

# Child Care

The Child Care section of the plan is effective on the date that it is approved by OCFS. The approval date for the Child Care section of the plan can be found on [the OCFS website](#).

## Appendix K: Child Care Administration

- 1. Total Estimated Funds Available: \$158886737
- 2. Projected spending for FFY 2022–2023: \$95000000
- 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		
<input checked="" type="checkbox"/> c. Assistance in locating care	Child Care Council of Nassau County	\$94,575
<input type="checkbox"/> d. Child care information systems		
<input type="checkbox"/> e. Payment processing		
<input type="checkbox"/> f. Other <i>Please specify function:</i>		

## 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
1. Public Assistance (PA) families participating in an approved activity in addition to their required work activity.	<input checked="" type="radio"/> Yes <input type="radio"/> No	

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:		
a) participating in an approved substance abuse treatment program	<input checked="" type="radio"/> Yes <input type="radio"/> No	
b) homeless	<input checked="" type="radio"/> Yes <input type="radio"/> No	
c) a victim of domestic violence and participating in an approved activity	<input checked="" type="radio"/> Yes <input type="radio"/> No	
d) in an emergency situation of short duration	<input checked="" type="radio"/> Yes <input type="radio"/> No	
3. Families with an open child protective services case when child care is needed to protect the child.		
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:		
a) is physically or mentally incapacitated	<input checked="" type="radio"/> Yes <input type="radio"/> No	Eligibility will be limited to families that have submitted a Nassau County "Medical Report for Determination of Disability" or comparable documentation. The medical documentation should be sufficient to allow a determination of the severity and duration of an impairment and the extent of limitation imposed for the time period in question. Authorization is subject to periodic review based upon the timeframes designated by the medical documentation.
b) has family duties away from home	<input checked="" type="radio"/> Yes <input type="radio"/> No	
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.	<input type="radio"/> Yes <input checked="" 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	Unless specifically denied under sanctions.
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:		
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	For a period not to exceed 24 consecutive months when an applicant lacks the basic skills necessary to obtain at least entry level employment.

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	For a period not to exceed 24 consecutive months when an applicant lacks the basic skills necessary to obtain at least entry level employment.
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	For a period not to exceed 24 consecutive months when an applicant lacks the basic skills necessary to obtain at least entry level employment.
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	<input checked="" type="radio"/> Yes <input type="radio"/> No	For a period not to exceed 24 consecutive months when an applicant lacks the basic skills necessary to obtain at least entry level employment.
h) a prevocational skill training program such as a basic education and literacy training program	<input checked="" type="radio"/> Yes <input type="radio"/> No	For a period not to exceed 24 consecutive months when an applicant lacks the basic skills necessary to obtain at least entry level employment.
i) a demonstration project designed for vocational training or other project approved by the Department of Labor	<input type="radio"/> Yes <input checked="" type="radio"/> No	
<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.		
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). The caretaker must demonstrate his or her ability to successfully complete the course of study.	<input checked="" type="radio"/> Yes <input type="radio"/> No	For a period not to exceed 24 consecutive months when an applicant lacks the basic skills necessary to obtain at least entry level employment.

<p>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. The caretaker must demonstrate his or her ability to successfully complete the course of study.</p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No</p>	<p>For a period not to exceed 24 consecutive months when an applicant lacks the basic skills necessary to obtain at least entry level employment.</p>
<p>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. The caretaker must demonstrate his or her ability to successfully complete the course of study.</p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No</p>	
<p>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.</p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No</p>	<p>For a period not to exceed 24 consecutive months</p>

## Appendix M #1: Reasonable Distance, Family Share, Federal and Local Priorities

### I. Reasonable Distance for Public Assistance Recipients to Travel to Child Care and Work

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

1. The following defines "reasonable distance":

A one-way trip, which takes no longer than ninety minutes to accessible childcare and a work activity

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

NYS requires each county to define reasonable distance in terms of time and/or distance in miles. Each

county must answer the question, how long (in hours and minutes, or miles) is it reasonable to expect FA and SN recipients to travel, in going from home to work activity site, with a stop at a childcare provider along the way? The answer to these questions varies from county to county, and is dependent upon a number of factors, including the location of the communities where welfare recipients live, the locations of child care providers and employers, and the availability of public and private means of Nassau County: Child Care Page 6 transportation. The Nassau County Department of Social Services (DSS) is responsible for defining reasonable distance for the TANF and SN programs, as it relates to childcare accessibility and work activity participation. In developing this definition, Nassau County DSS reviewed the demographics of the welfare population, the availability of public and private transport, and the distribution of employers and childcare providers in Nassau County. This analysis included consultation with the Long Island Regional Office of the NYS Department of Labor and MTA Long Island Bus. Based upon this analysis, the above definition of reasonable distance had been developed.

## II. 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 1% to 10% 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.

**Note:** The family share percentage selected here must match the percentage entered in the Program Matrix in the Welfare Management System (WMS) and the Child Care Time and Attendance (CCTA) system.

Family Share Percentage selected by the district:

1%

Additional Description of this Family Share Percentage:

Effective 8/1/22 Nassau County will reduce the rate from 3% to 1%. Notification must be sent to 3,100 clients and their providers. This is done manually through CCTA. Nassau County will/must have sufficient time to notify the clients and providers. They have already been notified of the change to 3% effective 6/1/22.

## III. 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 (200% State Income Standard):

Rank 1

Rank 2

Rank 3

b. Families with income up to 200% of the State Income Standard who have a child with special needs and a need for child care:

Rank 1

Rank 2

Rank 3

c. Families with income up to 200% of the State Income Standard who 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. TA families where a sanctioned parent is participating in employment.

5. TA families participating in substance abuse treatment involved in short term emergency situations, homeless, and victims of domestic violence.

6. Families where the caretaker has duties away from home.

7. TA families participating in an approved activity in addition to their required work activity.

8. Families participating in approved educational activities.

## Appendix M #2: Case Openings, Case Closings, and Waiting List

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### 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.**

If opening based on income...

The district will open cases starting from the lowest income to the highest income.

The district will open cases based on income bands, starting from the lowest income band to the highest income band.

If using income bands, list the bands, starting from the one that will be opened first:

3. Open cases based on **CATEGORY OF FAMILY.**

4. Open cases based on **INCOME AND CATEGORY OF FAMILY.**

5. Open cases based on **OTHER CRITERIA**.

## II. Title XX Case Closings When Sufficient Funds Are Not Available

- The district **does not use** Title XX funds for child care assistance.
- The district **uses** Title XX funds for child care assistance (this option must be checked in Appendix N and Appendix P must be completed).

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If the district elects to use Title XX funds to provide child care assistance and the district does not have sufficient funds to continue to provide such assistance to all families in its current caseload, the district may decide to discontinue assistance. The district may establish priorities upon which the district will close cases if sufficient funds are not available. If no priorities are established and all funds are committed, case closings for families 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**.

If closing based on income...

- The district will close cases starting from the highest income to the lowest income.
- The district will close cases based on income bands, starting from the highest income band to the lowest income band.

If using income bands, list the bands, starting from the one that will be closed first:

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.

- Yes     No

The district will establish a waiting list when there are not sufficient Title XX funds available to open new cases or keep all current cases open.

- Yes     No

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

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## 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.

### **Criteria used to determine which applications have a higher than acceptable risk for fraud:**

1. Off-the books employment.
2. Self-Employed without adequate business records to support financial assertions.
3. Information submitted on current application is inconsistent with information on a prior application that was denied or closed within the last 90 days.
4. History of prior fraud.
5. Case was previously closed/denied as result of a special investigation.
6. Applicant has not adequately verified home address.
7. P.O. Box is used as a mailing address without a reasonable explanation.
8. No absent parent information or information is inconsistent with the application.
9. No document to verify an applicant's identity.
10. Applicant cannot provide a Birth Certificate for a child younger than six years of age
11. Child Care provider lives in household.
12. Income is significantly less than what is customary for the occupation.
13. Documents and information provided are inconsistent with application such as different name used for signature.

### **Procedure for referring such applications to the district's front-end detection system:**

Form 33N46 "FEDS Child Care Checklist/Referral" will be filled out and sent to the Office of Investigations for further investigation.

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.*

### Sampling Methodology:

1. All child care cases utilizing licensed and registered care will receive recertification at the 12 month period asking for verification of basic eligibility factors.
2. All childcare cases utilizing legally exempt care will be required to submit verification of hours/days worked, income received with monthly attendance bills prior to reimbursement. Form 30N90 "Quality Assurance Review Referral" will be filled out and sent to the Office of Investigations for further investigation. Referral is made for every case where one or more risk indicator is flagged.

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.

The Child Care Council of Nassau County conducts inspections of the Family and Group Family Day Care providers in Nassau County who participate in the Child and Adult Care Food Program (CACFP).

When a daycare provider is suspected of child care fraud, the assigned DSS Day Care Unit will contact the Council to determine whether the provider is participating in the CACFP. If the provider is a participant, the Council will review their records to determine whether site visits were made during the period in question. If a site visit was made, the Council will submit copies of the inspection forms to DSS. If a site visit has not been made, the Day Care Unit will request several inspection visits be made



by the Council to the suspected provider.

Upon receipt of the inspection forms a comparison will be made between the CACFP inspection report and the Child Care Time and Attendance (CCTA) System attendance records submitted by the provider. If discrepancies between the CACFP form and the CCTA attendance records are found, the provider will be referred to the DSS Office of Investigations for further appropriate actions. The results of which will be either a request for overpayment repayment, disallowed payment, provider disqualification and/or a referral to the Nassau County District Attorney for prosecution. The Day Care unit will also notify either the NYS OCFS regional Office and/or the Council of any pertinent information.

## 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.

### Check the organization that will be responsible for conducting inspections:

- Local social services staff

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

Office of Investigations unit, John Faust Director of Investigations

- Contracted Agency *(must correspond to Appendix K, Question 3f)*

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

### 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

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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 more than 24 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 **licensed / registered** child care providers caring for children experiencing homelessness above the 5% required minimum differential rate (complete Appendix T).

- 10. The district has chosen to pay a differential rate for **legally-exempt** child care providers caring for children experiencing homelessness (complete Appendix T).
- 11. 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).
- 12. 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).
- 13. The district has chosen to pay an enhanced market rate for eligible legally-exempt group child care programs that meet required health and/or training requirements (complete Appendix T).
- 14. The district has chosen to expand eligibility for child care assistance beyond the requirements of SSL 410-w(9), in order to allow a parent or caretaker who works non-traditional hours to sleep (complete Appendix T).
- 15. The district has chosen to make payments to child care providers who provide child care services exceeding 24 consecutive hours (complete Appendix U).
- 16. The district has chosen to include 18-, 19- or 20-year-olds in the Child Care Services Unit (complete Appendix U).
- 17. 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).
- 18. 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 upload copies of the local equivalent form(s) that the district would like to use.

CHILD CARE ELIGIBILITY REDETERMINATION COMING DUE

- 19. 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>	<b>\$</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

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1. Enter the projected total of Title XX expenditures for the plan's duration: **\$4000000**

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>	200%
<b>Three People</b>	200%
<b>Four People</b>	200%

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

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

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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 *(only applies to legally exempt relative-only family child care and relative only in-home child care)*
- Local criminal background check *(only applies to legally exempt relative-only family child care and relative only in-home child care)*
- Require providers caring for subsidized children for 30 or more hours a week participate in the Child and Adult Care Food Program (CACFP) *(only applies to family child care programs)*  
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 relative-only family child care program
- Provider
  - Provider's employee
  - Provider's volunteer
  - Provider's household member age 18 or older
- Legally-exempt relative-only in-home child care program
- Provider
  - Provider's employee
  - Provider's volunteer
- 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 program

Director

Employee

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.

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

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

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.



6. Indicate how frequently the additional local standard will be applied.

The Standard will be applied (check all that apply):

- At initial enrollment and re-opening
- At each re-enrollment
- During the enrollment **review** period

7. Describe the justification for the additional local standard in the space below.

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

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1. Our district will only pay for additional absences to providers with which the district has a contract or letter of intent.

- Yes
- No

2. The following providers are eligible for payment for additional absences (check all that are eligible):

- Day care center
- Group family day care
- Family day care
- Informal child care
- Legally-exempt group
- School-age child care

3. Number of additional absences above the required 24 allowed per child per provider per year:

16

4. List any limitations on reasons for additional absences for which the district will allow payment:

Vacation; providers cannot receive absence payments if they were on vacation during the absence period.

5. List any other limitations on the above providers' eligibility for payment for additional absences:

## Appendix S: Payment to Child Care Providers for Program Closures

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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):

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

*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 Rates for Legally-Exempt Providers, and Sleep

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### I. Transportation

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%	10%	Enter a percentage (%): 5% to 15%. (Must 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%	10%	Enter a percentage (%): 5% to 15%. (Must 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. Increased Enhanced Market Rate for Legally-Exempt Family and In-Home Child Care Providers

1. The enhanced market rate for legally-exempt family and legally-exempt in-home child care providers who have completed 10 or more hours of training annually is a 70% differential applied to the market rates established for registered family day care. 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 the percent (71%–75%), not to exceed 75% of the child care market rate established for registered family day care.

%

#### **IV. Enhanced Market Rates for Legally-Exempt Group Child Care Programs**

*Answer both questions:*

1. Indicate if the district is electing to establish an enhanced market rate for child care services provided by legally-exempt group child care programs that have prepared an approved health care plan and have at least one caregiver in each classroom with age appropriate cardiopulmonary resuscitation (CPR) certification and the enhanced requirements have been verified by the enrollment agency.

- No
- Yes

If yes, indicate the percent (76%–81%), not to exceed 81% of the applicable market rate for day care centers.

%

2. Indicate if the district is electing to establish an enhanced market rate for child care services provided by legally-exempt group child care programs when, in addition to the training required in 18 NYCRR §415.13, the director has completed an approved course and a minimum of 15 hours of approved training annually and each employee with a caregiving role completes a minimum of 5 hours of approved training annually and the enhanced requirements have been verified by the enrollment agency.

- No
- Yes

If yes, indicate the percent (76%–81%), not to exceed 81% of the applicable market rate for day care centers.

%

If a district chooses to establish both legally-exempt group child care enhanced rates and a program is eligible for both enhanced rates, then the enhanced market rate must be based on the percentages selected for each individual market rate, up to a maximum of 87%.

#### **V. Sleep**

In accordance with SSL 410-w(9), up to eight hours of additional child care assistance must be authorized for all eligible children in a family, as needed, in order to allow a parent or caretaker to sleep, if the parent or caretaker works non-traditional hours, is eligible for and provided with child care assistance, and has a child under the age of six and not in school for a full day.

If the district chooses to expand eligibility for child care assistance beyond the requirements of SSL 410-w(9), in order to allow a parent or caretaker who works non-traditional hours to sleep, please describe below:

Additionally, Nassau County will authorize up to 8 hours of child care assistance, as needed, to allow a

parent or caretaker to sleep, if the parent or caretaker works non-traditional hours, is eligible for and provided child care assistance, and needs child care assistance only for children under six years of age and school closings for school-age children.

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, and Waivers

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### 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 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.

If family is over income for child care services without inclusion of 18 or 19 or 20 year old (and) the 18

or 19 or 20 year old is sibling or step siblings of applying child, unmarried, lives with caretaker and has no children of his/her own; 18 or 19 or 20 year old is out of household, e.g. in college but is the financial responsibility of the caretaker; 18 or 19 or 20 year old may be excluded if his/her earnings place family over income for child care services

### **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.