



ADMINISTRATION FOR
CHILDREN & FAMILIES

330 C Street, S.W., Washington DC 20201 | www.acf.hhs.gov

Sheila Poole, Commissioner New York State
New York State, Office of Children and Family Services
52 Washington Street
Rensselaer, NY 12144

Dear Commissioner Poole:

The Office of Child Care has completed its review of the proposed amendments to New York's approved Child Care and Development Fund (CCDF) Plan for 2019-2021, submitted on July 07, 2022. Please note that the effective period for the FY2019-2021 CCDF Plan ended on September 30, 2021.

The following plan amendments were approved related to COVID-19:

- **Section 3.4.4 – Family Contribution to Copayment** – Amended to reflect that during the state declared emergency for COVID-19 families are not required to pay a copayment. Approval of this amendment as per the waiver effective June 6, 2020.
- **Section 5.2.3 (a,b) – Pre-Service or Orientation Training Requirements** – Amended to reflect that during the state declared emergency for COVID-19 applicants for family and group family child care licensure must complete the online 5-hour “Foundations in Health and Safety” training in place of the in-person 15-hour classroom training. Approval of this amendment as per the waiver effective June 8, 2020.
- **Section 5.3.1- Enforcement of Licensing and Health and Safety Requirements** – Amended to reflect that, during the state declared emergency for COVID-19 the requirement to complete the 5-hour e-learning process has been temporarily suspended. Approval of this amendment as per the waiver effective July 23, 2020.
- **Section 5.3.2 (a,b,d)- Inspections for Licensed CCDF Providers-** Amended to reflect that during the state declared emergency for COVID-19, routine monitoring activities were suspended to safeguard the health and safety of regulatory staff and the provider community, while continuing to prioritize complaint investigations. Approval of this amendment as per the waiver effective June 8, 2020.
- **Section 5.3.3- Inspections for License-Exempt CCDF Providers-** Amended to reflect that during the state declared emergency COVID-19, in-person inspection activities, including annual inspections, were suspended, although inspections for complaints continued to be conducted. Approval of this amendment as per the waiver effective June 8, 2020.

- **Section 5.4.1b – In-state Criminal Registry or Repository Checks with Fingerprints Requirements** – Amended to reflect that during the state declared emergency for COVID-19 interstate checks for existing providers are not yet completed. Approval of this amendment as per the waiver effective June 8, 2020. Please note, New York has still not met requirements for **Section 5.4.1b In-state Criminal Registry or Repository Checks with Fingerprints** for your FY 2019-2021 CCDF Plan, and, therefore must still demonstrate compliance by September 30, 2021.
- **Section 5.4.4b – National FBI Criminal Fingerprint Search Requirements**– Amended to reflect that during the state declared emergency for COVID-19, completion of FBI fingerprint check for all existing operators, directors, employees, volunteers and adult household members at licensed and registered programs, and non-relative legally- exempt child care providers and directors, employees, volunteers and adult family child care household members not related in any way to all children in care are not yet completed. Approval of this amendment as per the waiver effective June 8, 2020. Please note, New York has still not met requirements for **Section 5.4.4b National FBI Criminal Fingerprint Search Requirements** FY 2019-2021 CCDF Plan, and, therefore must still demonstrate compliance by September 30, 2021.
- **Section 5.4.6b – Interstate Criminal Registry or Repository Check Requirements**- Amended to reflect that during the state declared emergency for COVID-19, interstate criminal registry or repository checks for all existing operators, directors, employees, volunteers and adult household members at licensed and registered programs, and all non-relative legally- exempt child care providers and all directors, employees, volunteers and adult family child care household members not related in any way to all children in care are not yet completed. Approval of this amendment as per the waiver effective June 8, 2020. Please note, New York has still not met requirements for **Section 5.4.6b Interstate Criminal Registry or Repository Check Requirements** FY 2019-2021 CCDF Plan, and, therefore must still demonstrate compliance by September 30, 2021.
- **Section 5.4.7b – Interstate Sex Offender Registry or Repository Check Requirements**- Amended to reflect that during the state declared emergency for COVID-19, interstate sex offender registry or repository checks for all existing operators, directors, employees, volunteers and adult household members at licensed and registered programs, and all non-relative legally- exempt child care providers and all directors, employees, volunteers and adult family child care household members not related in any way to all children in care are not yet complete. Approval of this amendment as per the waiver effective June 8, 2020. Please note, New York has still not met requirements for **Section 5.4.7b Interstate Sex Offender Registry or Repository Check Requirements** FY 2019-2021 CCDF Plan, and, therefore must still demonstrate compliance by September 30, 2021.
- **Section 5.4.8b – Interstate Child Abuse and Neglect Registry Requirements**- Amended to reflect that during the state declared emergency for COVID-19, interstate child abuse and neglect check for all existing operators, directors, employees, volunteers

and adult household members at licensed and registered programs, and all non-relative legally- exempt child care providers and all directors, employees, volunteers and adult family child care household members not related in any way to all children in care are not yet completed. Approval of this amendment as per the waiver effective June 8, 2020. Please note, New York has still not met requirements for **Section 5.4.8b Interstate Child Abuse and Neglect Requirements** FY 2019-2021 CCDF Plan, and, therefore must still demonstrate compliance by September 30, 2021.

- **Section 5.4.9 – Provisional Employment-** Amended to reflect that New York will continue to allow for provisional employment for directors, employees, and volunteers at licensed/registered programs and employees and volunteers at legally-exempt group programs, after an individual has submitted their fingerprints for FBI fingerprint review, but before the results have been returned for individuals who are under the direct supervision of an individual who has successfully cleared the comprehensive background check. Approval of this amendment as per the waiver effective April 22, 2021. Please note, New York has still not met requirements for **Section 5.4.9 Provisional Employment** FY 2019-2021 CCDF Plan, and, therefore must still demonstrate compliance by September 30, 2021.

The effective date for these amendments to the New York CCDF Plan are noted on the amendments log within the ACF-118 electronic submission site.

If you have any questions or need further assistance, please feel free to contact Shonda Laurel, Child Care Program Manager in our New York City Regional Office at 646-905-8157 or Shonda.Laurel@acf.hhs.gov.

We appreciate your efforts to meet the child care needs of eligible families in New York City and look forward to our continued partnership in the administration of your Child Care and Development Fund Program.

Sincerely,

Ruth J. Friedman, Ph.D.
Director, Office of Child Care

cc: Janice Molnar, Deputy Commissioner
Shonda Laurel, OCC Regional Program Manager, Region II
Rebecca Shaw, Regional Liaison, Office of Child Care