

APPENDIX E-8
ADDITIONAL LOCAL STANDARDS FOR CHILD CARE PROVIDERS

County: New York City

State law allows districts to propose local standards in addition to the State standards for providers who will receive child care subsidies.

1. Described below are the additional standards that will be required of providers as well as which providers must comply with each additional standard.

As part of a six month pilot program, ACS will search the National Sex Offender Registry, New York State Sex Offender Registry and the NYS Office of Court Administration's Criminal History Record of all legally-exempt providers utilized by ACS families residing in Manhattan and all legally exempt providers used by HRA-eligible families living in zip codes 10032, 10033, 10034, 10039, and 10040, to see if the provider, any employee, volunteer, or anyone in their household age 18 or over, is listed on the National Sex Offender Registry and the New York State Sex Offender Registry or has a criminal record. The criminal records will be reviewed in accordance with the guidelines issued in 01 OCFS LCM 11 to determine if the provider can be enrolled. When the National Sex Offender Registry or the New York State Sex Offender Registry reveals that a provider, any employee of the provider, any volunteer or household member 18 years of age or older is listed on the National Sex Offender Registry or the New York State Sex Offender Registry the provider will not be enrolled.

ACS will also conduct a search of the NYS Child Care Facilities System to determine if the provider has ever had a license or registration to operate a day care program revoked or suspended. If a provider has been denied a license or registration, or if they have had their license revoked or suspended this information will be reviewed in accordance with the guidelines issued in 05-OCFS-ADM-03 to determine if the provider can be enrolled.

ACS will also conduct a search of the Universal Case Management System, the Welfare Management System, CONNECTIONS, the Legal Tracking System and CCRS to determine if a provider has had a termination of parental rights or a child removed from their care. If a provider has had their parental rights terminated or had a child removed from their care this will be reviewed in accordance with the guidelines issued in 05-OCFS-ADM-03 to determine if the provider can be enrolled.

All legally-exempt providers utilized by ACS families residing in Manhattan will be informed that they may receive an announced or unannounced home visit. 10% of new providers will receive a home visit within 45 days of beginning care to determine if the information entered on the Health and Safety Checklist is true and accurate. Providers will be chosen by the legally-exempt enrollment unit from the transmittal provided by the voucher enrollment unit. Every tenth provider listed on the transmittal will be visited.

During the home visit, ACS will verify:

- **information on the home safety attestation (OCFS-LDSS-4699)**
- **household members over age 18, employees and volunteers listed in the application**

If there is a finding of a deficiency during a home visit:

- **the parent will be notified**
- **ACS will assist the caregiver in working towards compliance in accordance with established timeframes**
- **If the caregiver fails to come into compliance according to the timeframes, enrollment will be terminated.**

2. **Described below are the methods and resources that will be utilized to determine that these additional standards are being met.**

Notice of background checks and home visits for informal providers will be included in the enrollment package. All criminal background checks will be conducted by ACS. ACS will check the New York State Sex offender via the Registry's toll free number.

ACS will notify the provider and the parent and terminate payment if the provider cannot be enrolled.

A provider will have up to five business days to:

- **Dispute accuracy of a finding of a crime against a child, a violent or other serious crime or misdemeanor, a revocation of a license or registration to operate a child day care program or false or misleading information.**
- **Submit extenuating circumstances (for discretionary cases only). All disputes will be resolved by the Legal-Exempt Enrollment Unit in consultation with the General Counsel.**

ACS will conduct home visits for 10% of new providers utilized by families residing in Manhattan as described above in section one.

3. **Described below is the justification for each additional standard.**

ACS is committed to the safety of all children in our child care services, including those in license-exempt care. The database searches will provide the most accurate information about potential child care providers.

The home visits will provide for further verification of the information included in the health and safety attestation, ensuring that children are in a secure environment.