DIVISION OF CHILD CARE SERVICES POLICY STATEMENT

18-1
Plan of Study Requirements

ID NUMBER: 18-1

TOPIC: Plan of Study Requirements

MODALITIES IMPACTED: Day Care Centers

APPLICABLE REGULATIONS: Title 18 of the New York State Code of Rules & Regulations §§ 413.2(d)(13) 418-1.13(g) and (k)

CONTACT: Regional Offices

EFFECTIVE: IMMEDIATELY

THIS POLICY STATEMENT IS EFFECTIVE IMMEDIATELY AND CANCELS ALL PREVIOUS MEMOS OR STATEMENTS ON THIS TOPIC.

A Plan of Study is a written plan which establishes reasonable timeframes and measures continuous progress towards completion of a degree or credential. If the plan is for a director of a program, the plan (form OCFS-7044) must be signed by the director and the Office of Children and Family Services (OCFS), and be overseen and monitored by OCFS. For all other individuals, the plan (form OCFS-7043) must be signed by the participant and the director of the program, and be overseen and monitored by the director. [Title 18 New York Code of Rules and Regulations (NYCRR) § 413.2(d) (13)]

The purpose of this policy is to clarify when a Plan of Study is acceptable to OCFS as meeting the intent of the regulation and the needs of a child care program.

Introduction

Directors and group teachers play pivotal roles in the day-to-day functioning of the child care program and their individual classrooms. Consequently, it is important that these persons have the expertise and qualifications to work within a framework of appropriate child development principles and knowledge of family relationships. College-level coursework has been shown to have a measurable, positive effect on staff performance and quality of child care. In addition,
research indicates that a staff person's performance on the job is positively affected by his/her continued participation in child care studies.

OCFS regulations set educational standards for persons applying for director and group teacher positions. These positions may be filled by otherwise qualified candidates who are in the process of meeting the regulatory educational requirements, if they sign an OCFS approved Plan of Study. Given the importance of staff qualifications and their effect on the delivery of services to children in care, OCFS requires that a person with an approved Plan of Study adhere to his/her plan and advance toward the regulatory qualifications in a timely manner. Signing a Plan of Study constitutes agreement to the terms of the plan.

**Monitoring Plans of Study**

Child day care center staff with Plans of Study must register in the Aspire Workforce Registry (Aspire) for early childhood professionals. A signed, OCFS-approved Plan of Study and course of study enrollment documentation must be submitted to Aspire promptly following approval. Plans of Study for group teachers are overseen by the program's director, while plans for directors will be monitored by OCFS - both through Aspire. The child day care program needs to be registered in Aspire to allow the director access to the staff's Plan of Study. [18 NYCRR §418-1.13(k)]

**Evaluation of Plans of Study**

Staff members must be qualified by training and experience to carry out their respective functions in the administration, operation, and maintenance of the child day care center [§418-1.13(a)]. A director’s Plan of Study must be made in writing and approved by OCFS. A group teacher’s Plan of Study must be made in writing and approved by the program’s director. A Plan of Study form (OCFS-7043 or OCFS-7044) is available from OCFS and may be used for this purpose. Plans of Study will be periodically reviewed by OCFS for directors, and by the program director for staff, respectively. Plans of Study are approved for a maximum period of one (1) year from start date, and must be resubmitted for approval every 12 months. If the Plan of Study is not being followed as approved, a violation will be cited. OCFS will assess failure to comply with an approved Plan of Study and any extenuating circumstances for corrective or other action. Program compliance history and compliance with the Plan of Study may result in a director's renewal request of a Plan of Study, or waivers associated with any Plan of Study, to be denied by OCFS.

**Continuous Progress towards Completion**

The term “continuous progress towards completion” means occurring without interruption until the desired goal is achieved. OCFS will assess the approved Plan of Study in order to determine whether or not the person is making continuous progress towards the goal. As long as the goals of the agreement are reached by the times indicated in the agreement, it will be accepted as continuous progress. Group teachers and directors on a Plan of Study must submit documentation demonstrating continuous progress to the Aspire at least every 12 months and maintain copies on file available for review. Changes or disruptions to the plan must be reported to OCFS immediately and resubmitted to Aspire when approved.
Reasonable Timeframes

- A director or group teacher who signs a Plan of Study that includes college coursework must to complete at least six (6) college credits per year until the requirements of the Plan of Study are met.

- A director or group teacher who is assessed by his/her institution of higher education to have earned life credits may apply those credits to any semester(s) he/she chooses and may subtract them from the six (6) credits needed in that year’s Plan of Study. All credits must be from an accredited institution, and proof of enrollment is required.

- A director or group teacher who signs a Plan of Study intending to obtain a credential to meet the regulatory qualifications for his/her position must complete the credential within the time frame permitted by the credentialing institution. For example, the New York Association for the Education of Young Children (NYAEYC) allows candidates up to three (3) years to complete the New York State Children's Program Administrator credential.

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

All Plans of Study, whether new or existing, must be submitted to, and kept current in, Aspire. Changes to an existing plan must be submitted and reviewed for approval.

Approved By:                                      Date: May 3, 2018

Jánice M. Molnar, Ph.D.
Deputy Commissioner