

# HIGHER EDUCATION LAW

## INFORMATION MEMO

FEBRUARY 24, 2026

### **New York State Funding Available for Higher Education and other Nonprofit Institutions for the Construction and Expansion of Licensed Child Care Programs**

In December 2025, Governor Kathy Hochul announced the start of a new \$100 million Child Care Capital Construction Funding Program (4CFP). The program is designed to expand the availability of licensed, registered and permitted child care services across New York. It supports Governor Hochul's ongoing efforts to help families access reliable and affordable child care. The application submission period began on Feb. 2, 2026 and will close on **March 13, 2026**.

The New York Office of Children and Family Services (OCFS) and the Dormitory Authority of the State of New York (DASNY) will administer the 4CFP. Both agencies will review applications. Applicants must demonstrate how they will either increase the availability of licensed, registered and permitted child care within their current program or establish a new child care program to meet this goal. To be eligible for funding, the child care program either is, or will be, a child care program licensed pursuant to 18 N.Y.C.R.R. § 418-1; a school age child care program registered pursuant to 18 N.Y.C.R.R. § 414; or a group day care program permitted pursuant to Article 47 of the New York City Health Code.

The following types of entities are eligible to apply for funding:

- private and public colleges and universities;
- municipalities;
- not for profit corporations; and
- public authorities.

Awarded funds may be used to construct new child care facilities or expand existing ones, including covering costs related to design, construction, reconstruction, renovation and necessary equipment for child care programs. Eligible projects include costs of interior and exterior building improvements and architectural design and engineering resulting in stamped construction documents.

At the time of application, applicants must: (1) have control of the site; (2) demonstrate construction feasibility; and (3) attest to a willingness to accept families that receive child care assistance. In addition to the application, applicants must submit their site control documentation, construction feasibility documentation and a project budget.

The project budget must demonstrate how the project will be fully funded. Applicants must indicate all sources and uses of funds, including the 4CFP Grant amount requested. Applicants are required to attach letters of commitment (or contingent commitment) from each source of funds. Additional documentation is required if the project or any part thereof will be funded through grantee equity, an adopted budget, bond anticipation notes, bonds, capital campaign, fundraising, donations and loans or line of credit. While bonds may be used to finance portions of the project, 4CFP will reimburse only those project costs that are not paid with bond proceeds or other long-term debt instruments. Project costs paid with funds drawn from the corpus of a tax credit structure are also ineligible for reimbursement. Accordingly, projects may not be fully

financed using long-term debt instruments, including bonds, or with funds drawn from the corpus of a tax credit structure.

Nonprofit institutions must obtain approved prequalification status through the Statewide Financial System before submitting an application and must maintain this status through the execution of any award agreement and payment of all requisitions. Applications submitted without prior prequalification will not be considered. Interested institutions should consider commencing the application process soon, as obtaining prequalification may take several weeks.

Project locations owned by religious organizations may be eligible if the applicant legally certifies that assets or improvements funded with grant proceeds will only be used by the child care program. Religious organizations must also certify that no portion of the project financed with grant proceeds shall be used for any of the following:

- sectarian instruction or study;
- a place of devotional activities;
- a place of religious worship;
- a facility used primarily in connection with any part of the program of a school or department of divinity for any religious denomination; or
- the training of ministers or other similar persons in the field of religion.

In addition, religious organizations must certify that the child care program will be open to all individuals regardless of religious affiliation, ethnicity, race or sexual orientation and that they will take affirmative steps to inform the public that the program welcomes all individuals without regard to these characteristics.

The OCFS and the DASNY issued a detailed guidance titled Request for Applications (RFA). Potential applicants should review the RFA and its appendices for the full list of eligibility and submission requirements and to obtain more information about the process and evaluation criteria.

You may access the following links for more information:

- <https://ocfs.ny.gov/programs/childcare/grants/construction-fund/>
- <https://ocfs.ny.gov/programs/childcare/news/article.php?idx=2720>

If you have any questions regarding 4CFP, please contact [Christopher Cruz-Sierra](#), [E. Katherine Hajjar](#) or the Bond attorney with whom you work regularly.