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| LOCAL COMMISSIONERS MEMORANDUM |  
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DSS-4037EL (Rev. 9/89)

Transmittal No: 91 LCM-206

Date: November 14, 1991

Division: Family and Children  
Services

TO: Local District Commissioners

SUBJECT: Child Day Care Registration: Contracting with the Department  
for the Provision of Quality Improvement Activities

ATTACHMENTS: Attachment - Number of Family Day Care Providers and  
School-Age Child Care Providers by District (Available on-  
line)

Chapter 750 of the Laws of 1990 allows the Department to provide various activities related to the implementation of a state-wide system of registration for child day care providers through purchase of services. The purpose of this LCM is to provide a basis for social services districts to decide whether to contract with the Department for the provision of quality improvement activities relating to child day care registration. Such quality improvement activities include processing registration applications, conducting inspections and providing training. The LCM will outline the activities for which the Department is willing to contract; provide data to assist social services districts in preparing budget requests; and provide criteria to be used by the Department in making contract decisions.

Contracting with the Department for the provision of quality improvement activities related to child day care registration allows social services districts the opportunity to maintain a strong relationship with the family day care and school-age child care providers within the county. Such activities can enhance the ability of social services districts to access providers willing to serve children whose care is subsidized by the social services district. In addition, by conducting such activities the

social services district is provided an opportunity to more closely monitor the quality of care received by children and families in receipt of child care subsidies.

#### DESCRIPTION OF ACTIVITIES

The Department is interested in contracting with local social services districts to process registration applications, conduct inspections and provide training. Social services districts must perform all the functions described below for any of the activities for which they choose to contract.

#### Activity 1: Processing Registration Applications

This activity includes the following functions:

- o Conducting regularly scheduled orientation sessions for potential new applicants. Orientation sessions must be conducted using a Department supplied curriculum or a local equivalent which has been approved by the Department. Orientation sessions must be held at times and locations which are convenient to potential providers. Individuals attending orientation must be provided with proof of attendance.
- o Providing application packets at orientation sessions and otherwise upon request.
- o Providing technical assistance to help potential and current providers understand and comply with applicable regulations, complete the application (either original or renewal), and submit appropriate documentation. Additional supportive information must be made available to child day care providers.
- o Reviewing applications, including all supporting documentation, for completeness and compliance with applicable regulations. This includes acting upon those portions of the application which require action (e.g. reviewing references and documentation).
- o Notifying providers of application status, including notice within five days of receipt of original application or renewal application and notice of outstanding or incomplete documentation.
- o Mailing renewal application packets to providers 90 days prior to the expiration of their registrations.
- o Recommending approval or disapproval of all applications reviewed to the Bureau of Early Childhood Services Regional Office.

- o Reporting monthly the number of orientation sessions held, including program category (family day care or school-age child care), location and number of potential providers attending; the number of providers by program category who have been given technical assistance or information; the number of original applications and the number of renewal applications received for each program category; and the number of original applications and the number of renewal applications pending due to outstanding documentation.

Activity 2: Conducting Inspections

This activity includes the following functions:

- o Inspecting at least 20 percent of registered providers annually with a priority to providers not licensed or certified prior to the implementation of registration. To the maximum extent possible, the Department will identify the providers to be inspected. A full compliance study must be made at each of these unannounced inspection visits. All violations must be followed to correction or referred to the Bureau of Early Childhood Services Regional Office for enforcement action.
- o Investigating all complaints that if true would indicate lack of compliance with statutory or regulatory requirements. If the complaint indicates that children may be in imminent danger, an unannounced site inspection must be made no later than the next day of program operation. In all other cases inspection visits must be made within 15 days of receiving the complaint, except for those complaints alleging solely the failure to register. In addition to investigating the complaint, a full compliance study must be made if conditions suggest it is necessary. All violations must be followed to correction or referred to the Bureau of Early Childhood Services Regional Office for enforcement action.
- o Sending notices to persons alleged to be operating programs subject to registration who have failed to register. Follow-up is required to assure that providers register within 30 days or state why they are not subject to registration.
- o Investigating all family day care homes where application has been made to provide care for an additional one or two children who are school-age, provided an inspection has not already been made for another reason, and recommending approval or disapproval of the application to serve one or two additional children to the Department. A full compliance study must be made if conditions suggest it is necessary. All violations must be followed to correction or referred to the Bureau of Early Childhood Services Regional Office for enforcement action.
- o Inspecting, upon receipt of the renewal application, all providers who have failed to meet the training requirement or who have unresolved regulatory violations or complaints.

- o Maintaining inspection reports and documentation of compliance or corrective actions in the file of each inspected provider.
- o Providing information as necessary to meet the requirements of the statute with regard to the operation of a complaint line.

Activity 3: Providing Training

In most areas of the state, existing not-for-profit agencies have been identified to provide training as required for registration. To the extent that the Department has not identified training providers in an area or training providers to cover an area, a social services district may submit a request to contract to provide training. This activity includes the following functions:

- o Conducting regularly scheduled orientation sessions for potential new providers. Such sessions must be conducted in the same manner as previously described for the processing of registration applications.
- o Submitting a training plan to the Department annually for review and approval.
- o Conducting a sufficient number of training sessions to permit all providers to obtain the required 15 hours of training in the first year after being registered and biennially thereafter. The training sessions must be conducted using a Department identified curriculum or a local equivalent which has been approved by the Department. Proof of training must be provided to each provider who attends a training session.
- o Reporting monthly to the Department the type of training provided, time and location of each session and the number of providers attending each session.

MAINTENANCE OF EFFORT (MOE)

As previously discussed in 91 LCM-194, the MOE level for each social services district has been identified through a calculation of its child care expenditures (services and administrative) for the 1990 calendar year. When deciding whether it wishes to contract with the Department for any of the available activities, a social services district must:

- o Determine whether it currently performs the functions associated with an activity;
- o Determine whether it wishes to perform such functions under registration; and
- o Determine whether the activity will be continued as part of the MOE or whether the resources are being redirected to another activity, thus requiring additional funding if the social services district wishes to perform the identified functions.

SUBMITTING BUDGET REQUESTS

The Department will contract with social services districts to conduct the activities previously described. Social services districts which wish to contract with the Department to provide one or more of the available activities must submit a budget request. Separate budget requests must be submitted for each activity for which the social services district wishes to apply.

To assist social services districts in calculating the projected workload associated with the available activities, the number of family day care providers and school-aged child care programs in each social services district is attached. Social services districts should calculate a 15 percent annual anticipated growth. In addition, unanticipated growth at three levels should be calculated: 10 percent, 20 percent, and 30 percent. The social services district should use the number of providers derived from this calculation to project the workload associated with the identified activities. When submitting a budget request, the social services district should include a range of costs which reflects its estimates of workload at the 10, 20 and 30 percent unanticipated growth levels. The Department will approve budget requests which incorporate the most cost effective approach to the activities selected, contingent upon availability of funds.

Budget requests must be received by the Department by November 27, 1991. Such requests should be submitted to:

Ms. Jo Ann Friedell  
Director  
Bureau of Early Childhood Services  
NYS Department of Social Services  
40 North Pearl Street 11B  
Albany, New York 12243

Please direct questions regarding this LCM to Barbara Fisher, Bureau of Early Childhood Services at 1-800-342-3715, extension 4-9324 or (518) 474-9324.

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Joseph Semidei  
Deputy Commissioner  
Division of Family and  
Children Services

NUMBER OF PROVIDERS BY SOCIAL SERVICES DISTRICT

<u>DISTRICT</u>	<u># FAMILY DAY CARE PROVIDERS*</u>	<u># SCHOOL-AGE CHILD CARE PROVIDERS**</u>
Albany	98	1
Allegany	11	0
Broome	105	2
Cattaraugus	1	1
Cayuga	56	0
Chautauqua	24	2
Chemung	46	1
Chenango	34	0
Clinton	50	0
Columbia	12	0
Cortland	31	1
Delaware	56	0
Dutchess	75	8
Erie	114	23
Essex	75	0
Franklin	55	0
Fulton	4	0
Genesee	35	1
Greene	13	0
Hamilton	0	0
Herkimer	19	0
Jefferson	16	0
Lewis	15	0
Livingston	30	1
Madison	16	3
Monroe	835	49
Montgomery	10	0
Nassau	255	12
Niagara	0	9
Oneida	103	4
Onondaga	171	8
Ontario	39	3
Orange	156	2
Orleans	24	3
Oswego	1	0
Otsego	44	1
Putnam	104	1
Rensselaer	27	2
Rockland	165	3
St. Lawrence	41	0
Saratoga	37	5
Schenectady	91	4
Schoharie	8	0
Schuyler	21	2
Seneca	2	3

Steuben	134	2
Suffolk	160	38
Sullivan	33	0
Tioga	51	1
Tompkins	76	1
Ulster	110	4
Warren	57	2
Washington	40	0
Wayne	38	3
Westchester	189	21
Wyoming	21	0
Yates	2	1

\* # of Family Day Care Providers represents the total of providers licensed by the State and certified by the county prior to the implementation of registration.

\*\* # of School-Age Child Care Providers represents the number of providers licensed or registered by the State prior to the implementation of registration.