



**Office of Children
and Family Services**

ANDREW M. CUOMO
Governor

SHEILA J. POOLE
Acting Commissioner

October 31, 2018

Ms. Christine Schuyler, Commissioner
Chautauqua County Department of Health and Human Services
7 North Erie Street
Mayville, NY 14757

Dear Commissioner Schuyler:

This letter is in response to your request to amend Chautauqua County's Child and Family Services 2018 – 2023 Child Care Plan. Chautauqua County has proposed to amend the following in Appendix Q.

Proposed change:

Add Verification additional standard to Appendix Q. Please see attached.

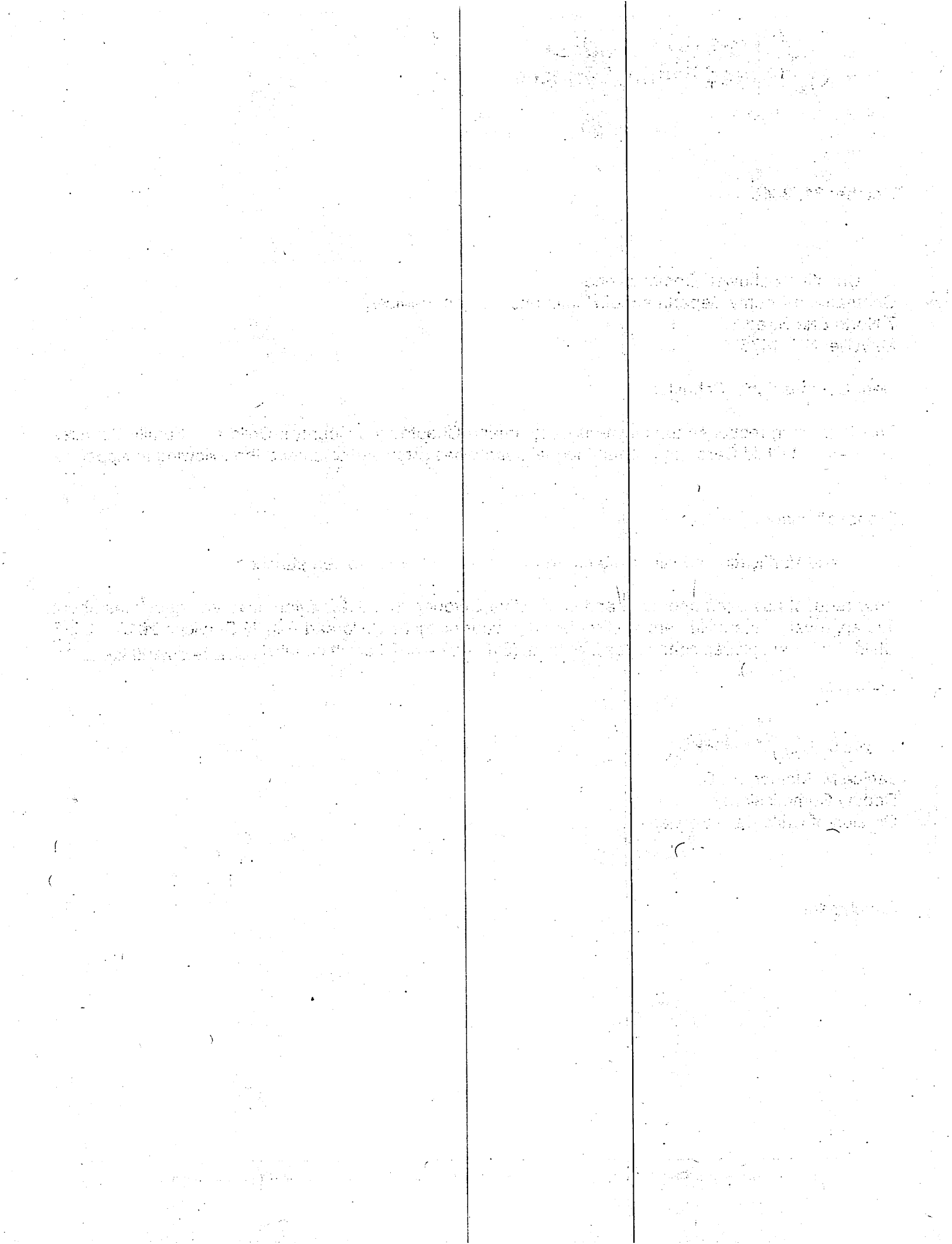
Your request has been approved and is effective October 30, 2018. If you have any questions about this approval or the child care section found in your district's Child and Family Services 2018 – 2023 Child Care Plan, please contact Joe Ziegler at (518) 402 – 6520 or via email at joe.ziegler@ocfs.ny.gov.

Sincerely,

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

Janice M. Molnar, Ph.D.
Deputy Commissioner
Division of Child Care Services

Attachment



Chautauqua County would like to amend our 2018 Child and Family Services Child Care Plan to include another additional standard as follows:

Appendix Q

1. 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.

2. The additional local standard will apply to the following:

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:

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. The organization that will be responsible for implementation:

Local social services staff

Child Care Unit: Jill Triana, Senior Social Welfare Examiner

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

4. Are there any fees or other costs associated with the additional local standard?

Yes

No

5. Describe, in chronological order, the steps for conducting the additional local standard.

The district will include an "Authorization and Release" form and a "History of Child Abuse and Maltreatment Attestation Form" in the enrollment packets that it distributes to parents/caretakers which will authorize the Chautauqua County Department of Health & Human Services to conduct a check of the local child welfare records related to the child care attestations for the sole purpose of verifying the accuracy of the information submitted to the parent/caretaker. The individuals specified in question #2 above will be asked to sign the release. The records check will be required only for the types of child care specified in question #2 and will be required only to persons in the roles specified in question #2. If any of the individuals checked in question #2 above refuse to sign the release allowing Chautauqua County Department of Health & Human Services to review only the existing local child welfare records related to the child care attestations, the enrollment package will be considered incomplete and the enrollment process cannot move forward and will be withdrawn by the enrollment agency.

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-003 Legally-Exempt Additional Standard Referral Notification, to inform the local district that the additional standards check must be conducted. Chautauqua County Department of Health & Human Services will run the CCFS report, LE Additional Local Standard Referral List to obtain the list of persons subject to the additional local standard as specified in question #2 above, to obtain specific information regarding the persons for whom Legally-Exempt Additional Standard(s) Review(s) must be conducted.

The local district will conduct the check of the local database to determine whether an individual checked in question #2 above is an indicated subject of a child abuse or maltreatment report. When the local records check reveals that an individual specified in question #2 above is an indicated subject of a child abuse or maltreatment report, the proposed child care provider will be required to submit to the Chautauqua County Department of Health & Human 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 despite the indication.

If the information regarding the indicated child protective report submitted by the provider does not substantially correlate with the information obtained during the local records check

related to the child care attestations, the Chautauqua County Department of Health & Human Services will notify the provider that he or she has 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 Chautauqua County Department of Health & Human 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 that documents that the information obtained from the local database check of the records related to the child care attestations is inaccurate.

Chautauqua County Department of Health & Human Services will complete the OCFS 2114 and send it to the applicable Enrollment Agency to notify the Enrollment Agency of the determination, as follows:

The standard is Not Met:

- If the provider fails to clarify the discrepancies, the Chautauqua County Department of Health & Human Services will notify the Enrollment Agency that the additional standard has not been met.

The standard is Met:

- When the local database check of the child welfare records DOES NOT reveal that a person in the role specified in question 2 is an indicated subject of a report of child abuse or maltreatment.
- 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 Enrollment Agency will be notified that the additional standard has been met.

The standard is not applicable:

- The provider resides outside of the subsidy paying district.

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

1. The standard will be applied:

At initial enrollment and re-opening

At each re-enrollment

2. The district will assess compliance with the additional local standard:

During the enrollment review period, and the district will notify the Enrollment Agency of the results within 25 days from the E-Notice referral date.

During the 12-month enrollment period, and the district will notify the Enrollment Agency of the results promptly. Note that this option is always applicable to an additional local standard requiring participation in CACFP.

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

The local district wants to make sure that providers have told parents/caretakers about known child protective histories for themselves and any other individuals specified in question #2. The additional standard supports a State requirement for enrollment which requires the provider and relevant site persons to give the parent/caretaker true and accurate information regarding indicated child protective reports. The additional standard verifies the provider is telling the truth on the enrollment form. This promotes safer child care for children by verifying that true and accurate information about a caregiver's history has been shared with the child(ren)'s parent/caretaker.