



## Office of Children and Family Services

**Title:** Solicitation of Interest, Child Care Stabilization Grant

**Agency:** New York State Children and Family Services,  
Division of Child Care Services

**Date of Issue:** **08/03/2021, Amended on 10/21/2021**

**Due Date/Time:** Acceptance begins 08/03/2021 with final deadline for applications to be accepted 11/30/2021 at 11:59 p.m.

**Location:** Statewide

**Counties:** All NYS Regions

### **Background**

Through this solicitation of interest, the New York State Office of Children and Family Services (OCFS) is accepting applications for child care stabilization grants made available through federal funding relating to the COVID-19 pandemic. Utilizing funding from the American Rescue Plan Act (ARPA) and the Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act, stabilization funding represents an unprecedented opportunity and investment to effectively stabilize the child care sector. This document outlines all eligibility and allowable expense requirements relating to the Stabilization grants. OCFS reserves the right to amend the terms and conditions of this grant opportunity and any updates to this document will be posted on the OCFS website.

OCFS will make available \$1.074 billion in the child care stabilization grant program.

Grant payments will be made directly to the child care provider. Payments are made using a formula that takes into account average child care prices, modality, geography, capacity, and program size. Eligible providers must be OCFS licensed or registered child care programs, NYC permitted group day cares (Article 47), or enrolled legally exempt group child care programs (enrolled with an enrollment agency). All programs must be in good standing with OCFS and/or NYC and must agree to follow all regulations from OCFS and the New York State Department of Health regarding the pandemic as well as other reporting requirements to be approved for payment.

To streamline and simplify the application process, providers will apply through a single online application. Technical assistance support will be available by Child Care Resource and Referral (CCR&R) agencies to all child care providers to complete the online application, in addition to other partners CSEA, UFT, and WHEDco. Please click [here](#) for agency contract information.

### **\$1.07B Child Care Stabilization Grant Program**

Funds are eligible to be used in eight categories as defined by the federal Office of Child Care. These funds will be paid to approved providers on a monthly basis beginning within 30 days of an approved application over six payments.

The Child Care Stabilization grant application period is 08/03/2021-11/30/2021. Applications will be continuously accepted until 11:59 pm on 11/30/2021. Providers can receive only one

stabilization grant per licensed/registered/permitted or enrolled legally-exempt group child care program. If a provider has multiple facility sites, one application will need to be submitted per site. Once an application is approved, grant payments will be issued to providers monthly for up to 6 payments. All payments to eligible and approved child care providers will be made before 9/30/2022. To be eligible for the grant opportunity and to continue to receive grant payments, the provider must be in good standing, operating, and providing in-person care. Providers have until 9/30/2023 to make any payments for allowable stabilization fund uses incurred through 9/30/23 in accordance with the terms and conditions of this grant opportunity.

## **Allowable uses of the Child Care Program Stabilization Funding**

Purposes allowed under the [Federal guidelines](#) include:

- Personnel costs, including payroll, salaries, similar employee compensation, employee benefits, retirement costs, educational costs, child care costs; and supporting staff expenses in accessing COVID-19 vaccines
- Rent (including under a lease agreement) or payment on any business mortgage obligation, utilities, business-related insurance; also may include late fees or charges related to late payments (all costs must be incurred only up through 9/30/23)
- Facility maintenance or improvements, defined as minor renovations (such as renovating bathrooms, accessibility improvements (installing railing ramps, automatic doors) including outdoor learning spaces/playgrounds, and minor improvements to address COVID-19 concerns (such as removing non-load bearing walls to allow space for social distancing).
- Personal protective equipment, cleaning and sanitization supplies and services, or training and professional development related to health and safety practices
- Purchases of or updates to equipment and supplies to respond to COVID-19
- Goods and services necessary to maintain or resume providing child care services
- Mental health supports for children and employees
- Health and safety trainings for staff, including but not limited to CPR, First Aid, and MAT, and trainings related to COVID-19

Child care providers incurred substantial financial losses in order to continue to provide services during the pandemic. Therefore, under the American Rescue Plan Act authority, providers are able to use Stabilization funds for costs that were incurred after January 31, 2020 as long as those uses were made in response to the COVID-19 public health emergency, in any of the categories above, provided those expenses were not previously reimbursed by other funding or programs including NYS CARES child care grants. Providers have until 9/30/2023 to make any payments for allowable stabilization fund uses incurred through 9/30/23 in accordance with the terms and conditions of this grant opportunity.

## **Advance and Payment Information**

Advance funds are not available for these grants. Payments will begin after the application has been approved. Total award amounts will be split into six monthly payments and will be made to providers who open and providing in-person care and are “in good standing” at the time each payment is to be made.

To receive payments, the child care provider must ensure prior to applying that they have provided OCFS (or their regulator) with accurate program information including legal entity name, email and mailing address, TIN/SSN and/or Federal ID number.

## **Funding Methodology for Grants**

Following receipt, electronic review will occur and if eligibility requirements are met, the application will be advanced for approval. If approved, grant payments will be issued to each eligible child care program based on its modality, geographic region, and maximum licensed/registered/permitted capacity or, for legally-exempt group, the number of subsidized children in care. Grant award amounts are calculated separately for each modality; considering broad geographic market rate regions<sup>1</sup>; and capacity/number of children. For Family Day Care and Group Family Day Care, one grant amount will be given per geographic area. For center-based programs, award amounts are also weighted based on program size to account for the disproportionate impact of reduced enrollment for smaller programs, and the ability of larger programs to scale costs. The weighting factor provides prioritization for smaller programs who may not have access to diverse streams of revenue. Note that for the purposes of this grant, capacity for enrolled legally-exempt group programs is based on the number of children receiving subsidy being served by the program in the OCFS Child Care Facility System (CCFS) and not entire program capacity. More information on grant amounts can be found in **Attachment A**.

## **Eligibility Requirements (Amended 10/21/2021)**

Eligible providers must be OCFS licensed or registered day care programs, NYC permitted group day cares (as defined in Article 47 of the New York City Health Code) or enrolled legally-exempt group programs (enrolled with an enrollment agency). All providers must have been issued their license/registration/permit or enrollment letter on or before March 11, 2021 and are open and available to provide in person child care services on the date they apply for the grant. This includes providers who may not currently have children enrolled but are “open” and staffed to provide care. For programs that are temporarily closed and not providing in person child care services on the date of application due to public health or other reasons relating to the COVID-19 public health emergency, they will need to attest that they will be serving children by ~~9/20/2021~~ **10/31/21** or within ~~30~~ **60** days of application, whichever is later.<sup>1</sup>

**Through this amendment of the solicitation, the New York State Office of Children and Family Services is expanding the definition of eligible providers to include OCFS licensed or registered day care programs and NYC permitted group day care programs (as defined in Article 47 of the New York City Health Code) that had a valid license, registration or permit on March 11, 2021 (hereinafter called the original program) but have subsequently relocated, changed modality, or made a change in the program’s business entity resulting in the issuance of a new license, registration, or permit number after March 11, 2021 (hereinafter called the successor program), but no later than November 30, 2021.**

**To be considered an eligible provider under this amendment, the following criteria must be met:**

- 1.) The original program was an OCFS licensed or registered day care program, or NYC permitted group day care (as defined in Article 47 of the New York City Health Code) that existed on March 11, 2021.**
- 2.) The original program was in good standing with OCFS and/or NYC prior to closure.**
- 3.) The successor program must have submitted an application to the appropriate oversight office for the licensing, registration or permitting of the successor program within 30 days of the closure of the original program.**

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<sup>1</sup> NYC; 5 downstate counties that comprise market rate region 1; and the rest of the state, Rest of State (ROS), comprising market rate regions 2, 3, and 4

- 4.) The successor program must be an OCFS licensed, or registered day care program or NYC permitted group day care program (as defined in Article 47 of the New York City Health Code) in good standing as of the date of application; and
- 5.) The successor program must be able to provide in person care to children within 60 days of the issuance of the new license/registration/permit.

The deadline for applications for the Stabilization Grant is November 30 at 11:59pm. No other applications will be reviewed after this time. Once applications are reviewed and approved by OCFS, programs will be notified of their award via email from OCFS.

If the original program has already applied for and began to receive monthly Stabilization Grant payments, the successor program will only be eligible to receive the number of monthly payments that remain. The remaining payments will be issued based on the successor provider's modality, geographic region, and maximum licensed/registered/permitted capacity. For example, a NYC FDC provider received 2 monthly Stabilization Grant payments at the NYC FDC rate, before becoming a GFDC. The GFDC was determined eligible under their new licensure pursuant to this amendment and will receive the remaining 4 monthly payments at the NYC GFDC rate of \$8,433.33 per month ( $\$50,600.00/6=\$8,433.33$ ).

When submitting a Child Care Stabilization grant application, the successor program must also complete and submit this form:

[Amended Stabilization Eligibility Form](#)

To complete the form, the program must have the following information:

- The original facility ID, program name as of March 11, 2021, program director/provider name and contact information.
- Date the original program ended (last day of operation under the original program license/registration/permit)
- Indicate if the program has received any stabilization award payments, provide the original facility ID, how many payments.
- Successor Facility ID, Program Name and Program Director/Provider Name
- Explanation of the reason for the change in license, name, etc., from March 11, 2021 to the future date the new license/registration/permit was/is issued.

**Important Note:** Submit this form as soon as possible, so remaining payments can be adjusted. There will be no adjustment to payments previously made before the submission of this form. Forms will not be accepted after November 30, 2021 at 11:59 PM.

For legally-exempt group programs, programs need to have been enrolled by March 11, 2021 and serving families with subsidy, and continue to be enrolled and serving families authorized for subsidy at the time of application to be eligible for an award. Programs will be considered to be serving families on date of application even if they are temporarily closed and not providing in person child care services on the date of application due to public health or other reasons relating to the COVID-19 public health emergency.

Head Start, Early Head Start Programs, and publicly funded PreK programs, which have other sources of federal and state support, will need to attest that these stabilization funds will be used to support the portion of their program that is not receiving any other governmental funding.

Programs will be funded at their licensed/registered capacity level.

To be eligible, all providers must be “In good standing” which is defined as a child care program in a payable status that is either a licensed/registered/permitted (NYC Article 47) or an enrolled legally exempt group program (enrolled with an enrollment agency), that at the time of the signing of the attestation is not the subject of an active enforcement action by OCFS or the New York City Department of Health and Mental Hygiene (DOHMH). Ineligible OCFS enforcement statuses include:

- Suspension of License/ Registration
- Limitation of License/ Registration
- Suspension and Proposed Revocation of License/ Registration
- Denial of Application to Renew License/Registration

Ineligible DOHMH enforcement statuses include:

- Commissioner’s order suspending the permit
- Show cause hearing
- Denial of renewal, revocation of permit

Questions as to NYC enforcement status should be referred to NYC DOHMH.

If a provider has an enforcement status upon application or at any time during the monthly recertification process, their application will be reviewed internally for eligibility and continued eligibility. Changes in status and enforcement could result in delay or reduction in the total amount awarded. Modality changes and other information changes may also impact the total grant award and/or monthly expected award amounts.

### **Application Submission Requirements: Child Care Stabilization Grant**

Eligible child care providers must submit an electronic application to OCFS using the online portal. If providers do not have access to a computer, assistance will be available via their local Child Care Resource & Referral (CCR&R) agency or UFT, CSEA, or WHEDco. The online application can be submitted beginning August 3, 2021 until November 30, 2021 at 11:59 pm. Applications received by OCFS after this deadline will not be reviewed. Once applications are reviewed and approved by OCFS, providers will be notified of their award via email from OCFS.

Child care providers are not required to upload documentation with their application, but they must indicate their estimated monthly operating expenses to comply with the American Rescue Plan Act. Stabilization funds are not reimbursement based and can be used toward past expenses incurred by the program after January 31, 2020 as long as they were related to the COVID-19 public health emergency. Providers have until 9/30/2023 to make any payments for allowable stabilization fund uses incurred through 9/30/23 in accordance with the terms and conditions of this grant opportunity.

### **Attestations for Providers (Amended 10/21/2021)**

Child care providers must certify they will meet certain requirements for the duration of the time they are receiving grant payments. Providers must attest in their application to all statements in order to receive their award.

Attestation Terms and Conditions:

By agreeing to these terms and conditions and submitting an application for the Child Care

Stabilization Grant, I certify that all information provided as part of this application is true and accurate to the best of my knowledge and agree to each of the following statements;

- I will promptly notify the Office of Children and Family Services (OCFS) of any changes to information provided in this application, including, but not limited to,<sup>2</sup>
  - the closure of my child care program,
  - my legally exempt group program is no longer serving families with subsidies
  - my child care program will not open by ~~September 20~~ **October 31**, 2021, or within ~~thirty~~ **sixty** days of application, if currently closed, whichever is later.
- I understand that if my child care program permanently closes during the grant period, I must return all unspent funds and am no longer eligible to receive any additional grant payments. The grant application period terminates November 30, 2021, and funding can be used until 9/30/23 as long as the program is open and serving children, or enrolled and serving families in receipt of child care subsidy.
- I agree that my program will comply with all OCFS regulations and New York State Department of Health guidance, and New York City Department of Health and Mental Hygiene regulations if applicable, and maintain good standing (as defined in the **Statement of Grant Opportunity Solicitation of Interest**) and, to the greatest extent possible, implement policies in line with guidance from the Centers for Disease Control and Prevention (CDC) (available at <https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/guidance-forchildcare.html>).

#### **Allowable uses of the Child Care Program Stabilization Funding (Amended 10/21/2021)**

For purposes allowed under the [Federal guidelines](#), include:

- Personnel costs, including payroll, salaries, similar employee compensation, employee benefits, retirement costs, educational costs, child care costs; and supporting staff expenses in accessing COVID-19 vaccines
- Rent (including under a lease agreement) or payment on any mortgage obligation, utilities, insurance; also, may include late fees or charges related to late payments
- Facility maintenance or improvements, defined as minor renovations, including outdoor learning spaces/playgrounds, and minor improvements to address COVID-19 concerns
- Personal protective equipment, cleaning and sanitization supplies and services, or training and professional development related to health and safety practices
- Purchases of or updates to equipment and supplies to respond to COVID-19
- Goods and services necessary to maintain or resume child care services
- Mental health supports for children and employees
- Health and safety trainings for staff, including but not limited to CPR, First Aid, and medication administration

This includes the reimbursement of expenses incurred from January 31, 2020 for expenditures

made in response to the COVID-19 public health emergency, in any of the categories above, provided those expenses were not previously reimbursed by other funding or programs. Providers have until 9/30/2023 make any payments for allowable stabilization fund uses incurred through 9/30/23 in accordance with the terms and conditions of this ~~statement of grant opportunity~~ **solicitation of interest.**

OCFS or its agents may monitor this application and use of funds to ensure the accuracy of the information that I have provided and the proper use of funds.

- I understand that at any time, I may be asked to produce records for verification including receipts and proof of payment purposes upon audit of any Child Care Stabilization funds.
- I agree to provide information and supporting documents as requested.
- I agree to provide, for audit purposes, access to the child care facility for which this application is submitted, information and documentation related to the application and use of funds, and access to interview child care staff members in connection with this application and the use of funds received.
- I must retain supporting documentation for a period of five years and promptly submit it to OCFS upon request.
- I understand that providing false or inaccurate information on this application or improper use of funds will result in the return or repayment of funds. I agree to repay funds as required by OCFS.
- I agree that the operating expenses included in the application are accurate for my child care program
- I agree to report the use of funds received to OCFS or its agents upon request.
- I agree I will not reduce salary or benefits to employees of my child care program for the duration of the grant payment term. For each employee of the child care program, I agree to pay at least the same amount in weekly wages and maintain the same benefits (such as health insurance and retirement, if applicable) for the duration of this child care stabilization grant.
- I agree to prevent any involuntarily furlough of employees from the date of application submission through the duration of the grant period.
- I agree to provide relief from copayments and tuition payments for the families enrolled in my child care program, to the extent possible, and prioritize such relief for families struggling to make either type of payment.
- I agree that I cannot use child care stabilization to pay for expenses expressly covered by another external source, e.g., the Paycheck Protection Program (PPP), or to supplant other federal or state funds.
- I must spend all Child Care Stabilization funds by September 30, 2023.
- I have read and agree to the terms and conditions and am an authorized person to submit this application.

Are you a Head Start/Early Head Start/ State-funded Pre-K provider? YES/NO

IF YES: I attest that any funding received from the Child Care Stabilization grant will not supplant other Head Start/Early Head State/ state-funded Pre-K or be duplicative of other federal funding for seats in the child care program.

### **Provider Reporting:**

OCFS is required to collect the following information from child care providers receiving Stabilization grants:

- Provider address, including zip code
- Race and ethnicity of Family/group family day care provider; center and SACC director
- Gender of center director or family child care provider owner
- Whether the provider is open and available to provide child care services or closed due to the COVID-19 public health emergency
- How funds were used in the eligible expense categories
- Documentation to show that providers meet the required certifications

In addition, OCFS expects to collect limited information from providers in order to complete the data reporting fields required by ARPA funding.

### **Provider Technical Assistance Initiative**

OCFS is providing grants to the Child Care Resource and Referral (CCR&R) agencies across the State, in addition to other partner organizations including CSEA and UFT, and WHEDco, in order to provide technical assistance to support child care providers completing their Stabilization application. CCR&Rs will conduct outreach and respond to inquiries from providers requesting assistance or who are unable to complete the application. CCR&Rs will also be working with child care providers to provide trainings on documentation needed for eligible expenses in the event of an audit as well as how to include stabilization funding in year-end tax reporting. Contact information for all TA partners can be found [here](#) on the Stabilization grant webpage.



**ATTACHMENT A: (Amended 10/21/2021)**

**2021 Child Care Stabilization Grant Awards- Total Award amount per child care program**

Day Care Center Total Award Amounts:

<b>Day Care Center (DCC)</b>			
<b>Capacity</b>	<b>NYC</b>	<b>Downstate</b>	<b>ROS</b>
<b>7-30 children*</b>	<b>\$53,200</b>	<b>\$53,200</b>	<b>\$38,700</b>
51-100 children	<b>\$108,600</b>	<b>\$108,600</b>	<b>\$78,900</b>
101-150 children	<b>\$149,300</b>	<b>\$149,300</b>	<b>\$108,500</b>
151-200 children	<b>\$164,700</b>	<b>\$164,700</b>	<b>\$119,700</b>
201-250 children	<b>\$179,100</b>	<b>\$179,100</b>	<b>\$130,200</b>
251+ children	<b>\$203,000</b>	<b>\$203,000</b>	<b>\$147,600</b>

\* NYC Group Day Care: 3-50, Downstate and Rest of State (ROS) DCC programs: 7-50

School Age Child Care Total Award Amounts:

<b>School Age Child Care (SACC)</b>			
<b>Capacity</b>	<b>NYC</b>	<b>Downstate</b>	<b>ROS</b>
7-50 children	<b>\$43,700</b>	<b>\$43,700</b>	<b>\$32,800</b>
51-100 children	<b>\$89,200</b>	<b>\$89,200</b>	<b>\$67,000</b>
101-150 children	<b>\$122,700</b>	<b>\$122,700</b>	<b>\$92,100</b>
151-200 children	<b>\$135,300</b>	<b>\$135,300</b>	<b>\$101,600</b>
201-250 children	<b>\$147,200</b>	<b>\$147,200</b>	<b>\$110,600</b>
251+ children	<b>\$166,900</b>	<b>\$166,900</b>	<b>\$125,300</b>

Family Day Care Centers Total Award Amounts:

<b>Family Day Care (FDC)</b>		
<b>NYC</b>	<b>Downstate</b>	<b>ROS</b>
<b>\$25,300</b>	<b>\$25,300</b>	<b>\$19,300</b>

Group Family Day Care Total Award Amounts:

<b>Group Family Day Care (GFDC)</b>		
<b>NYC</b>	<b>Downstate</b>	<b>ROS</b>
<b>\$50,600</b>	<b>\$50,600</b>	<b>\$38,500</b>

Legally Exempt Group Monthly Award Amounts: Providers are eligible for monthly awards as long as they have subsidy-eligible children in care. Total award amounts may vary based on status of program eligibility. Capacity of legally-exempt group programs is defined by the number of children receiving subsidy in care.

	<b>Enrolled LE Group</b>		
<b>Current # of Children with Subsidy</b>	<b>NYC</b>	<b>Downstate</b>	<b>ROS</b>
1-10 children	<b>\$3,990</b>	<b>\$3,990</b>	<b>\$2,903</b>
11-20 children	<b>\$4,655</b>	<b>\$4,655</b>	<b>\$3,386</b>
21-30 children	<b>\$5,320</b>	<b>\$5,320</b>	<b>\$3,870</b>
31-40 children	<b>\$5,985</b>	<b>\$5,985</b>	<b>\$4,354</b>
41-50 children	<b>\$6,650</b>	<b>\$6,650</b>	<b>\$4,838</b>
51-100 children	<b>\$13,575</b>	<b>\$13,575</b>	<b>\$9,863</b>
101+ children	<b>\$18,663</b>	<b>\$18,663</b>	<b>\$13,563</b>