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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, our staff members 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.

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 and Legally Exempt 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, Nanuet, North Rockland, 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.**

The Spring Valley Regional Office of the Office of Children and Family Services (OCFS) licenses all early childhood and education centers and group family child care programs in Rockland County while Child Care Resources of Rockland registers all school age care centers and family child care on behalf of OCFS. The licensors and registrars review and approve initial and renewal license packets and are responsible for making regular visits to all sites. In addition, licensors and **registrars are responsible for investigating all complaint calls through unannounced visits, making observations, reviewing program documentation and offering technical assistance to assist all programs to remain in compliance with the state standards.**

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.

Further inquiries are referred to the OCFS website: http://www.ocfs.state.ny.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, optometric 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. **Child Care 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 (CACFP)** 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 are exempt from being licensed or registered but must be enrolled with the Legally Exempt Caregiver Enrollment Agency in order to receive child care subsidy from the Department of Social Services. There are Legally Exempt Child Care Regulations set forth by the NYS Office of Children and Family Services that must be followed.
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

It is the policy of our agency that all CCRR staff members are required to report whenever he/she 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.**

► **For all remaining observed violations, Staff will:**

- **discuss** what was observed with the caregiver* of the children and offer technical assistance/strategies accordingly.
- **document** what is observed and 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 forwarded to the appropriate agency.
- suggest that she/he call the program's licensor/registrar and share what occurred, explain what technical assistance (TA) was given and the resolution of situation. Also ask licensor/registrar if they have additional suggestions regarding the situation discussed.

*If the caregiver in question is not the Director, Head Teacher, Owner, Group Family main caregiver, School Age Child Care (SACC) site supervisor or person/entity named on the license/registration, staff will explain to the 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, CCRR 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 will be documented.

► 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 forward the paperwork to the appropriate agency
- CCRR, in its capacity as Registrar, 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 A 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 an assigned staff 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 **911 or 1-800-635-1522** and then call us back afterwards. Staff member will enter report into CCFS. If it is a Family Child Care Program or a School Age Care Program, CCRR Registration staff will visit the site within 24 hours.
- For non immediate concerns, the staff 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.
 - Write down conversation, using quotes when possible.
 - Look at Intake form and complete 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 forwarded to the appropriate agency.
- Process the situation with the Director of Programs Standards and Support Services, Coordinators of Registration, Legally Exempt, UPK or CACFP.
- If the situation involves a School Age Care program, Family Child Care provider, CACFP participant, a Legally Exempt provider or a UPK site, CCRR, in its aforementioned capacity, will need to follow up on that concern. All other situations, such as nannies or camps, explain how to call appropriate agency (see attached).
- Forward the OCFS fax transmittal to (845) 708-2415.

* Note: All staff members who receive calls 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.

For Your Information

I The **New York State Office of Children and Family Services (OCFS)** through its Division Of Child Care Services monitors the following licensed/registered/enrolled programs:

1. Family Child Care
2. Group Family Child Care
3. Child Care Centers
4. School Age Care
5. Legally Exempt Child Care

If an individual suspects a program or provider might not be operating within the OCFS regulations, a call should be placed to the Division of Child Care Services at 1-800-732-5207.

Once a report is taken, OCFS/their Agents, will be responsible for the investigation.

A compliance history of a program or provider may be obtained by going to:
www.ocfs.state.us/ccfs_facilitysearch/

A parent or individual may request information about a provider/program investigation through the **Freedom of Information Act**.

Please keep in mind: the following programs (legally exempt) are not required to be licensed/registered:

1. A nursery school program which children attend for less than three hours per day or less than six children.
2. A home-based provider who cares for no more than two non-related children in addition to his/her own children for 3 hours or more.

II **The New York State Education Department** oversees:

1. Universal Pre-Kindergarten; and
2. Nursery Schools that have voluntarily registered with the New York State Education Department.

III When **School Age or Family Child Care programs, Child and Adult Care Food Program (CACFP), Legally Exempt provider or UPK** issues are involved, CCRR in its aforementioned capacity is required to be involved in the investigation. Please call (845) 425-0009.

Agencies to Notify with a Concern

All concerns regarding alleged imminent danger, abuse or neglect

Child Protective Services

Non-mandated (i.e. parents, general public)

(800) 342-3720

Mandated (i.e. Doctor, provider, teachers)

(800) 635-1522

Concerns about licensed/ registered child care programs

New York State Office of Children and Family Services

Division of Child Care Services

Spring Valley Regional Office

11 Perlman Drive

Spring Valley, New York 10977-5281

Child Care General Complaint Line

(800) 732-5207

Concerns about the Child and Adult Care Food Program (CACFP)

Child Care Resources of Rockland

(845) 425-0009 x423

235 North Main Street, Suite 11

Spring Valley, NY 10977

Concerns about legally exempt child care programs

Child Care Resources of Rockland, Inc.

235 North Main Street, Suite 11

Spring Valley, NY 10977

(845) 425-0009 x411

Concerns about Universal Pre-K programs

Child Care Resources of Rockland, Inc.

235 North Main Street, Suite 11

Spring Valley, NY 10977

(845) 425-0009 x223

Concerns about Nursery Schools

New York State Education Department

(518) 474-5807

Curriculum and Instruction #681

Education Building Annex

Albany, NY 12234

New York State Office of Children and Family Services

Division of Child Care Services

Spring Valley Regional Office

11 Perlman Drive

Spring Valley, New York 10977-5281

Child Care General Complaint Line

(800) 732-5207

Concerns about therapeutic Pre-School Programs:

Rockland County Health Department

(845) 364-2626

Dr. Robert L. Yeager Health Center

Building D

Sanatorium Road

Pomona, NY 10970

Concerns about Camps

Rockland County Health Department (845) 364-2513
Dr. Robert L. Yeager Health Center
Building D
Sanatorium Road
Pomona, NY 10970

American Camp Association (800) 777-CAMP
12 West 31st Street 12th Floor (212) 354-5504
New York, NY 10001

National Camp Association (845) 354-5504
P.O. Box 764
Pomona, NY 10970

Better Business Bureau of Mid-Hudson (212) 533-6200
150 White Plains Road, Suite 107
Tarrytown, NY 10591

Concerns about In-Home Placement agencies

New York State Department of Labor (518) 457-9000
Division of Labor Standards (888) 209-8124
W. Averell Harriman State Office Campus, Bldg. 12
Albany, NY 12240

Better Business Bureau of Mid-Hudson (212) 533-6200
150 White Plains Road, Suite 107
Tarrytown, NY 10591

Concerns about Au Pair Programs

United States Department of State (202) 647-4000

*Concerns about programs for children with special needs or
alleged violation of the Americans with Disabilities Act*

Department of Justice (800) 514-0301

Concerns about accredited programs

National Association for the Education of Young Children (202) 232-8777
1313 L Street NW Suite 500 (800) 424-2460
Washington, D.C. 20005
www.naeyc.org/accreditation

Afterschool Works! New York (518) 694-0660
230 Washington Avenue Extension
Albany, NY 12203
www.afterschoolworksny.org

National Association for Family Child Care (801) 886-2322
1743 W. Alexander Street (800) 359-3817
Salt Lake City, UT 84119
www.nafcc.org