

LDSS GUIDE TO REVIEWING ENROLLMENT FORMS

Enrollment of Caregiver of Legally Exempt Group Child Care

1. This section should provide the name, address, phone number and contact person of the provider agency/organization.
2. This section should provide the name of the child for whom the provider agency/organization is providing, or will be providing, care and the rate which the provider charges for the care.
3. This section should provide information regarding the days, hours and total time the child named in #2 is, or will be, in attendance at the program.
4. In order to be eligible for payment, provider agencies/organizations must indicate that they **allow** caretaker relatives unlimited and on demand access to their children; to written records regarding their children; to themselves; and to the premises whenever children are in care.
5. Provider agencies/organizations are eligible to receive payment from subsidy funds regardless of their responses to this section. However, if past fees have not been paid, the social services district is responsible for developing a satisfactory arrangement for the caretaker relative to make full payment of delinquent fees. When such an arrangement has been developed child care payments may be authorized. If a satisfactory arrangement cannot be developed, the social services district must not authorize child care services from any child care provider.
6. The provider agency/organization must meet the criteria of descriptive statement a, b, c, d or e in order to be eligible for payment. If f is checked, the provider agency/organization should be referred to the appropriate Regional Office of the Bureau of Early Childhood Services for information on licensing requirements.

Enrollment of Caregiver of Informal Child Care (in Child's Home)

1. This section should provide the name, address, phone number and Social Security number of the provider. The Social Security number may be required only if the social services district will pay the provider directly.
2. The provider should provide the requested information for **all** children, other than their own, for whom care is being, or will be, provided. The last two columns are provided to assist DSS staff in determining whether the amount charged is within the market rate. The market rate column can be used to indicate the maximum reimbursable rate for each child. The payment amount column can be used to indicate the amount which can be authorized for each child.
3. This section identifies which, if any, additional laws apply to the care provided by this caregiver of informal child care.
 - a. This question is asked to determine whether the care is to be authorized as relative in-home care or non-relative in-home care.
 - b. **If the provider responds yes to both 3b and 3c, the minimum wage requirement applies.** The current minimum wage is \$4.25 an hour for the first 40 hours and \$6.375 an hour after 40 hours. This requirement applies to both relative and non-relative informal in-home child care providers. Please refer to 92 INF-29 for more information on minimum wage and other employee benefit requirements.
4. Providers who are under 18 years of age must be working in accordance with the labor standards for minors. The questions in this section cover most, but not all, of the restrictions for employed minors. Attachment F, "Permitted Working Hours for Minors Under 18 Years of Age," provides a more complete summary of the New York State Labor Law relating to minors. When providers indicate that they are under 18 years of age, they must respond to 4a, 4b, 4c, and 4d.
 - a. All minors who are providing child care are required to have working papers. Minors without working papers are not eligible for payment.
 - b. As a general rule, minors aged 14 or 15 years must answer yes to this statement in order to be eligible for payment. If the response is no, check Attachment F for exceptions.
 - c. As a general rule, minors aged 16 or 17 years must answer yes to this statement in order to be eligible for payment. If the response is no, check Attachment F for exceptions.
 - d. State Labor Law prohibits minors from working during the hours they are required to attend school. If the answer to this statement is yes, the minor is not eligible for payment.

5. When care is being provided outside the caregiver's home, the social services district may make payment only for children who live in the home where care is being provided.
6. In order to be eligible for payment, providers must indicate that they allow caretaker relatives unlimited and on demand access to their children; to written records regarding their children; to themselves; and to the premises whenever children are in care.
7. Providers are eligible for payment regardless of their responses to this section. However, if past fees have not been paid, the social services district is responsible for developing a satisfactory arrangement for the caretaker relative to make full payment of delinquent fees. When such an arrangement has been developed child care payments may be authorized. If a satisfactory arrangement cannot be developed, the social services district must not authorize child care services from any child care provider.

Enrollment of Caregiver of Informal Child Care Provider (in Caregiver's Home)

1. This section should provide the name, address, phone number and Social Security number of the provider. The Social Security number may be required only if the social services district will pay the provider directly.
2. The provider should provide the requested information for all children, other than their own, for whom care is being, or will be, provided. The last two columns are provided to assist DSS staff in determining whether the amount charged is within the market rate. The market rate column can be used to indicate the maximum reimbursable rate for each child. The payment amount column can be used to indicate the amount which can be authorized for each child.
3. The provider must answer yes to either 3a, 3b, 3c or 3d in order to be eligible for payment.
 - a. If the provider is related within the third degree to the parents of all the children in care this question should be answered yes.
 - o A caregiver of informal child care can care for an unlimited number of children as long as all the children are related to the provider within the third degree of relationship.
 - o When a caregiver of informal child care is caring for some number of related children and simultaneously provides child care for other children, the total number of unrelated children in care at the same time cannot exceed two (2).
 - b. When care is being provided for more than three hours per day, a caregiver of informal child care may only care for one or two children.

- c. When care is provided for three hours or less per day a caregiver of informal child care can care for any number of children.
 - d. A caregiver of informal child care may care for more than two children for some portion of the day, as long as there are never more than two children in care at the same time for more than three (3) hours.
 - o Example: A provider cares for two preschool-aged children from 7:00 AM until 5:00 PM. In addition, the provider cares for three school-aged children from 2:00 PM until 5:00 PM. This arrangement is legally exempt from regulation because the provider does not have more than two children at the same time for a period of time in excess of three hours.
4. Providers who are under 18 years of age must be working in accordance with the labor standards for minors. The questions in this section cover most, but not all, of the restrictions for employed minors. Attachment F, "Permitted Working Hours for Minors Under 18 Years of Age," provides a more complete summary of the New York State Labor Law relating to minors. When providers indicate that they are under 18 years of age, they must respond to 4a, 4b, 4c, and 4d.
- a. All minors who are providing child care are required to have working papers. Minors without working papers are not eligible for payment.
 - b. As a general rule, minors aged 14 or 15 years must answer yes to this statement in order to be eligible for payment. If the response is no, check Attachment F for exceptions.
 - c. As a general rule, minors aged 16 or 17 years must answer yes to this statement in order to be eligible for payment. If the response is no, check Attachment F for exceptions.
 - d. State Labor Law prohibits minors from working during the hours they are required to attend school. If the answer to this statement is yes, the minor is not eligible for payment.
5. In order to be eligible for payment, providers must indicate that they allow caretaker relatives unlimited and on demand access to their children; to written records regarding their children; to themselves; and to the premises whenever children are in care.
6. Providers are eligible for payment regardless of their responses to this section. However, if past fees have not been paid, the social services district is responsible for developing a satisfactory arrangement for the caretaker relative to make full payment of delinquent fees. When such an arrangement has been developed, child care payments may be authorized. If a satisfactory arrangement cannot be developed, the social services district must not authorize child care services from any child care provider.

Dear Parent or Caretaker Relative:

Choosing care for your child is an important decision. This letter has information which might help you make a good choice for you and your child.

Many types of programs provide day care in New York State. The State Department of Social Services regulates some of these programs. Programs the State regulates must meet certain standards. These standards cover areas such as: program content, nutrition, safety, and appropriate discipline to name a few. Generally a program must meet the State's standards if it cares for 3 or more children for more than 3 hours a day. Most day care programs serve children from 6 weeks to 12 years old. The five types of day care programs which the State regulates are:

- o Day Care Centers
- o Family Day Care Homes
- o Group Family Day Care Homes
- o School-Age Child Care Programs
- o Small Day Care Centers

There are other types of settings which provide child care that the State does not regulate. These settings are legal forms of child care and may meet your needs. This category includes friends, neighbors or relatives who care for 1 or 2 children in their own home or who care for your child in your home. There are also group child care programs such as nursery schools and programs operated by private schools or academies which are not regulated by the State.

Here are some hints to keep in mind when you are choosing a day care provider for your child.

1. Learn as much as you can about day care in your community. Talk to friends, neighbors, and relatives with children. You may wish to choose a provider close to where you live or close to where you work or go to school. The child care provider you select does not have to be located in the county where you live. The amount the county department of social services is able to pay may differ when the care is not located in the county where you live. Ask your caseworker how much they can pay if you select a provider in a different county.
2. Visit as many day care programs as possible. Visit when the children are there.
3. Ask the people in charge any questions you may have. Find out how they will handle situations which concern you. Has the provider been convicted of a crime or been the subject of an indicated report of child abuse and maltreatment?
4. See how the caregivers act with the children. Do they show warmth and understanding toward the children? Do they pay attention to all the children?

(OVER)

5. Observe the children. Are there lots of activities and things for children to do?
6. Make sure the program site seems safe to you. Are there any visible hazards? Is there enough room for indoor and outdoor activities? Is there enough equipment and play materials for all the children?
7. Visit and observe as much as you can once your child has started a program. Talk to your child's caregiver. Ask questions and take part in the program.
8. Listen to your child. Does he or she like to go to the program? If your child is unhappy, talk to the caregivers.
9. Keep in touch with the parents of the other children in care.
10. Get feedback from the provider. Does the provider give you regular updates about how your child is doing? Does the program encourage your questions and visits?

There is no absolute guarantee of quality in any child care setting. AS A PARENT, YOU ARE THE KEY TO QUALITY DAY CARE. You have the right to drop in to see your child, observe the program, inspect the child care areas, review written records regarding your child and to speak with the caregivers at any time. You will see the provider more than anyone else. You know your child best. You will probably be the first to know when things are not going well. Whatever type of child care setting you select, it is your responsibility to monitor the quality of care that your child receives.

If you have a question or concern, talk to the caregiver. If you think there is a violation of the regulations, you can call the State Social Services Regional Office nearest you or the Statewide complaint line (1-800-732-5207). The State Department of Social Services set up this line to respond to complaints about day care programs.

Abuse or maltreatment of children in day care programs is rare. However, it can happen. If you have a concern, talk to the child care provider. Compare notes with other parents. If you are still concerned, report your concern to the New York State Child Abuse and Maltreatment Register at 1-800-342-3720. In Onondaga County, call (315)-422-9701, and in Monroe County call (716)-461-5690. These hotlines operate 24 hours a day, seven days a week.

Choosing a day care provider is an individual matter. Each family has different needs. Trust your judgement and feelings. If you need help finding day care, ask your caseworker for help.

Sincerely,

_____ County Department
of Social Services