

**Referral Procedures for Early Care and Education Services for Children in Foster Care and
Children Receiving Child Protective or Preventive Services**


Approved By:  Ronald E. Richter, Commissioner	Date Issued: <u>12/27/13</u>	Number of Pages: 9	Number of Attachments: 3
Related Laws: N/A	Children's Services Divisions/Provider Agencies: Child Protection; Early Care and Education; Family Support Services; Family Permanency Services; Youth and Family Justice; Foster Care and Preventive Services Provider Agencies; and EarlyLearn NYC Providers	Contact Office /Unit: Shari Gruber Director of Policy and Procedure Division of Early Care and Education grubers@acs.nyc.gov	
Supporting Regulations: 18 NYCRR §§ 413.2, 415.2, and 428.6	Supporting Case Law: N/A	Bulletins & Directives: N/A	
Key Words: Head Start; child care, EarlyLearn; EarlyLearn NYC; referral; 186D-2; ECE 002	Related Policies: N/A	Supersedes: Procedure 2008/05 Revised Referral Procedures for Child Care and Head Start Services Applicable to Families Receiving Foster Care, Preventive or Protective Services dated 11/7/08	
Related Forms: <i>ECE 002 Referral for Early Care and Education Services; ACD 1069 Referral to Employer for Employee Income Information</i>			
SUMMARY: The Administration for Children's Services ("ACS" or "Children's Services") has revised the referral process for early care and education services (child care and/or Head Start) for children in foster care, children receiving preventive services, children whose parents or caretakers have open child protective cases, and the children of teenage/young adult parents in foster care. This policy describes the revised referral process using the <i>ECE 002 Referral for Early Care and Education Services</i> form, which replaces the <i>CS-186D-2 Referral for Child Care and Head Start Services</i> form.			
SCOPE: This policy applies to all referrals for early care and education services made by Children's Services staff and foster care and preventive services provider agency staff.			

Table of Contents

I.	Introduction	3
II.	Policy.....	3
	A. Combined Referral Form for Early Care and Education Services	3
	B. Eligibility Requirements for Head Start	4
	C. Child Care Eligibility Requirements.....	5
III.	Procedure.....	5
	A. Referrals for Early Care and Education Services.....	5
	B. Placement	8
IV.	Denied Referrals	9
V.	Requests to Change Early Care and Education Providers.....	9
VI.	Case Closings	9
VII.	Attachments	
	A. <i>ECE 002 Referral for Early Care and Education Services</i>	
	B. <i>ACD 1069 Referral to Employer for Employee Income Information</i>	
	C. <i>OCFS-LDSS-4780 Denial of Your Application for Child Care Benefits</i>	

I. Introduction

- A. The Administration for Children's Services ("ACS" or "Children's Services") has revised the referral process for early care and education services (child care and/or Head Start) for children in foster care, children receiving preventive services, children whose parents or caretakers have open child protective cases, and the children of teenage/young adult parents in foster care. These children may be categorically or programmatically eligible for early care and education services. This policy describes the revised referral process using the *ECE 002 Referral for Early Care and Education Services* form (hereinafter "referral form") which streamlines referrals for children who may be categorically or programmatically eligible for early care and education services. The ECE 002 referral form replaces the *CS-186-D-2 Referral for Child Care and Head Start Services (CCHS)* form. A copy of the referral form is attached to the policy as Attachment A.
- B. Referrals may be submitted for children in foster care (hereinafter referred to as "foster care cases"), children receiving preventive services (hereinafter referred to as "preventive services cases" or "preventive cases"), and children whose parents or caretakers have open child protective cases (hereinafter referred to as "child protective cases"). In order for a child to be eligible for early care and education services through the referral process on the basis of a child protective case, the child's parent or caretaker must have a case that is currently active with the Children's Services Division of Child Protection (DCP), and the child has to reside with the parent or caretaker with the active case. Once the case is closed in DCP, the child is no longer eligible for early care and education services based on the child protective case and a new referral may have to be submitted if the child has another basis for eligibility.
- C. This policy specifically addresses the referral procedure for families that may be programmatically or categorically eligible for early care and education services. The DCP Child Protective Specialist (CPS) or the foster care and preventive services provider agency case planner or caseworker (hereinafter "case planner") may contact the Children Services Division of Early Care and Education (ECE) Special Referral Unit at 917-228-7076 to obtain additional information on how a family with a child protective, preventive services, or foster care case may apply for early care and education services if the family is not programmatically eligible for a referral using the referral form.

II. Policy

- A. Combined Referral Form for Early Care and Education Services
 - 1. The referral form allows the CPS and the case planner to simultaneously refer eligible children for early care and education services including both subsidized child care and Head Start.

2. The referral form requires basic demographic information concerning the child needing services and his or her family. In addition, the signature of a Child Protective Specialist Supervisor (CPSS II) in DCP (for child protective cases), a staff member in the Children's Services Division of Family Permanency Services (FPS) Office of Centralized Operations (for foster care cases), or a staff member in the Children's Services Division of Family Support Services (FSS) Office of Preventive Technical Assistance (OPTA) (for preventive services cases) is required to certify that the case is active and that early care and education services are or will be part of the service plan. Once the CPSS II or staff members in OPTA or the Office of Centralized Operations have completed the certification section, the CPS, or staff members in OPTA or the Office of Centralized Operations shall email¹ a password protected copy of the certified referral form to the Special Referral Unit. A staff person in the Special Referral Unit will locate an early care and education placement and notify the child's parent or caretaker² and the referral source³.

B. Eligibility Requirements for Head Start

1. Children aged three (3) and four (4) and children who enroll in Head Start between September and December and will be three (3) years old by December 31 of the current calendar year may be eligible for Head Start. Homeless children and children in foster care who meet the age requirements are categorically eligible for Head Start.
2. The employment status of a child's foster parent does not affect the eligibility of the child for Head Start. All appropriately aged children in foster care are categorically eligible for Head Start.
3. The families of children receiving child protective or preventive services must meet income eligibility requirements of up to 100% of the Federal Poverty Level (FPL) for Head Start. Cash assistance may be used to determine income eligibility.
4. The eligibility of the child of a teenage/young adult parent in foster care will be based on the income of the child's teenage/young adult parent.

¹ All electronic communication must comply with Children's Services Policy 2010/07 "Security of Confidential, Case Specific and/or Personally Identifiable Information," dated December 6, 2010.

² The caretaker of a child in foster care is the child's foster parent.

³ The referral source is the person who completes Sections 1-8 of the referral form. The referral source may or may not be the case planner.

C. Child Care Eligibility Requirements

1. Children in foster care are categorically eligible for child care if their foster parents are employed at least 20 hours a week. If a child resides in a two-parent foster home, **both** foster parents must be employed at least 20 hours a week.
2. Children's Services provides subsidized child care for children from six (6) weeks of age through school age.⁴ If a child will be five (5) years old on or before December 31 of the current year, the CPS or case planner should refer the family to the New York City Department of Youth and Community Development (DYCD). The CPS or case planner may contact DYCD via telephone at 800-246-4646.
3. Children of Teenage/Young Adult Parents in Foster Care
 - a. The child of a teenage/young adult parent in foster care may be eligible for child care based on his or her parent's status in foster care. If the teenage/young adult parent resides in a foster home, the child's parent must be employed or engaged in an educational or vocational program and the foster parent(s) of the teenage/young adult parent must also be employed.
 - b. If the teenage/young adult parent does not reside in a foster home, his or her child may be eligible for a child care subsidy if the child is in receipt of preventive services or the teenage/young adult parent has an open child protective case. Such cases shall follow the procedure for child protective or preventive services cases.
 - c. If the teenage/young adult parent does not reside in a foster home and is neither in receipt of preventive services nor has an open child protective case, then the teenage/young adult parent may apply for child care if he or she has another basis for eligibility, such as cash assistance, low income (up to 200% FPL), and engagement in an approved educational/vocational activity.

III. Procedure

A. Referrals for Early Care and Education Services

1. Initial Steps

⁴ According to 18 NYCRR §413.2, in extenuating circumstances, for children under six weeks of age, a child day care center, small day care center, school-age child care program, group family day care home, or family day care home can provide child care services with approval from the New York State Office of Children and Family Services (OCFS).

- a. To begin the referral process, the CPS or provider agency case planner must complete Sections 1-6 of the referral form.
- b. Sections 7 and 8 of the Referral Form
 - i. If child care is being requested for a foster parent, the case planner must verify the foster parent's employment through copies of recent pay stubs from the foster parent's employer, a notarized letter from the foster parent's employer, or other information. If the foster parent is self-employed, the case planner may verify the foster parent's employment through a letter from the foster parent's accountant or lawyer. If any form of documentation other than pay stubs or a notarized letter is used to verify the foster parent's employment, the case planner must contact the foster parent's employer in order to verify the foster parent's employment. The case planner and the case planner's supervisor must sign Section 8 of the referral form to confirm that they have verified the foster parent's employment.
 - ii. If the referral is for a child receiving preventive services, then the case planner must verify the parent's or caretaker's income with a notarized letter from the parent's or caretaker's employer, the *ACD 1069 Referral to Employer for Employee Income Information* form, or another form of documentation. See Attachment B for a copy of the form. The case planner and the case planner's supervisor must sign Section 8 of the referral form to confirm that they have verified the parent's or caretaker's income. Cash assistance may be considered as a source of income.
 - iii. Note: The income of a programmatically eligible parent or caretaker will not prevent the parent or caretaker from receiving child care. The parent's or caretaker's income is used to calculate the family's share. Families with open child protective or preventive services cases may continue to receive child care services if they are unable to pay the family share.
 - iv. If a child is being referred to **Head Start** on a **child protective case**, the CPS shall complete Sections 7 and 8 of the referral form in order to verify the parent's or caretaker's income.

2. Certification by Children's Services

a. Child Protective Cases

After completing Sections 1-8 of the referral form, the CPS must provide a copy of the referral form to his or her CPSS II. The CPSS II must certify that the case is currently active in DCP and that the requested services are or will be part of the service plan. Once the CPSS II has completed the Certification Section of the referral form, the CPSS II shall return the referral form to the CPS. The CPS must then send the completed referral form to the Special Referral Unit via a password protected email at ECEProtectiveReferral@acs.nyc.gov.

b. Preventive Services Cases

After completing Sections 7 and 8 of the referral form, the case planner must email a password protected copy of the referral form and all supporting documentation to OPTA at fss.childcarereferral@dfa.state.ny.us. An OPTA staff person will review the referral form, indicate whether the child is currently receiving preventive services, and note that the requested services are or will be part of the service plan. After completing the Certification Section of the referral form, the OPTA staff person shall email a password protected copy of the referral form to the Special Referral Unit at ECEPreventiveReferral@acs.nyc.gov and copy the case planner on the email so that the case planner is aware of the status of the referral. If the child is not currently receiving preventive services and/or the requested services are not part of or will not be part of the service, the OPTA staff person shall return the referral form to the case planner and let the case planner know why the referral form was not certified.

c. Foster Care Cases

After completing Sections 1-8 of the referral form, the case planner must email a password protected copy of the referral form and all supporting documentation to the FPS Office of Centralized Operations at fps.childcarereferral@dfa.state.ny.us. A staff person in the Office of Centralized Operations shall review the referral form, indicate whether the child is currently in foster care, and note that the services requested are or will be part of the service plan. After completing the Certification Section of the referral form, the Office of Centralized Operations staff person shall email a password protected copy of the referral form to the Special Referral Unit at childwelfare@acs.nyc.gov and copy the provider agency case planner on the email so that the case planner is aware of the status of the referral. If the child is not currently in foster care and/or the services requested are not part of or will not be part of the service plan, the Office of Centralized Operations shall

return the referral form to the case planner and let the case planner know why the referral form was not verified.

B. Placement

1. Placement

- a. Once the Special Referral Unit receives the referral form from the CPS or staff in OPTA or the Office of Centralized Operations, a Special Referral Unit staff person will search the EarlyLearn NYC database for a placement for the child.
- b. Children Under Three (3) Years of Age
 - i. If there is a placement available and the child is between the ages of six (6) weeks and two (2) years 11 months⁵, the child will be placed on a waiting list for an EarlyLearn NYC provider. This process shall be done using the Automated Child Care Information System Database (ACCIS).
 - ii. Once the child is on a waiting list, ECE will provide the parent or caretaker⁶ with a placement notice.
 - iii. Upon receipt of the placement notice, the parent or caretaker shall go to the EarlyLearn NYC provider to register the child.
 - iv. Upon registration by the parent or caretaker, the EarlyLearn NYC provider will enroll the child in early care and education services by removing the child's name from the waiting list.
 - v. **Note:** The foster parent of a child in foster care or the parent or caretaker of a child receiving preventive services is responsible for paying the fee for child care. The fee is based on the family's income and family size for preventive services cases. The fee **may be waived** if the parent or caretaker is receiving cash assistance from the New York City Human Resources Administration.
- c. Children Over Three (3) Years of Age

For children aged three (3) to school age, a staff person in the Special Referral Unit will make a reservation at an EarlyLearn NYC group day care program based on availability. A staff person in the Special Referral Unit will notify the parent or caretaker once a placement is located. Note, a school aged child is defined as a child who will turn five (5) on or before December 31.

⁵ According to 18 NYCRR § 413.2, in extenuating circumstances, for children under six weeks of age, a child day care center, small day care center, school-age child care program, group family day care home, or family day care home can provide child care services with approval from OCFS.

⁶ The caretaker of a child in foster care is the child's foster parent(s).

IV. Denied Referrals

If the family is found ineligible for early care and education services, the CPS or case planner must provide the child's parent or caretaker with a denial of eligibility notice, which must include information on the parent's or caretaker's right to appeal the decision to the New York State Office of Children and Family Services (OCFS). A sample of the information that must be provided to the parent or caretaker may be found in the *OCFS-LDSS-4780 Denial of Your Application for Child Care Benefits* form. See Attachment C for a copy of the form. The form is also available on the OCFS website at http://ocfs.ny.gov/main/documents/forms_keyword.asp.

V. Requests to Change Early Care and Education Providers

If the family seeks to change their early care and education provider, the case planner or the CPS must notify the Special Referral Unit of the request to change providers via email with the subject heading, "provider transfer" to ECEProtectiveReferral@acs.nyc.gov (for foster care cases); ECEPreventiveReferral@acs.nyc.gov (for preventive services cases); or childwelfare referral@acs.nyc.gov (for child protective cases).

VI. Case Closings

The case planner or the CPS must notify the Special Referral Unit via email when the family's case closes with DCP, the preventive services agency, or the foster care agency. The email may be sent with the subject heading, "case closing" to ECEProtectiveReferral@acs.nyc.gov (for foster care cases); ECEPreventiveReferral@acs.nyc.gov (for preventive services cases); or childwelfare referral@acs.nyc.gov (for child protective cases).

For further information about this policy, please contact Shari Gruber, Director of Policy and Procedure, Division of Early Care and Education at grubers@acs.nyc.gov.



Referral for Early Care and Education Services (This is not a voucher)

1. CASE IDENTIFICATION

ACS Case Number: ACS Case Name:
CNNX ID Number: Stage ID Number:
Date of Referral:

2. TYPE OF REFERRAL

Foster Care Preventive Child Protective

3. REFERRAL SOURCE INFORMATION

Referral Source's Name: Phone:
Email: Fax:
Referral Source's Supervisor's Name: Supervisor's Phone:
Supervisor's Email: Supervisor's Fax:
Agency of Referral Source: Program Name:
Case Planner's (CP) Name: Phone:
Case Planner's Email: Fax:
Case Planner's Unit Number:

4. FAMILY/CARETAKER INFORMATION

Parent's/Caretaker's Name:
Parent's/Caretaker's Title (Check One): Parent Foster Parent Other:
Household: Single Two-Parent
Other Parent's/Caretaker's Name:
Primary Language:
Home Phone: Cell: Work Phone:
Street Address: Apt. No.:
City/Borough: Zip Code:

For **CHILD CARE REFERRALS** of children with foster parents:

Is the foster parent employed? Yes No

Foster parents must be employed at least 20 hours a week to be eligible to receive subsidized child care. If a child lives in a 2-parent foster home, both foster parents must be employed for at least 20 hours a week



5. CHILDREN NEEDING EARLY CARE AND EDUCATION SERVICES

Age Requirements: This referral form can be used to refer children between the ages of six (6) weeks and school age for early care and/or education services. Children ages 3 and 4 are eligible for referrals to Head Start using this form. Children who wish to enroll in Head Start between September and December must turn 3 years old by December 31st of the current calendar year.

Eligibility Codes: **A** = Preventive/Non-Mandated; **B** = Preventive Mandated;
C = Placement; **D** = Protective.

Child # 1

Child's Name:

Gender: Male Female Special Needs or Disabilities¹: Yes No
Birth Date: Primary Language:
Does the family have an open cash assistance case? Yes, Case No.: No
Eligibility Code: A B C D Borough Preference:

Child # 2

Child's Name:

Gender: Male Female Special Needs or Disabilities¹: Yes No
Birth Date: Primary Language:
Does the family have an open cash assistance case? Yes, Case No.: No
Eligibility Code: A B C D Borough Preference:

Child # 3

Child's Name:

Gender: Male Female Special Needs or Disabilities¹: Yes No
Birth Date: Primary Language:
Does the family have an open cash assistance case? Yes, Case No.: No
Eligibility Code: A B C D Borough Preference:

Child # 4

Child's Name:

Gender: Male Female Special Needs or Disabilities¹: Yes No
Birth Date: Primary Language:
Does the family have an open cash assistance case? Yes, Case No.: No
Eligibility Code: A B C D Borough Preference:

¹Special Needs or Disability: If Yes, identify what these needs are in the notes section (section 10 below).



6. HOUSEHOLD² INFORMATION

Please fill out the information below for the entire household. List the caretaker followed by everyone who lives in the household.

	Last Name	First Name	Relationship to Caretaker	Race*	Hispanic or Latino?	Date of Birth	Gender	SSN (Optional)
1.			CARETAKER		Yes No		M F	
2.					Yes No		M F	
3.					Yes No		M F	
4.					Yes No		M F	
5.					Yes No		M F	
6.					Yes No		M F	
7.					Yes No		M F	
8.					Yes No		M F	

*Race: (Please indicate by number in the table above)

1 Native American or Alaskan Native 2 Asian 3 African American/Black 4 Native Hawaiian or Pacific Islander 5 Caucasian/White

7. EMPLOYMENT

Parent's/Caretaker's Name:

Parent's/Caretaker's Employer:

Hours Per Week:

Phone:

Address:

City/Borough:

State:

Zip:

Parent's/Caretaker's scheduled days/hours of employment (e.g. Mon-Fri, 9 AM - 5 PM)

Does job have rotation shift? Yes No

Does job require overtime? Yes No

Other Parent's/Caretaker's Name:

Other Parent's/Caretaker's Employer Name:

Hours Per Week:

Phone:

Address:

City/Borough:

State:

Zip:

Parent's/Caretaker's scheduled days/hours of employment (e.g. Mon-Fri, 9 AM - 5 PM)

Does job have rotation shift? Yes No

Does job require overtime? Yes No

²For the purposes of this form, household is the residence of the child or children being referred to early care and education services.



8. INFORMATION USED TO DOCUMENT CARETAKER'S WORK STATUS AND/OR INCOME

Please Note: Referrals made for families with a protective case (eligibility code D), do not need to include employment information or verification. This section can be left blank for protective cases.

Pay Stubs Notarized Letter from Employer Other*

ACD 1069 Referral to Employer for Employee Income Information

Caretaker's Monthly Gross Income:

*If other information was provided to verify the caretaker's employment, the referral source must speak to the caretaker's employer and provide the information below. If the caretaker has an alternative source of income, such as SSI, retirement benefits or unemployment insurance, an award letter may be used to verify the caretaker's income.

Person Contacted at Employer:

Date:

Verification Made By (*Print Name*):

Date:

Verification Made By (*Sign Name*): _____

Supervisor Authorization (*Print Name*):

Date:

Supervisor Authorization (*Sign Name*): _____

Reason for Rejection (*if applicable*): _____

9. CERTIFICATION

Child protective cases: The signature of a Child Protective Specialist Supervisor II (CPSS II) in the Division of Child Protection is required to certify that the case is active and that early care and education services are or will be part of the service plan. The CPSS II shall return the completed referral to the Child Protective Specialist. Once the CPSS II has completed the certification section, a password-protected copy of the certified referral form shall be emailed to the ECE Special Referral Unit at ECEProtectiveReferral@acs.nyc.gov.

Preventive cases: After the referral source and supervisor have verified the employment and income information provided and signed section 8, the referral sources shall email a password-protected copy of this form to dps_opta.childcarereferral@acs.nyc.gov for review. The signature of a staff member in the Division of Preventive Services' Office of Preventive Technical Assistance (OPTA) is required to certify that the case is active and that early care and education services are or will be part of the service plan. Once the certification section is complete, a password-protected copy of the certified referral form shall be emailed by OPTA to ECEPreventiveReferral@acs.nyc.gov.

Foster care cases: The referral source shall email a password-protected copy of this form to fps.childcarereferral@acs.nyc.gov for review. The signature of a staff member in the Division of Family Permanency Services' Office of Centralized Operations is required to certify that the case is active and that early care and education services are or will be part of the service plan. Once the certification section is complete, a password protected copy of the certified referral form shall be emailed by the Office of Centralized Operations to childwelfare referral@acs.nyc.gov.

Authorized by (*Name and Division*):

DPS FPS DCP

Authorized by (*Signature*): _____

Phone:

Email:

Date:

10. Notes
