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Local Commissioners Memorandum

Transmittal:	14-OCFS-LCM-01
To:	Local District Commissioners
Issuing Division/Office:	Division of Child Care Services
Date:	April 15, 2014
Subject:	Website Postings of Changes to Child Care Services
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Attachments:	No
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I. Purpose

The purpose of this Local Commissioners Memorandum is to advise social services districts (districts) of a new public notice requirement when a district proposes an amendment to the child care portion of its Child and Family Services Plan (CFSP) that reduces eligibility or increases the family share percentage and when a district implements its child care case closing process under its approved CFSP. In addition to the public notice requirement for a plan amendment found in Title 18 of New York Code of Rules and Regulations (NYCRR) §407.10, a district will now be required to post to its website in a prominent place any proposed plan amendment that reduces eligibility or increases the family share percentage for child care services. Furthermore, any district that implements the process for closing child care cases, as set forth in its approved CFSP, must also prominently post a notice of such action to its website at the time the district begins to notify affected families. Any such notice must describe the categories of families whose cases will be impacted. A district will also be required to provide a copy of any such notice to the New York State Office of Children and Family Services (OCFS) for posting on the OCFS website.

II. Background

Title 18 of NYCRR §407.10 allows a district to propose amendments to its consolidated services plan or integrated county plan (now referred to as the CFSP) at any time. If a reduction in services, change in eligibility, or change in fees is proposed, the amendment must be published for public comment and be presented to the local advisory council for review, prior to its submission to OCFS. A district is required to provide sufficient time for the public to make comments. OCFS has advised districts that 30 days following publication provides a sufficient time period for public comments. There currently is no public notice requirement related to a district implementing the child care case closing process set forth in its CFSP.

III. Program Implications – Effective April 28, 2014

If a district proposes an amendment to the child care portion of its CFSP that reduces eligibility or increases the family share percentage for child care services, in addition to complying with the public notice requirements found in 18 NYCRR § 407.10, the district also must:

- no later than the first day the public notice appears in a newspaper, prominently post on the district's website a notice of the proposed amendment describing the categories of families whose cases will be impacted; and
- at the time the public notice is submitted to the newspaper for publication, provide a copy of such notice to OCFS.

In addition, if a district implements its process for closing child care cases, as set forth in its approved CFSP, due to the district determining that it cannot maintain its current caseload because all of the available funds are projected to be needed for open cases, the district must:

- no later than the day the district begins to send individual notices to impacted families that their child care cases will be closed, prominently post a notice on the district's website that the district is implementing the child care case closing process set forth in its approved CFSP and describing the categories of families whose cases will be closed; and
- immediately provide OCFS with a copy of such notice.

OCFS will prominently post copies of each such notice on its website (ocfs.ny.gov).

/s/ Janice M. Molnar, Ph.D.

Issued By:

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