



## Office of Children and Family Services

ANDREW M. CUOMO  
Governor

SHEILA J. POOLE  
Acting Commissioner

March 21, 2017

Dear Legally-Exempt Child Care Provider:

The purpose of this letter is to inform you of an important change that will affect you as a child care provider for a child(ren) receiving subsidies. Recent changes in federal law require that New York State add new health and safety requirements for all subsidized child care. The purpose of this letter is to inform you about the first requirement, which is completion of a pre-service health and safety training, and what child care providers must do in order to be in compliance.

### **Why is there a New Requirement?**

Section 658E(c)(2)(I) of the Child Care and Development Block Grant Act of 2014 (CCDBG) requires the Office of Children and Family Service (the Office), establish minimum health and safety training in specified topic areas for child day care providers, to be completed pre-service. The Office has adopted a new regulation, 18 NYCRR Part 415.4(f)(7)(vi), which applies to legally-exempt child care providers. The text of this regulation can be found at the end of this letter.

### **Who must be trained?**

Legally-exempt group, family and in-home providers, caregivers, employees, and volunteers with the potential for regular and substantial contact with children will be required to participate in this health and safety training. The only exception to this is that a grandparent, great-grandparent, sibling (if living in a separate residence), aunt or uncle who provides care for **ONLY** a child(ren) related to them will **NOT** be required to complete this requirement.

### **Timeline for Training**

For individuals at programs *enrolled at the time the regulation becomes effective*, training **must** be completed by September 30, 2017. For individuals at programs seeking enrollment *after the regulation becomes effective*, training **must** be completed before enrollment or by September 30, 2017, whichever is later.

*Any individual who is required to take the training and has not completed it by September 30, 2017, must not be left unsupervised with children in care.*

## **What Happens If I Don't Get the Training?**

Legally-exempt child care programs who do not complete the required Health and Safety Pre-service training AND do not notify the enrollment agency that training has been completed within the designated time frame will NOT be eligible to receive child care subsidies. Failure to obtain the training may result in the termination of the child care program's enrollment to provide subsidized child care.

## **How do I Take the Pre-service Training?**

There are two OCFS-approved training options.

1. Online "E-Learning"- *Foundations in Health and Safety*
  - a. This training is available online and can be found by going to [www.ecetp.pdp.albany.edu](http://www.ecetp.pdp.albany.edu).
  - b. Takes approximately five hours to complete.
  - c. Training may be completed on a PC or MAC computer. Mobile devices are not supported. Internet access is required.
  - d. All modules must be completed in full for compliance; they may be completed in more than one sitting.
  - e. Trainees need to create an ecetp account at [ecetp.pdp.albany.edu](http://ecetp.pdp.albany.edu). The username and password established needs to be used for each log in.
  - f. Training is currently available in English. The Spanish version is expected to be available July 1, 2017.
  - g. Participants will be able to print out a certificate at the end of the training to submit to the enrollment agency as proof of having completed the required training.
  - h. There is no cost to take this training.
  
2. Classroom training: Health and Safety for Legally-Exempt Providers
  - a. This training may be offered by local enrollment agencies, the United Federation of Teachers (UFT) in the New York City area, and/or the Civil Service Employees Association (CSEA) in upstate New York.
  - b. Takes approximately six hours to complete.
  - c. Covers the same topics as the *Foundations in Health and Safety* E-Learning. Classroom training includes materials such as handouts.
  - d. Costs may vary. (Ask your enrollment agency or union about possible costs.)
  - e. Participants will receive a certificate as proof of completion at the end of the training.

## **What Should I Do Once I Have Completed the Training?**

Submitting the certificate and notifying your enrollment agency that training has been completed helps make sure that enrollment is not affected. Directors of legally-exempt group programs and providers of legally-exempt family and in-home child care must submit a copy of the certificate and the Training Record Form (OCFS Form 4699.3) to the enrollment agency. Employees and volunteers of legally-exempt group programs should submit a copy of their certificate to their program director. Directors of legally-exempt group programs and providers of legally-exempt family and in-home child care are responsible for verifying that their employees who have caregiving roles and volunteers who have the potential for regular and substantial contact with children in care have met the requirement.

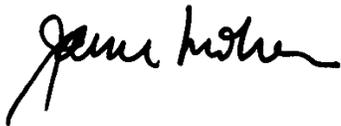
Legally-exempt child care providers and programs must keep copies of the certificates obtained by the applicable staff and volunteers on file and accessible at the program site.

### **Questions? Resources? Who Can Help?**

For questions or concerns regarding this new training regulation and how it affects you, please contact your local enrollment agency.

For help in creating a username/password, printing the certificate or technical assistance with the online E-learning please email the staff at the Professional Development Program (PDP), University at Albany, at [ecetp@albany.edu](mailto:ecetp@albany.edu).

Sincerely,



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

#### **NYS Emergency Regulation for Legally-Exempt Child Care Providers- 18 NYCRR Part 415.4(f)(7)(vi)**

*“To be enrolled by or to maintain enrollment with a legally-exempt caregiver enrollment agency to provide child care services to families receiving child care subsidies under the New York State Child Care Block Grant Program, every legally- exempt caregiver, employee with a caregiving role, and volunteer with the potential for regular and substantial contact with children in care, except for a grandparent, great grandparent, sibling (if living in a separate residence), aunt or uncle providing care pursuant to 415.1(h), must complete Office-approved training that complies with the federal minimum health and safety pre-service training requirements.*

- (1) For informal child care programs enrolled at the time this regulation becomes effective, the required individuals must complete an Office-approved training by September 30, 2017.*
- (2) For applicants seeking to be enrolled as an informal child caregiver after this regulation becomes effective, the required individuals must complete an Office-approved training pre-service or by September 30, 2017, whichever is later.*
- (3) For legally-exempt group child care programs enrolled at the time this regulation becomes effective, the required individuals must complete the Office-approved training by September 30, 2017. Any individual who does not complete the training by September 30, 2017 must not be left unsupervised with children in care until such time as the training is completed. The person supervising the individual must have completed the Office-approved training that complies with the federal minimum health and safety pre-service training requirements.*
- (4) For applicants seeking to be enrolled as a legally-exempt group child care program after this regulation becomes effective, the required individuals must complete an Office-approved training pre-service or by September 30, 2017 whichever is later. Any required individual who has not completed the training by September 30, 2017 must not be left unsupervised with children in care until such time as the training has been completed. The person supervising the individual must have completed the Office-approved training that complies with the federal minimum health and safety pre-service training requirements.”*