

The Division of Child Care Services

POLICY STATEMENT

ID NUMBER: 07-4 (reissued with updates 4-24-2008)

TOPIC: Examination of a “Plan of Study”

MODALITIES IMPACTED: Day Care Centers & School Age Child Care

APPLICABLE REGULATIONS: Title 18 of the New York State Code of Rules and Regulations (NYCRR) § 413.2(aj), 414.13(a) and (g), 418-1.13(g)

CONTACT: Regional Office: <http://www.ocfs.state.ny.us/main/beccs/regionaloffices.asp>

EFFECTIVE: Immediately 4-24-08

The purpose of this policy is to clarify when a *plan of study*, as defined in Title 18 of the New York State Code of Rules and Regulations (NYCRR) § 413.2(aj), is acceptable to the Office of Children and Family Services (OCFS) as meeting the intent of the regulation and the needs of a child care program. This policy will examine issues relative to plans of study permitted in day care center regulations and plans of study that require waiver approvals.

Introduction

Directors and heads of group play pivotal roles in the day-to-day functioning of the child care program and the individual classroom. Consequently, it is important that these persons have the expertise and qualifications to work within a framework of appropriate child development principles and knowledge of family relationships. College-level coursework has been shown to have a measurable, positive effect on the staff performance and quality child care. In addition, research indicates that a caregiver’s performance on the job is positively affected by his/her continued participation in child care studies. As such, OCFS sets high educational standards for persons applying for the director and head of group positions and allows persons to fill these positions if he/she obtains the educational standard through an approved plan of study. Given the importance of staff qualifications and their effect on the delivery of services to children in child care, OCFS requires that a person with an approved plan of study adhere to his/her plan and advance toward the regulatory qualifications in a timely manner.

Definition of Plan of Study

18 NYCRR § 413.2(aj) defines a plan of study as follows:

Plan of study means a written plan which sets forth reasonable timeframes and shows continuous progress towards completion of the requirements for a degree or credential. If the plan is for a director of a program, the plan must be signed by the director and the Office, and be overseen and monitored by the Office. For all other individuals, the plan must be signed by the participant and the director of the program, and be overseen and monitored by the director.

The terms to be clarified in the above definition are “*reasonable timeframes*” and “*continuous progress toward completion.*” The following is an examination of those two terms.

Reasonable Timeframes

A director of a day care center or school age child care program who is committing to a plan of study that includes college course work must commit to completing at least six college credits a year until the commitment goal is met. Colleges generally break the school year up into three semesters or four quarters. A director may complete the six credits all in one semester or quarter or he/she can spread the classes out over three consecutive semesters (e.g., fall, spring, summer) or consecutive quarters. The director may begin his/her college studies in any one of the three semesters or four quarters. In the end, six credit hours must be successfully completed by the end of that school year (end of the third consecutive semester or fourth quarter).

A director or head of group who is assessed by the institution of higher education to have earned life credits may apply those credits to any semester(s) he/she chooses and may subtract them from the six credits needed in that year’s plan of study. All credits must be from a New York State accredited institution and proof of enrollment is required. The director’s plan of study must be in writing and approved by the regional office manager or their designee (manager/designee). The term manager used in this policy statement shall mean *borough* manager in New York City. Any changes to the director’s plan of study must be submitted in writing and approved by the regional office manager/designee. All plans of study will be reviewed on a yearly basis.

A director or head of group who commits to work toward a credential to meet the regulatory qualifications for his/her position must complete the credential within the time frame permitted by the credentialing institution. The New York State AEYC allows candidates up to three years to complete the New York State Children’s Program Administrator credential. The average time for completion of the Child Development Associate credential is one year. Enrollment with the credentialing institution must also be verified by the day care center director

Continuous Progress toward Completion

The term “continuous progress toward completion” means occurring without interruption until the desired goal is achieved. OCFS will assess the accepted plan of study in order to determine whether or not the person is making continuous progress toward the goal. For example, if a person has made a commitment in his/her approved plan of study to complete six credit hours by the end of a year and he/she does that by completing those credits in his/her first semester then he/she is showing continuous progress. As long as the goals of the agreement are reached by the times indicated in the agreement, it will be accepted as continuous progress.

**Plans of Study NOT Addressed in Day Care Regulations:
Waiver Request Required**

Day care center regulations permit directors and heads of group in day care centers to qualify for their positions by entering into plans of study, found in Title 18 of the New York State Code of Rules and Regulations (NYCRR) § 418-1.13(g). Plans of study permitted in day care center regulation do not require a waiver request. All plans of study *not addressed in regulation* must be submitted to OCFS as a waiver request. This is necessary because, without a waiver approval on record, the program is out of compliance with regulation. Regional office managers/designees are the persons who review and approve/deny all waiver requests.

Interviewing Candidates and/or Site Visits as an Assessment Tool for Waiver Requests

In addition to reviewing the submitted plan of study waiver request, a regional office manager/designee may ask to interview an individual candidate or conduct a site visit before making a decision to approve or deny a waiver request. Suitability of an applicant must be measured with regard to the applicant's current qualifications and his/her assessed abilities to perform the tasks of the position. To assess a candidate's abilities, a manager/designee may ask questions related to his/her knowledge of regulations, child development, parent relations, immunization requirements, emergency procedures, health care plans, child to staff ratio requirements, recognition of child abuse and reporting requirements, caring for children with special needs, and behavior management techniques.

A manager/designee may also wish to review the program's regulatory compliance profile and/or conduct a site visit before making a decision on a waiver request. Site visits are important assessment tools and may provide insight into a program's unique character, strengths and weaknesses, supports and technical assistance needs. Any and all of these factors could assist a manager/designee in making a decision about granting a waiver request.

Routine Evaluation of Plans of Study

New plans of study pertaining to day care directors must be examined and approved/denied by the regional office manager/designee. A director's approved plan of study must be re-evaluated on a yearly basis at the end of the director's third consecutive semester of study. A licensor /registrar may review the progress of the plan of study at each interval. If the plan of study is **not** being followed as written, the licensor/registrar must cite this as a violation. The regional office manager/designee must be informed of the director's failure to proceed with the plan as written. Extenuating circumstances that disrupt a director's plan of study may only be assessed for validity by the regional office manager.

A plan of study permitted (by regulation) for a person working in a day care center and seeking to be a head of group must be reviewed on a yearly basis by the director of the day care center to ensure compliance with this policy statement. A plan of study, approved through a waiver request, to a person seeking to be a head of group must be reviewed on a yearly basis by the program's director and the regional office manager/designee to ensure

compliance with this policy statement. Licensors/registrars may ask to review all plans of study during the program’s renewal cycle or at any other time questions arise.

If the plan of study is not being followed and changes have not been approved by the regional office manager/designee, the program is considered in violation of regulation. Under these circumstances, the program is in violation of 18 NYCRR § 418-1.13(a) or § 414.13(a) which states in part: ***Staff members must be qualified by training and experience to carry out their respective functions in the administration, operation and maintenance of the child day care center.*** Corrective action will be required and must be approved by the regional office manager/designee.

Plans of Study Approved Prior to This Policy’s Effective Date

All plans of study approved prior to the effective date of this policy may remain unchanged. If the individual wishes to renegotiate his/her plan of study to come into compliance with this policy he/she may do so at any time.

Child Care Facility Record (How licensors/registrars track plans of study)

All approved plans of study must be entered into the Child Care Facility System (CCFS). **Plans of study permitted by day care center regulation are recorded as a “To Do”.** Once the “To Do” is set up in CCFS the system will automatically send a reminder to the licensor/registrar to evaluate the plan of study on the date entered for the “To Do”. **Plans of study requiring waiver approvals are recorded in CCFS as a waiver (on the RP04 window) and recorded as a “To Do”.** Plans of study permitted by a waiver are also approved for a one year period. At the end of the year cycle, all plans of study may be reviewed and extended if the candidate has met their plan of study commitments and no other issues arose during the year that would prevent the candidate from serving in his/her current position.

Plan of Study Permitted in Day Care Center Regulation –NO Waiver Required

Of the five modalities of child care, day care *center* (DCC) regulations are the only regulations that permit *plans of study*. The following are the plans of study permitted in day care center regulations followed by an examination of what each plan of study might entail.

| |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p style="text-align: center;">Day Care Center Director’s Plan of Study:</p> <ul style="list-style-type: none">➤ Associate's degree in Early Childhood or related field with a plan of study leading to a Bachelor's degree <p>The difference in credit hours between an Associate’s degree and a Bachelor’s degree is typically 60 credit hours or 20 courses. The Bachelor’s degree must include at a minimum 12 credits in Early Childhood, child development or a related field of study.</p> |
| <ul style="list-style-type: none">➤ Child Development Associate Credential (CDA) with a plan of study leading to a Bachelor's degree (once awarded the CDA must be kept current) |

Persons with a CDA will have at a minimum a high school diploma, as it is a prerequisite for persons entering the credentialing program. In addition, many directors may also have some college credits. A person with a high school diploma with a plan of study to complete a bachelor's degree will need to complete typically 120 hours of study (40 courses) to fulfill the Bachelor's requirement. The Bachelor's degree must include at a minimum 12 credits in Early Childhood, child development or a related field of study.

- Associate's degree in Early Childhood or related field with a plan of study leading to a New York State Children's Program Administrator credential

Candidates for the New York State Children's Administrator credential must complete one college credit in 18 competencies named by the Children's Program Administrator program. The one credit in each competency is generally in addition to the Associate's degree coursework. New York State Association for the Education of Young Children (AEYC) participants are given three years to complete the credential.

Day Care Center Head Teacher Educational Qualifications:

Child Development Associate credential, or 9 college credits in Early Childhood, Child development or a related field, with a plan leading to a Child Development Associate credential.

Candidates for the Child Development Associate credential will be required to obtain 12 college credits or 120 hours of training in early childhood courses/workshops that represent 8 identified content areas, plus 480 hours of experience working with children in the 5 years preceding the person's application. The formal education hours can be credit or noncredit; the hours must be through an agency or organization with expertise in early childhood teacher preparation. The 120 clock hours of education must be documented. Once awarded, the Child Development Associate credential must be kept current.

Examples of Plans of Study Requiring Waiver Requests

School age child care regulations require that a director have the following educational qualifications:

- Associate's Degree in child development, elementary education, physical education, recreation, or a related field; or
- New York State Children's Program Administrator Credential; or
- School Age Child Care Credential; or
- Two years of college with 18 credits in the above listed areas of concentration including at least one year in a supervisory capacity.

Examples of plans of study waiver requests to be a director of a school age child care program might be:

- An individual who is beginning or is in the process of completing an Associate's degree in child development, elementary education, physical education, recreation, or a related field and is submitting a waiver request to remain in

his/her position as director while he/she completes his/her education.

- An individual who is beginning or completing a plan of study for the School Age Child Care Credential or the New York State Children's Program Administrator Credential and is submitting a waiver request asking to remain in his/her position as director while they complete the credential.

School age child care regulations require that a *head of group* have the following educational qualifications:

- Associate's degree in child development, recreation or a related field; or
- High School diploma or its equivalent.

Plans of study waiver requests to be a *head of group* might include:

- An individual beginning or in the process of completing an Associate's degree in child development, recreation or a related field.
- An individual who is in the process of completing a General Educational Development (GED) or as it is sometimes called "General Equivalency Diploma" or "General Education (al) Diploma."

Day Care Center regulations require that a *director* have a Bachelor's degree including or in addition to 12 credits in early childhood, child development or a related field or a New York State Children's Program Administrator Credential.

Plans of study permitted in the day care center regulations are covered in policy statement 07-4. Examples of *plans of study that require a waiver request for day care center directors might be:*

- An individual with an Associate's degree in a field other than those related to early childhood who plans to work toward a Bachelor's including 12 credits in early childhood, child development or a related field of study.
- An individual with a Bachelor's degree in a field unrelated to early childhood who plans to take 12 additional credits in early childhood.
- An individual who is already working toward an Associate's degree in a field related to early childhood who will commit to continuing toward a Bachelor's degree in early childhood.
- An individual who is working toward an Associate's degree in a field related to early childhood who will also work toward a New York State Children's Program Administrator's credential.

Day care center regulations require that a *head of group* have an Associate's degree in early childhood, child development or a related field or a Child Development Associate credential.

Plans of study permitted in day care center regulation are covered in policy statement 07-4. Examples of *plans of study that require waiver requests for day care center heads of group might be:*

- An individual working toward an Associate's degree in a field related to early childhood.
- An individual working toward a Bachelor's degree in a field of study unrelated to early childhood but is willing to take at least 12 credits in the child care field.

(Chart on next page)

The following chart lists the differences between plans of study that are accepted in regulation and those that are not addressed in regulation.

| Plan of Study Type | Is a Waiver required? | Who approves the plan of study? | Routine review | How to Record plan of study in CCFS |
|--------------------------------------------------------------------------------------------|------------------------------|------------------------------------------------------------------|----------------------------------------------------------------------------|------------------------------------------------------|
| Director of a DCC- with a plan of study <u>permitted</u> in DCC regulation | No | Regional Office Manager/Designee | One year anniversary of plan start date and every year there after. | As a “To Do” reminder |
| Head of group in DCC with a plan of study <u>permitted</u> in DCC regulation | No | DCC Director | One year anniversary of plan start date and every year there after. | As a “To Do” reminder |
| Director of DCC with Plan of study <u>not addressed</u> in DCC regulation | Yes | Regional Office Manager/Designee | One year anniversary of plan start date and every year there after. | As a waiver on RP04 and as a “To Do” reminder |
| Head of group in DCC with a plan of study <u>not addressed</u> in DCC regulation | Yes | Director of DCC and Regional Office Manager/Designee | One year anniversary of plan start date and every year there after. | As a waiver on RP04 and as a “To Do” reminder |
| Director of SACC with a plan of study <u>not addressed</u> in SACC regulations | Yes | Regional Office Manager | One year anniversary of plan start date and every year there after. | As a waiver on RP04 and as a “To Do” reminder |
| Head of group in SACC with a plan of study <u>not addressed</u> in SACC regulations | Yes | Director of SACC and the Regional Office Manager/Designee | One year anniversary of plan start date and every year there after. | As a waiver on RP04 and as a “To Do” reminder |

Approved By:



Janice Molnar, Deputy Commissioner
Office of Children and Family Services
Division of Child Care Services

Date: 4-24-08