all enrolled informal providers. The district contractor provides home visits for 20% of in home providers based on the State contracted inspections. The remaining percentage of enrolled providers are visited under the contract with TCDSS for In Home quality Assurance Program which brings the percent visited to 100% of enrolled informal providers.

To initiate the additional standards check, per 12- OCFS-LCM-01, the Child Care Facility System will automatically generate the E-Notice, LE-CCFS LD-oo3 Legally Exempt Additional Standard Referral Notification, to inform the local district that the additional standards check must be conducted. The designated district must run the CCFS report, LE Additional Local Standard Referral List to obtain the list of persons [as specified in question #2above] for whom Legally Exempt Additional Standard[s] Review[s] must be conducted and other pertinent information.

TCDSS requires the district contractor, the Day Care and Child Development Council of Tompkins County to administer the In-Home Quality Improvements Program for 80% of enrolled informal Legally Exempt Providers within Tompkins County. The visits are conducted at least twice per year and check for the following:

- Whether the child care is being provided at the location that is identified on the enrollment form;
- Whether the child care is being provided by the person who is enrolled;
- Whether the provider is caring for an allowable number of children;
- Whether the safety standards in the home safety checklist in the enrollment packet are being met at each visit. The district contractor, a Child Development Council staff person who visits the home, carries safety items so in some situations the home can come into compliance immediately.

When non-compliance is found, the district contract staff makes a complaint of the non-compliance to the LECEA, and the LECEA must address through investigation and corrective action as applicable. If the DSS learns of health and safety issues, the DSS makes a complaint to the EA. DSS tracks the results of its inspections as follows:

For legally-exempt child care providers to whom additional standards applies that are specified in question #2, the district contractor will determine whether the additional standard was "met", "not met", or "not applicable" and will record the results on the OCFS-2114 District Notification To Legally-Exempt Caregiver Enrollment Agency. The notification and a copy of the inspection report will be given to the Legally-Exempt Coordinator so that she/he may take any necessary action.

The district contractor must determine for each Legally-Exempt Family Child Care Provider on the referral list whether the additional standard is as follows:

**The standard is "met" when:**

The provider cooperates with the site visit and the site visit is completed.

**The standard is considered to be "not met" when:**

The provider does not cooperate, or does not allow for the site visit to be completed.

**The standard is considered "not applicable" when:**

The referred individual is subject to an exception-specified in question #2a: **the program's site of care is located outside of the subsidy-paying district.**

**The district** and the district contractor will maintain a file which documents how the determination was made as to whether the additional standard was "**met**", "**not met**" or "**not applicable**"

Day Care and Child Development Council of Tompkins County INC. submits regular reports to TCDSS detailing visits and the amount of funds they provide to make sure providers meet standards. The are submitted quarterly with a year-end report.

**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 home visiting component helps assure standards are being met. It also allows the day care providers an opportunity to connect with a resource for training, and support.

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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	12	8	20

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

- The child care provider is open and available and the child is scheduled to attend..

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

*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.

The Agency will make payment to licensed and registered providers for up to 5 national holidays when the provider is closed for business.

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

## Appendix T: Transportation, Differential Payment Rates, Enhanced Market Rate for Legally-Exempt 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
Homelessness: Licensed and Registered Providers State required minimum of 5%	15%	Enter a percentage (%): 5% to 15%. (Must enter at least 5%)
Homelessness: Legally-Exempt Providers	15%	Enter 0% or a percentage (%) up to 15%.

<b>Non-traditional Hours: All Providers State required minimum of 5%</b>	15%	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>	15%	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.

75%

### 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:

TCDSS will pay up to eight [8] hours of sleep time for a parent /caretaker that works second or third shift.

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

8

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

### 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.**

Our District will include 18,19, and 20 year olds only when it benefits the families eligibility.

## **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.**

## **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