



ADMINISTRATION FOR
CHILDREN & FAMILIES

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

Sheila Poole, Commissioner
New York State Office of Child and Family Services
52 Washington St.
Rensselaer, NY 12144

Dear Commissioner Poole:

The Office of Child Care has completed its review of the proposed amendment to New York's conditionally approved Child Care and Development Fund (CCDF) Plan for 2019-2021, submitted on April 7, 2020.

This letter is to inform you that the following CCDF Plan amendment is approved.

- **Section 5.4.9 – Criminal Background Checks – Provisional Employment**
Amended to reflect that New York OCFS has revised regulations to allow for new employees to begin working provisionally so long as they have submitted the fingerprint check, provided that any other required documentation (such as a medical history and criminal background attestation) is received by the provider. Staff hired provisionally must be supervised at all times by staff with an approved background clearance. Provisional staff must never be alone with children. Please note, New York is approved for a waiver for Section 5.4.9 (see information below).

This letter also reflects approval of the amended language to **Sections 5.1.3** (Health and Safety – Licensing Requirements), **Sections 5.2.3e1 through 5.2.3e12** (Health and Safety – Pre-Services or Orientation Requirements), **Sections 5.4.1 through 5.4.8** and **5.4.10 through 5.4.14** (Criminal Background Checks). These amendments reflect New York's policy change in the amendment to the Provisional Hire requirements in Section 5.4.9.

Additionally, this letter documents approval for a waiver as applicable for section 5.4.9 for the Provisional Hires requirement related to Criminal Background Checks. As a reminder, States are expected to be in full compliance of all of the background check requirements of Section 5.4 by September 30, 2020. OCC does not have authority under the current law to grant any additional extensions after this date.

If you have any questions or need further assistance, please feel free to contact Shireen Riley, Regional Program Manager in Region I (currently supporting Region II) at (617) 565-1152 or shireen.riley@acf.hhs.gov

We appreciate your efforts to meet the child care needs of eligible families in the State of

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.
Deputy Director
Office of Child Care

cc: Janice Molnar, Deputy Commissioner, Division of Child Care Services, OCFS
Audrey Neuhaus, Program Specialist, Region II
Shireen Riley, OCC Regional Program Manager, Region I
Francesca Longo, Interim Regional Liaison, Office of Child Care