

April 24, 2009



New York State  
Office of  
Children & Family  
Services

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

Mr. Robert Phelps, Commissioner  
Warren County Municipal Center Annex  
1340 State Route 9  
Lake George, NY 12845

Dear Commissioner Phelps:

This letter is to inform you that the child care section found in the administrative component of your Annual Plan Update 2008-2009 was approved on April 16, 2009. The child care section became effective on March 23, 2009.

David A. Paterson  
*Governor*

Gladys Carrión, Esq.  
*Commissioner*

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

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

Capital View Office Park  
52 Washington Street  
Rensselaer, NY 12144

Sincerely,

A handwritten signature in blue ink that reads "Janice M. Molnar".

Janice M. Molnar  
Deputy Commissioner  
Division of Child Care Services



**APPENDIX G-1  
CHILD CARE SECTION  
DATED 2008-2009**

**County:** Warren

**I. Administration (Required Section)**

Describe how your district is organized to administer the child care program including any functions that are subcontracted to an outside agency.

1. Identify the unit that has primary responsibility for the administration of child care for:

Public Assistance Families: **Temporary Assistance Unit**

Transitioning Families: **Services Unit**

Income Eligible Families: **Services Unit**

Title XX: **Services Unit**

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

FFY 06-07 Rollover Funds ( <i>this amount is available from the NYSCCBG ceiling report in the claiming system</i> )	\$0
Estimate of FFY 07-08 Rollover Funds	\$122,143
Estimate of Flexible Funds for Families (FFFS) for child care subsidies	\$194,202
NYSCCBG Allocation for SFY 08-09	\$1,687,464
Estimate of Local Share	\$22,063

<b>Total Estimated NYSCCBG Amount:</b>	<b>\$1,903,729</b>
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**\$1,903,729**

A. Subsidy	\$1,729,603
B. Other program costs (excluding subsidy)	\$22,063
C. Administrative costs	\$152,063

3. Does your district have a contract or formal agreement with another organization to perform any of the following functions? **No**

Function:

Organization:

Amount of Contract:

- Eligibility screening
- Assistance in locating care
- Child Care Information Systems
- Determining if legally-exempt providers meet State approved additional local standards (if applicable)
- Other

**APPENDIX G-2**

**II. Other Eligible Families if Funds are Available (Required Section)**

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

<b>Optional Categories</b>	<b>Option</b>	<b>Limitations</b>
1. Public Assistance (PA) families participating in an approved activity in addition to their required work activity.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>The Approved activity is part of their comprehensive employment plan</b>
2. PA families or families with income up to 200% of the State Income Standard when the caretaker is:		
a) participating in an approved substance abuse treatment program	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>They are in compliance with their employment plan. Limited to families with incomes up to 150% of the State Income Standard</b>
b) homeless	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
c) a victim of domestic violence	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
d) in an emergency situation of short duration	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>The emergency is a result of a sudden occurrence or situation unforeseen and beyond the individual's control</b>
3. Families with an open child protective services case when child care is needed to protect the child.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
4. Families with income up to 200% of the State Income Standard when child care services are needed because the child's caretaker:		<b>Limited to families with incomes up to 150% of the State Income Standard</b>
a) is physically or mentally incapacitated	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>Requires medical documentation</b>
b) has family duties away from home	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

<p>5. Families with income up to 200% of the State Income Standard when child care services are needed for the child's caretaker to actively seek employment for a period up to 6 months.</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p><b>The client must be registered with the NYS Employment Office. We limit this activity to 20 hours per week for 6 months.</b></p> <p><b>Limited to families with incomes up to 150% of the State Income Standard</b></p>
<p>6. PA families where a sanctioned parent is participating in unsubsidized employment, earning wages at a level equal to or greater than the minimum amount under law.</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p><b>The employment is part of an approved employment plan</b></p>
<p>7. Families with income up to 200% of the State Income Standard when child care services are needed for the child's caretaker to participate in:</p>		<p><b>Limited to families with incomes up to 150% of the State Income Standard</b></p>
<p>a) a public or private educational facility providing a standard high school curriculum offered by or approved by the local school district</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<p>b) an education program that prepares an individual to obtain a NYS High School equivalency diploma</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<p>c) a program providing basic remedial education in the areas of reading, writing, mathematics, and oral communications for individuals functioning below the ninth month of the eighth grade level</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<p>d) a program providing literacy training designed to help individuals improve their ability to read and write;</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<p>e) English as a second language (ESL) instructional program designed to develop skills in listening, speaking, reading and writing the English language for individuals whose primary language is other than English</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

<p>f) a two year full-time degree granting program at a community college, a two year college, or an undergraduate college with a specific vocational goal leading to an associate degree or certificate of completion</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<p>g) a training program, which has a specific occupational goal and is conducted by an institution licensed or approved by the State Education Department other than a college or university</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<p>h) a prevocational skill training program such as, a basic education and literacy training program</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p><b>This must be an approved GED program</b></p>
<p>i) a demonstration project designed for vocational training or other project approved by the Department of Labor.</p> <p><b>The parent/caretaker must complete the selected programs listed under number seven within 30 consecutive calendar months. The parent/caretaker cannot enroll in more than one program.</b></p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<p>8. PA recipients and low income families with incomes up to 200% of the State Income Standard who are satisfactorily participating in a two-year program other than one with a specific vocational sequence (leading to an associates degree or certificate of completion and that is reasonably expected to lead to an improvement in the parent/caretaker's earning capacity) as long as the parent(s) or caretaker is also working at least 17 ½ hours per week. The parent/caretaker must demonstrate his or her ability to successfully complete the course of study.</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

<p>9. PA recipients and low income families with incomes up to 200% of the State Income Standard who are satisfactorily participating in a two-year college or university program (other than one with a specific vocational sequence) leading to an associates degree or a certificate of completion that is reasonably expected to lead to an improvement in the parent/caretaker's earning capacity as long as the parent(s) or caretaker is also working at least 17 ½ hours per week. The parent/caretaker must demonstrate his or her ability to successfully complete the course of study.</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>Limited to families with incomes up to 150% of the State Income Standard</p>
<p>10. PA recipients and low income families with incomes up to 200% of the State Income Standard who are satisfactorily participating in a four-year college or university program (leading to a bachelor degree and that is reasonably expected to lead to an improvement in the parent/caretaker's earning capacity) as long as the parent(s) or caretaker is also working at least 17 ½ hours per week. The parent/caretaker must demonstrate his or her ability to successfully complete the course of study.</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

## APPENDIX G-3

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

#### Reasonable Distance

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

The following defines "reasonable distance": **Warren County's definition uses a 1 hour standard if the person is using private transportation and 1 ½ hours if the person is uses public transportation to and from work.**

Describe any steps/consultations made to arrive at your definition: **We discussed the reasonable distance standard with our local Department of Labor representative. This is DOL's definition of reasonable distance. We also considered the rural nature of Warren County in determining the standard.**

#### Very Low Income

Very Low Income is defined by each district and is used in determining priorities for child care benefits.

Very Low Income is defined as **130%** of the State Income Standard.

#### Family Share

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

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

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

#### Case Closings (select one or two)

1. The district must describe below how priority is given to federally mandated priorities and describe local priorities. If all NYSCCBG funds are committed, the district will



discontinue funding to those families that have lower priorities in order to serve families with higher priorities. Described below is how the district will select cases to be closed in the event that there are insufficient or no funds available.

**If there are no funds available we will only serve the population guaranteed day care services by regulation. With limited funds we will close cases in the following order: Low income cases will be our first priority so cases with income above 130% of the State Standard will be closed first; next we will close the Two Parent household cases; followed by the Teen Parent cases and the last would be cases involving Special Needs children. Each category will have a number of cases, so we will close cases in each category with the earliest date/longest time in care.**

2. The district has not established priorities beyond the federally-mandated priorities. If all NYSCCBG funds are committed, case closings for families which are not eligible under a child care guarantee and are not a federally-mandated priority must be based on the length of time in receipt of services. The length of time used to close cases may be based either on the shortest or longest time receiving child care services but must be consistent for all families. The district has chosen to close cases based on:

- shortest time receiving child care services
- longest time receiving child care services

### **Case Openings**

The district must describe below how priority is given to federally mandated priorities and how the district will select cases to be opened in the event that there are insufficient funds available.

**We have developed a point system for the cases; with one point given to families having the following characteristics: Low income, Families with Special Needs Children, Teen parents, Single Parents and Relative Caregivers. The families with the most amount of points will be opened first. We look at the application date for families with the same number of points and the earliest date will be opened first. As cases close the higher priority cases will be opened, with the remaining cases being placed on a waiting list. Cases involving federal priorities of very low income and children with special needs are the highest priority cases and will be opened first; followed by our local priority cases.**

### **Fraud and Abuse Control Activities**

The district must identify below the criteria it will use to determine which child care subsidy applications suggest a higher than acceptable risk for fraudulent or erroneous

child care subsidy payment and procedures for referring such applications to the district's front end detection system.

**As the child care applications are submitted to us we will process them regarding their eligibility for day care services. Some cases may present a higher than acceptable risk for fraudulent or erroneous payments. These cases will be identified by the following indicators and if one or more of these indicators are present in a case the case will be referred to ur Front End Detection System in the DSS Fraud Unit.**

- 1) Working off the books (currently or in the past)**
- 2) Current application is inconsistent with prior case information**
- 3) Applicant has a prior history of denial, case closing or overpayment resulting from an investigation (ie fraud, FEDS)**
- 4) No absent parent information or information is inconsistent with application**
- 5) Documentation to verify is suspect**
- 6) Applicant is self employed but can not provide adequate business records to support financial assertions.**
- 7) PO Box used as a mailing address without reasonable explanation**

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

**We have 176 active cases as of 11/1/08. Thus we will take a random sample of 100 cases to verify the recipients' continued need for child care, as applicable, verification of employment, education or other required activities. The three day care examiners will pull a random sample of 3 cases each worker, every month for**

**2009 and verify continued need for day care. If continued need can not be verified then we will refer to our Fraud Unit.**

The district must describe below its sampling methodology used to determine which child care providers of subsidized child care services they will review for the purpose of comparing the child care providers attendance forms for children receiving subsidized child care services and any child and adult care food program inspection forms to verify that child care was actually provided on the days listed on the attendance forms.

**The Southern Adirondack Child Care Network will send us their monitoring form, at the end of each month, for the day care providers for whom they completed a child and adult food program inspection. We will compare these forms with our billing form for the providers that are subsidized by the Department. We will review these forms each month of 2009 and we would project completing reviews for at least 35 CACFP providers. If we find discrepancies between these two forms regarding attendance dates and billing dates then we will refer to our Fraud Unit.**

## APPENDIX G-4

### IV. District Options (Required Section)

Districts have certain flexibility to administer the child care subsidy program to meet local needs. Check which options that your district wishes to include in your county plan. Complete attachments for any area(s) checked.

1.  Our district has identified local priorities in addition to the federal priorities (complete Appendix G-5).
2.  Our district has chosen to establish funding set-asides for NYSCCBG (complete Appendix G-6).
3.  Our district is using Title XX funds for the provision of child care services (complete Appendix G-7).
4.  Our district has chosen to establish additional local standards for child care providers (complete Appendix G-8).
5.  Our district has chosen to make payments to child care providers for absences (complete Appendix G-9).
6.  Our district has chosen to make payments to child care providers for program closures (complete Appendix G-10).
7.  Our district has chosen to pay for transportation to and from a child care provider (complete Appendix G-11).
8.  Our district has chosen to pay up to a 15% higher than the applicable market rates for regulated child care services that have been accredited by a nationally recognized child care organization (complete Appendix G-11).
9.  Our district has chosen to pay up to 15% higher than the applicable market rates for non-traditional hours (complete Appendix G-11).
10.  Our district has chosen to pay for child care services while a caretaker who works the second or third shift sleeps (complete Appendix G-11).
11.  Our district has chosen to make payments to child care providers who provide child care services, which exceed 24 consecutive hours (complete Appendix G-12).

12.  Our district has chosen to include 18, 19 or 20 year olds in the Child Care Services Unit (complete Appendix G-12).
13.  Our district is seeking a waiver from one or more regulatory provisions. Such waivers are limited to those regulatory standards that are not specifically included in law (complete Appendix G- 12).
14.  Our district has chosen to pay for breaks in activity for low income families (non public assistance families, complete Appendix G-12).
15.  Our district has chosen to use local equivalent forms such as, but not limited to, child care application, client notification and/or legally exempt enrollment forms (attach copies of the local equivalent forms your district uses).