



DEPARTMENT OF HEALTH AND HUMAN SERVICES

ADMINISTRATION FOR CHILDREN AND FAMILIES
370 L'Enfant Promenade, S.W.
Washington, D.C. 20447

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OFFICE OF THE COMMISSIONER

Ms. Gladys Carrion, Esquire, Commissioner
Office of Children and Family Services
52 Washington Street
Rensselaer, NY 12144

Dear Commissioner Carrion:

I am pleased to inform you that the New York Child Care and Development Fund (CCDF) Plan for the period of October 1, 2011, through September 30, 2013, has been approved. Thank you for successfully completing and submitting your plan through the new e-submission portal. I hope that you found the online submission tool an effective and efficient way to submit the plan.

This year's CCDF Plan reflects major revisions, including a new focus on CCDF goals and outcomes and accountability, a renewed focus on quality, and an emphasis on the components of the child care system. The Office of Child Care (OCC) appreciates the time and energy that States and Territories put into helping us revise the Plan Preprint. We believe the revisions will improve our ability to effectively administer the program and to provide a continuum of high-quality care for children.

You will receive a Notice of Grant Award in October 2011 from the Office of Administration, Administration for Children and Families. The notice will include the amount of your award and additional terms and conditions for the receipt of CCDF program funds. During the effective period of this plan, any substantial changes to the program must be submitted as a plan amendment to your Regional Office for approval in accordance with 45 CFR 98.18(b).

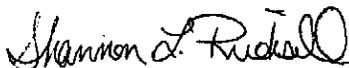
Lead agencies must certify that the payment rates for the provision of child care services are sufficient to ensure equal access for eligible families and are comparable to those provided to families who do not receive CCDF program assistance. Payment rates established at least at the 75th percentile of the current market rate, as determined by a valid and reliable market rate survey, are regarded as providing equal access according to the preamble of the 1998 CCDF regulation (63 FR 39959). A number of States and Territories no longer reach the 75th-percentile benchmark; most do not even reach the 75th percentile for the highest quality of care. OCC is concerned about the impact of low rates on equal access and parental choice, especially families' ability to access high-quality child care for their children. All States and Territories have certified that they are providing equal access, but OCC intends to look into this issue further in the coming year, including providing more direct technical assistance to States and Territories with unusually low rates.

As you implement the activities of your plan, we remind you that in-home providers must be paid in compliance with the Federal wage laws governing domestic workers. Questions should be directed to your local or district office of the Wage and Hour Division within the U.S. Department of Labor. Lead agencies must also comply with the requirements of the Privacy Act when using Social Security numbers. Social Security numbers can only be requested on a voluntary basis, and individuals must be informed about the disclosure being optional and about the purposes for which the Social Security number will be used.

The lead agency should note that OCC has not reviewed the parent application (Attachment 2.2.9), program policy manual, or administrative rules (referenced at section 1.1.2) to determine compliance with Federal requirements as part of the CCDF Plan approval process. Approval of the plan should not be interpreted as express or implied approval or acknowledgment of the contents of the parent application, program policy manual, or administrative rules. Any compliance issues associated with these documents can be pursued with the State or Territory at a future date.

OCC looks forward to working together toward our goals of building a child care subsidy system that is child-focused, family-friendly, and fair to child care providers and of helping more children from low-income families access high-quality care. If you have any questions, please do not hesitate to contact Nitza López-Muñoz, Child Care Program Manager, Office of Child Care, at (212) 264-2890 or nitza.lopezmunoz@acf.hhs.gov.

Sincerely,



Shannon L. Rudisill
Director
Office of Child Care

cc: Janice Molnar, Deputy Commissioner, Office of Children and Family Services
Nitza López-Muñoz, Child Care Program Manager, Region II, Office of Child Care
Carolyn Dean, Special Assistant, Office of Child Care