ADMINISTRATION FOR CHILDREN & FAMILIES
330 C Street, S.W., Washington DC 20201 | www.acf.hhs.gov

Amy Kershaw, Commissioner
The Department of Early Education and Care
50 Milk Street, 14th Floor
Boston, Massachusetts 02109

Dear Commissioner Kershaw:

The Office of Child Care has completed its review of the proposed amendments to Massachusetts's approved Child Care and Development Fund (CCDF) Plan for FFY 2022-2024, submitted on October 1, 2024.

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

Section 2.3.7g. Monitoring and inspection reports on website: Changes to indicate compliance with a monitoring or Plan noncompliance finding (may be a change in process or practice, like adding information on training), effective June 15, 2024. This item has been amended to reflect Massachusetts now posts monitoring and inspection reports for all CCDF provider types on their consumer education website, effective June 15, 2024, and clears related monitoring finding for 98.33(a)(4). However, Massachusetts remains non-compliant with Health and Safety: Posting Inspection Reports as the Lead Agency does not post pre-licensing inspection reports for licensed family child care providers and licensed centers, as required by 98.33(a)(4). (FFY 2025-2027 Plan Question 5.5.4ai) as documented in the letter sent on November 8, 2024.

Section 4.3.1a. Rates statewide or in the most populous area of the state: Changes to indicate compliance with a monitoring or Plan noncompliance finding (may be a change in process or practice, like adding information on training), effective July 01, 2024. However, Massachusetts remains non-compliant with Equal Access: Payment Rates as the payment rates for infants and preschoolers in center-based care and preschoolers in family child care are not sufficient to ensure equal access, as required by 98.45(a), and as documented in the 2025-2027 CCDF Plan Approval letter sent on November 8, 2024.

Section 4.3.1d. Date of current payment rate: Changes to indicate compliance with a monitoring or Plan noncompliance finding (may be a change in process or practice, like adding information on training), effective July 01, 2024. However, Massachusetts remains non-compliant with Equal Access: Payment Rates as the payment rates for infants and preschoolers in center-based care and preschoolers in family child care are not sufficient to ensure equal access, as required by 98.45(a), and as documented in the 2025-2027 CCDF Plan Approval letter sent on November 8, 2024.

Section 4.3.2 Differentiating payment rates: Change in subsidy or quality activities that affects parents and/or providers access to the program (e.g., adding a new professional development initiative or changing the subsidy application process), effective July 01, 2024.

Section 4.3.3 Establishing tiered rates, differential rates, or add-ons on top of their base rates: Changes that affect CCDF administration and policies such as policy changes to program eligibility (e.g., changes in income eligibility levels), payment rates, sliding fee scales, effective July 01, 2024.

Section 4.3.4a. Establishment of adequate payment rates: Changes that affect CCDF administration and policies such as policy changes to program eligibility (e.g., changes in income eligibility levels), payment rates, sliding fee scales, effective July 01, 2024.

Section 4.3.4b. Process used for setting rates: Changes that affect CCDF administration and policies such as policy changes to program eligibility (e.g., changes in income eligibility levels), payment rates, sliding fee scales, effective July 01, 2024.

Section 5.3.6b. Pre-Service and ongoing training: Changes to indicate compliance with a monitoring or Plan noncompliance finding (may be a change in process or practice, like adding information on training), effective July 01, 2024. Approval of this amendment indicates that Massachusetts' CCDF Plan demonstrates compliance with the Final Rule and clears related monitoring findings for 98.44(b)(1)(i) and 98.44(b)(2)(i).

Section 5.3.13b. License-exempt child care centers: Changes to indicate compliance with a monitoring or Plan noncompliance finding (may be a change in process or practice, like adding information on training), effective July 01, 2024. Approval of this amendment indicates that Massachusetts' CCDF Plan demonstrates compliance with the Final Rule and clears related monitoring finding for 98.44(b)(2)(i).

Section 5.3.13e. Regulated or registered In-home child care: Changes to indicate compliance with a monitoring or Plan noncompliance finding (may be a change in process or practice, like adding information on training), effective July 01, 2024. Approval of this amendment indicates that Massachusetts' CCDF Plan demonstrates compliance with the Final Rule and clears related monitoring finding for 98.44(b)(2)(i).

Section 5.4.2a. Licensed CCDF center-based child care: Changes to indicate compliance with a monitoring or Plan noncompliance finding (may be a change in process or practice, like adding information on training), effective July 01, 2024. However, Massachusetts remains non-compliant because the Lead Agency's annual unannounced inspections for licensed centers does not meet CCDF requirements because the Lead Agency's differential monitoring approach does not necessarily annually include enforcement of all 11 required health and safety standards as required

by 98.42(b)(2)(i)(B). (FFY 2025-2027 Plan Question 5.5.1aii) as documented in the letter sent on November 8, 2024.

Section 5.4.2b. Licensed CCDF family child care home: Changes to indicate compliance with a monitoring or Plan noncompliance finding (may be a change in process or practice, like adding information on training), effective July 01, 2024. However, Massachusetts remains non-compliant because the Lead Agency's annual unannounced inspections for licensed family child care providers does not meet CCDF requirements because the Lead Agency's differential monitoring approach does not necessarily annually include enforcement of all 11 required health and safety standards as required by 98.42(b)(2)(i)(B). (FFY 2025-2027 Plan Question 5.5.1bii) as documented in the letter sent on November 8, 2024.

Section 5.4.3a. Annual monitoring of License-exempt center-based CCDF providers: Changes to indicate compliance with a monitoring or Plan noncompliance finding (may be a change in process or practice, like adding information on training), effective July 01, 2024. Approval of this amendment indicates that Massachusetts' CCDF Plan demonstrates compliance with the Final Rule and clears related monitoring finding for 98.42(b)(2)(ii).

Section 5.4.4a. Annual monitoring for License-exempt in-home care: Changes to indicate compliance with a monitoring or Plan noncompliance finding (may be a change in process or practice, like adding information on training), effective July 01, 2024. Approval of this amendment indicates that Massachusetts' CCDF Plan demonstrates compliance with the Final Rule and clears related monitoring finding for 98.42(b)(2)(ii).

Section 5.4.4b. Provide the citation(s) for this policy or procedure: Changes to indicate compliance with a monitoring or Plan noncompliance finding (may be a change in process or practice, like adding information on training), effective July 01, 2024. Approval of this amendment indicates that Massachusetts' CCDF Plan demonstrates compliance with the Final Rule and clears related monitoring finding for 98.42(b)(2)(ii).

If you have any questions or need further assistance, please feel free to contact Samantha Reinstein, Regional Program Manager in Region I at (617) 565-1149 or Samantha.Reinstein@acf.hhs.gov.

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

Sincerely,

Digitally signed by RUTH FRIEDMAN
Date: 12/19/2024 3:17 PM EST

Ruth Friedman, Ph.D.

Director
Office of Child Care

cc: Tyreese Nicolas, Deputy Commissioner for Family Access and Engagement
Amanda Sakaguchi, Chief Financial Officer
Samantha Reinstein, Regional Program Manager, Office of Child Care, Region I
Christine Johnson-Staub, Regional Liaison, Office of Child Care