

Report to the Governor and Legislature
on Family Day Care and School Age Child Care Registration:
April 1, 2010 – March 31, 2011
(Pursuant to Chapter 750 of the Laws of 1990)



New York State Office of Children and Family Services
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1. Executive Summary

There have been pronounced improvements in child day care in New York State resulting from the passage of *The Quality Child Care and Protection Act of 2000*, which mandated pre-licensure and pre-registration inspections for child day care programs as well as stronger training requirements and criminal history checks for prospective child care providers, and the statewide implementation (in 2001) of the *Child Care Facility System (CCFS)*, which is New York State's database of record for regulated child care. Many of those changes owe their existence, ultimately, to Chapter 750 of the Laws of 1990 which helped to enable all of the improvements in monitoring, accountability and child health and safety protection that were to come, by mandating a consistent system of registration for family day care (FDC) and school age child care (SACC) programs. As detailed in the Introduction, Chapter 750 of the Laws of 1990 also required annual reporting on the following key indicators of the new system's implementation – the focus of this report:

1. the number and types of child care providers registered and licensed
2. the number and types of orientation sessions offered
3. the number and types of complaints received and a summary of responses to and resolution of the same, and
4. the number of registrants and applicants for licensing awaiting inspection or other administrative action

This review examines the year beginning April 1, 2010, and ending March 31, 2011, drawing comparisons both to the preceding year and to the three-year period ending March 31, 2011, based on CCFS data. Throughout, the report focuses on only one segment of the regulated day care universe – FDC and SACC providers, to whom the legislation's registration mandate applied – rather than other types of providers already subject to more regulation prior to 1990.¹ Because orientation is no longer a prerequisite for registration,² this report modifies the original reporting charge above by replacing that topic with detailed performance information on the related, equally critical process of handling registration applications.

Registered Providers

- For the year ending March 31, 2011, registered FDC provider counts³ decreased in New York City (4%), the balance of the state (5%) and statewide (4%), compared with the prior year – continuing each region's trend since April 2008. For the three-year period ending March 2011,⁴ the corresponding declines were 6%, 10% and 8%, respectively – slower than the 11% declines observed for each region in the 2007 – 2010 review.

¹ Notably, some of this report's findings are reversed among other types of providers, making the review only a partial snapshot of New York's regulated child care universe. (See *Background on Child Care...*, pg. 2, for an overview of the different modalities of care.) For example, the declining numbers of FDC providers shown in this report and its recent predecessors in this series are more than offset by increases in Group Family Day Care (GFDC) providers during the same years, especially in New York City, where the latter increased 65% between March 2008 and January 2012 (from 2,976 to 4,902, respectively [CCFS]).

² See the discussion under *Introduction and Background*, pg. 1.

³ Counts here are based on providers registered *at any point* during the respective intervals (see pg. 8).

⁴ Each "three-year" percentage cited here and below refers to the change between the first of the three years (beginning April 1, 2008) and the third – the report year beginning April 1, 2010.

- SACC provider counts remained almost unchanged from the prior year in New York City, the balance of the state and statewide (.2%, .1%, .2% declines, respectively), stalling the modest, prior-year growth seen in each region (1%, 2%, 2%, respectively). For the three-year period ending March 31, 2011, SACC numbers increased modestly (1% for New York City, 2% elsewhere and statewide) but far more slowly than in the prior review (4%, 6%, 5%, respectively) as this population appeared to stabilize.
- The slowing rate of change for both modalities during the three-year period ending March 31, 2011, suggests a resilient, consistently sized population of provider-businesses well-adjusted to meeting the regulatory, market and operating conditions they face.

Complaint Handling

- Continuing the last review's downward trends, complaint counts declined moderately from the prior year (11% – 26%) in five regions, four of them for two years running; two others showed modest increases (3% for the Buffalo region, 5% for the New York City region). For the three years ending March 2011, only two regions' complaints failed to track clear overall downward trends: the New York City and Rochester regions (each showing alternating year-to-year fluctuations).
- As in each review since that for 2003 – 2006, complaint counts in and outside of New York City appeared disproportionate given the statewide distribution of providers. During the three years ending March 31, 2011, annual ratios of complaints filed outside the City, to those filed within the City, ranged from 5:1 (2008 – 2010) to 4:1 (2010 – 2011); *standardized* complaint rates (per 100 registered providers) outside the City were three to four times greater than those in the City, each year.
- Complaint categorizations in New York City and elsewhere continued to show clear qualitative differences as well as similarities: 1) Each year of the three-year period ending March 31, 2011, the City designated over 90% of complaints as “imminent danger” compared with just 1%-2% for the balance of the state (“serious” complaints showed a reverse pattern); 2) statewide, sizable and broadly similar proportions of complaint investigations identified additional regulatory violations beyond those originally reported for the complaints; four of seven regions (Albany, Buffalo, New York City and Rochester) reported fewer such violations the latest-year, after increases by all seven – often prominent – the preceding year.
- New York City improved on its solid (99%) timeliness level in *initiating* complaint investigations the prior year by reaching 100% for 2010 – 2011, while the balance of the state showed greater relative improvement and almost as timely performance in this respect (rising from 93% to 97%). In a slight contrast, the year ending March 31, 2011, saw small reversals to timeliness improvements shown by both major regions in *determining* complaint investigations the prior year (falling from 94% to 92% for the City and from 92% to 91% outside of the City).⁵
- As in other recent reports in this series, the three-year period ending March 31, 2011, offers suggestive but inconclusive evidence of differences by region in the disposition of investigations, but only for complaints rated as “serious.” For these, substantiation rates

⁵ See *Background* (under *Complaints*, pg. 11) for details on complaint timeliness calculations for this review.

in New York City were 18 or more percentage points lower than elsewhere in the state, each year, but reflected far smaller New York City sample sizes, offering less confidence about the conclusion.

Application Processing

- Statewide, combined FDC/SACC application counts for the year beginning April 1, 2010, decreased 7% compared with the prior year – completing a pronounced swing from the 1% growth the prior year and net double-digit growth seen between April 2007 and March 2009.⁶ Although the decline figured in both major regions of the state, that outside of New York City was far larger than the City’s (11% vs. 2%, respectively), including fall-offs in every region and as large as 22% (Buffalo region).
- Driving the statewide decline in applications for the 2010 – 2011 year were decreases in both FDC applications and SACC applications (5%, 18%, respectively) – a contrast to the prior year when the former held constant but SACC applications increased by 9% over the preceding year.
- The proportion of combined FDC/SACC applications processed in timely fashion increased by two percentage points (to 95%) for the 2010 – 2011 year – the sixth one-year increase in the last seven years (since 2003 – 2004). Underlying the improvement were larger *relative* timeliness gains reported for areas outside of New York City (from 88% to 91%) balanced against consistently timely application processing in the City (unchanged, at 99%). During the three years ending March 31, 2011, New York City’s advantage over the balance of the state in processing applications on time ranged between 8 and 11 percentage points each year.
- Outside of New York City, timeliness in processing applications varied more by modality than within the City, where timeliness differed by no more than one percentage point, by modality, for each of the three years preceding March 31, 2011; during the same period, the balance of the state showed modest improvements in processing SACC applications (rising from 89% to 94%) but little consistent change in resolving FDC applications on time (falling from 91% to 90%).

“50% Inspections”

Section 390(4)(a) of Social Services Law requires annual inspections of at least 50% of all registered providers of each modality per county, in order to maintain compliance with regulatory and statutory quality-of-care requirements.

- Despite a 10% decline in “50% inspections” completed in New York City, and only modest (3%) growth outside the City, compared with the prior year, both major state regions completed more of these inspections than required for the year ending March 31, 2011 – a consistent pattern. For each of the three years preceding that date, the City’s goal for such inspections was exceeded by 70% to almost twice over, while that for the balance of the state was exceeded by 15% – 43%.

⁶ See the last report in this series for details (*Report to the Governor and Legislature on Family Day Care and School Age Child Care Registration: April 1, 2009 – March 31, 2010* [DCCS, 2011]), pg. 22.

- As in the 2009 – 2010 review, the proportion of these inspections in which violations of applicable regulations were identified rose marginally, statewide (1%), continuing a reversal of a downward trend seen between 2003 and 2009. Unlike the prior, *broader* increase, however, this one was driven entirely by larger numbers of such identifications within New York City (plus six percentage points) partially offset by considerably smaller numbers of such reports outside the City (minus seven percentage points).

1. Introduction and Background

a) Purpose and Focus of the Study

Chapter 750 of the Laws of 1990 (SSL 390) established a system of mandatory registration for family day care (FDC) and school age child care (SACC) programs in New York State. It replaced a patchwork system marked by varying rules and authorities for registration with a single consistent system that was more capable of exerting strong emphases on training, support services and the protection of children's health and safety.⁷ The legislation included the following reporting requirements:

“The commissioner of social services shall prepare an annual report to the Governor and legislature on the implementation of this act. Such report shall include information on

1. the number and types of child care providers registered and licensed,
2. the number and types of orientation sessions offered,
3. the number and types of complaints received and a summary of the department's responses to and resolution of the same, and
4. the number of registrants and applicants for licensing awaiting inspection or other administrative action.”⁸

This report covers the year April 1, 2010 – March 31, 2011 and is a continuation of the series of registration reports previously submitted to comply with the above statutory requirement for the years through March 31, 2010. Throughout, the focus of reporting is on FDC and SACC providers – those to whom the legislation's registration mandate applied – rather than other types of providers already subject to more regulation prior to 1990.⁹ While the focus is the 2010 – 2011 report year, for consistency with prior reports in the series, the study also offers extensive comparisons with the three-year window ending the same year, for perspective, with each year broken out separately in the analysis, consistent with the Law's annual reporting requirement.

Because orientation ceased being a requirement for registration early in 2001, this report, like its recent predecessors, substitutes detailed information on a closely related part of the registration process: the timeliness with which registration applications are handled.¹⁰

Following the Introduction, then, this Review includes three major sections, corresponding to the legislative requirements above:

⁷ Under the prior system, e.g., SACC programs operating relatively few hours were exempt from registration, while FDC programs were regulated through a confusing joint state-county system.

⁸ *McKinney's 1990 Session Laws of New York* (West Publishing Co.), V. 1, pg. 1531. Numbering added.

⁹ See *Background on Child Care and Registration*, pg. 2, for an overview of different modalities of care and the corresponding regulatory framework.

¹⁰ See prior reports in this series (e.g., *Report to the Governor and Legislature ... April 1, 2009 – March 31, 2010*, op cit., pp. 1-2) for the legislative context surrounding the discontinuation of orientation as a registration requirement for FDC and SACC programs.

- a) Registered Providers – the number and types of child care providers registered and licensed;
- b) Complaints – the number and types of complaints received and a summary of the department's responses to and resolution of the same; and
- c) Administrative Actions – the number of registrants and applicants for licensing awaiting inspection or other administrative action.

b) Background on Child Care and Registration

In New York State, persons caring for fewer than three children within home settings are considered “license-exempt” and are not subject to regulation. When persons provide care for three or more children for more than three hours a day in a home setting, that care *is* regulated by the state and is categorized as either “family day care” (FDC; up to eight children, depending on the ages of the children) or “group family day care” (GFDC; up to 16 children, depending on the ages of the children).¹¹ Programs in which children receive care outside of a home setting include “day care centers” (DCC; seven or more children), “small day care centers” (SDCC, three or more children) and “school age child care” (SACC; six or more school-age children receiving care during non-school hours, holidays or school vacations). Both DCC and GFDC programs are regulated by the state through a process known as *licensing*, while FDC, SACC and SDCC programs are regulated through the analogous process of *registration*, the focus of this study.

Whether through licensing or registration, regulation of child care providers in New York State entails an array of detailed activities including application processing, background checks, safety and facility inspections, documentation of mandated and other training, ongoing monitoring and supervision – all aimed at protecting the health and safety of children in care by requiring that providers comply with minimum standards for care established in regulation (e.g., safety, sanitation, nutrition, prevention of child maltreatment). For FDC and SACC programs, these “registration services” have been provided under one of several arrangements, depending on local department of social services (LDSS) preferences. During the eight years ending with the present 2010 – 2011 report period, **New York State** – through OCFS’s seven regional child care offices¹² – provided registration services directly to a sizable, relatively consistent proportion of counties (ranging between 17 and 21, and reaching 19 counties in 2011),¹³ while OCFS contracted with a steadily dwindling proportion of **LDSS’s that chose to provide registration services directly** (falling from 8 counties in 2003 to 2 counties in 2011).¹⁴ During the same

¹¹ Three months into the current report period (in June 2010), Chapter 117 of the Laws of 2010 revised New York law to enable larger capacity limits for FDC and GFDC programs under limited circumstances when OCFS assesses individual programs to determine whether they are able to accommodate the specific number of children in care. After inspection and approval, FDC programs previously limited to caring for no more than two children under the age of two were permitted to care for more than two such children if at least one caregiver was available for each two children under that age who were in care. GFDC programs previously limited to serving up to 14 total children, including up to four school-age children, were permitted to serve as many as 16 children, upon approval of such a change (following an inspection). *For most of the present report period, therefore, the new capacity limits noted in the discussion applied.*

¹² Figure 1, below (repeated in Appendix A.1, pg. 31) maps the seven regions of the Division of Child Care Services (DCCS) whose offices oversee the regulation of child care providers in New York State.

¹³ See Figure 2, pg. 7, (green cross-hatch).

¹⁴ *Ibid.* (dark blue hatch).

period, OCFS contracted with a slowly growing number of LDSS's **subcontracting for the provision of these services by not-for-profit entities, primarily Child Care Resource and Referral (CCR&R) agencies** (rising from 32 counties in 2003 to 36 counties in 2011),¹⁵ and OCFS contracted with the **New York City Department of Health & Mental Hygiene (NYCDOHMH)** to provide the services in New York City (5 counties).¹⁶ During the 2010 – 2011 year, two counties previously serviced by New York State staff transitioned to CCR&R provision of these services. *Figure 1 maps and defines the seven DCCS regions, while Figure 2 documents the latest changes referenced (Seneca and Yates Counties' shift from New York State- to CCR&R-provided registration services).*

One possible consequence of these variations in who provides registration services could be differences (e.g., number of workers and/or skill-levels) among the workforces performing registration services in different geographic areas. For example, if disparities in wages, credentials, technology, or resources exist among New York State, CCR&R, LDSS or other employees charged with this work, performance of registration activities and the resulting statistics summarizing that performance could be affected, making comparisons that ignore such factors ill-advised. In order to mitigate (although not eliminate) this issue and provide the most equitable comparisons, this review, like the prior reports, emphasizes comparisons among larger areas (e.g., New York City versus the balance of the state), rather than county-level contrasts that easily could involve (for example) exclusively New York State versus exclusively CCR&R staff.¹⁷

Other consequences of these different registration service arrangements flow from DCCS's implementation of performance-based contracting for this work. Effective January 1, 2005, and continuing into 2006 and beyond, all contracts for the provision of registration services by non-State entities such as CCR&R's, NYCDOHMH or LDSS's were converted into performance-based arrangements in an effort to maximize accountability and oversight by conditioning payments for services on localities' attainment of a variety of accepted standards in completing the work. Integral to this change, all contractors were required to use a common reporting system of record, described below, and DCCS developed a series of automated "performance standards," keyed to that reporting system, to enable rigorous, routine monitoring (on an as-needed, usually quarterly, basis) of all key registration activities by those performing the services.

The transition to performance-based contracting probably had both *direct* and *indirect* effects on registration statistics, potentially contributing to differences in performance between those counties with and those without performance-based contracts (e.g., counties with NYCDOHMH, LDSS or CCR&R-provided services and those with New York State-provided services, respectively). Almost certainly, this shift in administration produced direct salutary effects on

¹⁵ *Ibid.* (light blue hatch).

¹⁶ *Ibid.* (orange cross-hatch). See Appendix A.2 (pg. 32) for maps documenting all of the changes cited.

¹⁷ Where informative for policy purposes, DCCS Regional results – *typically referred to by abbreviation, as detailed in Figure 1 and Appendix A.1 (pg. 31)* – are also offered, but illustrate the difficulty. For 2011, e.g., the percent of each DCCS Region's counties which involved New York State-provided registration services ranged from 0% (Rochester, Spring Valley Regions) to 57% (Syracuse Region); for CCR&R-provided services, the corresponding proportions ranged from 43% (Syracuse Region) to 100% (Rochester, Spring Valley Regions). As a result, the role of potential staffing differences always warrants consideration when weighing certain comparisons.

the performance of key registration activities in those locales affected, by improving oversight. But performance-based contracting probably also influenced registration activities indirectly, such as by contributing to gains in skills and/or staffing-levels, and thereby to better caseload management and presumably better performance by those registration workers affected. As a result, the adoption of performance-based contracting probably promoted not only improvements in the monitoring of programs, and ultimately in the regulation of care, but perhaps also variations in the extent of such improvement, among counties and larger regions, during the years since. One of the major benefits of this series of reports may be to uncover whether such differences have actually appeared, and thereby enable appropriate responses to such, to be developed.

c) Methodology and Data Sources

This report places primary emphasis on quantitative data from the database of record for child care services in New York State – the *Child Care Facility System (CCFS)* – in order to provide clear, replicable measurements addressing the specific reporting requirements at issue (above). As a result, this report affords a clear perspective on any changes that occurred during the year ending March 31, 2011, in comparison with the three years ending the same date, or with prior report periods.

For each topic reviewed, this involved either creating new reports keyed to CCFS data or modifying DCCS’s existing performance standards, when feasible, to produce measures analogous to the originals, but customized and sometimes enhanced to fit the descriptive task at hand. For example, the analysis of “response to complaints” in this report closely resembles – with some distinctions – the methodology used to assess the timeliness of complaint investigations in DCCS’s corresponding “performance standard,” but also includes: a) all counties throughout the state and; b) only FDC and SACC programs and c) enhanced detail to facilitate regional comparisons, viz., standardized rates of complaints received.¹⁸ For readers’ reference, each chapter below overviews any computational details pertinent to understanding the respective chapter findings, while Appendix A.3 (pg. 39) provides narrative descriptions of all such rules and calculations employed for measures featured throughout the report.

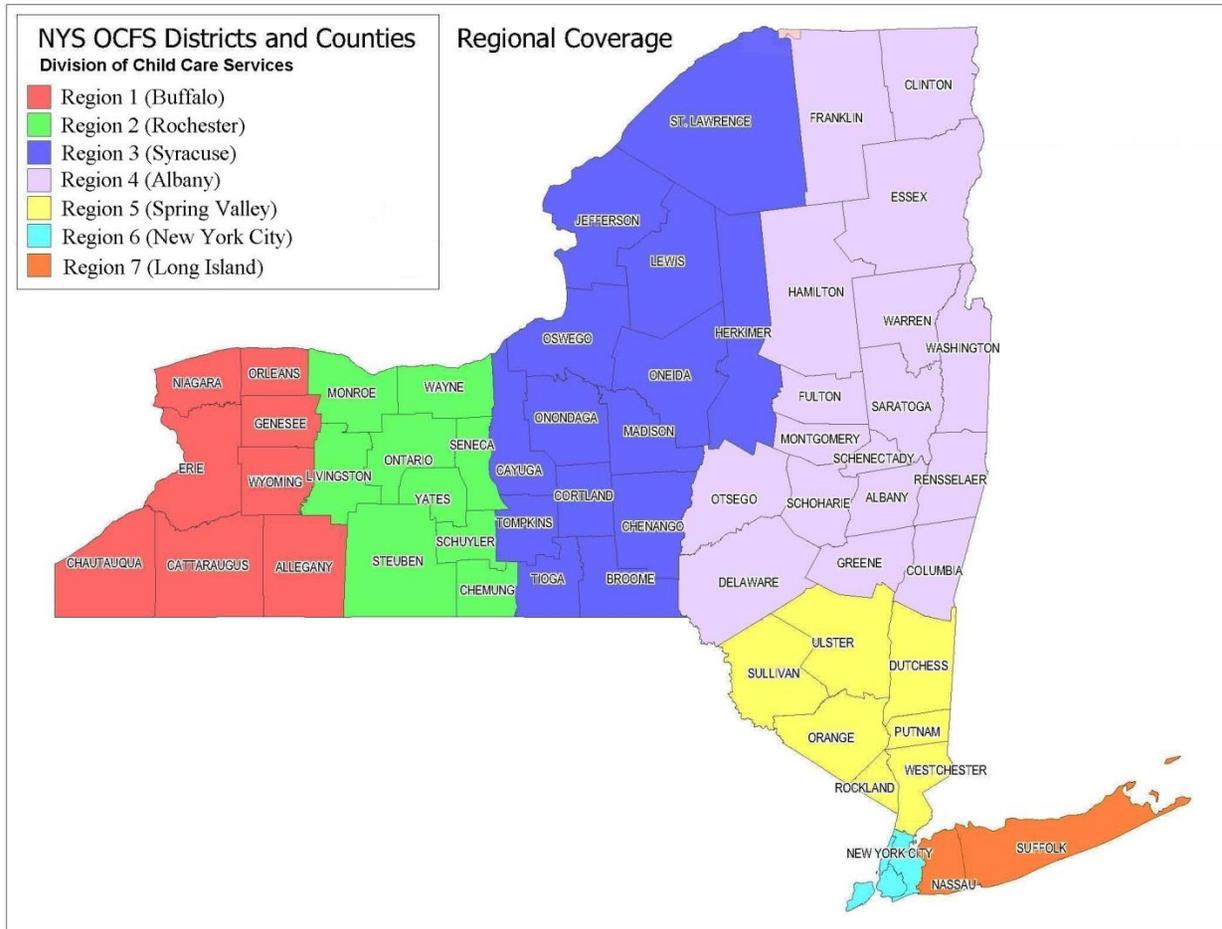
Given CCFS’s status as the database of record for child care in New York, this report necessarily relies on that data set, but like its predecessors, continues to call attention, where informative, to instances where variations in reporting (e.g., definitional and/or practice issues) may have influenced findings.¹⁹ The present report’s continued finding of fewer complaints reported for

¹⁸ As in the prior reviews, two standardized “complaint rate” measures are provided in this report: a “one-year” rate relating the number of complaints in a year to the number of providers *ever registered* during that year, and a “three-year” rate relating complaints received during a three-year period to providers ever registered during that period, with each measure expressed as the number of complaints “per 100” such providers. Aside from such refinements, the three major differences between measures presented here and DCCS’s existing ones are: a) the inclusion of all counties (rather than just those with performance contracts, as in the original measures); b) the restriction to just FDC and SACC settings; and c) the focus on annual report periods here. Readers should note that this makes results here look decidedly different from performance measures typically published by DCCS.

¹⁹ For example, see the prior report’s description of factors that influenced the completeness of reporting early in CCFS’s implementation. *Op cit.*, *Methodology and Data Sources*.

New York City than might be expected, based on its 40%-50% share of the population of providers, is a primary example.

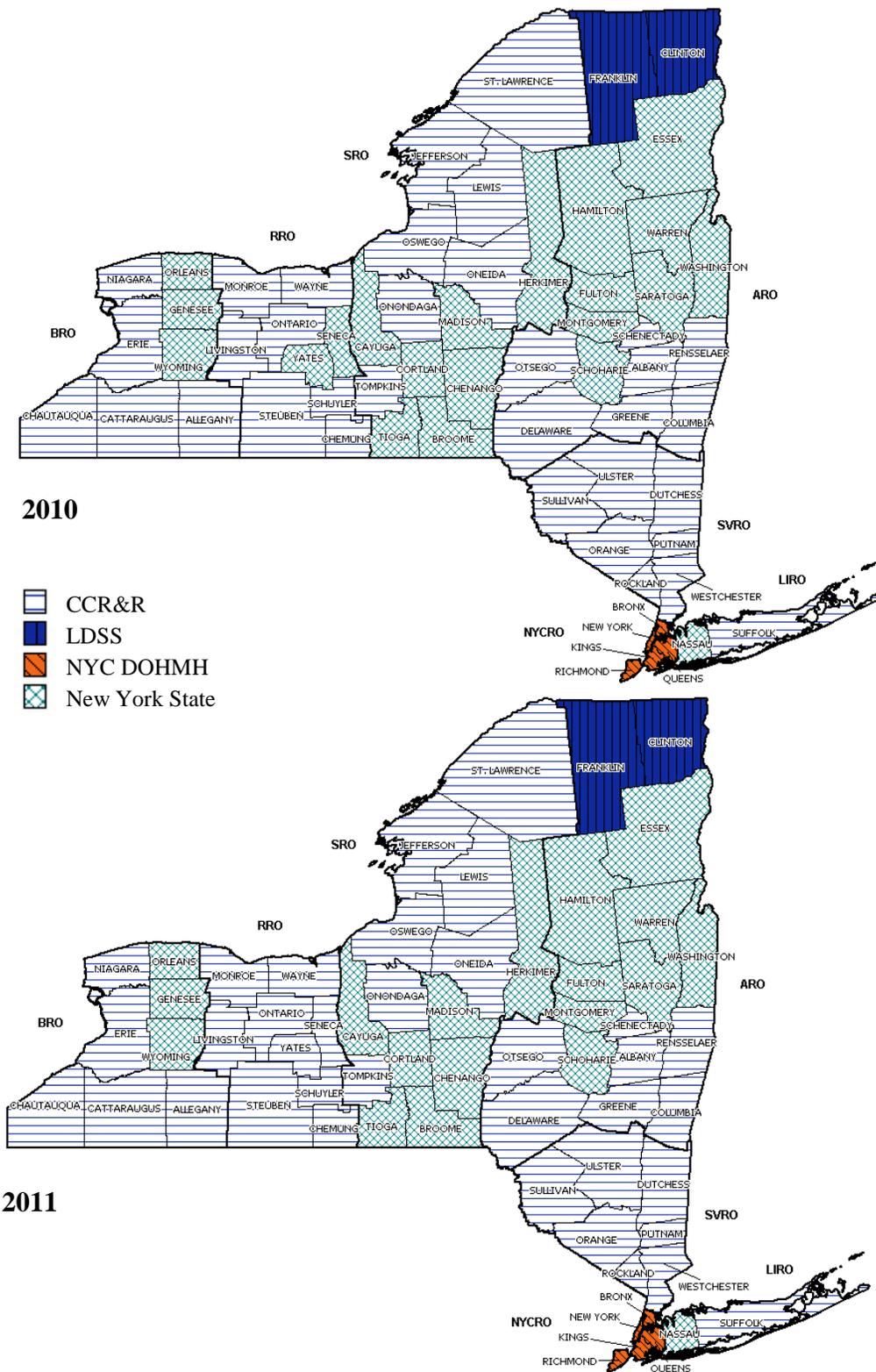
Figure 1. OCFS Division of Child Care Services Regions and Constituent Counties²⁰



DCCS Regions / Counties	
Albany Region	Rochester Region
Albany	Chemung
Clinton	Livingston
Columbia	Monroe
Delaware	Ontario
Essex	Schuyler
Franklin	Seneca
Fulton	Steuben
Greene	Wayne
Hamilton	Yates
Montgomery	Spring Valley Region
Otsego	Region
Rensselaer	Dutchess
Saratoga	Orange
Schenectady	Putnam
Schoharie	Rockland
Warren	Sullivan
Washington	Ulster
Buffalo Region	Westchester
Allegany	Syracuse Region
Cattaraugus	Broome
Chautauqua	Cayuga
Erie	Chenango
Genesee	Cortland
Niagara	Herkimer
Orleans	Jefferson
Wyoming	Lewis
Long Island Region	Madison
Nassau	Oneida
Suffolk	Onondaga
New York City Region	Oswego
Bronx	St. Lawrence
Kings	Tioga
New York	Tompkins
Queens	
Richmond	

²⁰ Throughout this report, DCCS Regions, which are named for the location of the DCCS regional offices, are referred to by abbreviation – ARO (Albany Regional Office), BRO (Buffalo ...), LIRO (Long Island ...), NYCRO (New York City ...), RRO (Rochester ...), SVRO (Spring Valley ...) and SRO (Syracuse ...).

Figure 2. Changes in Registration Service Provider by County: 2010 – 2011²¹



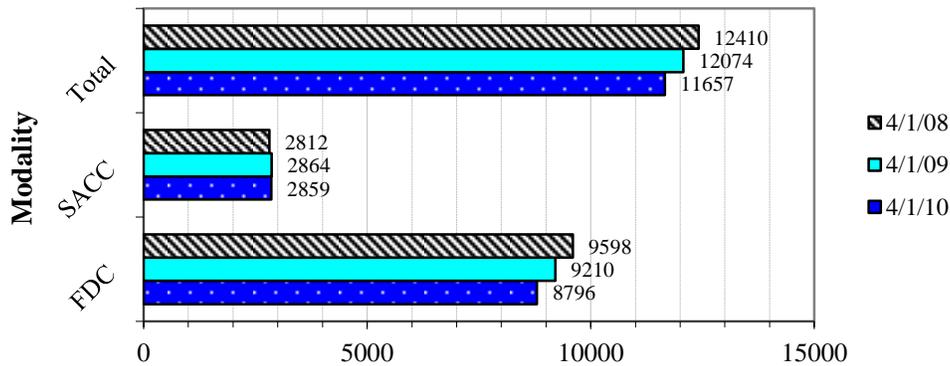
²¹ For both maps, one county (Oneida) served by a not-for-profit agency which was not a CCR&R agency is grouped under the “CCR&R” category displayed. See Appendix A.2 (pg. 32) for notes regarding corrections made to maps from earlier reports in this series and for full-page versions of all maps documenting the changes discussed.

2. Registered Providers

a) Overview

The year beginning April 1, 2010, saw a remarkably uniform continuation of the downward statewide trends reported in the prior review, but with one additional (marginal) downward influence contributing – namely, a cessation in the partially offsetting growth seen among SACC providers for the 2009 – 2010 year. Compared with the prior year, total FDC/SACC programs registered at any point during the year ending March 31, 2011, showed similar declines (-3%) reflecting similar (higher-level) attrition among FDC programs (-4%) and no compensating increases previously reported for SACC programs (+2% vs. 0%, respectively). For the entire three-year period ending March 31, 2011, the corresponding cumulative changes statewide among those registered at any time each year, -6% (total FDC/SACC), -8% (FDC) and +2% (SACC), remained similar to those observed for the 2007 – 2010 review (-8%, -11% and +5%, respectively), suggesting consistent, if slowing, trends into the current review period.²² Figure 2.1 displays the corresponding changes in numbers of providers ever registered during the three years culminating with the present report year, by modality.²³

Figure 2.1
Total (FDC/SACC) Providers Registered at Any Point
During Reporting Period, By Modality, For Year Beginning:



As described in several previous reports in this series,²⁴ some of the factors influential in net declines in registered providers in recent years are probably no longer applicable, contributing to the continued, but slowing, decline in total FDC/SACC providers during this report year (e.g., fluctuations after New York City's incorporation into CCFS; changes in standards implemented under the *Quality Child Care and Protection Act of 2000*). Other factors, such as transitions of existing FDC to GFDC programs for business reasons, probably now account for relatively

²² Cf. *Report to the Governor and Legislature ... April 1, 2009 – March 31, 2010*, op cit., pg. 8.

²³ For both this and the following Figure, each year's counts represent those registered during that same year. Also, note the distinction between the “ever registered” counts cited and *point in time* counts, such as at the end of each year. Table 2.1 provides both types of counts, and just as in the prior review, reveals consistent declines in FDC providers “within” each year reported (compare the “first day” and “last day” counts shown).

²⁴ See especially the more detailed description in *Report to the Governor and Legislature on Family Day Care and School Age Child Care Registration: April 1, 2003 – March 31, 2006* (DCCS, 2010), pg. 8.

stable (rather than growing) proportions of providers. Taken together with the consistency of this and other recent reviews' findings of sustained strong performance on key registration activities, this stability suggests a consistently sized (because *durable*) population of provider-businesses well-adjusted to meeting the regulatory, market and operating requirements they face.

b) Regional Detail

When broken down further by region (New York City versus the balance of the state), each area of the state largely mirrored these trends of continued decline among FDC programs no longer partially offset by minor gains among SACC programs as of the 2010 – 2011 report year. Figure 2.2 displays the corresponding changes in counts of providers by modality for the two regions, for that year and the preceding two years, as summarized more completely in Table 2.1. Just as in the 2009 – 2010 review, New York City and most other regions showed broadly similar patterns of change in numbers of providers, for the three years ending March 2011.²⁵

Figure 2.2. Total (FDC/SACC) Providers Registered at Any Point During Reporting Period, By Major State Region and Modality, For Year Beginning:

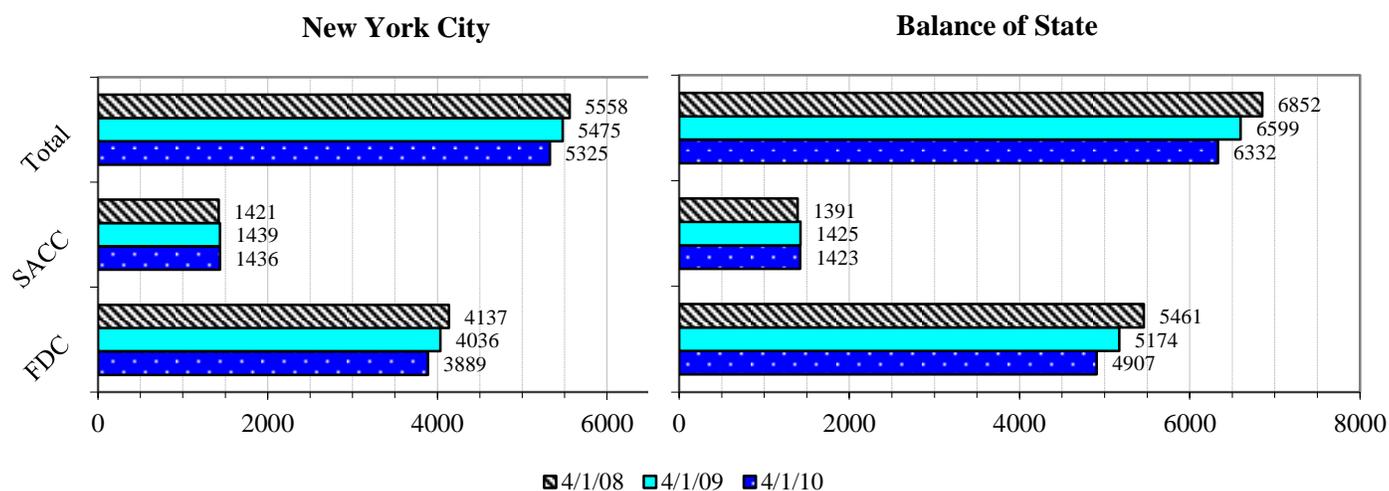


Table 2.1. Number of Registered Providers (FDC/SACC), By Major State Region and Modality: As of Any Point, As of the First Day and as of the Last Day, For Three Years, 4/1/08 - 3/31/11

Region	Year Starting April 1,	Any Point During Year			First Day			Last Day		
		FDC	SACC	FDC+ SACC	FDC	SACC	FDC+ SACC	FDC	SACC	FDC+ SACC
New York City	2008	4,137	1,421	5,558	3,535	1,244	4,779	3,358	1,268	4,626
	2009	4,036	1,439	5,475	3,356	1,267	4,623	3,307	1,309	4,616
	2010	3,889	1,436	5,325	3,301	1,308	4,609	3,277	1,299	4,576
Balance of State	2008	5,461	1,391	6,852	4,605	1,269	5,874	4,428	1,292	5,720
	2009	5,174	1,425	6,599	4,426	1,294	5,720	4,260	1,314	5,574
	2010	4,907	1,423	6,332	4,259	1,314	5,573	3,996	1,317	5,315

²⁵ Appendix A.4 (pg. 41) documents similar fluctuations among specific DCCS regions for the years 2008 – 2011. For example, all regions showed FDC declines each year; in contrast, five of seven regions showed small declines in SACC numbers the latest year while an equal number (but not the *same* 5) showed SACC gains the prior year.

Table 2.1. Number of Registered Providers (FDC/SACC), By Major State Region and Modality: As of Any Point, As of the First Day and as of the Last Day, For Three Years, 4/1/08 - 3/31/11										
Region	Year Starting April 1,	Any Point During Year			First Day			Last Day		
		FDC	SACC	FDC+SACC	FDC	SACC	FDC+SACC	FDC	SACC	FDC+SACC
Total	2008	9,598	2,812	12,410	8,140	2,513	10,653	7,786	2,560	10,346
	2009	9,210	2,864	12,074	7,782	2,561	10,343	7,567	2,623	10,190
	2010	8,796	2,859	11,657	7,560	2,622	10,182	7,273	2,616	9,891

3. Complaints

a) Background

In New York State, complaints about child care are received through a variety of channels by a variety of staff ranging from those in OCFS's central and regional offices, to local or subcontracted staff responsible for registration services in particular localities,²⁶ to individual child care programs, but in every instance, are required to be immediately entered into CCFS for appropriate handling. Under its authority for implementing the Law and regulation in this area, OCFS categorizes complaints into three types, corresponding to their degree of "seriousness": non-emergency, serious or imminent danger. The classification of a complaint determines how quickly it must be investigated. As detailed in the Appendix, both the measurements of timeliness for initiating, and for determining, investigations that are used for this review are conservative in the sense of slightly *understating* the timeliness of performance involved, as compared with the corresponding OCFS performance standards.²⁷ The findings on timeliness of complaint "determinations," in particular, concern a wider range of agency activity (were complaints *closed and corrected* within 60 days?) than that involved in OCFS's compliance monitoring (were complaint allegations *judged substantiated or not* within 60 days?), but for convenience are referenced throughout this report under the abbreviation, "determination."

Based on an investigation, a complaint is found to be: 1) either substantiated or unsubstantiated (regarding the original allegation[s]), and 2) either involving or not involving additional regulatory violation(s) requiring corrective action in order for the program to continue operating.

b) Types of Complaints Received

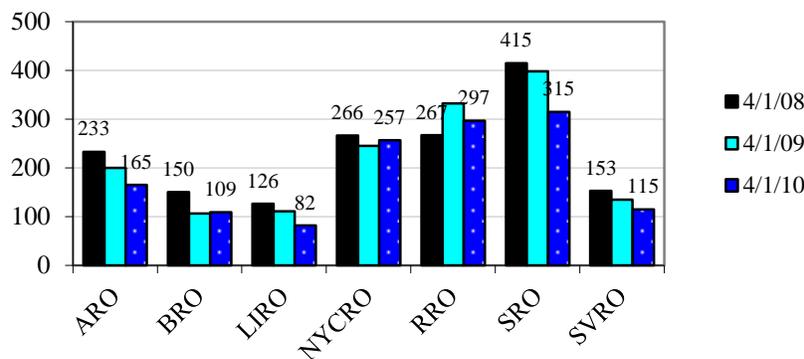
For the year ending March 31, 2011, the combined number of complaints received for FDC and SACC programs decreased in five of seven DCCS regions (all except Buffalo and New York City), compared with the prior year, although one of the five (Rochester) showed an upward trend during the three years ending March 31, 2011. Figure 3.1 details the trends in complaints received in each region during the three years, showing one-year decreases ranging from 11% to 26% (in five regions) and one-year increases ranging from 3% to 5% (Buffalo and New York City regions [BRO, NYCRO], respectively) for the 2010 – 2011 year.²⁸

²⁶ See *Background on Child Care and Registration*, pg. 2, for a discussion of the entities responsible for registration services in different locales.

²⁷ Appendix A.3 details the specific time frames applicable for initiating and completing complaint investigations, as used in OCFS's performance standards and as implemented for the *Response to Complaints* section, below. See pg. 39, especially, for details on the (slight) understatement of timeliness in relation to complaint processing, for years prior to the latest one reviewed, in the present review, and how this could impact certain of the comparisons made.

²⁸ Table 3.2 (pg. 43) and Table 3.4 (pg. 44) in the Appendix document the annual counts summarized in Figure 3.1.

Figure 3.1
Total Complaints (FDC/SACC), By Region, for Year
Beginning:



One consistent finding from the 2010 – 2011 year, the preceding two years and, indeed, all recent reports in this series, concerns the relative numbers of complaints filed in New York City and the balance of the state. Figure 3.2 (next page) shows the trend in numbers of total complaints filed in each major region during each year summarized in this report. For each year, this shows a large preponderance of complaints filed in areas outside of New York City, with ratios of complaints filed outside of the City, to those filed within the City, ranging from over 4:1 (latest year) to over 5:1 (both earlier years) for registered providers.²⁹

In addition to the differing scale of complaint-reporting for New York City versus the balance of the state during this and other recent report periods, the two regions continued to report different mixes of “seriousness” among complaint categorizations but – once investigations had occurred – relatively similar trends in the proportions of complaint investigations involving one or more additional regulatory violations beyond those originally reported.³⁰ Table 3.1, further below, details the numbers of complaints filed during the three-year window ending with the present report year, by initial seriousness ratings and additional violations status, for New York City and the balance of the state. Figure 3.3 summarizes the regional distinctions, revealing extremely stable, low proportions of imminent danger classifications, and large, modestly increasing proportions of serious complaints (at the expense of non-emergency complaints) filed outside of New York City, but an extremely high and now-stable concentration of imminent danger classifications within the City.³¹ Figure 3.4, finally, summarizes the regional similarities in trends in the proportion of complaints judged to involve additional regulatory violations, with four of seven regions (Albany, Buffalo, New York City and Rochester [ARO, BRO, NYCRO,

²⁹ The section, *Rate of Complaints ...*, below (pg. 14), provides a different perspective on the disproportionality by recasting the raw counts presented here as standardized measures (i.e., complaints *per registered provider*).

³⁰ Here and below (e.g., Table 3.1), “additional violations” refers to regulatory violations confirmed during investigation, but not included among the original complaint allegation(s).

³¹ As explained in the 2003 – 2006 review, rather than reflecting an initial shift followed by a disparity in the characteristics of complaints filed, the continuing predominance of imminent danger classifications for New York City complaints reflects a policy shift toward emphasizing that categorization, introduced during the 2003 – 2006 period. See *Types of Complaints Received* section, *Report to the Governor and Legislature*, op cit.

RRO, respectively]) showing a downward inflection during the latest year after all seven regions showed increases – often prominent – the preceding year.

Figure 3.2
Total Complaints (FDC/SACC), By Major State Region, for Year Beginning:

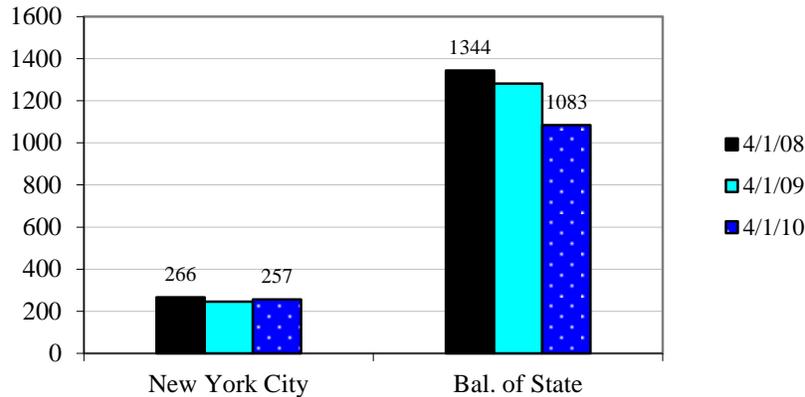


Table 3.1. Number of Complaints by Seriousness and Whether Additional Regulatory Violation(s) Involved, By Major State Region, For Years, 4/1/08 - 3/31/11

Region	Year Starting April 1,	Number of Complaints					Percent of Total Complaints:			
		Seriousness			With Additional Violation(s)	Total	By Seriousness			With Additional Violation(s)
		Non-Emergency	Serious	Imminent Danger			Non-Emergency	Serious	Imminent Danger	
New York City	2008	0	20	246	89	266	0%	8%	92%	33%
	2009	0	9	236	93	245	0%	4%	96%	38%
	2010	1	8	248	85	257	0%	3%	96%	33%
Balance of State	2008	166	1,152	26	358	1,344	12%	86%	2%	27%
	2009	144	1,117	21	568	1,282	11%	87%	2%	44%
	2010	94	975	14	477	1,083	9%	90%	1%	44%
Total	2008	166	1,172	272	447	1,610	10%	73%	17%	28%
	2009	144	1,126	257	661	1,527	9%	74%	17%	43%
	2010	95	983	262	562	1,340	7%	73%	20%	42%

Figure 3.3. Percent Distribution of Complaints (FDC/SACC) By Seriousness, For Major State Regions, For Year Beginning:

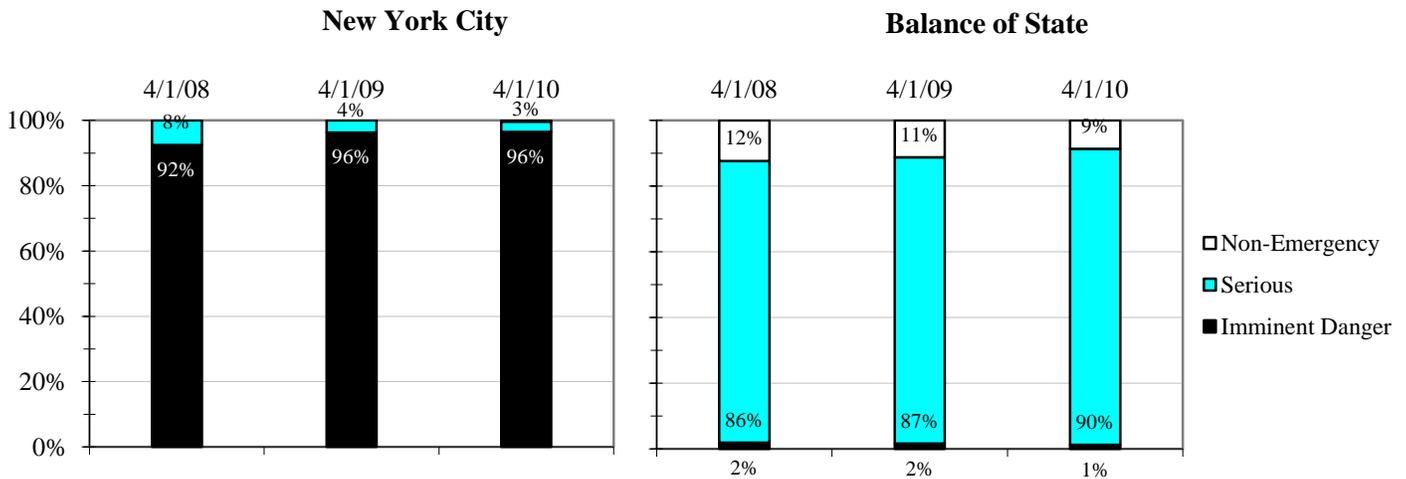
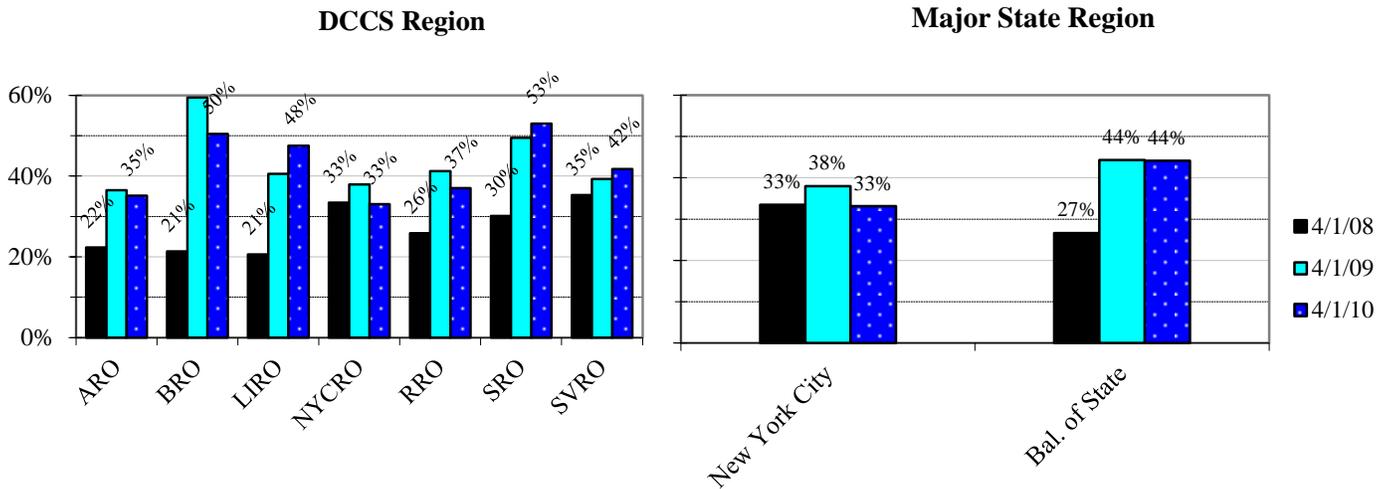


Figure 3.4. Percent of Complaints (FDC/SACC) with Additional Regulatory Violation(s) Reported, By DCCS and Major State Regions, for Year Beginning:³²



c) Rate of Complaints and Department Response to Complaints

Once a complaint is received, it is classified and investigated according to the time frames for initiating and completing investigations set for the classification (see *Background*, pg. 11). Table 3.3 provides information (by major state region) on the number of complaints received, the timeliness of response to those complaints, and standardized rates of complaints (number of complaints per 100 providers registered at any point during an interval) that facilitate

³² See Appendix A.5 (Table 3.2, pg. 43) for the underlying numbers of complaints by individual DCCS region, seriousness and additional violation status.

comparisons among geographic areas and over time.³³ Figure 3.5 and Figure 3.6 then summarize the information relating to timeliness of response and rate of complaints received for the three years culminating in the 2010 – 2011 report year.

Table 3.3. Handling and Rate of Complaints (FDC/SACC), By Major Region and Year: Apr. 1, 2008 - Mar. 31, 2011

Major Region	Year Starting April 1,	Number of Complaints			Percent of Complaints:		Rate of Complaints	
		Total	Investigation Initiated Late	Investigation Determination Late	Investigation Initiated Timely	Investigation Determination Timely	Total Providers	Complaints Per 100 Providers
New York City	2008	266	3	30	99%	89%	5,558	5
	2009	245	2	15	99%	94%	5,475	4
	2010	257	1	20	100%	92%	5,326	5
Balance of State	2008	1,344	141	138	90%	90%	6,852	20
	2009	1,282	90	106	93%	92%	6,600	19
	2010	1,084	36	95	97%	91%	6,334	17
Total	2008	1,610	144	168	91%	90%	12,410	13
	2009	1,527	92	121	94%	92%	12,075	13
	2010	1,341	37	115	97%	91%	11,660	12

For the 2010 – 2011 report year, Figure 3.5 (next page) shows a continuation of the prior two years' improvements in timeliness at initiating investigations for the balance of the state (rising from 90% to 93% to 97%), but a small interruption of the first two years' gains in determining investigations (rising from 90% to 92% before slipping to 91%). For New York City, exactly analogous progress occurred (staying at 99% before rising to 100% for initiations and rising from 89% to 94% before falling to 92% for determinations, respectively). Given the short time frame allowed for initiating investigations of imminent danger complaints, the City's increasing reliance on that classification (see Figure 3.3, above) makes its continued timeliness in initiating investigations throughout this and the prior reporting period especially noteworthy.

³³ As already noted, see Appendix A.3 (pg. 39) for the specific timeframes for initiating and completing complaint investigations pertinent to each complaint category (non-emergency, etc.) used in all calculations in this section. Also, note that Table 3.3 groups all complaints relating to FDC or SACC providers (with calculations specific to the category of complaint), while the complaint rates shown are based on combined numbers of FDC/SACC providers registered at any point during the respective years. Readers will find numbers here corresponding to those shown under *Registered Providers (Regional Detail, pg. 9)* and *Types of Complaints* (e.g., Table 3.1, pg. 13), above.

Figure 3.5. Percent of Investigations (FDC, SACC) Initiated or Determined Timely, By Major State Region, for Year Beginning:

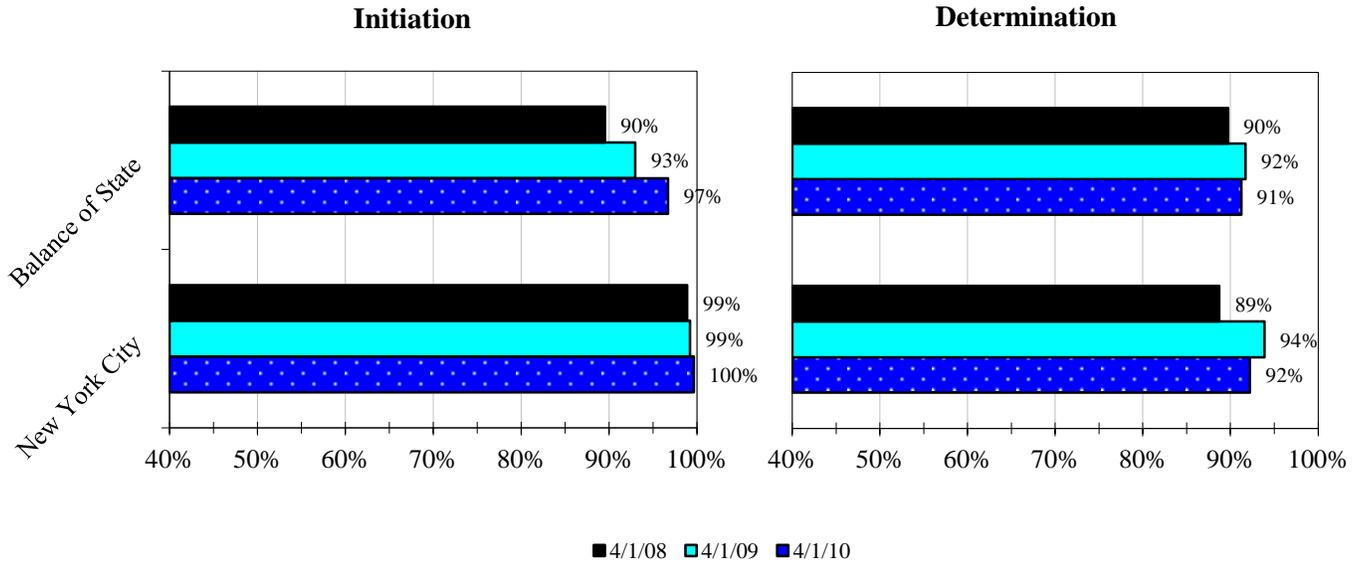
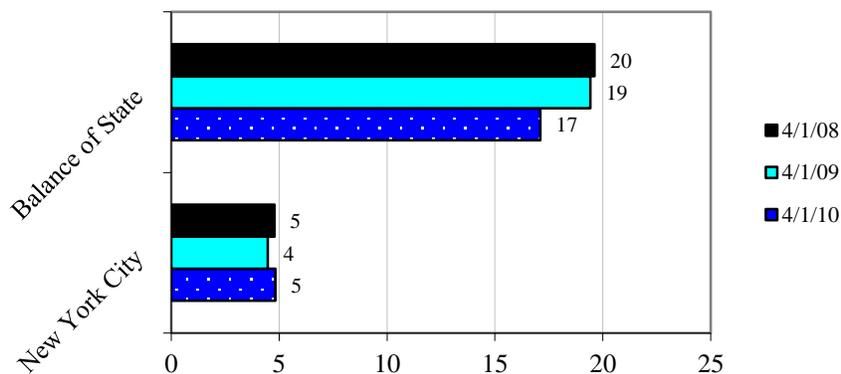


Figure 3.6 below provides a rigorous metric that refines and confirms the evidence presented above suggesting a disproportionality of complaints reported for New York City and the balance of the state. By the 2010 – 2011 report year, over three times more complaints were reported for every 100 FDC/SACC providers registered outside of New York City than for every 100 such providers within the City – a decrease from even higher rates ($\geq 4:1$) the preceding two years.

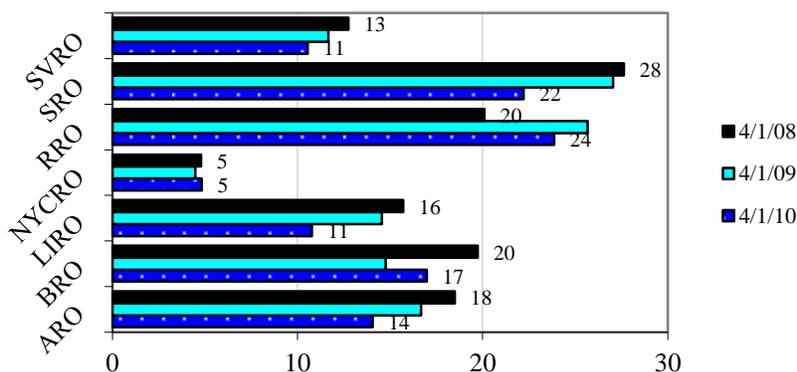
**Figure 3.6
Number of Complaints (FDC, SACC) Per Year Per 100
Registered Providers, By Major State Region, for Year
Beginning:**



As in the prior report, although large proportions of complaint investigations in all regions were reported initiated and resolved in timely fashion during the 2010 – 2011 report year, these overall

performance benchmarks masked some clear differences – and different trends – among regions' complaint-handling profiles. While more regions showed at least 95% of investigations initiated on time during the 2010 – 2011 year than did so a year earlier (all seven vs. five, respectively), fewer regions met a corresponding 90% standard for completing investigations on time during the later year, than a year earlier (five vs. six, respectively).³⁴ There were also clear differences in complaint *rates* among regions, even apart from the major-region (New York City versus balance of the state) disparities already discussed. Compared with the overall “balance of state” complaint rate reported for 2010 – 2011 (17 per 100 registered providers, Figure 3.6), rates for some regions outside New York City ranged from as low as 35% less (11 per 100, for the Long Island and Spring Valley regions [LIRO, SVRO, respectively]) to as high as 41% more (24 per 100, for the Rochester region [RRO]). Figure 3.7 summarizes this information.³⁵

Figure 3.7
Number of Complaints Per Year Per 100 Registered
Providers (FDC, SACC), By Region, for Year
Beginning:



Since there are far fewer SACC than FDC programs (and correspondingly fewer complaints), this review also looked at the handling of complaints by modality by focusing on performance during the three-year period ending with the 2010 – 2011 report year, as a whole, rather than on performance during individual years, to insure adequate sample sizes. Table 3.5 details this information for New York City and the balance of the state, while Figure 3.9 and Figure 3.10 summarize the specific findings on timeliness of response and complaint rates by modality.³⁶

³⁴ For 2009 – 2010, at least 95% of investigations were reported initiated on time for ARO, BRO, NYCRO, RRO and SVRO; a year later, LIRO and SRO joined these. For 2009 – 2010, all regions except LIRO showed 90% or more of investigations completed on time; a year later, only ARO, LIRO, NYCRO RRO and SVRO did so. See Appendix A.6 (pg. 44) for detailed results on timeliness of response and rates of complaints for individual DCCS regions.

³⁵ Appendix A.6 details this information.

³⁶ Note that counts of complaints by modality for this report (in Table 3.5) do not sum to total complaint counts shown (e.g., Table 3.2 in Appendix A.5, pg. 43) due to 3 complaints (1 in LIRO, 2 in SRO) showing “small day care center” for modality (the only such complaints observed throughout the state for the three years reported), which were not removed from the analyses since SDCC providers were included under the registration mandate laid out in Chapter 750 of the Laws of 1990. Appendix A.7 (pg. 46) details the results on handling and rates of complaints by specific DCCS region and modality for the three years ending with the 2010 – 2011 report year.

Major Region	Modality	Number of Complaints			Percent of Complaints:		Rate of Complaints*	
		Total	Investigation Initiated Late	Investigation Determination Late	Investigation Initiated Timely	Investigation Determination Timely	Total Providers	Complaints Per 100 Providers
New York City	FDC	529	1	32	100%	94%	5,407	10
	SACC	239	6	36	97%	85%	1,721	14
Balance of State	FDC	3,409	239	304	93%	91%	6,863	50
	SACC	298	29	48	90%	84%	1,633	18

* Note that “total providers” and complaint rates shown in this table are *not* directly comparable to those shown earlier. The former are *unduplicated* counts of providers (by modality) registered at any point during the three years and are far smaller than the sums of the corresponding numbers registered at any point during each of the three years. (For example, compare this table’s New York City sum [7,128] with that [FDC+SACC, at “any point”] from Table 2.1 on pg. 10 [16,358].) In contrast, numbers of complaints here represent three-year totals. As a result, the three-year rates shown are considerably larger than the one-year rates shown previously.

Figure 3.9 shows somewhat greater timeliness, statewide, both in initiating and in determining complaint investigations concerning FDC settings than for those concerning SACC programs (the 2007 – 2010 report showed no distinction in initiating investigations). Even though both areas showed better timeliness in processing FDC complaints, in New York City the complaint rates per provider are lower for FDC providers than for SACC providers while elsewhere in the state the complaint rates are higher for FDC than for SACC providers (Figure 3.10, next page) – a pattern unchanged since the 2003 – 2006 review.

Figure 3.9. Percent of Investigations (FDC, SACC) Initiated or Determined Timely, By Major State Region and Modality: 4/1/08 – 3/31/11

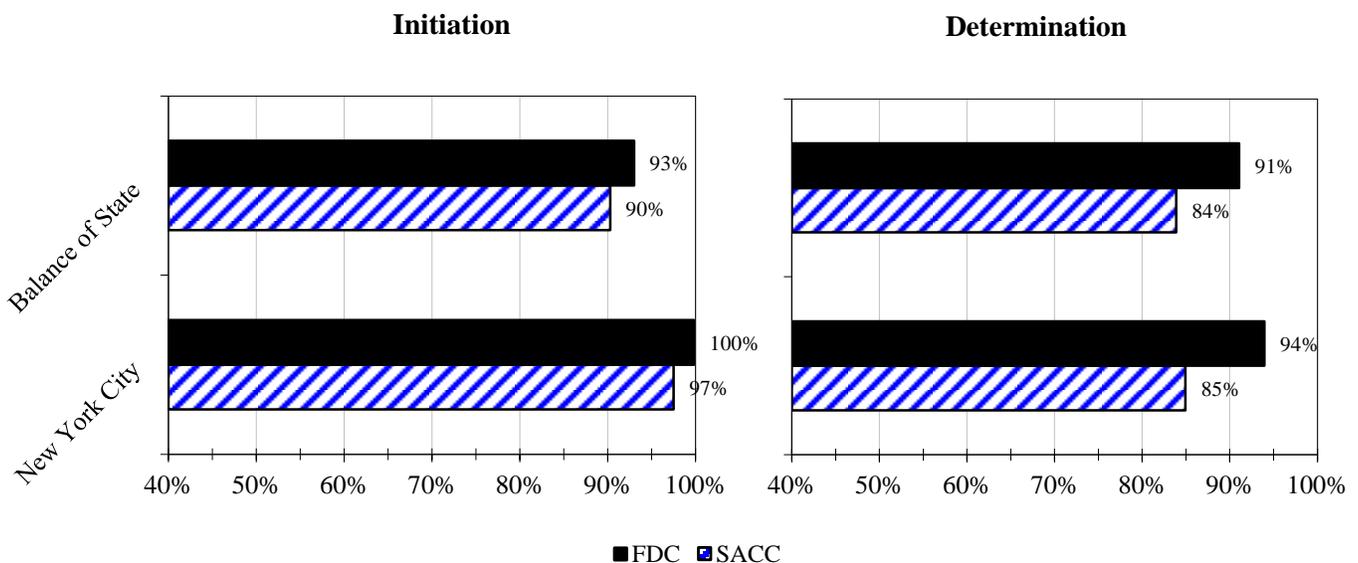
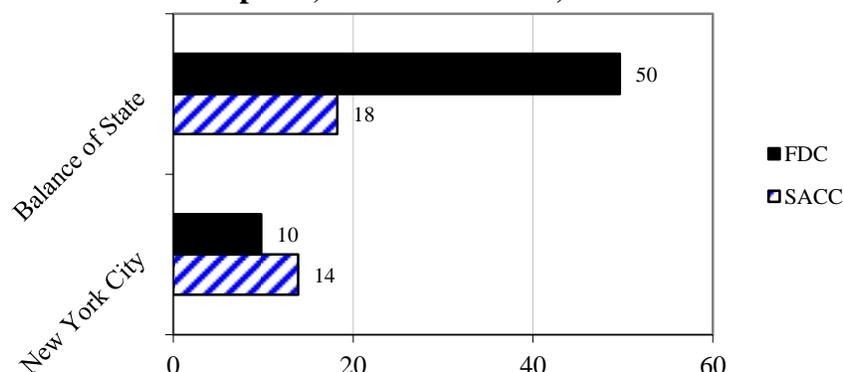


Figure 3.10
Three-Year Number of Complaints Per 100 Registered Providers,
By Major State Region and Modality:
April 1, 2008 – March 31, 2011



As in other recent reports in this series, there was suggestive but inconclusive evidence of continuing regional differences in the *disposition* of investigations (i.e., were complaint allegations substantiated or not?) for complaints received during the 2010 – 2011 year, with larger proportions of complaints found to be substantiated outside of New York City than within the City, but only in relation to complaints rated as “serious.”³⁷ Table 3.6 details the proportion of each category of complaints (non-emergency, serious, etc.) judged to be unsubstantiated, substantiated or classed under other dispositions, by major state region, while Figures 3.11 – 3.13 illustrate the regional contrasts in dispositions reported for each category of complaint, separately.³⁸

Table 3.6. Percent of Complaints (FDC/SACC) by Seriousness and Major Disposition Category, By Major State Region, For Years, 4/1/08 - 3/31/11										
Region	Year Starting April 1,	Seriousness of Complaints								
		Non-Emergency			Serious			Imminent Danger		
		Closed, Unsubst.	Closed, Subst.	Other	Closed, Unsubst.	Closed, Subst.	Other	Closed, Unsubst.	Closed, Subst.	Other
New York City	2008	na	na	na	75%	15%	10%	65%	30%	5%
	2009	na	na	na	89%	11%	0%	69%	24%	8%
	2010	100%	0%	0%	63%	0%	38%	75%	20%	6%
Balance of State	2008	57%	41%	2%	61%	33%	6%	42%	27%	31%
	2009	64%	32%	4%	60%	36%	5%	52%	24%	24%
	2010	65%	34%	1%	61%	35%	4%	29%	29%	43%

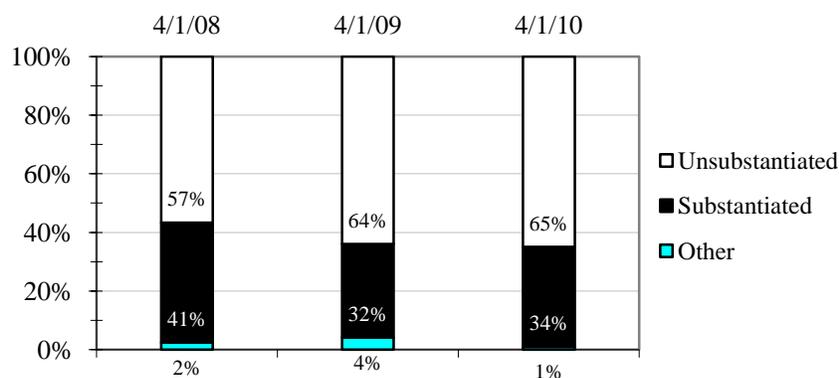
³⁷ A variety of dispositions other than the major two cited are possible in connection with complaint investigations, of course (such as facility closings), but sometimes account for only small numbers of complaints; these were grouped together under the “Other” disposition shown, for this review. For all tables, additionally, “Closed, unsubstantiated” and “Closed, substantiated” counts shown actually pool all relevant complaints showing such dispositions, as well (e.g., “Open, substantiated”).

³⁸ See Table 3.1 (pg. 13) for the total annual complaint counts used to calculate the percentages shown for each bar in Figures 3.11 – 3.13. These are highlighted in the Figures’ footnotes.

Table 3.6. Percent of Complaints (FDC/SACC) by Seriousness and Major Disposition Category, By Major State Region, For Years, 4/1/08 - 3/31/11										
Region	Year Starting April 1,	Seriousness of Complaints								
		Non-Emergency			Serious			Imminent Danger		
		Closed, Unsubst.	Closed, Subst.	Other	Closed, Unsubst.	Closed, Subst.	Other	Closed, Unsubst.	Closed, Subst.	Other
Total	2008	57%	41%	2%	62%	32%	6%	63%	30%	7%
	2009	64%	32%	4%	60%	35%	5%	67%	24%	9%
	2010	65%	34%	1%	61%	35%	4%	72%	20%	8%

For complaints rated as serious, substantiation rates reported for New York City were 18 or more percentage points lower than elsewhere in the state for each of the three years culminating in the 2010 – 2011 report period (increasing the disparity seen in the prior report), but reflected marginal New York City sample sizes (declining over time from 20 to 8) that reduce confidence in this finding (Figure 3.12, next page); for imminent danger complaints, in contrast, roughly comparable substantiation rates were reported in the City and elsewhere for these years (Figure 3.13). But upon examination, small sample sizes outside of New York City ($14 \leq n \leq 26$) and other exceptional circumstances may have clouded this comparison, as well.³⁹

Figure 3.11. Percent Distribution of Non-Emergency Complaints (FDC/SACC) For Balance of State Outside of New York City, By Disposition, for Year Beginning:⁴⁰



³⁹ Upon examination, substantial numbers of imminent danger complaints outside New York City (compared with elsewhere) were reported resolved for the reason “facility closed” for each of the three years, accounting for Figure 3.13’s unusually high proportions of “Other” dispositions for that region. In the absence of this circumstance, more disparate regional substantiation rates (perhaps even resembling those for serious complaints) may have been observed for these complaints.

⁴⁰ New York City is not displayed because it reported only a single non-emergency complaint (for 2010 – 2011) during these years. As shown in Table 3.1 (pg. 13; data col. 1), the numbers of non-emergency complaints represented for each year/bar displayed for the balance of the state are: 166, 144 and 94, respectively.

Figure 3.12. Percent Distribution of Serious Complaints (FDC/SACC) For Major State Regions, By Disposition, for Year Beginning:⁴¹

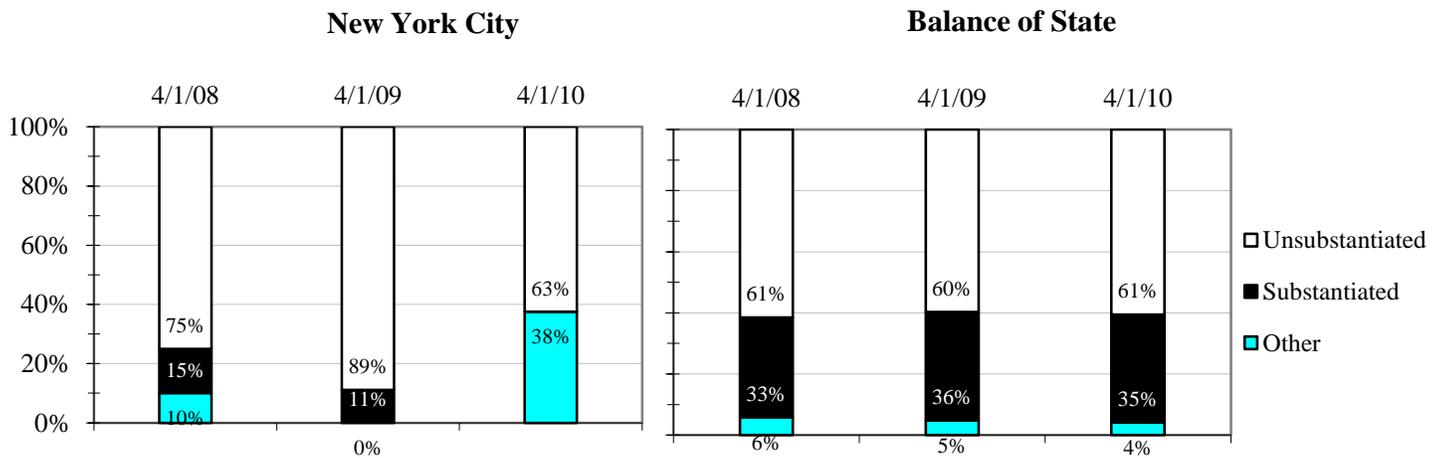
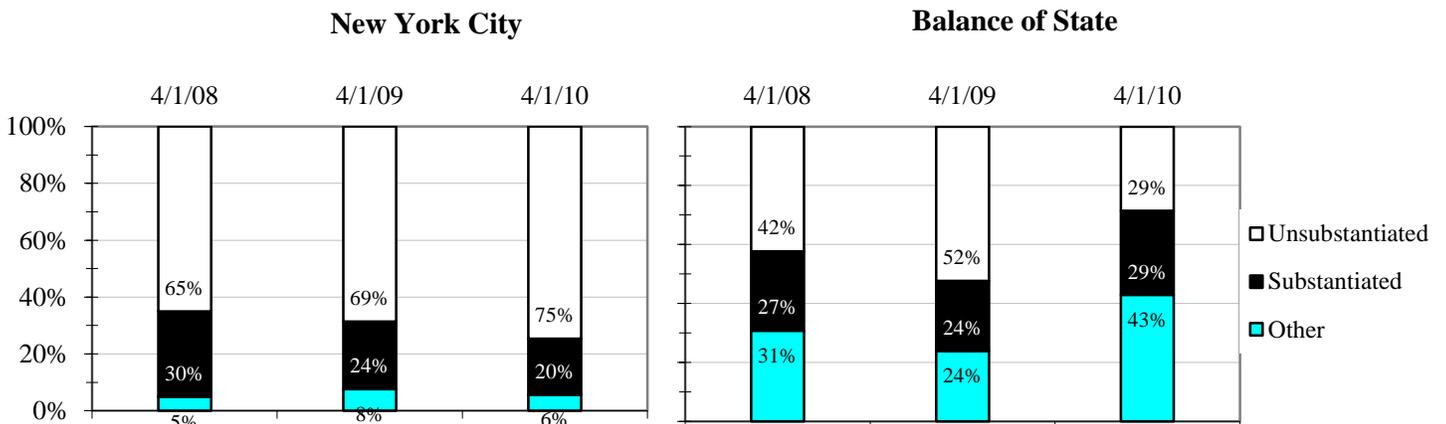


Figure 3.13. Percent Distribution of Imminent Danger Complaints (FDC/SACC) For Major State Regions, By Disposition, for Year Beginning:⁴²



⁴¹ As shown in Table 3.1 (pg. 13; data col. 2), the numbers of serious complaints represented for each bar in this Figure are: 20, 9, 8, 1152, 1117 and 975, respectively.

⁴² As shown in Table 3.1 (data col. 3), the numbers of imminent danger complaints represented for each bar in this Figure are: 246, 236, 248, 26, 21 and 14, respectively.

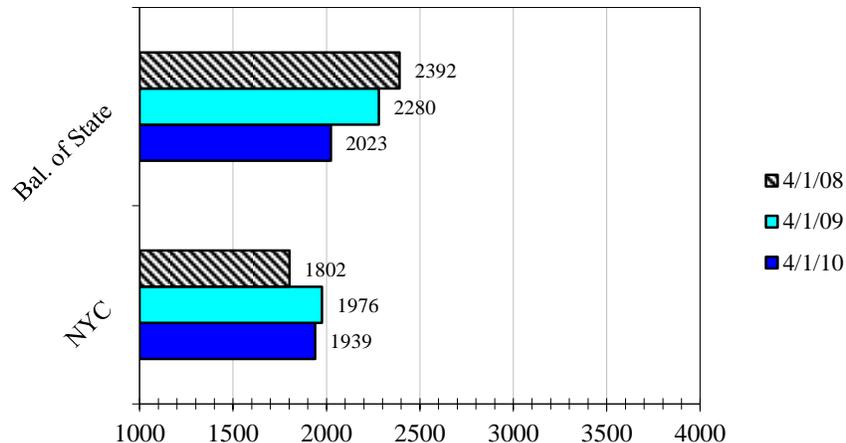
4. Administrative Actions Including Applications and Inspections

a) Registration Applications

After receipt of an application to operate a regulated child care facility, workers responsible for registration services in the county are expected to process and completely resolve the application within six months of receipt by satisfying a wide array of requirements, including: pre-registration facility safety inspections; clearing personnel on criminal background and other checks; arranging for mandatory training on health, safety and other issues, when appropriate; and providing applicants with all appropriate notifications regarding the status of their applications, to name just a few. Applications not resolved within this time frame are considered not handled timely (provided that applicant issues are not responsible).⁴³

Compared with the prior year, the slightly larger decline in registered FDC/SACC programs during the year beginning April 2010 (*Overview*, pg. 8) was fueled partly by a reversal of the modest, net statewide growth in applications (driven largely by New York City) the prior year. Following the City's gains the preceding year, however (+10% versus 5% declines elsewhere, overall),⁴⁴ both the City and especially the balance of the state reported fewer applications for the year beginning April 2010 (-2% versus -11%, respectively). Figure 4.1 displays these trends in applications filed in the two major state regions.

Figure 4.1.⁴⁵ Number of Applications (FDC/SACC) Received, By Major State Region, for Year Beginning:



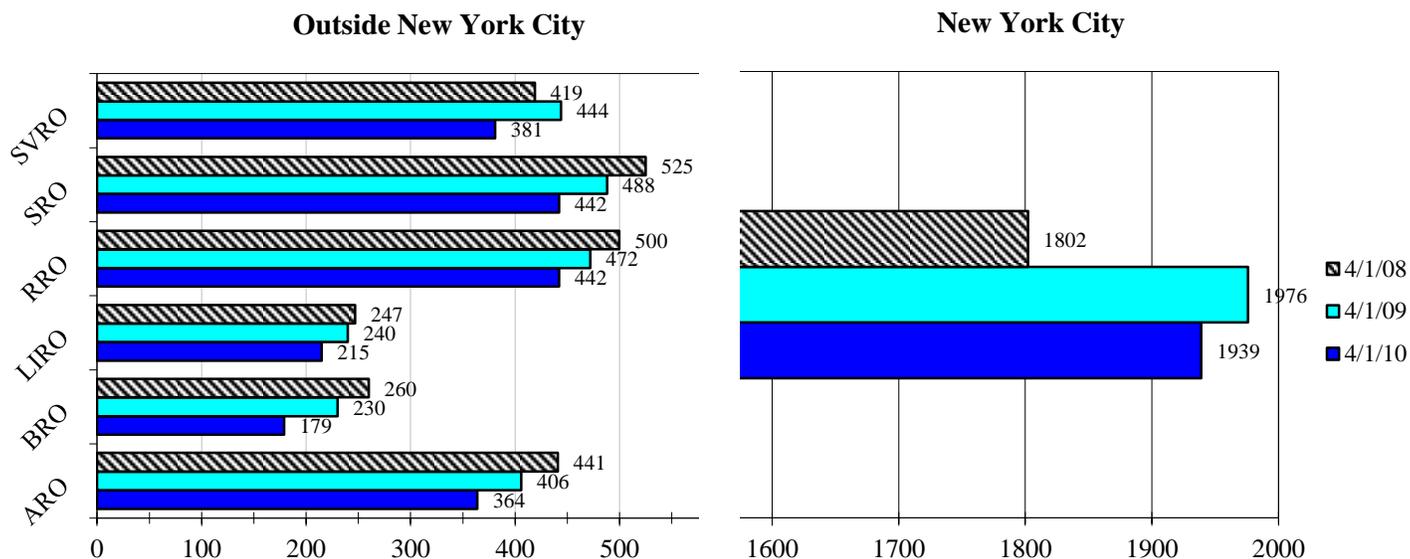
⁴³ As part of its quality assurance efforts, OCFS requires statistically valid quarterly samplings and reviews of registration services within each district to assess compliance with this and other standards for registration activities. In districts with performance-based contracts, contractors not achieving 95% compliance with the six-month application standard face the prospect of financial penalties (partial withholding of contract monies) as a means of encouraging continued improvements in applications-processing.

⁴⁴ Each percentage cited refers to the change between the implied "base" year and the other year involved.

⁴⁵ Throughout this section, total applications counts (on which percentages are based) include tiny numbers of applications with "small day care center" reported for modality (n = 1, 2, 1, respectively, for the three years reported), which were not removed from the analyses since SDCC providers were included under the registration mandate laid out in Chapter 750 of the Laws of 1990. This results in small discrepancies which are evident in breakdowns by modality, where the sums of counts for a given year (e.g., n = 4254 for year-two, Figure 4.3) may be exceeded by the corresponding annual state totals reported (e.g., n = 4256 for year-two in Figure 4.1).

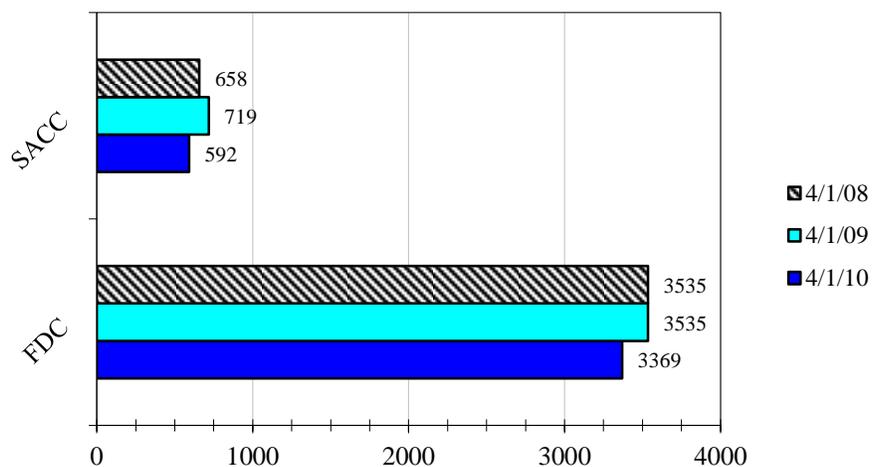
Upon examination, the latest decline in applications was also *broad-based*: while five of seven regions showed such decreases the prior year (all except the New York City and Spring Valley regions), all seven regions did so for the year beginning April 2010, with decreases ranging from -2% (New York City) to -22% (Buffalo region).⁴⁶ Figure 4.2 details these results.

Figure 4.2. Number of Applications (FDC, SACC) Received, By Region, For Year Beginning:



In addition, both FDC and SACC applications shared in the latest-year declines (-5%, -18%, respectively) – a contrast to the preceding year when FDC applications held constant but SACC applications somewhat buffered the decline in registered programs by increasing 9% (from 658 to 719). Figure 4.3 documents these changes.

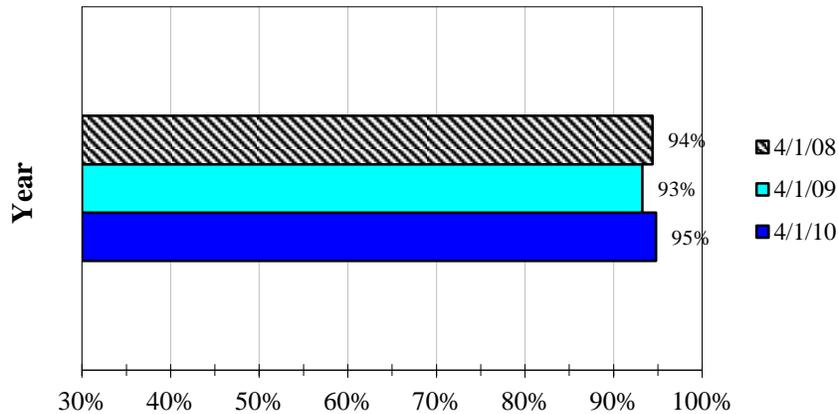
**Figure 4.3
Number of Applications (FDC/SACC) Received,
By Modality of Care, for Year Beginning:**



⁴⁶ See n. 44 on percentages.

Statewide, the proportion of combined FDC/SACC applications that were processed in accordance with the six-month standard increased by two percentage points, to 95%, for the year beginning April 2010 – the sixth such increase in the last seven years (since 2003 – 2004). Figure 4.4 documents the latest performance on this standard.

Figure 4.4
Percent of Applications (FDC, SACC)* Processed Timely, for Year Beginning:



* Based on total counts including SDCC applications (n = 1, 2, 1 for respective years). See n. 45.

Upon closer inspection, the modest overall increase in timeliness during the year beginning April 2010 was driven by somewhat larger gains in performance reported for areas outside of New York City (+3 percentage points, reaching 91%) balanced against sustained timeliness in application-processing within the City for this period (unchanged, at 99%). Figure 4.5 illustrates the two regions’ relatively stable performance in this respect, but also a persistent performance advantage (of between 8 and 11 percentage points) for New York City during the three years ending March 2011. Table 4.1 details the application activity underlying these results.

Figure 4.5
Percent of Applications (FDC, SACC) Processed Timely, By Major State Region, for Year Beginning:

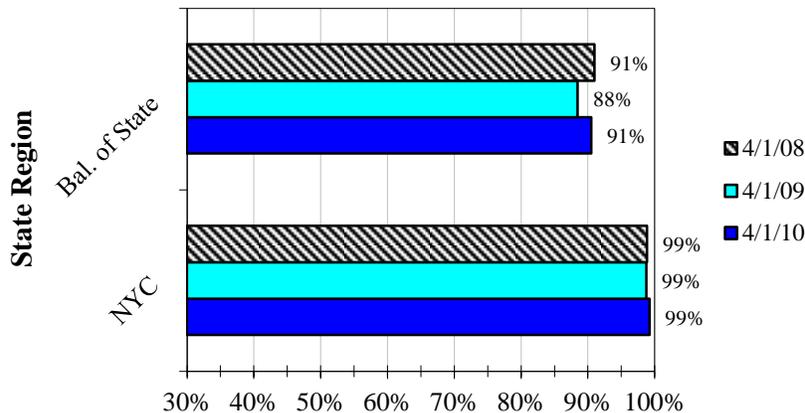
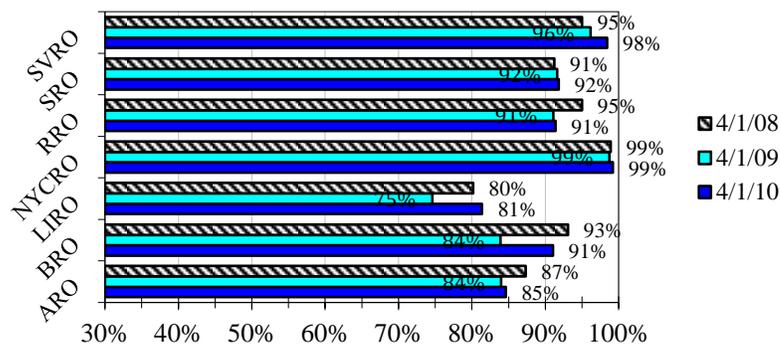


Table 4.2. Number and Timeliness of Processing of Registration Applications (FDC/SACC), By Major State Region, Modality and Year: 4/1/08 - 3/31/11					
Region	Year Starting April 1,	Modality	Number of Applications		Percent of Applications Processed Timely
			Total	Not Timely	
New York City	2008	FDC	1,386	14	99%
		SACC	416	5	99%
	2009	FDC	1,538	18	99%
		SACC	438	7	98%
	2010	FDC	1,584	8	99%
		SACC	355	7	98%
Balance of State	2008	FDC	2,149	186	91%
		SACC	242	26	89%
	2009	FDC	1,997	232	88%
		SACC	281	29	90%
	2010	FDC	1,785	177	90%
		SACC	237	15	94%
State Total	2008	FDC	3,535	200	94%
		SACC	658	31	95%
	2009	FDC	3,535	250	93%
		SACC	719	36	95%
	2010	FDC	3,369	185	95%
		SACC	592	22	96%

Figure 4.7.⁴⁷ Percent of Applications (FDC/SACC) Processed Timely, By Region, for Year Beginning:



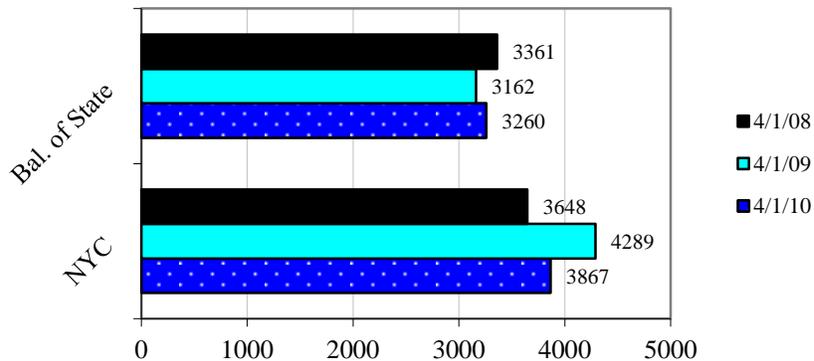
⁴⁷ Includes information on SDCC applications (n = 1, 2, 1 for respective years). See Appendix A.8 (Table 4.3, pg. 47) for the underlying results on application handling by specific DCCS regions.

b) “50% Inspections”

Section 390(4)(a) of Social Services Law, effective December 31, 2001, requires that DCCS (or contractors designated as registration service providers in a given locale) inspect at least 50% of all registered providers of a given modality per county, annually, in order to maintain compliance with the regulatory and statutory requirements protecting the quality of care in New York. Such “50% inspections” need to be understood as distinct from others – e.g., those required during the application process that is described above – and represent a critical additional tool in regulating and monitoring care.⁴⁸ Each year, this requirement involves the identification of literally thousands of providers throughout the state who are scheduled for such inspections.

For the year ending March 31, 2011, New York City showed a 10% decline in the number of these inspections reported, while the balance of the state showed a small (3%) increase compared with the preceding year – in each instance reversing prior-year changes to return nearly to the inspection levels reported two years earlier. Across the entire three years ending the same date, New York City reported larger fluctuations in the number of 50% inspections conducted (+18%, -10%), while the balance of the state showed greater stability and smaller changes in this respect (-6%, +3%). Figure 4.8 documents the corresponding numbers of 50% inspections involved.

Figure 4.8
Number of 50% Inspections Conducted (FDC/SACC),
By Major State Region, for Year Beginning:

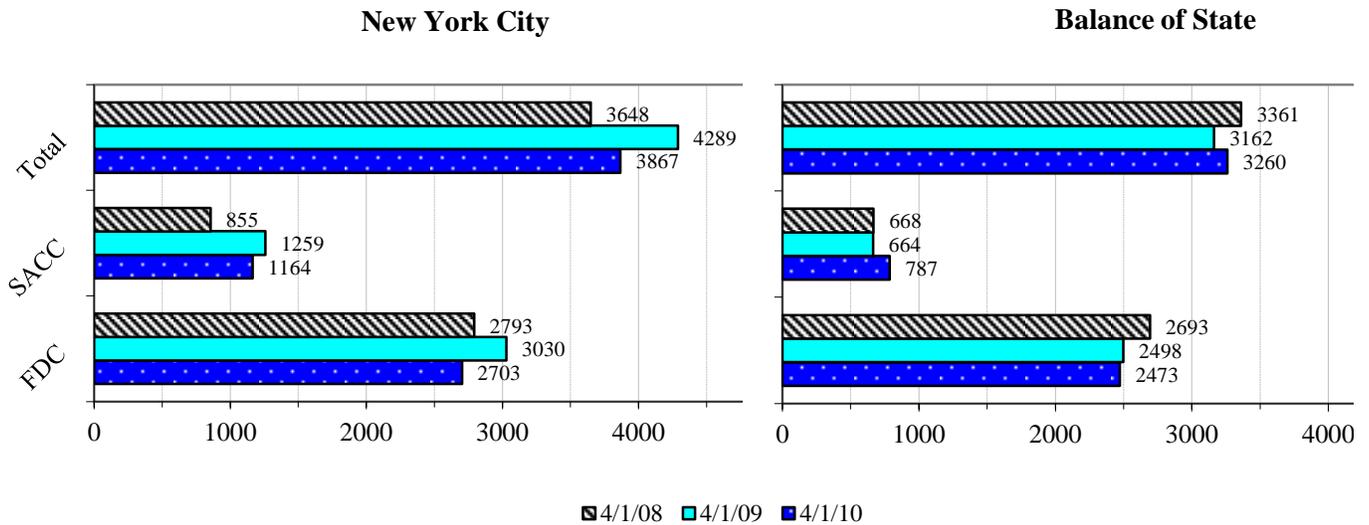


When broken down by modality, 50% inspection activity during the three years concluding March 31, 2011, showed similar patterns of change for each type of care within New York City (second-year increases and final-year declines) but different patterns of change, by modality, elsewhere, where second-year declines preceded a final-year rebound driven entirely by SACC gains (Figure 4.9, next page).⁴⁹

⁴⁸ See Appendix A.3 (pg. 39) for additional details defining these inspections (and other measurements used in the report).

⁴⁹ See Appendix A.9 (Table 4.5, pg. 48), for the 50% inspection results by major state region, modality and year, charted in Figure 4.9.

Figure 4.9. Number of “50% Inspections” Conducted, By Major State Region and Modality of Care, For Year Beginning:



Despite the declines in 50% inspections reported in New York City (both modalities) and the balance of the state (FDC programs only) for the 2010 – 2011 report year, both major regions of the state still reported making well more than the required number of such inspections for the period. Indeed, the same was true for the entire three-year interval concluding the same year, despite the sizable fluctuations in inspection levels already noted for New York City during the interval (Figure 4.8). Specifically, New York City's “50% inspection goal” was met and exceeded by 70%, to almost two times over, for each of the three years, while that for the balance of the state was exceeded by 15 – 43 % for each of the years. Table 4.4 details the inspection results underlying these and the preceding two Figures' trends.⁵⁰

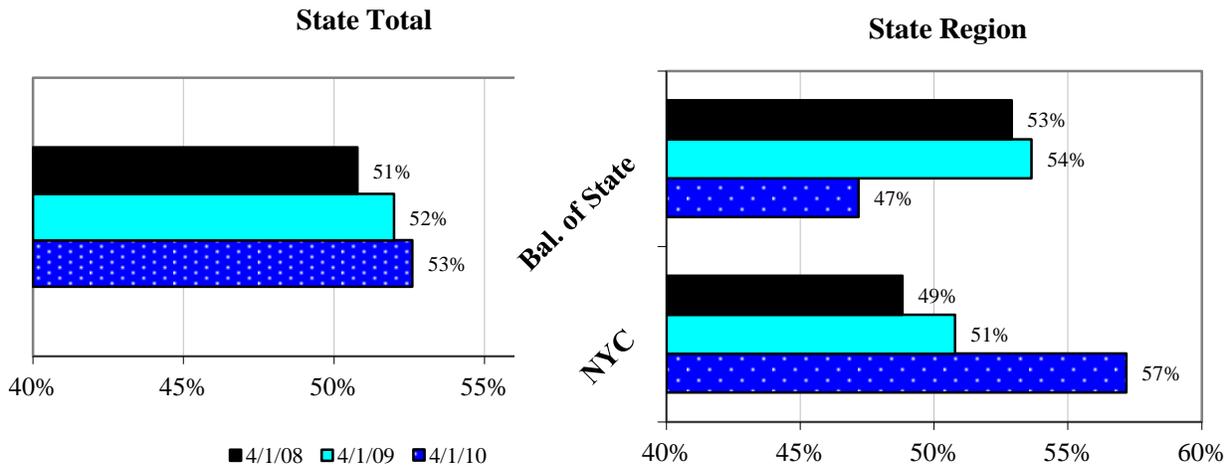
Region	Year Starting April 1,	Number Facilities	Number of Inspections			Percent of:	
			Goal	Conducted	With Violations	Goal Achieved	Inspections with Violations
New York City	2008	3,726	1,863	3,648	1,781	196%	49%
	2009	4,535	2,268	4,289	2,178	189%	51%
	2010	4,537	2,269	3,867	2,211	170%	57%
Balance of State	2008	4,692	2,346	3,361	1,778	143%	53%
	2009	5,493	2,747	3,162	1,696	115%	54%
	2010	5,286	2,643	3,260	1,538	123%	47%

⁵⁰ Readers should note the distinction between Table 4.4's facility counts – the base used to determine the number of 50% inspections required – and counts of total registered providers presented above (e.g., Table 2.1, pg. 10). The former are *point in time* tallies reflecting populations as of the start of a period while the latter include similar time-limited tallies as well as much larger “ever-registered” counts (see n. 23, pg. 8). Appendix A.3 (pg. 39) clarifies the distinctions between the two measures presented.

Region	Year Starting April 1,	Number Facilities	Number of Inspections			Percent of:	
			Goal	Conducted	With Violations	Goal Achieved	Inspections with Violations
Total	2008	8,418	4,209	7,009	3,559	167%	51%
	2009	10,028	5,014	7,451	3,874	149%	52%
	2010	9,823	4,912	7,127	3,749	145%	53%

As in the 2009 – 2010 review, which departed from a downward trend seen between 2003 and 2009, the proportion of 50% inspections in which violations of applicable regulations were identified rose marginally, statewide (1%), for the 2010 – 2011 report year, but unlike that prior, *broader* increase, this time driven by a sizable New York City increase partially offset by a large decrease reported outside of the City (Figure 4.10).⁵¹ Appendix A.9 (e.g., Figure 4.11, pg. 49) shows both the latest-year increase (in New York City) and decrease (in the balance of the state) to be driven about equally by mounting violations identified among FDC and SACC programs in the two regions.

Figure 4.10. Percent of 50% Inspections (FDC/SACC) Involving Regulatory Violations, For State and Major Regions, For Year Beginning:



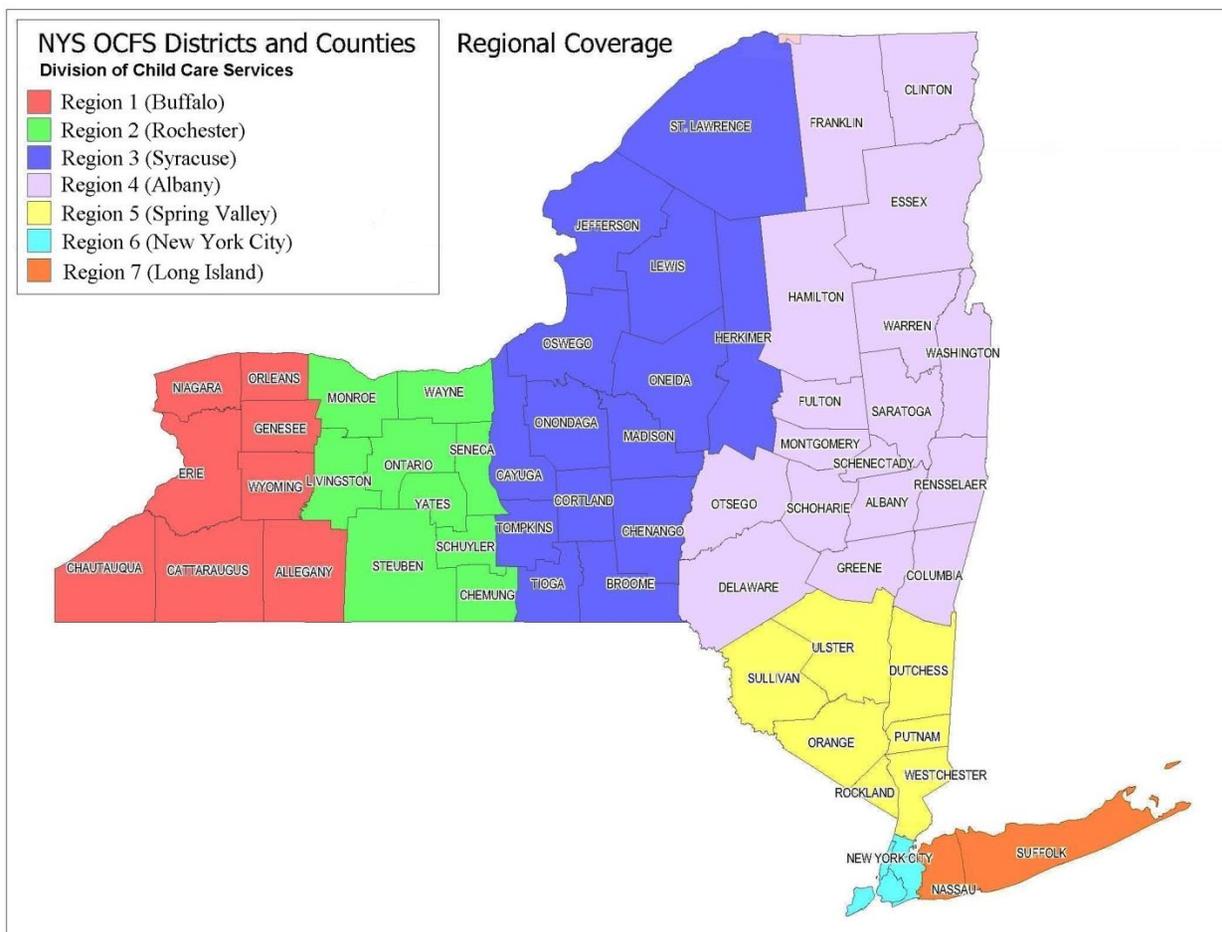
⁵¹ Table 4.4, above, details the current-period numbers underlying these results. See Table 4.4 in *Report to the Governor and Legislature*, op cit., for the corresponding 2003 – 2006 and 2006 – 2009 source data involved, showing persistent decreases in regulatory violations observed in connection with 50% inspections for the six years preceding the last report period.

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⁵² See note, pg. 32, regarding corrections made to selected maps from earlier reports in this series.

OCFS Division of Child Care Services Regions and Constituent Counties⁵³



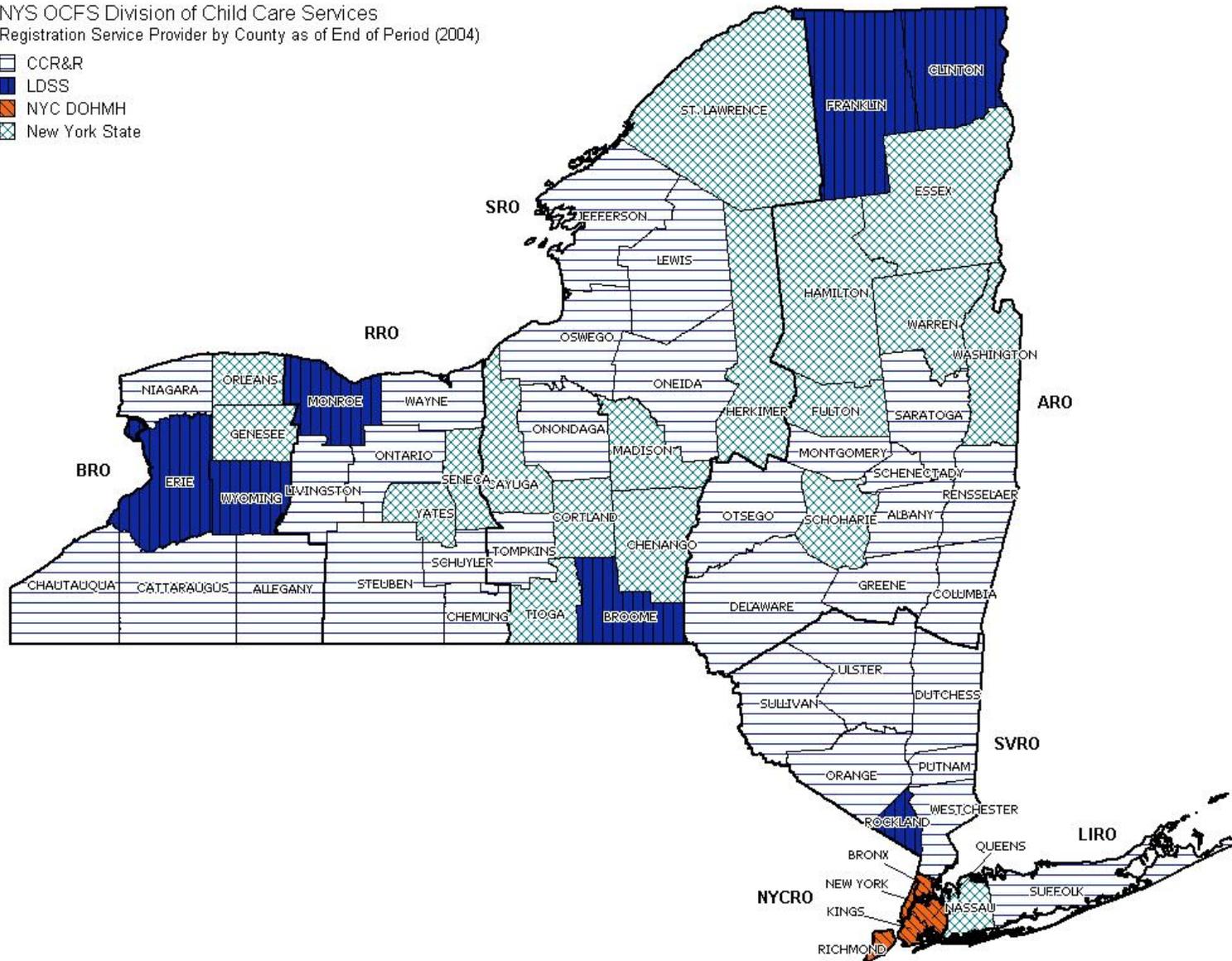
DCCS Regions / Counties	
Albany Region	Rochester Region
Albany	Chemung
Clinton	Livingston
Columbia	Monroe
Delaware	Ontario
Essex	Schuyler
Franklin	Seneca
Fulton	Steuben
Greene	Wayne
Hamilton	Yates
Montgomery	Spring Valley Region
Otsego	Dutchess
Rensselaer	Orange
Saratoga	Putnam
Schenectady	Rockland
Schoharie	Sullivan
Warren	Ulster
Washington	Westchester
Buffalo Region	Syracuse Region
Allegany	Broome
Cattaraugus	Cayuga
Chautauqua	Chenango
Erie	Cortland
Genesee	Herkimer
Niagara	Jefferson
Orleans	Lewis
Wyoming	Madison
Long Island Region	Oneida
Nassau	Onondaga
Suffolk	Oswego
New York City Region	St. Lawrence
Bronx	Tioga
Kings	Tompkins
New York	
Queens	
Richmond	

⁵³ Throughout this report, DCCS Regions, which are named for the location of the DCCS regional offices, are referred to by abbreviation - ARO (Albany Regional Office), BRO (Buffalo ...), LIRO (Long Island ...), NYCRO (New York City ...), RRO (Rochester ...), SVRO (Spring Valley ...) and SRO (Syracuse ...).
New York State Office of Children and Family Services

Registration Service Provider by County: 2004

NYS OCFS Division of Child Care Services
 Registration Service Provider by County as of End of Period (2004)

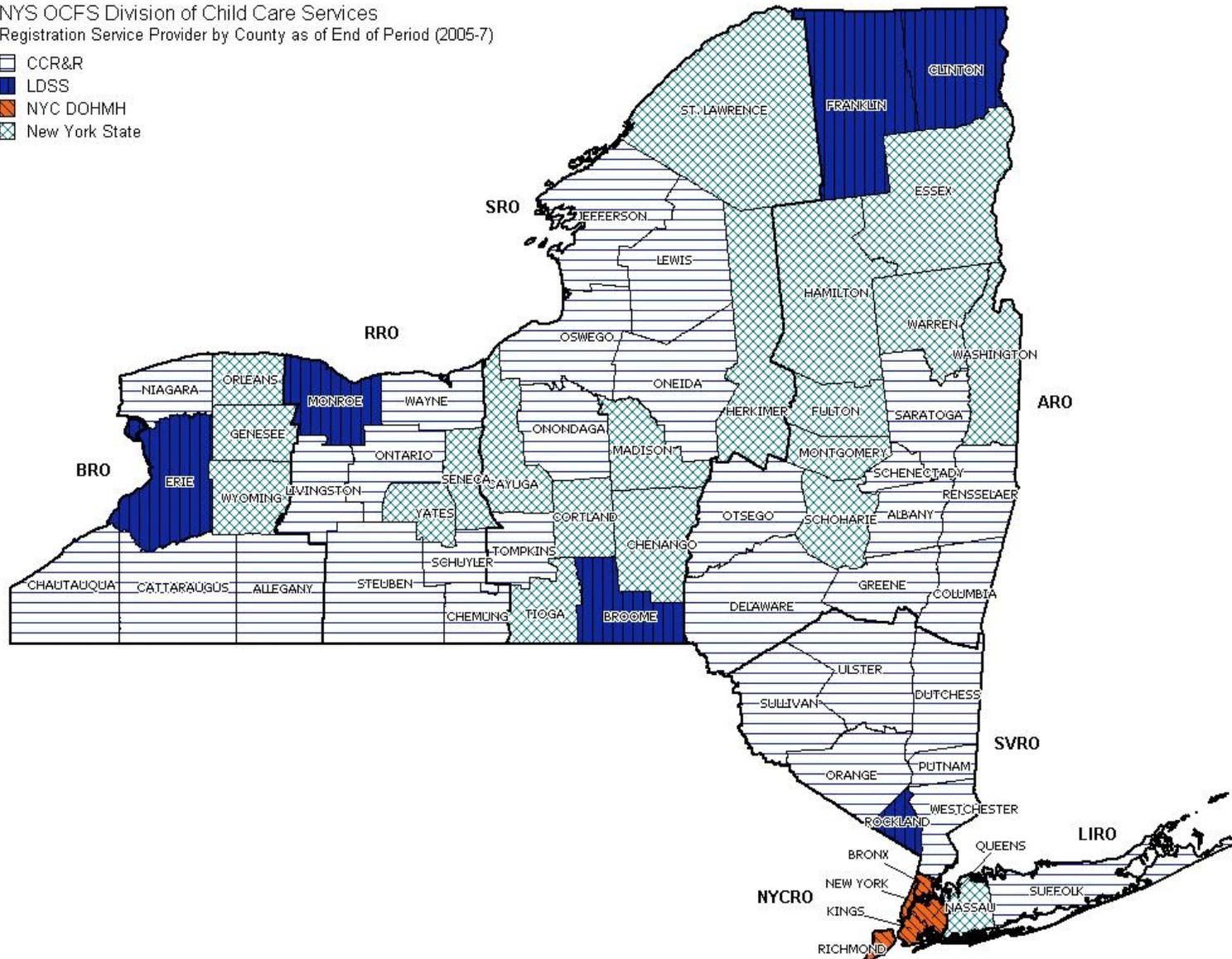
-  CCR&R
-  LDSS
-  NYC DOHMH
-  New York State



Registration Service Provider by County: 2005 – 2007

NYS OCFS Division of Child Care Services
 Registration Service Provider by County as of End of Period (2005-7)

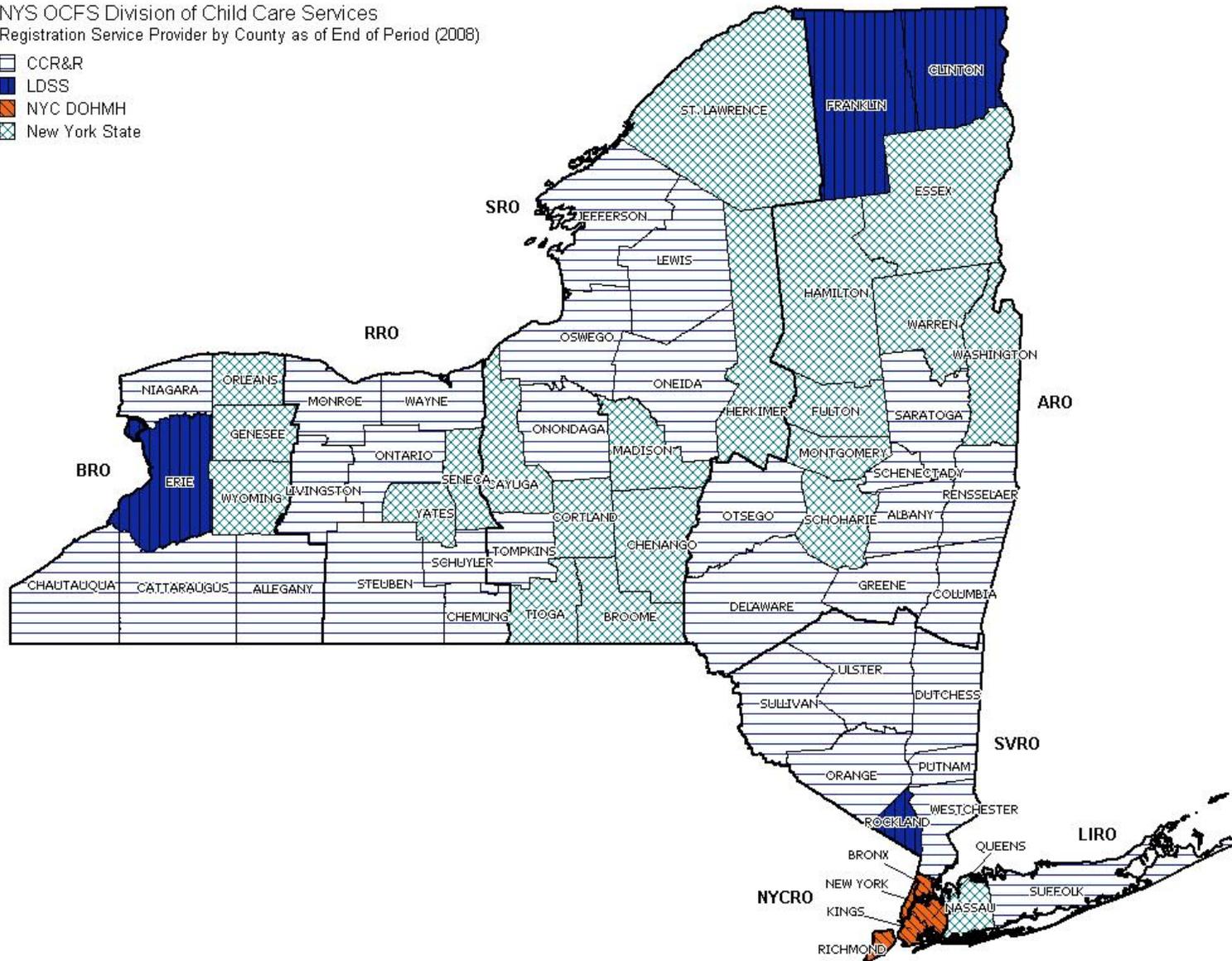
-  CCR&R
-  LDSS
-  NYC DOHMH
-  New York State



Registration Service Provider by County: 2008

NYS OCFS Division of Child Care Services
 Registration Service Provider by County as of End of Period (2008)

-  CCR&R
-  LDSS
-  NYC DOHMH
-  New York State



Bases for Key Measurements (With Comparisons to *DCCS Registration Performance Standards Measures*)

I. Department Response to Complaints (Complaint Investigations)

For this report, timeliness of complaint investigations is based on data for family day care and school age child care providers, although a negligible number of “small day care center” (SDCC) providers sometimes appear for particular time periods. Two time frames are involved in assessing complaint investigations: time to initiate the investigation and time to make a final determination (or disposition) on the complaint. For purposes of OCFS’s performance standards, registration service providers are expected to initiate investigations within **1 business day** (for complaints rated in the **imminent danger** category of severity) or within **5 or 15 calendar days** (for those rated as **serious or non-emergency**, respectively) and to make final determinations on complaints within **60 calendar days.** Complaints showing Child Protective Services investigation involvement are exempted from these time frames for determining timeliness.

In comparison to the corresponding performance standards, two aspects of the measurement of the timeliness of response to complaints used for this report need to be understood: one relating to the requirements for initiating investigations, and one relating to the requirements for determining the findings of investigations.

Regarding the timeliness of *initiating* investigations, for years prior to the 2010 – 2011 report year, the adjustment for business days (i.e., taking account of weekends and holidays) was *not* made, leading to a very small understatement of timeliness calculated throughout this report with respect only to this requirement. Since this bias would be expected to affect each such year about equally, on average, findings of clear, marked trends toward greater timeliness across earlier years (e.g., as found for the 2003 – 2006 and 2006 – 2009 reports) would not be invalidated by this factor. But differences in timeliness (and any improvement) at initiating investigations seen between the latest year reviewed and prior years can be expected to be slightly exaggerated by this issue (at least for rising trends as in Figure 3.5 [left side] on pg. 16).

A different type of understatement also applies to this review’s measurements of timeliness of *determinations* on investigations. Because *CCFS* provides only a single field (“Complaint_Status_Date”) capturing the date for the latest status recorded for a complaint, all measurements calculated on that basis for complaints already reported closed – probably all except for a tiny proportion of the *latest-year* complaints reviewed for this report – could include time associated with activities conducted prior to the formal “closing” date for the complaint, but following the key determination presumably at issue under the 60-day requirement (i.e., were complaint allegations substantiated or not?). Conceptually, this could lead to minor understatements of determination timeliness for prior-year measurements relative to those for the most recent year reported and thus, perhaps, corresponding overstatements of any improvement seen specifically for the latest year reviewed (at least for rising trends as in Figure 3.5 [right side] on pg. 16). Just like the issue in measuring initiations, discussed above, this limitation would not invalidate clear trends observed over time, making the review’s measurements on this score (at least for earlier years) somewhat more conservative than those based on the analogous OCFS performance standards but still eminently appropriate for the examinations required.

II. Registration Applications

The timeliness of initial registration applications, like all measures included in this report, is based on data for family day care and school age child care providers (with the same proviso above regarding SDCC providers). Registration workers are expected to process and resolve registration applications within six months of receipt, including providing applicants with all appropriate notifications regarding the status of their applications.

III. “50% Inspections”

Section 390(4)(a) of Social Services Law requires that OCFS on an annual basis shall inspect “at least fifty percent of all registered family day care homes, licensed child day care centers and registered school age child care programs” to determine compliance with applicable statutes and regulations.⁵⁵ Only inspections covering all such statutory or regulatory program requirements (not those more limited in focus) can qualify as “50% inspections.” In addition, either the primary or secondary reason for inspection reported in CCFS must be “50% sample.” Finally, only one inspection of a particular registered provider per year can count toward the required number, but localities at their discretion can elect to inspect more than their minimum numbers.

Unless small county provider populations require the pooling of counties, facilities to be inspected under this requirement are typically identified by randomly selecting those to be inspected in numbers equivalent to 50% (or more) of all providers (*not applicants*) of a given modality registered/licensed in the respective counties as of the point of sampling (usually near the beginning of the year). Since counts of facilities open as of any *one* point are typically far smaller than those open *at any point* during a period, this makes for clear differences between facility counts used to set 50% inspection goals (appearing in Tables 4.4 – 4.5) and certain of this report’s counts of registered providers (e.g., those “ever registered,” in contrast with those registered at the start of periods, as reported in Tables 2.1 – 2.2).

Another factor contributing to apparent discrepancies in facility counts appearing in the report concerns the types of facility statuses entering into the different counts presented. Perhaps understandably, facilities showing a variety of “closed” statuses are excluded for purposes of identifying the population of providers from which to sample those to be inspected, but not for purposes of identifying all facilities registered at some point of an interval (given appropriate open- and close-dates). In effect, the methodology for counting registered providers casts a “broader net” by counting all facilities registered anytime during an interval, regardless of what occurred with the facilities earlier or later during the interval.

⁵⁵ OCFS, BECS Policy Statement 03-2 (12/5/03), *Registered Child Day Care Programs: 50% Inspection Requirement*.

Figure 2.3. Number of FDC Providers Registered at Any Point During Interval, By Region, for Year Beginning:

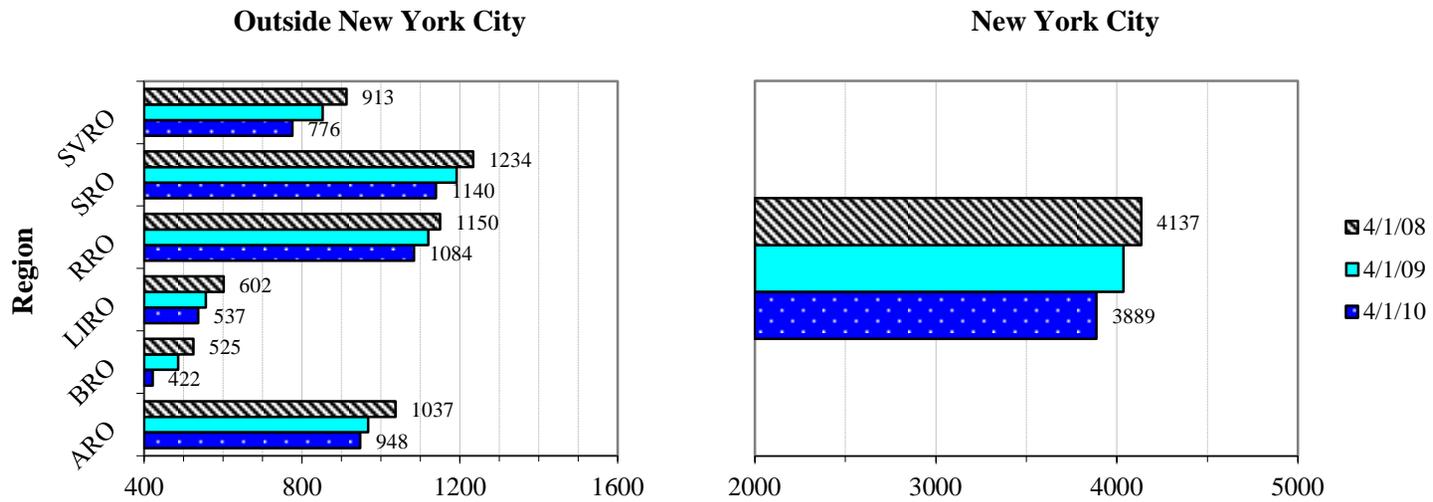


Figure 2.4. Number of SACC Providers Registered at Any Point During Interval, By Region, for Year Beginning:

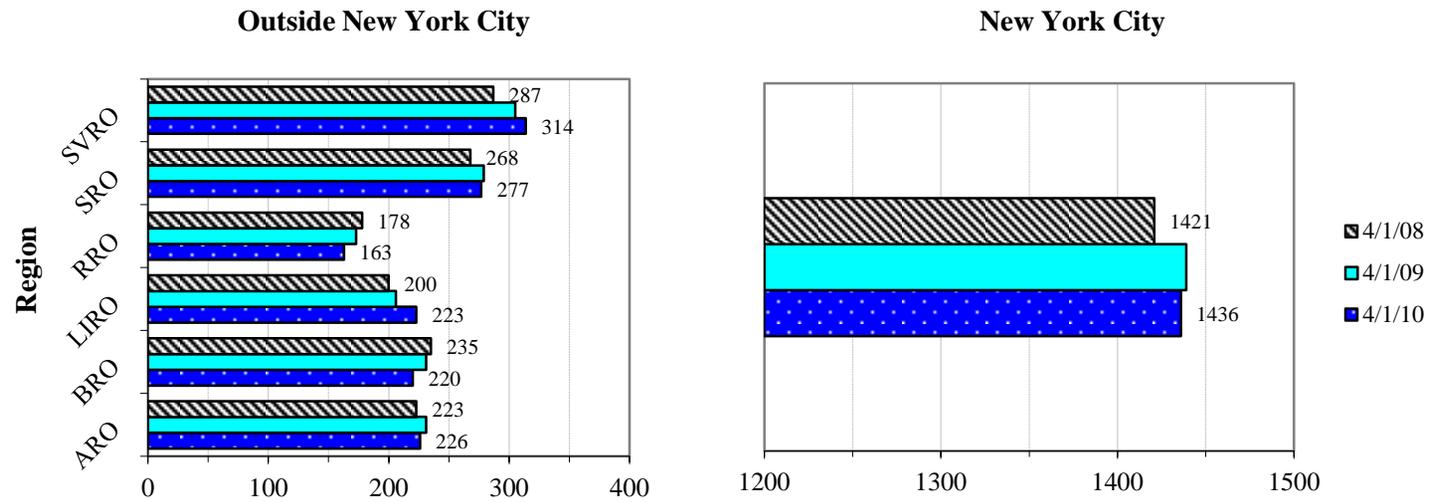


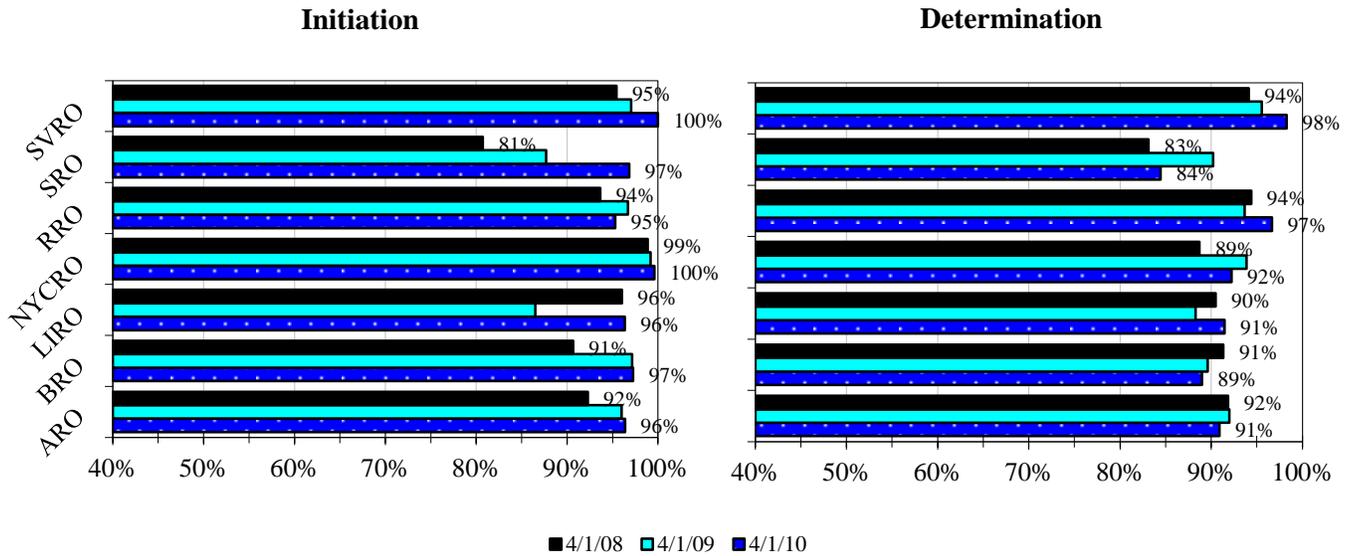
Table 2.2. Number of Registered Providers (FDC/SACC), By Region and Modality: As of Any Point, As of the First Day and as of the Last Day, For Three Years, 4/1/08 - 3/31/11										
Region	Year Starting April 1,	Any Point During Year			First Day			Last Day		
		FDC	SACC	FDC+SACC	FDC	SACC	FDC+SACC	FDC	SACC	FDC+SACC
ARO	2008	1,037	223	1,260	885	204	1,089	834	201	1,035
	2009	968	231	1,199	834	201	1,035	811	212	1,023
	2010	948	226	1,174	811	212	1,023	781	214	995
BRO	2008	525	235	760	456	216	672	434	215	649
	2009	486	231	717	433	216	649	390	213	603
	2010	422	220	642	392	213	605	329	206	535
LIRO	2008	602	200	802	509	182	691	480	196	676
	2009	556	206	762	480	196	676	469	200	669
	2010	537	223	760	468	200	668	445	214	659
NYCRO	2008	4,137	1,421	5,558	3,535	1,244	4,779	3,358	1,268	4,626
	2009	4,036	1,439	5,475	3,356	1,267	4,623	3,307	1,309	4,616
	2010	3,889	1,436	5,325	3,301	1,308	4,609	3,277	1,299	4,576
RRO	2008	1,150	178	1,328	949	165	1,114	948	159	1,107
	2009	1,120	173	1,293	947	160	1,107	930	154	1,084
	2010	1,084	163	1,249	930	154	1,084	881	146	1,029
SRO	2008	1,234	268	1,502	1,037	239	1,276	1,012	254	1,266
	2009	1,192	279	1,471	1,012	254	1,266	988	261	1,249
	2010	1,140	277	1,417	986	261	1,247	935	255	1,190
SVRO	2008	913	287	1,200	769	263	1,032	720	267	987
	2009	852	305	1,157	720	267	987	672	274	946
	2010	776	314	1,090	672	274	946	625	282	907
Total	2008	9,598	2,812	12,410	8,140	2,513	10,653	7,786	2,560	10,346
	2009	9,210	2,864	12,074	7,782	2,561	10,343	7,567	2,623	10,190
	2010	8,796	2,859	11,657	7,560	2,622	10,182	7,273	2,616	9,891

Table 3.2. Number of Complaints (FDC/SACC) by Seriousness and Whether Additional Regulatory Violation(s) Involved,*
By Region, For Three Years, 4/1/08 - 3/31/11*

Region	Year Starting April 1,	Number of Complaints					Percent of Total Complaints			
		Seriousness			With Additional Violation(s)	Total	By Seriousness			With Additional Violation(s)
		Non-Emergency	Serious	Imminent Danger			Non-Emergency	Serious	Imminent Danger	
ARO	2008	32	194	7	52	233	14%	83%	3%	22%
	2009	24	172	4	73	200	12%	86%	2%	37%
	2010	18	146	1	58	165	11%	88%	1%	35%
BRO	2008	10	136	4	32	150	7%	91%	3%	21%
	2009	6	99	1	63	106	6%	93%	1%	59%
	2010	4	104	1	55	109	4%	95%	1%	50%
LIRO	2008	25	96	5	26	126	20%	76%	4%	21%
	2009	17	92	2	45	111	15%	83%	2%	41%
	2010	17	63	2	39	82	21%	77%	2%	48%
NYCDOH	2008	0	20	246	89	266	0%	8%	92%	33%
	2009	0	9	236	93	245	0%	4%	96%	38%
	2010	1	8	248	85	257	0%	3%	96%	33%
RRO	2008	41	222	4	69	267	15%	83%	1%	26%
	2009	52	271	9	137	332	16%	82%	3%	41%
	2010	29	259	9	110	297	10%	87%	3%	37%
SRO	2008	50	365	0	125	415	12%	88%	0%	30%
	2009	31	365	2	197	398	8%	92%	1%	49%
	2010	20	294	1	167	315	6%	93%	0%	53%
SVRO	2008	8	139	6	54	153	5%	91%	4%	35%
	2009	14	118	3	53	135	10%	87%	2%	39%
	2010	6	109	0	48	115	5%	95%	0%	42%
Total	2008	166	1,172	272	447	1,610	10%	73%	17%	28%
	2009	144	1,126	257	661	1,527	9%	74%	17%	43%
	2010	95	983	262	562	1,340	7%	73%	20%	42%

* As described in the body of the report (pg. 11, under *Types of Complaints Received*), “additional” violations shown in this and other tables on complaint-processing refers to regulatory violations confirmed during the complaint investigation but not reported within the original complaint allegation(s).

Figure 3.8. Percent of Investigations (FDC, SACC) Initiated or Determined Timely, By Region, For Year Beginning:

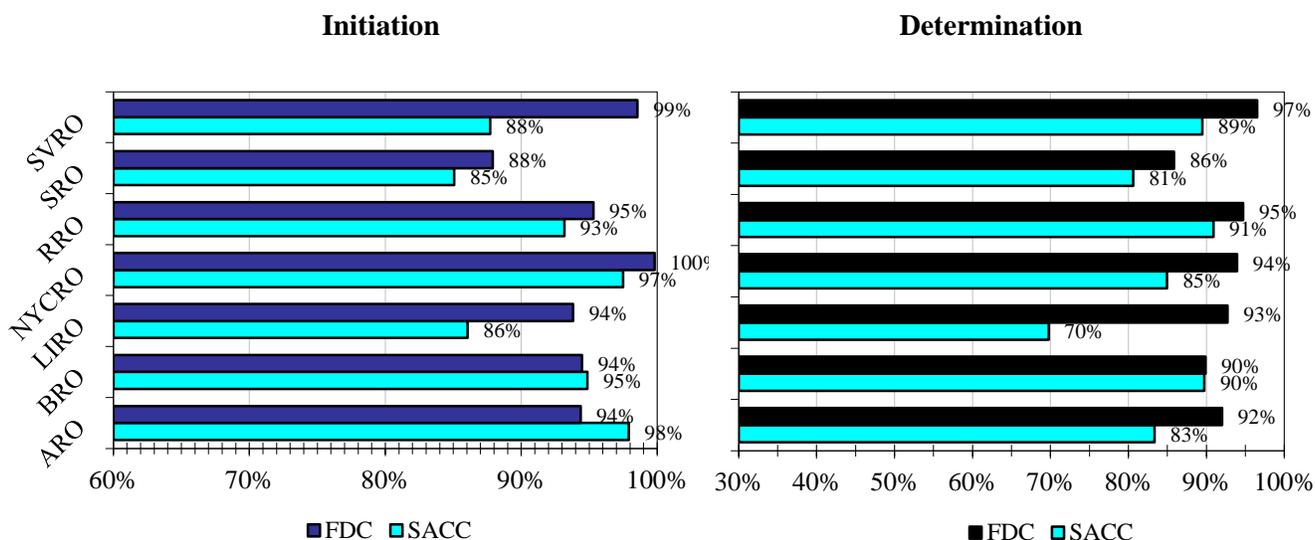


Region	Year Starting April 1,	Number of Complaints			Percent of Complaints		Rate of Complaints*	
		Total	Investigation Initiated Late	Investigation Determination Late	Investigation Initiated Timely	Investigation Determination Timely	Total Providers	Complaints Per 100 Providers
ARO	2008	233	18	19	92%	92%	1,260	18
	2009	200	8	16	96%	92%	1,199	17
	2010	165	6	15	96%	91%	1,174	14
BRO	2008	150	14	13	91%	91%	760	20
	2009	106	3	11	97%	90%	718	15
	2010	109	3	12	97%	89%	642	17
LIRO	2008	126	5	12	96%	90%	802	16
	2009	111	15	13	86%	88%	762	15
	2010	82	3	7	96%	91%	761	11
NYCRO	2008	266	3	30	99%	89%	5,558	5
	2009	245	2	15	99%	94%	5,475	4
	2010	257	1	20	100%	92%	5,326	5
RRO	2008	267	17	15	94%	94%	1,328	20
	2009	332	11	21	97%	94%	1,293	26
	2010	298	14	10	95%	97%	1,249	24
SRO	2008	415	80	70	81%	83%	1,502	28
	2009	398	49	39	88%	90%	1,471	27
	2010	315	10	49	97%	84%	1,418	22
SVRO	2008	153	7	9	95%	94%	1,200	13
	2009	135	4	6	97%	96%	1,157	12
	2010	115	0	2	100%	98%	1,090	11

Table 3.4. Handling and Rate of Complaints (FDC/SACC), By Region and Year: Apr. 1, 2008 - Mar. 31, 2011								
Region	Year Starting April 1,	Number of Complaints			Percent of Complaints		Rate of Complaints*	
		Total	Investigation Initiated Late	Investigation Determination Late	Investigation Initiated Timely	Investigation Determination Timely	Total Providers	Complaints Per 100 Providers
Total	2008	1,610	144	168	91%	90%	12,410	13
	2009	1,527	92	121	94%	92%	12,075	13
	2010	1,341	37	115	97%	91%	11,660	12

* All rates in this section are based on counts of providers registered *as of any point* during the respective periods.

Figure 3.14
Percent of Investigations (FDC, SACC) Initiated or Determined Timely,
By Region and Modality of Care: Three-Year Summary (4/1/08 – 3/31/11)



Region	Modality	Number of Complaints			Percent of Complaints		Rate of Complaints*	
		Total	Investigation Initiated Late	Investigation Determination Late	Investigation Initiated Timely	Investigation Determination Timely	Total Providers	Complaints Per 100 Providers
ARO	FDC	550	31	44	94%	92%	1,308	42
	SACC	48	1	8	98%	83%	267	18
BRO	FDC	326	18	33	94%	90%	611	53
	SACC	39	2	4	95%	90%	258	15
LIRO**	FDC	275	17	20	94%	93%	748	37
	SACC	43	6	13	86%	70%	233	18
NYCRO	FDC	529	1	32	100%	94%	5,407	10
	SACC	239	6	36	97%	85%	1,721	14
RRO	FDC	853	40	45	95%	95%	1,477	58
	SACC	44	3	4	93%	91%	201	22
SRO**	FDC	1,059	128	150	88%	86%	1,569	67
	SACC	67	10	13	85%	81%	309	22
SVRO	FDC	346	5	12	99%	97%	1,150	30
	SACC	57	7	6	88%	89%	365	16
Total**	FDC	3938	240	336	94%	91%	12,270	32
	SACC	537	35	84	93%	84%	3,354	16

* Based on unduplicated three-year counts of providers, as discussed under Table 3.5 (pg. 18) in the body of the report. As described there, three-year rates shown here are not directly comparable to the single-year rates computed elsewhere in the report.

** Total complaint counts by modality do not sum to other totals (e.g., annual counts in Table 3.4 [pg. 44]) due to 3 complaints (1 in LIRO, 2 in SRO) showing “small day care center” for modality - the only such complaints observed in the state for this measure and time-period. For the same reason, that modality is not displayed in other measures throughout this report.

Table 4.3. Number and Timeliness of Processing of Registration Applications (FDC/SACC), By Region, For Three Years, 4/1/08 - 3/31/11 ⁵⁶					
Region	Year Starting April 1,	Number of Applications			Percent of Applications Processed Timely
		Timely	Not Timely	Total	
ARO	2008	385	56	441	87%
	2009	341	65	406	84%
	2010	308	56	364	85%
BRO	2008	242	18	260	93%
	2009	193	37	230	84%
	2010	163	16	179	91%
LIRO	2008	198	49	247	80%
	2009	179	61	240	75%
	2010	175	40	215	81%
NYCRO	2008	1,782	20	1,802	99%
	2009	1,951	25	1,976	99%
	2010	1,924	15	1,939	99%
RRO	2008	475	25	500	95%
	2009	430	42	472	91%
	2010	404	38	442	91%
SRO	2008	479	46	525	91%
	2009	447	41	488	92%
	2010	406	36	442	92%
SVRO	2008	398	21	419	95%
	2009	427	17	444	96%
	2010	375	6	381	98%
Total	2008	3,959	235	4,194	94%
	2009	3,968	288	4,256	93%
	2010	3,755	207	3,962	95%

⁵⁶ Registration applications counts in this table and elsewhere in the report include minimal numbers of applications with “small day care center” (SDCC) reported for modality (n = 1, 2, 1 for the three years, respectively) which were not removed from the analyses since SDCC providers were included under the registration mandate laid out in Chapter 750 of the Laws of 1990. See n. 45 in body of report.

Region	Modality	Year Starting April 1,	Number Facilities	Number of Inspections			Percent of:	
				Goal	Conducted	With Violations	Goal Achieved	Inspections with Regulatory Violations
New York City	FDC	2008	2,592	1,296	2,793	1,230	216%	44%
		2009	3,240	1,620	3,030	1,367	187%	45%
		2010	3,244	1,622	2,703	1,410	167%	52%
	SACC	2008	1,134	567	855	551	151%	64%
		2009	1,295	648	1,259	811	194%	64%
		2010	1,293	647	1,164	801	180%	69%
	Total	2008	3,726	1,863	3,648	1,781	196%	49%
		2009	4,535	2,268	4,289	2,178	189%	51%
		2010	4,537	2,269	3,867	2,211	170%	57%
Balance of State	FDC	2008	3,516	1,758	2,693	1,388	153%	52%
		2009	4,187	2,094	2,498	1,302	119%	52%
		2010	3,971	1,986	2,473	1,168	125%	47%
	SACC	2008	1,176	588	668	390	114%	58%
		2009	1,306	653	664	394	102%	59%
		2010	1,315	658	787	370	120%	47%
	Total	2008	4,692	2,346	3,361	1,778	143%	53%
		2009	5,493	2,747	3,162	1,696	115%	54%
		2010	5,286	2,643	3,260	1,538	123%	47%
State Total	FDC	2008	6,108	3,054	5,486	2,618	180%	48%
		2009	7,427	3,714	5,528	2,669	149%	48%
		2010	7,215	3,608	5,176	2,578	143%	50%
	SACC	2008	2,310	1,155	1,523	941	132%	62%
		2009	2,601	1,301	1,923	1,205	148%	63%
		2010	2,608	1,304	1,951	1,171	150%	60%
	Total	2008	8,418	4,209	7,009	3,559	167%	51%
		2009	10,028	5,014	7,451	3,874	149%	52%
		2010	9,823	4,912	7,127	3,749	145%	53%

⁵⁷ See n. 50 (pg. 28) and Appendix A.3 (pg. 39) regarding the distinction between facility tallies in this table and counts of registered providers appearing elsewhere in the report.

Figure 4.11. Percent of “50% Inspections” Involving Regulatory Violations, By Major State Region and Modality of Care, For Year Beginning:

