

CHILD CARE RESOURCES OF ROCKLAND COMPLIANCE POLICIES AND PROCEDURES

Policy

Child Care Resources of Rockland (CCRR) supports quality child care and education for children, their families and providers in our community. We provide consultations, technical assistance and training services to the child care provider, as well as assist parents with information and child care referrals. In that capacity, staff are frequently the recipients of information that may indicate a concern about compliance. It is our policy to require that CCRR staff must report any such information to the appropriate regulatory agency. **It is not our function to determine if the information does indeed indicate a regulatory violation.** That is the responsibility of the regulatory agency.

Child Care Resources of Rockland is the sponsor of the federally funded Child and Adult Care Food Program (CACFP) for Family/Group Family Child Care Providers. **In this capacity, it is our function to determine if the information does indeed indicate a CACFP regulatory violation.**

Child Care Resources of Rockland coordinates the Universal Prekindergarten (UPK) program for seven of the eight school districts in Rockland: Clarkstown, East Ramapo, Nanuet, Nyack, Pearl River, Ramapo Central and South Orangetown. **It is our function to ensure that the programs providing UPK for the school districts are operating within the New York State Education Department's UPK regulatory guidelines.**

Child Care Resources of Rockland is also the Legally Exempt Child Care Enrollment Agency for Rockland County. It is our responsibility to enroll legally exempt family child care providers, as well as in-home child care providers and legally exempt group child care providers. **It is our function to ensure that these programs are operating in compliance with legally exempt regulatory guidelines.**

We believe that one important way to support the quality of child care in the community is for us to maintain a system for documenting and responding to concerns regarding compliance. Concerns regarding compliance that may indicate imminent danger, child abuse or neglect, or regulatory violations will be recorded and reported directly to the appropriate regulatory agency. When concerns involve personal or non-regulatory disputes between parents and providers, the information will be recorded and we will encourage parents to clarify and resolve such matters themselves. (These may be reported to the appropriate regulatory agency).

Background Information

Referral Process

Child care referrals through Child Care Resources of Rockland (CCRR) will be given based on the needs and requests of the family to include the type of child care program desired, location and openings for a particular age range. The child care decision is each parent's responsibility. CCRR will assist parents in becoming quality child care consumers by discussing key elements to look for and ask about in order to make an educated choice. We refer to center and home-based providers (hereafter called Provider). This includes registered family child care, registered school age care, licensed group family child care, licensed child care centers, nursery schools, in-home agencies, camps, playgroups and socialization programs. For more detailed information about the licensing or registration process call CCRR.

Confidentiality

CCRR does not disclose information about any concern regarding compliance to unauthorized individuals. CCRR does disclose the fact that a provider may not currently be included on our referral database.

Any further inquiries are referred to the OCFS website: www.ocfs.state.us/ccfs_facilitysearch/

Terms

1. **Imminent Danger** is when there is reasonable cause to believe that the circumstances or conditions of a child are such that, should they continue, may place that child at immediate risk of serious physical harm or death. (Reference: Social Services Law 417 and OSHA)
2. **Child Abuse** is when the child sustained or was at substantial risk of sustaining a serious or protracted disfigurement, or protracted impairment of physical or emotional health, or protracted loss or impairment of the function of any bodily organ, or death. Additionally that the parent or person legally responsible inflicted or allowed to be inflicted the injury, or created, or allowed to be created, a substantial risk of injury, or that the parents or person legally responsible committed a sex offense against the child(ren) according to the penal law. (Reference: NYS OCFS and SUNY Early Childhood Education and Training Program)
3. **Maltreatment and Neglect** refers to a child whose physical, mental or emotional condition has been impaired or is in imminent danger of becoming impaired as a result of the failure of his/her parent or other person legally responsible for his/her care to exercise a minimum degree of care:
 - In supplying the child with adequate food, clothing, shelter or education
 - In supplying medical, dental, optometrical or surgical care, though financially able to do so or offered financial or other reasonable means to do so; or
 - In providing the child with proper supervision or guardianship; or,
 - The infliction of excessive corporal punishment*
 - By misusing drugs or alcoholic beverages to the extent that her or she loses self-control of his/her actions

A maltreated child is one who has been abandoned by his/her parents or other person legally responsible for the child's care. (Reference: New York State Syllabus, The Identification and Reporting of Child Abuse and Maltreatment)

***CORPORAL PUNISHMENT** – punishment inflicted directly on the body including, but not limited to, spanking, biting, shaking, slapping, twisting or squeezing; demanding excessive physical exercise, prolonged lack of movement or motion, or strenuous or bizarre postures; and compelling a child to eat or have in the child's mouth soap, foods, hot spices or other substances. (Office of Children and Family Services Child Care Regulations)
4. **Regulatory Violations** are violations of regulations set forth by the New York State Office of Children and Family Services.
5. **Child and Adult Care Food Program** is a federally funded program that reimburses a percentage of funds to the provider for meals served to child(ren) while in her/his care, if she/he is a participant. This program has additional federal regulations that need to be followed by the provider and the parent.

6. **Universal Pre-kindergarten (UPK)** is a special program which was established by the State Education Department to provide an early learning experience for the children of eligible families. Eligible families are defined as: those who live in the School District overseeing UPK and have children who will be four years old by December 1, of the school year in which the child attends UPK. All School Districts in Rockland County have Universal Pre-Kindergarten.
7. **Legally Exempt Providers** include legally-exempt family child care, legally-exempt in-home child care and legally exempt group child care. These programs must be enrolled with the Legally Exempt Caregiver Enrollment Agency in order to receive child care subsidy from the Department of Social Services.
8. **Personal Complaints** concern problems in the parent/provider relationship involving such matters as: differences in style, child-rearing philosophy or business disagreements and not regulatory violations or matters of safety or health.

Procedures

If a CCRR staff member believes that a child or children may be the victims of child abuse and /or neglect or is in imminent danger, staff is instructed to call 911 or 1-800-635-1522.

I. WHEN CCRR STAFF MEMBER OBSERVES A REPORTABLE SITUATION AT A PROGRAM

- ▶ **If the situation involves suspected or observed imminent danger, child abuse or neglect, call 1-800-635-1522 and/or the police.**
- ▶ **All remaining reportable situations, Staff will:**
 - discuss what was observed with the caregiver* of the children and offer technical assistance/strategies accordingly.
 - document what is said by both the caregiver and CCRR staff person; read back to the caregiver what was documented and have her/him initial paper to show agreement.
 - explain that the information will be sent to the appropriate agency.
 - suggest that she/he call the program's licensor/registrar and share what occurred, explain what TA was given and the resolution of situation. Also ask licensor/registrar if they have additional suggestions regarding the situation discussed.Y:\Programs Department\Provider Services\Complaint Information\2008\COMPLIANCEPOLICY08.doc

*If the caregiver in question is not the Director, Head Teacher, Owner, Group Family main caregiver, SACC site supervisor or person/entity named on the license/registration, staff will explain to caregiver that they will be in touch with their employer so they can share what was observed, and the technical assistance that was offered.

Once the visit is completed, CCR&R staff will contact the appropriate program staff person/entity named on the license/registration, either in person or by phone and inform them of the situation and the TA that was given. This phone call should be documented.

Should the same violation(s) be observed on subsequent visits, CCRR staff will continue to document these violations, as noted above, and should let the caregiver in question know that this information will be sent to the appropriate agency.

► Next, staff will:

- Write the information on the Intake Form including an explanation of TA that was given.
- Process the situation with the appropriate CCRR director/coordinator.
- Review intake form and then fax the paperwork to the appropriate agency
- CCR&R, in its capacity as CACFP sponsor, Legally Exempt Enrollment Agency and UPK administrator will need to follow up if the concern involves a participant in one or more of these projects.

II. WHEN SITUATION IS CALLED INTO CCRR OR A VISITOR SHARES A SITUATION

- Administrative Services staff receives a phone call (or in person visitor), staff will refer caller/visitor to a compliance committee member.
- If the caller describes a situation where they are currently observing imminent danger, child abuse or neglect, document the name and phone number of the caller, the name of the alleged program/adult and direct caller to immediately call 800-342-3720 and then call us back afterwards.
- For non immediate concerns, the Committee member will process information with caller/visitor by listening and asking open-ended questions. Include the following during the call/visit (not necessarily in this order):
 - Tell caller/visitor that the information will be sent to the appropriate agency.
 - Committee member writes down conversation, using quotes when possible.
 - Committee member explains how to call appropriate agency and explains that information “could be regulatory”.
 - Committee member looks at Intake form and completes all information by asking questions and re-stating what caller/visitor says. It’s helpful to quote what caller/visitor says.
 - Read back to the caller/visitor what was written on the Intake form so caller/visitor agrees with what will be sent to appropriate agency.
- Process the situation with the appropriate CCRR director/coordinator.
- If no CCRR director/coordinator is available, you may call a supervisor at the appropriate agency to process the situation.
- If the situation involves a CACFP participant, a Legally Exempt provider or a UPK site, CCRR, in its aforementioned capacity, will need to follow up on that concern.
- Fax/mail the paperwork.

* Note: All committee members should stay familiar with the Intake Form.

III. WHEN A PROGRAM IS REMOVED FROM THE CCRR REFERRAL LIST

- CCRR, through its connection to the OCFS data system, generates a daily report to determine if programs have been removed from the referral list. If a program is removed from the referral list, a print-out is generated.
- CCRR will remove the program from the referral list in our data base (NACCRRAware)
- Programs are restored to our referral list in NACCRRAware upon receipt of notification from OCFS and/or the OCFS database shows that the program has been restored to referral status.