



Office of Children and Family Services

KATHY HOCHUL
Governor

SUZANNE MILES GUSTAVE, ESQ.
Acting Commissioner

February 22, 2024

Office of Child Care
Administration for Children and Families
U.S. Health and Human Services

Re: 89 FR 3927

Proposed Information Collection Activity; Child Care and Development Fund Plan for States/Territories for FFY 2025-2027 (ACF-118; OMB #0970-0114)

To Whom This May Concern:

The New York State Office of Children and Family Services (NYS OCFS) is pleased to submit the following comments in response to the above-referenced proposed information collection activity that was published in the Federal Register, 89 FR 3927, on January 22, 2024. NYS OCFS is pleased with the proposed structure and updates to improve clarity of the Child Care and Development Fund Plan for States/Territories for FFY 2025-2027.

As way of background, NYS OCFS is required to submit a Child Care and Development Fund (CCDF) Plan for States and Territories (CCDF Plan) in accordance with Section 658E of the Child Care and Development Block Grant Act of 1990 (CCDBG Act), as amended, CCDBG Act of 2014. NYS OCFS has analyzed the proposed CCDF Plan for States and Territories for FFY 2025-2027 by section and offers the below feedback and several clarifying points on specific sections and questions.

NYS OCFS would like to recommend that Section 9.1 be renamed from “Parental Complaint Process” to something broader that does not restrict complaints to just parents. NYS OCFS receives complaints from multiple sources including members of the public, day care staff, law enforcement, and legislators and is required by NYS law to respond to all of them without distinguishing in our processes based on the source of the complaint. We believe our responsibility as the State is to ensure the safety of all children in care regardless of the source of a concern and therefore this section should reflect a broader population that states engage with regularly to ensure child safety.

NYS OCFS also appreciates the increased information requests on serving children with special needs and prioritizing vulnerable families in Section 2.3. NYS, across multiple agencies, serves children with special needs and their families, including through our child care assistance program, and we appreciate the additional focus on these populations in the CCDF Plan.

Questions 1.2.2(a)(i-vi) do not include “community-based organization” among the choices of entities that perform the relevant CCDF activity. The current CCDF Plan template includes “community-based organization” as an option for each of these CCDF activities. NYS OCFS and Local Social Service Districts partner with community-based organizations to conduct eligibility determinations, monitor license-exempt providers, and conduct quality improvement activities. By removing the “community-based organization” option, NYS OCFS

may not be able to fully demonstrate the performance of required CCDF activities and keep consistent data across plan cycles. OCFS requests that “community-based organization” be reinstated as an option under Questions 1.2.2(a)(i-vi) so we can fully represent how CCDF activities are carried out in New York State.

NYS OCFS appreciates the expanded questions under section 2.1.1 regarding eligibility practices that reduce barriers to enrollment as these questions allow NYS OCFS to highlight our newly implemented adjunctive financial or “fast track” eligibility, and option for presumptive eligibility.

NYS OCFS appreciates the changes in formatting in pre-print 2, including the use of check boxes in lieu of free text in many places, which will streamline the process of completing the CCDF Plan while making the Plan more understandable for stakeholders including the general public.

Thank you for the opportunity to provide these comments. Should you have any questions or need further clarification, we would be pleased to provide additional information.

Sincerely,

A handwritten signature in black ink that reads "Nora Yates". The signature is written in a cursive style with a long horizontal stroke extending to the right.

Nora Yates
Deputy Commissioner
Division of Child Care Services