



ADMINISTRATION FOR
CHILDREN & FAMILIES

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

Sheila Poole, Commissioner
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 February 1, 2021.

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

- **Section 2.3.7 – Post Monitoring and Inspection Reports** – Amended to reflect that during the state declared emergency for COVID-19 monitoring and inspection reports and plain language summaries of monitoring and inspection reports have not been posted for all providers. Approval of this amendment as per the waiver effective November 24, 2020. Please note, New York remains non-compliant for **Section 2.3.7 Consumer and Provider Education** for your FY 2019-2021 CCDF Plan, and, therefore still subject to the notice of non-compliance issued on April 12, 2019 until all CCDF requirements are met.
- **Section 2.3.8-Post Aggregated Data of Serious Injuries**-Amended to reflect that during the state declared emergency for COVID-19 aggregated data have not been posted for all providers. Approval of this amendment as per the waiver effective November 24, 2020. Please note, New York remains non-compliant for **Section 2.3.8 Consumer and Provider Education** for your FY 2019-2021 CCDF Plan, and therefore still subject to the notice of non-compliance issued on April 12, 2019 until all CCDF requirements are met.
- **Section 3.1.7-Graduated Phase-Out at Redetermination**-Amended to reflect that during the state declared emergency for COVID-19 graduated phase out for families at redetermination has been delayed. Approval of this amendment as per the waiver effective November 24, 2020. Please note, New York remains non-compliant for **Section 3.1.7 Eligibility Determination Processes** for your FY2019-2021 CCDF Plan, and therefore still subject to the notice of non-compliance issued on April 12, 2019 until all CCDF requirements are met.
- **Section 3.3.1-12 Month Eligibility**-Amended to reflect that during the state declared emergency for COVID-19 12 month eligibility for families has been delayed.

Approval of this amendment as per the waiver effective November 24, 2020. Please note, New York remains non-compliant for **Section 3.3.1 Eligibility Determination Processes** for your FY2019-2021 CCDF Plan, and therefore still subject to the notice of non-compliance issued on April 12, 2019 until all CCDF requirements are met.

- **Section 3.3.2-Discontinuing Assistance During 12 month Eligibility**-Amended to reflect that during the state declared emergency for COVID-19 the policies around discontinuing assistance during 12 month eligibility has been delayed. Approval of this amendment as per the waiver effective November 24, 2020. Please note, New York remains non-compliant for **Section 3.3.2 Eligibility Determination Processes** for your FY2019-2021 CCDF Plan, and therefore still subject to the notice of non-compliance issued April 12, 2019 until all CCDF requirements are met.
- **Section 3.3.3-Report Changes During 12 month eligibility**-Amended to reflect that during the state declared emergency for COVID 19 the policies around reporting of changes to 12 month eligibility has been delayed. Approval of this amendment as per the waiver effective November 24, 2020. Please note, New York remains non-compliant for **Section 3.3.3 Eligibility Determination Processes** for your FY2019-2021 CCDF Plan, and therefore still subject to the notice of non-compliance issued April 12, 2019 until all CCDF requirements are met.
- **Section 5.4.2b – In-State Sex Offender Registry Checks** – Amended to reflect that during the state declared emergency for COVID-19 interstate checks for existing providers are not yet complete. Approval of this amendment as the waiver effective November 24, 2020. Please note, New York has still not met requirements for **Section 5.4.2b In-State Sex Offender Registry Checks** for your FY 2019-2021 CCDF Plan, and, therefore must still demonstrate compliance by September 30, 2021.
- **Section 5.4.3b-In-State Child Abuse and Neglect Registry Checks**-Amended to reflect that during the state declared emergency for COVID 19 in-state child abuse and neglect checks for existing providers are not yet complete. Approval for this amendment as the waiver effective November 24, 2020. Please note, New York has still not met the requirements for **Section 5.4.3b In-State Child Abuse and Neglect Registry Requirements** for your FY2019-2021 CCDF Plan, and therefore must still demonstrate compliance by September 30, 2021.
- **Section 5.4.5b-National Crime Information Center (NCIC), National Sex Offender Registry Search (NSOR)**-Amended to reflect that during the state declared emergency for COVID 19 sex offender checks for current (existing) staff are not yet complete. Approval for this amendment as the waiver effective November 24, 2020. Please note, New York has still not met the requirements for **Section 5.4.5b National Background Check Requirements** for your FY2019-2021 CCDF Plan, and therefore must still demonstrate compliance by September 30, 2021.
- **Section 5.4.9-Provisional Employment**-Amended to reflect that during the state declared emergency for COVID 19 provisional staff fingerprint requirements are not

yet complete. Approval for this amendment as the waiver effective November 24, 2020. Please note, New York has still not met the requirements **for Section 5.4.9 Provisional Employment** for your FY2019-2021 CCDF Plan, and therefore must still demonstrate compliance by September 30, 2021.

The effective date of October 1, 2020 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 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 and look forward to our continued partnership in the administration of your Child Care and Development Fund Program.

Sincerely,

Ellen C. Wheatley, Ph.D.
Acting Director
Office of Child Care

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