



# Office of Children and Family Services

**KATHY HOCHUL**  
Governor

**SUZANNE MILES-GUSTAVE, ESQ.**  
Acting Commissioner

June 23, 2023

Jess Dannhauser, Commissioner  
Administration for Children's Services  
150 William Street, 18<sup>th</sup> Floor  
New York, NY 10038

Dear Commissioner Dannhauser:

This letter is to inform you that the amended child care section found in your Child and Family Services Plan, 2022 Annual Plan Update, has been approved and is effective July 1, 2023. This approval reflects the changes to add families with an open child protective services case where child care is needed to protect the child limited to children placed with a relative or significant other under Article 10 of a Family Court Order or children placed in foster care with a foster family under Appendix L. Additionally, this approval reflects changes to Appendix M, #1 to amend federal and local priorities to rank cases where a child(ren) is placed with a relative or other significant caretaker under Article 10 Family Court Order as well as foster care families caring for a child(ren) named in such cases as fourth overall priority and highest local priority. This amendment renumbers your current local priorities of four to 13 to five to 14 in the same order as they are listed.

### **Appendix L: Other Eligible Families if Funds are Available**

3. Families with an open child protective services case when child care is needed to protect the child, effective July 1, 2023, with the following limitations: Limited to a child(ren) placed with a relative or significant other under Article 10 of a Family Court Order or children placed in foster care with a foster family.

### **Appendix M, #1: Reasonable Distance, Family Share, Federal and Local Priorities** **III. Federal and Local Priorities**

2. The district's local priorities are amended, effective July 1, 2023, to include the fourth highest priority as:
  - 4.) child(ren) is placed with a relative or other significant caretaker under Article 10 Family Court Order as well as foster care families caring for a child(ren)

This amendment renumbers the remaining local priorities as:

- 5) Families with income up to 300% SIS and survivor of domestic violence
- 6) Families with income up to 300% SIS and participating in an approved substance abuse treatment program

7) Families with income up to 300% SIS, determined eligible for child care assistance and residing in one of 17 community districts identified by ACS as meeting the following criteria consistent with 45 CFR 98.46:

- Median household income is below the citywide average (\$69,171)
- Percentage of families living below poverty is above the citywide average (15.4%)
- Percentage of children living below poverty is above the citywide average (23.6%)
- Percentage of unemployed adults is above the citywide average (6.8%)
- Rate of children under age ten living in the district to the number of child care seats available in the district is above one (1) child per seat.

8) Families determined eligible for low-income childcare assistance following the closure of a preventive or protective services case.

9) Reunifying families determined eligible for child care assistance, including families on trial discharge.

10) Families determined eligible for child care assistance with an adoption or kinship guardianship and previously received child care assistance under Title IV-E or CCBG based on the family's foster care status.

11) Families determined eligible for Post Transitional Child Care

12) Families with income up to 300% SIS and are working or engaged in an approved educational/vocational activity

13) Families with income up to 300% SIS and attending a four-year college program

14) Families with income up to 300% SIS and actively seeking employment for six months.

Further, the revisions to your subsidy application, CFWB-012, and subsidy application instructions, CFWB-012A, for use as a local equivalent to the OCFS 6025 Application for Child Care Assistance and OCFS-6026 How to complete the Application for Child Care Assistance are also approved effective January 1, 2023, as indicated in Appendix N: District Options.

This approval is being issued separately from the approval of other sections of your plan in order to accommodate your county's need to implement the child care services provisions.

If you have any questions about this approval or the child care section found in your district's Child and Family Services Plan, 2022 Annual Plan Update, please contact Sonoma Pelton at 518-408-6074, or by email at [Sonoma.Pelton@ocfs.ny.gov](mailto:Sonoma.Pelton@ocfs.ny.gov).

Sincerely,



Nora K. Yates  
Deputy Commissioner  
Division of Child Care Services