



ADMINISTRATION FOR
CHILDREN & FAMILIES

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

DEC 21 2018

S. Duke Storen, Commissioner
Virginia Department of Social Services
801 E. Main Street, 15th Floor
Richmond, Virginia 23219-2901

Dear Commissioner Storen:

The Office of Child Care (OCC) has completed its review of your FY2019-2021 Child Care and Development Fund (CCDF) Plan. This Plan development and review cycle has been unprecedented as we have worked together to transition CCDF programs to meet the requirements of the Child Care and Development Block Grant (CCDBG) Act of 2014 and the CCDF final rule. We appreciate your hard work and patience over the past 3 years.

We are pleased to inform you that the Virginia CCDF Plan for the period of October 1, 2018, through September 30, 2021, has been conditionally approved. A “conditionally approved” plan is a fully approved plan with conditions related to requirements with time-limited waivers. Full implementation of all provisions in the CCDBG Act of 2014 and the Final Rule was required no later than September 30, 2018, unless the State or Territory received approval for a waiver for specific background check requirements. The conditions of the approval will be deemed fully met once all provisions in the CCDBG Act of 2014 and Final Rule are fully implemented. At that time, the Virginia CCDF Plan will be approved without conditions.

The CCDF Plan includes questions that encompass all elements as required by regulations at 45 CFR 98.16. However, the Plan does not ask about all aspects of Federal requirements. During our review of the CCDF Plans, for some States we noticed areas of possible non-compliance with CCDF requirements that are outside the scope of this review for Plan approval. You will still need to take action to come into compliance with these requirements, and your OCC Regional Office will follow-up with you on these areas. Recognizing the information in the Plans is not exhaustive, the OCC will monitor State compliance through multiple mechanisms. All requirements of the Act and the Rule are subject to the monitoring, compliance, and complaint actions as described in 45 CFR

Subpart J, including 98.90, 98.91, and 98.92. Additionally, States and Territories are subject to audit requirements at 45 CFR 98.65 of CCDF regulations.

You will receive a separate Notice of Grant Award from the Office of Administration in the Administration for Children and Families. The notice will include the amount of your award and any additional terms and conditions for the receipt of CCDF program funds. During the effective period of this plan, any substantial changes to your CCDF program must be submitted as a plan amendment to your Regional Office for approval in accordance with 45 CFR 98.18(b). Lead Agencies are reminded to describe in the Plan Amendment if the amended activity is being supported by the increased funding (see Program Instruction for more information about Plan Amendments: <https://www.acf.hhs.gov/occ/resource/ccdf-acf-pi-2018-02>). Lead Agencies also are reminded that you must post the approved plan and any amendments on your state website and assure any required links are functional.

We understand that it is essential for CCDF lead agencies to have wide-ranging support in the implementation of their CCDF Plans. OCC and the TA network supporting CCDF grantees have worked together to develop a variety of technical assistance options aimed at full compliance with CCDF policies. Your Regional Office and State Systems Specialist will be reaching out to you within the next two weeks to discuss your specific TA needs.

We look forward to working together toward full implementation of the CCDBG Act of 2014 and promoting the early learning and development of children along with family economic stability and success. If you have any questions, please contact Beverly Wellons, Child Care Program Manager, Office of Child Care at (215) 861-4020 or beverly.wellons@acf.hhs.gov. Thank you for all you do each day for children and families.

Sincerely,

A handwritten signature in black ink, appearing to read "Shannon Christian", written in a cursive style.

Shannon Christian
Director
Office of Child Care

cc: Barbara Newlin, Director, Division of Child Care and Early Development
Beverly Wellons, Regional Program Manager, Office of Child Care Region III

Encl: Attachment 1: Copy of Provisional Approval Letter for Criminal Background
Checks



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'OCT 30 2018'

S. Duke Storen, Commissioner
Virginia Department of Social Services
801 E. Main Street, 15th Floor
Richmond, VA 23219-2901

Dear Commissioner Storen:

I am pleased to inform you that the Virginia Child Care and Development Fund (CCDF) Plan for the period of October 1, 2018, through September 30, 2021, has been provisionally approved. This “provisionally approved” plan is approved for the criminal background check provisions in Section 5.4 of the Plan and related waiver requests in Appendix A. Once the Office of Child Care (OCC) completes its review of the remaining provisions of the Plan in November, we will send a separate letter addressing approval of the complete Plan along with any conditions for corrective action as applicable.

Regarding the background check provisions, Virginia has met the required milestones and conditions for a time-limited waiver, and therefore is granted an extension through September 30, 2019 to implement the following:

- Checks of the criminal registry or repository in any other state where the individual has resided in the past five years
 - Establishing requirements and procedures (5.4.6a)
 - Conducting checks on all new (prospective) staff (5.4.6a)
 - Conducting checks on all current (existing) staff (5.4.6b)
- Checks of the sex offender registry in any other state where the individual has resided within the past five years
 - Establishing requirements and procedures (5.4.7a)
 - Conducting checks on all new (prospective) staff (5.4.7a)
 - Conducting checks on all current (existing) staff (5.4.7b)

The CCDF Plan includes questions that encompass all elements as required by regulations at 45 CFR 98.16. However, the Plan does not ask about all aspects of Federal requirements.

For example, for the background check requirements, the Plan does not explicitly ask for the State's definition of "child care staff members" that are subject to the checks, or whether the State has adopted the federally-mandated list of disqualifying crimes. During our review of the CCDF Plans, for some States we noticed areas of possible non-compliance with CCDF requirements that are outside the scope of this review for Plan approval. You will still need to take action to come into compliance with these requirements, and your OCC Regional Office will follow-up with you on these areas. Recognizing the information in the Plans is not exhaustive, the OCC will monitor State compliance through multiple mechanisms. All requirements of the Act and the Rule are subject to the monitoring, compliance, and complaint actions as described in 45 CFR Subpart J, including 98.90, 98.91, and 98.92. Additionally, States and Territories are subject to audit requirements at 45 CFR 98.65 of CCDF regulations.

You will receive a Notice of Grant Award in October 2018 from the Office of Administration in the Administration for Children and Families (ACF). The notice will include the amount of your award and any additional terms and conditions for the receipt of CCDF program funds. During the effective period of this plan, any substantial changes to your CCDF program must be submitted as a plan amendment to your Regional Office for approval in accordance with 45 CFR 98.18(b). If you have any questions, please contact Beverly Wellons.

Please remember to expect a second letter regarding your Plan once ACF OCC has completed its review in November. This letter will detail any additional conditions or Corrective Action Plans as applicable to your state.

We look forward to working together toward full implementation of the CCDBG Act of 2014 and promoting the early learning and development of children along with family economic stability and success. If you have any questions, please contact Beverly Wellons, Child Care Program Manager, Office of Child Care at (215) 861-4020 or beverly.wellons@acf.hhs.gov. Thank you for all you do each day for children and families.

Sincerely,



Shannon Christian
Director
Office of Child Care

cc: Barbara Newlin, Director, Division of Child Care and Early Development
Beverly Wellons, Regional Program Manager, Office of Child Care Region III