



Office of Children and Family Services

Report to the Governor and Legislature On Family Day Care and School Age Child Care Registration (With Comparisons to Day Care Center/Group Family Day Care Licensing): April 1, 2013 – March 31, 2014 (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

During the past 15 years, there have been pronounced improvements in child day care in New York State. One factor driving these developments was passage of *The Quality Child Care and Protection Act of 2000*, which strengthened requirements for inspection, training and criminal history checks for prospective child care providers. Another factor was the statewide implementation in 2001 of the *Child Care Facility System (CCFS)* – New York State’s database of record for regulated child care. Ultimately, however, many of the improvements now in place owe their existence to Chapter 750 of the Laws of 1990, which enabled all of the changes to come by mandating a new system of registration for family day care (FDC) and school age child care (SACC) programs in New York State, akin to the system already in place at the time for licensing day care center (DCC) and group family day care (GFDC) programs. Chapter 750 also required the following annual reporting on 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 latest review in the annual series of reports examines the year beginning April 1, 2013, and ending March 31, 2014, drawing comparisons both to the preceding year and to the three-year period ending March 31, 2014, based on data from CCFS. Like the preceding two reports (starting with that for 2011 – 2012), this review focuses not just on registered programs (FDC and SACC facilities) – the segment of the day care universe targeted with a new registration system under Chapter 750 and thus emphasized in prior reports – but also on licensed programs (DCC and GFDC facilities) – also addressed under the Act – in order to satisfy both the mandated reporting requirement and the need for a complete and useful overview of the entire universe of regulated providers in New York State.¹ Notably, the expansion to include all modalities of care stands to make the report series far more useful in the future for internal monitoring efforts by DCCS’s regional offices (charged with both licensing and registration services in many areas of the state)² in comparison with the prior registration-only focus. Because orientation ceased being a prerequisite for registration for many years beginning in 2001,³ the 2013 – 2014 report, like its recent predecessors, also modifies the original reporting

¹ Beginning with the 2011 – 2012 report, the inclusion of licensed as well as registered providers rectified the perceived problem of arbitrariness in earlier reports’ presentation of only a partial snapshot of New York’s regulated child care universe that was occasionally at odds with developments among other providers not focused on. For example, see n. 1 in the 2010 – 2011 report (*Report to the Governor and Legislature on Family Day Care and School Age Child Care Registration: April 1, 2010 – March 31, 2011* [OCFS, Division of Child Care Services (DCCS), 2012]) on the contradictory trends among FDC and GFDC providers not able to be addressed in the review.

² Throughout this review, DCCS’s seven regions, which are named for the location of the DCCS regional offices, are referred to either by those names, for clarity, or by abbreviation, as described in detail in n. 75 (pg. 36); however referenced, all designations should be understood as relating to those wider regions, not the named places cited.

³ See the discussion under *Introduction and Background*, pg. 1, below.

charge in Chapter 750 by adding content on performance of the closely-related process of handling applications for registration or licensure. Beginning with the 2014 – 2015 report, however, recently adopted regulations (effective May 1, 2014) reinstating the requirement of pre-application orientations for family-based (FDC and GFDC) settings are expected to restore that topic to the series, at least for those modalities.

While the inclusion of both licensed and registered providers might seem to make the entire report series a treasure trove of easy comparisons between the two major sectors of New York’s regulated child care universe which has not been readily available previously, such comparisons would be deceptive if used to make performance judgments about the respective staff charged with handling the regulation of registered and licensed providers. Absent information on the many distinctions among regulators responsible for different categories of providers across the state – e.g., number, training and responsibilities of staff, or other issues, all unavailable for these annual reviews – each report’s many comparisons juxtaposing registered and licensed programs, are best treated only as descriptive differences.⁴

Number of Registered and Licensed Providers (pg. 7)

- For the three years ending March 2014, the total number of **registered** providers statewide – primarily FDC and SACC programs⁵ – decreased consecutively each year, with corresponding year-to-year declines in FDC facilities both in New York City and the balance of the state (ranging from –7% to –9%, and from –6% to –7% per year, respectively). The SACC sector, in contrast, remained almost flat, statewide, in New York City and elsewhere (< 1% change per year, each). [Figures 2.1, 2.2.a; Table 2.1]
- Over the same period, the total number of **licensed** providers⁶ statewide increased each year, due mostly to gains in GFDC programs in New York City ([NYCRO], 3% to 4% per year).⁷ GFDC programs elsewhere and DCC facilities outside of New York City contributed little to this growth (< ½%, < 1% gains over all three years, respectively).⁸ [Figures 2.1, 2.2.b; Table 2.1]

⁴ See the section, *Department Response to Complaints* (beginning on pg. 18, below) for further discussion.

⁵ Unless noted otherwise, a third type of **registered** provider also included in the reporting mandate in Chapter 750 of the Laws of 1990, small day care centers (SDCC), is also included in this and all prior reviews’ total calculations, but each year accounts for minimal numbers of programs statewide as confirmed again below. Given the small numbers involved, that modality is not broken out separately in the report’s Figures, but its effects on counts are broken out in certain tables. Note, also, that counts here are based on providers “ever registered” – i.e., registered at any point during the respective intervals (see n. 27, pg. 7).

⁶ Throughout this report, data presented for licensed programs excludes New York City DCC facilities, which by law are licensed by New York City and not subject to OCFS’s regulatory authority. Thus, “total” licensee counts presented represent *only* GFDC facilities in the case of New York City, but *both* DCC and GFDC programs for the balance of the state.

⁷ One other region, Long Island (LIRO), posted somewhat smaller GFDC gains (2% to 4% per year: Figure 2.5.b, pg. 45).

⁸ All “three-year” percentages cited in this report refer to the change between the first of the three years (beginning April 1, 2011) and the third – the report year beginning April 1, 2013. Given the larger number of GFDC, than DCC programs, outside of New York City, the smaller licensee increases shown for that region, compared with New York City, hold regardless of whether comparisons are restricted to GFDC programs (making the New York City and balance-of-state data strictly comparable) or based on “total” counts that make the data less comparable.

Complaint Handling

Volume and rate of complaints (pg. 12)

- Compared with the prior year, the number of complaints received for all **registered** programs for the year ending March 2014 declined statewide, in New York City, and in the balance of the state (–8%, –18%, –7% decreases, respectively). Since SACC complaints showed year-to-year gains in both parts of the state the same year, the declining *totals* were driven by FDC complaint patterns. [Figure 3.1, Table 3.4.a]
- Despite the rise in licensures, the number of complaints received for all **licensed** programs for the year ending March 2014 remained fairly stable, with an overall change of less than 1% compared with the prior year. Modest one-year decreases (–6%) in New York City balanced increases (+3%) elsewhere. [Figure 3.1, Table 3.4.b]
- As in every review since the one for 2003 – 2006, there was a disparity in the number of complaints made in and outside of New York City. Over the three years ending March 31, 2014, ratios of complaints filed outside New York City to those filed within New York City were at least 5:1 each year for **registered** programs, and at least 3:1 each year for **licensed** programs.⁹ [Figure 3.1; Tables 3.4.a – b]
- Since complaint numbers are best compared in relation to the number of programs from which they are generated, standardized rates expressing the number of complaints per 100 providers were calculated to facilitate regional comparisons; they confirmed the disparities noted. For **registered** programs, standardized complaint rates (per 100 providers) were over four times greater, and for **licensed** programs, over three times greater, outside New York City than within it, each year. [Figure 3.3; Tables 3.4.a – b]

Timeliness initiating and determining/closing complaints¹⁰ (pg. 18)

- For **registered** programs, complaint investigations were almost always *initiated* on time during the three years ending March 2014 – with New York City consistently so (100% timeliness), throughout the period, and the balance of the state achieving 97% - 98% timeliness, from year to year. In contrast, success at *determining and closing* investigations on time for these programs was more varied during the three years – ranging from 94% - 95% per year in New York City and from 89% - 91% per year, outside New York City. [Figures 3.9.a – b]
- For **licensed** programs, there were small declines and modest gains in *initiating* investigations on time, inside and outside of New York City respectively, during the same three years (100% to 99% in New York City and 89% to 94% outside New York City). During the same triennium, timeliness in *determining and closing* such

⁹ For licensed programs, this ratio dropped to under 2:1 when limiting the comparison to GFDC programs (with statewide data available) rather than also including DCC information (unavailable to the review for the City).

¹⁰ See *Background* (under *Complaints*, pg. 12) for details on complaint timeliness calculations for this review. As discussed in Appendix A.3 (pg. 41), the review’s measurements of timeliness in initiating and in determining / closing complaint investigations are conservative in the sense of somewhat understating timeliness of performance as compared with corresponding measurements from OCFS’s performance standards for registered programs. In particular, the report’s findings on timeliness of “determination and closure” concern a wider range of agency activity than that assessed in OCFS’s measure relating to complaint determination, per se, due to CCFS limitations at the *retrospective* measurement required for the three-year data window employed in the review.

investigations was more limited, but improving throughout the state – from 89% to 93% in New York City and from 79% to 86% elsewhere. [Figures 3.9.a – b, 3.10.a – b]

Application Processing

Number of applications¹¹ (pg. 22)

- Statewide, the total number of **registration** applications received declined each year for cumulative (three-year) reductions of –32% and –19% for New York City and the balance of the state, respectively, over the three years ending March 2014. The overall decline was more indicative of FDC trends than of SACC developments: both New York City and the balance of the state showed three-year *gains* in SACC applications over the period (80%, 16%, respectively) even as FDC applications declined simultaneously in each area (–48%, –23%, respectively). [Figure 4.1]
- Total **license** applications also declined over the three years, but – reversing the pattern for registration applications – more modestly in New York City than elsewhere (–4%, –15%, respectively). Unlike the registration applications scenario, neither modality (GFDC or DCC) clearly drove the overall decline. [Figure 4.1]

Timeliness processing applications (pg. 25)

- By the end of the triennium ending March 2014, the proportion of **registration** applications processed on time, statewide, fell slightly to 92% (from 94%). Both New York City and the balance of the state showed similar declines in timeliness the final year of the period (from 99% to 97%, from 91% to 89%, respectively), making each part of the state a contributor to the overall decline. [Figures 4.3, 4.4]
- Statewide, timeliness in resolving **license** applications the same three years was considerably less assured although improving by the end of the period (rising from 85% to 88%, overall) – reflecting almost routine timeliness in New York City (unchanged at 99% all three years) but considerably less timely processing elsewhere in the state (62% rising to 67%). [Figures 4.3, 4.4]

“50 Percent Inspections” (pg. 31)

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

- Both New York City and the balance of the state completed more of these inspections than required for the year ending March 31, 2014. For each of the three years preceding that date, New York City exceeded its goal for such inspections by two-thirds (67 percent) or more, while the rest of the state as a whole exceeded its goal by over a third (36 percent) or more. [Table 4.4]
- For the year ending March 2014, the proportion of “50 percent inspections” in which violations of applicable regulations were identified, remained relatively stable in both

¹¹ Counts here represent applications received (and then resolved) by DCCS during the respective years, not the larger number *requested* by prospective providers during those years. See *Applications for Registration or Licensure* (p. 22).

New York City and the balance of the state, compared to the year before (dropping from 61% to 60%, and rising from 40% to 41%, respectively). In New York City, the overall decline in such violations was mirrored both among FDC and SACC programs, while elsewhere, the small increase in such violations was driven entirely by findings relating to FDC programs – exactly reversing the pattern of contribution seen in the prior review. **[Table 4.4, Figure 4.8]**

Using the Reports

Each report in this series documents important performance benchmarks highlighting the volume and timeliness of key regulatory (registration and licensing) activities overseen by DCCS, as well as how that performance has changed over time. By consolidating information for all modalities of care and all regions of the state – including programs regulated directly by New York State (regional office) personnel or state- or LDSS-contracted personnel – the reports document a record of pronounced improvements in regulatory practice as well as equally pronounced differences in that practice, over time and place. Taken as a whole, the report series therefore represents a significant new monitoring opportunity allowing for the development of programmatic responses to such differences, once identified.

In addition, future reports in this series should be useful for tracking the progress of efforts already underway to make New York State’s child care licensing process more expeditious. As part of Governor Cuomo’s initiatives to improve efficiency, at the end of the period covered by this report (during March of 2014), OCFS began working on evaluating the licensing process with the goal of significantly reducing the time required to issue child care provider licenses – an effort that has begun to show results in terms of reducing application-processing times, which should become apparent in upcoming reports. (See *Using the Reports, Revisited*, pg. [33](#), below.)

1. Introduction and Background

a) Purpose and Focus of the Study

Chapter 750 of the Laws of 1990 (SSL 390) established a new mandatory system of registration for family day care (FDC) and school age child care (SACC) programs in New York State and coordinated that system with the one already in place for licensed day care center (DCC) and group family day care (GFDC) programs. It replaced New York's patchwork registration system marked by varying rules and authorities for registration with a single consistent system more capable of exerting strong emphases on training, support services and the protection of children's health and safety.¹² 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.”¹³

This report covers the year April 1, 2013 – March 31, 2014 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, 2013. Prior to the last review for 2012 – 2013, the reports' focus was on registered (FDC and SACC) providers – the segment of the day care universe to which the legislation applied a new registration mandate. Like the last report, however, this one widens the focus by also including licensed (DCC and GFDC) providers – who were also addressed under Chapter 750 – in order to permit a more comprehensive overview of care that should make this and future reports far more useful for management and policy purposes.¹⁴ In addition, while the focus is the 2013 – 2014 report year, this study also offers extensive comparisons with the three-year window ending the same year to provide for comparison and perspective. Each year is broken out separately in the analysis, consistent with the Law's annual reporting requirement.

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

¹² Under the prior system, SACC programs operating relatively few hours were exempt from registration while FDC programs were regulated through a confusing joint state-county system.

¹³ *McKinney's 1990 Session Laws of New York* (West Publishing Co.), V. 1, pg. 1531. Numbering added.

¹⁴ See *Background on Child Care Registration and Licensing*, pg. 2, for an overview of different modalities of care and the corresponding regulatory frameworks.

handled.¹⁵ New regulations for family-based (FDC, GFDC) settings, which became effective May 1, 2014, and center-based (DCC, SACC and SDCC) settings, becoming effective June 1, 2015, require pre-application orientations, making orientation a possible focus in future reports.

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

- a) Registered and Licensed 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 and resolutions to them; and
- c) Administrative Actions – the number of registrants, licensees and applicants for registration or licensing awaiting inspection or other administrative action.

b) Background on Child Care Registration and Licensing

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).¹⁶ 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*.

Whether through licensing or registration, regulation of child care providers in New York State entails a detailed array of activities including application processing, background checks, safety and facility inspections, documentation of mandated and other training, and 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 DCC and GFDC programs, New York State – through OCFS’s regional child care offices – directly handles these licensing services outside of New York City, while the New York City Department of Health and Mental

¹⁵ See earlier reports in this series (e.g., *Report to the Governor and Legislature on Family Day Care and School Age Child Care Registration: April 1, 2009 – March 31, 2010* [DCCS, 2011], pp. 1-2) for the legislative context surrounding the discontinuation of orientation as a registration requirement for FDC and SACC programs, in early 2001 as part of the *Quality Child Care and Protection Act*.

¹⁶ Note that the requirements described in this paragraph apply only when children are *unrelated* to caregivers according to a standard specified in legislation. 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).

Hygiene (NYC DOHMH) provides such services within the City.¹⁷ For FDC and SACC programs, such registration services have been provided under one of several arrangements (which have shifted over time), depending on local department of social services (LDSS) preferences. During the eleven years ending with the current report period, New York State’s regional child care offices provided these services directly to a sizable, relatively consistent proportion of counties reaching 19 counties between 2011 and 2014.¹⁸ During that same period, the number of LDSSs with which OCFS contracted to provide the services directly steadily dwindled, falling from eight counties in 2003 to two counties by 2011 – 2014.¹⁹ During the same period, there was a slowly growing number of LDSSs subcontracting with not-for-profit entities, primarily Child Care Resource and Referral (CCR&R) agencies, for the provision of these services (rising from 32 counties in 2003 to 36 counties by 2011 – 2014).²⁰ OCFS contracted with NYC DOHMH to provide the services in New York City (five counties).²¹ Most recently, between 2010 and 2011, two additional counties previously serviced by New York State staff (Seneca, Yates) requested that OCFS contract with them (and were approved) to provide registration services through subcontracting with their local CCR&R agency. *Appendix A.1 maps and defines the seven DCCS regions, while Figure 1 (next page) documents the latest transitions referenced.*

While New York State regional office staff have been responsible for all *licensing* activities outside of New York City, the variations in the characteristics of the staff providing *registration* services could be significant. 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 on regulatory activities and the statistics summarizing that performance could be affected, making comparisons that ignore such factors ill-advised. In order to mitigate 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 comparing (for example) exclusively New York State versus exclusively CCR&R staff.²² Throughout the report, comparisons between New York City and the balance of the state, in particular, are annotated “by major state region,” for the sake of economy.

¹⁷ Appendix A.1, pg. 36) 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. Six of these seven offices (all except the New York City office [NYCRO]), thus, are responsible for all DCC and GFDC licensing outside of New York City. Within the City, OCFS *contracts* with NYC DOHMH to license GFDC programs – the only such arrangement statewide.

¹⁸ See Figure 1, pg. 4, (green cross-hatch).

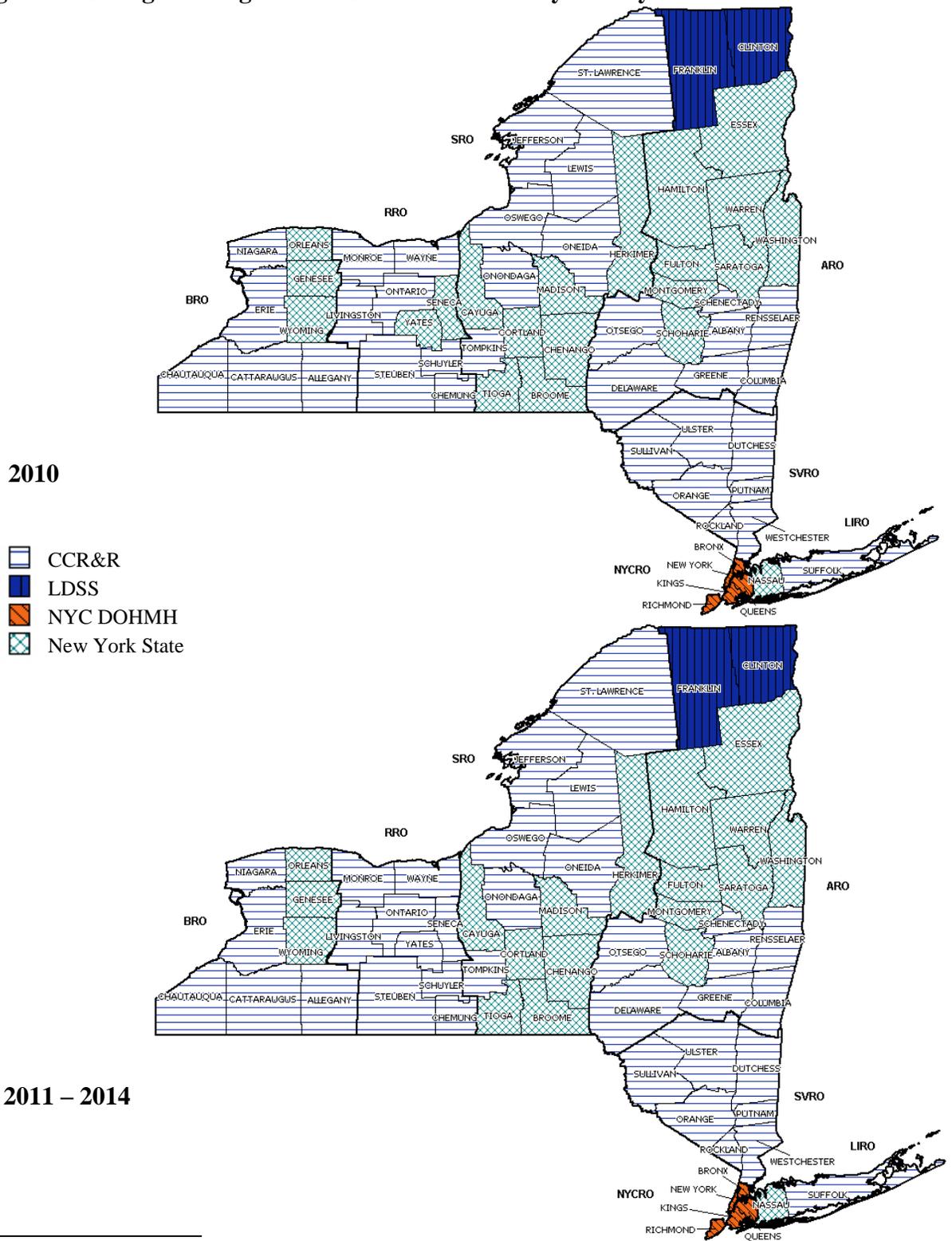
¹⁹ *Ibid.* (dark blue hatch).

²⁰ *Ibid.* (light blue hatch).

²¹ *Ibid.* (orange cross-hatch). See Appendix A.2 (pg. 37) for maps documenting all of the changes cited.

²² Where informative for policy purposes, DCCS Regional results – *often referred to by abbreviation, as detailed in Appendix A.1 (pg. 36)* – are also offered, but illustrate the difficulty. For 2013 – 2014, 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 potential role of such staffing differences and other distinctions flowing from them always warrants consideration when weighing certain comparisons.

Figure 1. Changes in Registration Service Provider by County: 2010 – 2014²³



²³ 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. 37) for notes regarding corrections made to maps from earlier reports in this series and for full-page versions of selected maps documenting the changes discussed and other context (e.g., see 2011 – 2014 map note, pg. 40, regarding changes not reflected on map.)

Other consequences of these different licensing and registration service arrangements flow from DCCS's implementation of performance-based contracting for some of this work. While outside of New York City all licensing work and some registration work has remained a state regional office responsibility, effective January 1, 2005, and continuing into 2006 and beyond, all contracts for the provision of registration services²⁴ by non-state entities such as CCR&Rs, NYC DOHMH or LDSSs were converted into performance-based arrangements. This was done 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 "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 regulatory statistics, potentially contributing to differences in performance not only between registration and licensing activity, but also between registration activity in counties with performance-based contracts and other counties without the contracts. Almost certainly, the shift to performance-based contracts improved oversight and the quality of regulation for segments of the child care universe, directly benefiting performance for those modalities of care and those locales affected. By the same token, however, the adoption of performance-based contracting also may have contributed to *variations* in the extent of improvements in regulatory practice that have occurred with respect to registered and licensed care, and among counties and regions, during the years since. One of the major benefits of this series of reports has been to document that such differences have actually occurred – a crucial first step in developing any response to the variations in services observed.

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, 2014, in comparison with prior report periods. Since CCFS excludes data on New York City DCC facilities, the report's focus is on all registered providers, statewide, and all licensed providers except New York City DCC programs, which are licensed by New York City and not subject to OCFS's regulatory authority.

For each topic reviewed, either new reports were created using CCFS data, or existing performance standards were modified to produce measures analogous to the originals. For example, the analysis of "response to complaints" in this report closely resembles 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, b) all regulated programs except New York City DCC facilities, and c) enhanced detail to facilitate regional

²⁴ Alone among all the performance contracts in place, one exception is NYC DOHMH's to provide *licensing* services for New York City GFDC facilities.

comparisons, viz., standardized rates of complaints received.²⁵ For readers' reference, each chapter below provides an overview of any computational details pertinent to understanding the respective chapter findings. Appendix A.3 (pg. 41) provides narrative descriptions of all such rules and calculations employed for measures featured throughout the report. Appendix A.3 also provides further details on the respective chapters' discussions of how measures presented in this report may vary from DCCS's corresponding performance measures. For reference, the Appendix also includes a complete complement of map figures appearing or cited in the report – all sized for greater detail than in the body of the report.

Given CCFS's status as the database of record for child care in New York, this report relies on that data, 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.²⁶ The present report's continued finding of fewer complaints reported for New York City than might be expected, based on its 40 percent-50 percent share of the population of providers, is a primary example.

²⁵ As in the prior reviews, this report calculates a one-year complaint rate relating the number of complaints in a year to the number of providers *ever registered or licensed* (as appropriate) during that year, with the measure expressed as the number of complaints “per 100” providers. Aside from such refinements, the four 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 inclusion of settings of any modality (except New York City DCC), also irrespective of whether performance-contracted; c) the focus on annual report periods here; and d) in some instances – detailed in each chapter – the report's retrospective measures differ unavoidably from the performance measure due to *CCFS* data limitations or other computational factors. Readers should note that the combination of all of these factors makes certain results here look decidedly different from performance measures typically published by DCCS.

²⁶ For example, see the 2009 – 2010 report's description of factors that influenced the completeness of reporting early in CCFS's implementation. Op cit., *Methodology and Data Sources*.

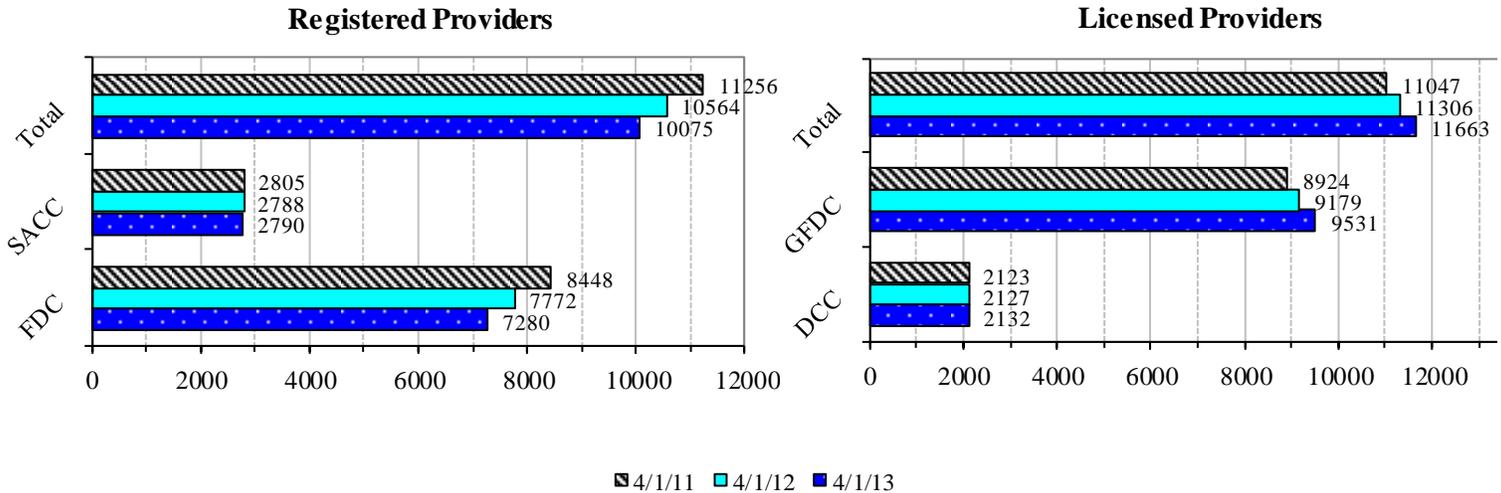
2. Registered and Licensed Providers

a) Overview

- *Registered providers*²⁷ showed year-to-year statewide declines (ranging from -5% to -6% per year, with a three-year, 2011-14 decline of -9%) reflecting:
 - consecutive annual FDC declines (ranging from -4% to -8% per year; 2011-14 change: -14%)
 - small SACC declines only some years (< 1%, 2011-12; 2011-14 decline: < 1%)
- *Licensed providers* showed year-to-year statewide increases (ranging from 2% to 3% per year, with a 2011-14 gain of +6%) reflecting:
 - consecutive annual GFDC increases (ranging from 3% to 4% per year; 2011-14 gain: +7%)
 - marginal DCC growth outside New York City ($\leq .2\%$ each year; 2011-14 change: +.4%)

Figure 2.1 summarizes the corresponding changes in numbers of providers ever registered or licensed, by modality, for the three years ending March 2014.

Figure 2.1
Providers Registered or Licensed at Any Point During Reporting Period,
By Modality, For Year Beginning:²⁸



²⁷ Unless noted otherwise, counts cited in this section represent programs “ever” registered or licensed (i.e., at any point) during the respective years, as distinguished from so-called ‘point-in-time’ counts (e.g., as of the end of a year) with which some readers may be more familiar. Table 2.1, below (pg. 9), reports both types of counts, and as in the prior review, reveals fairly steady declines in FDC providers over time (e.g., compare the “first day” and “last day” counts shown for individual years). See *Regional Detail*, next page, for more point-in-time evidence.

²⁸ Registered totals include n = 3 small day care center (SDCC) programs for the 1st year (n = 2, Rochester region [RRO], n = 1, Syracuse region [SRO]), n = 4 SDCC programs for the 2nd year (n = 1, Albany region [ARO], n = 2, RRO, n = 1, SRO) and n = 5 SDCC programs for the 3rd year (n = 2, ARO, n = 2, RRO, n = 1, SRO), respectively. Licensed day care center (DCC) counts exclude New York City programs.

As detailed in earlier reports in this series,²⁹ some of the factors influential in net declines in the numbers of registered providers during the last decade are not factors in the *ongoing* reductions in that group.³⁰ Other factors contributing to the continuing declines in registered providers and increases in licensed programs seen for this review remain relevant (e.g., registered FDC providers transitioning to licensed GFDC programs due to the higher maximum child care subsidy rates for GFDC providers).

b) Regional Detail

- *Registered* providers showed annual statewide declines that varied by modality:
 - New York City, the balance-of-state, and all seven DCCS regions mirrored the statewide trend with consecutive year-to-year declines in total providers (ranging from -5% to -6% per year, -4% to -6% per year, -2% to -8% per year, respectively).
 - New York City, the balance-of-state and all seven individual DCCS regions also showed consecutive year-to-year declines in FDC numbers (ranging from -7% to -9%, -6% to -7%, -3% to -12% per year, respectively).
 - SACC numbers, in contrast, remained almost flat from year to year, both in New York City (< 1% change per year) and elsewhere (\leq 1% change per year). Over the entire three years, six DCCS regions showed only marginal change on this front (ranging from -3% to +3% per year) while one showed modest decline (SRO: -6%).

Figure 2.2.a displays the corresponding changes in registered providers underlying these trends for New York City and the balance of the state, as detailed in Table 2.1. Appendix A.4 documents the regional changes in registrants broken down by modality, referenced.³¹

²⁹ See especially *Report to the Governor and Legislature on Family Day Care and School Age Child Care Registration: April 1, 2003 – March 31, 2006* [DCCS, 2009], pp. 8-9.

³⁰ For example, between 2001 and 2003, large numbers of no-longer-active providers were culled from the new child care system of record, CCFS, at New York City's incorporation into the system, while many other programs closed either voluntarily or otherwise during the years following the increased oversight and quality standards established by the *Quality Child Care and Protection Act of 2000*.

³¹ See Figures 2.4.a – b in Appendix A.4 (p. 44), respectively (summarizing data on all modalities from Table 2.2, pg. 46), for FDC and SACC trends discussed.

Figure 2.2.a. Providers Registered at Any Point During Reporting Period, By Major State Region and Modality, For Year Beginning:³²

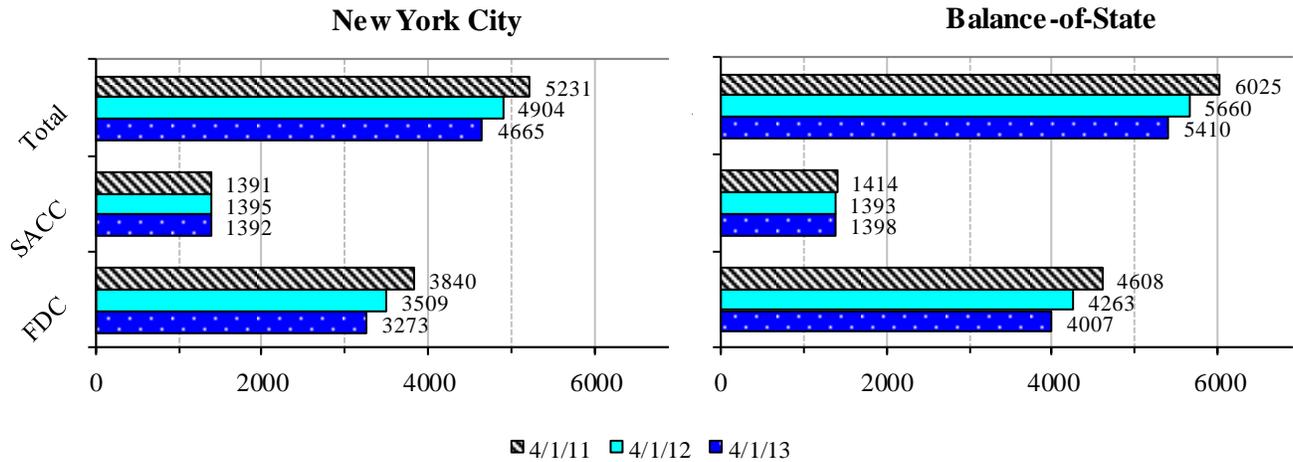


Table 2.1. Registered (FDC/SACC) & Licensed (DCC/GFDC) Providers, By Major Region & Modality: As of Any Point, As of the First Day and as of the Last Day, For Three Years, April 1, 2011 - March 31, 2014³³

Region	Year Starting April 1,	Any Point During Year				First Day				Last Day			
		FDC	SACC	DCC	GFDC	FDC	SACC	DCC	GFDC	FDC	SACC	DCC	GFDC
New York City	2011	3,840	1,391	na	5,589	3,271	1,299	na	4,628	3,036	1,264	na	4,976
	2012	3,509	1,395	na	5,868	3,036	1,264	na	4,975	2,936	1,251	na	5,294
	2013	3,273	1,392	na	6,123	2,939	1,252	na	5,297	2,626	1,236	na	5,523
Balance of State	2011	4,608	1,414	2,123	3,335	3,993	1,317	1,996	2,931	3,741	1,292	1,994	2,948
	2012	4,263	1,393	2,127	3,311	3,741	1,292	1,994	2,948	3,558	1,282	2,010	3,024
	2013	4,007	1,398	2,132	3,408	3,560	1,282	2,010	3,025	3,345	1,299	1,999	3,044
Total	2011	8,448	2,805	2,123	8,924	7,264	2,616	1,996	7,559	6,777	2,556	1,994	7,924
	2012	7,772	2,788	2,127	9,179	6,777	2,556	1,994	7,923	6,494	2,533	2,010	8,318
	2013	7,280	2,790	2,132	9,531	6,499	2,534	2,010	8,322	5,971	2,535	1,999	8,567

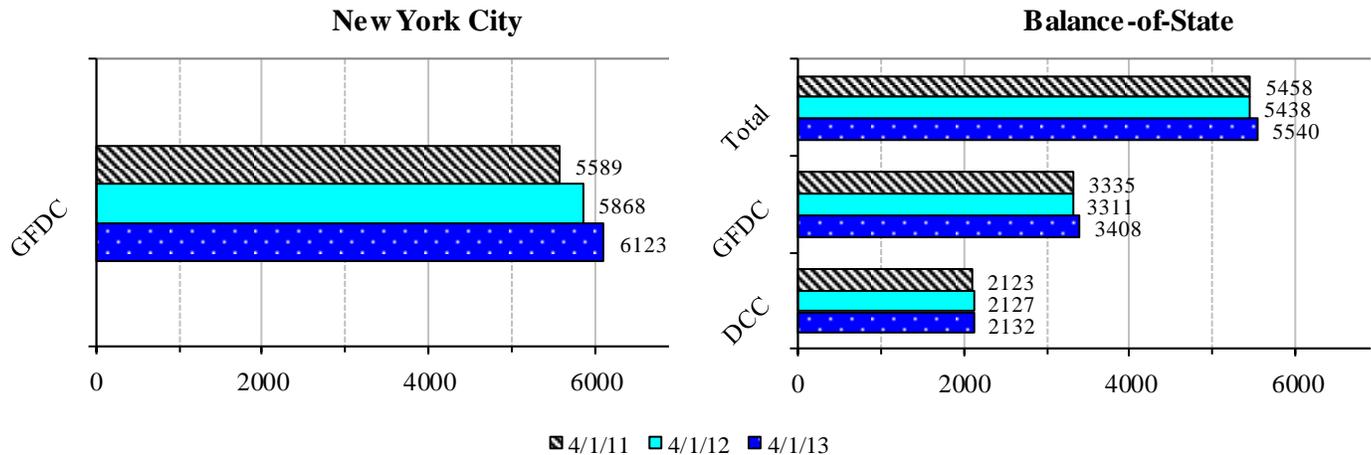
- For *licensed* providers, year-to-year statewide increases were fueled by growth far more prominent in certain DCCS regions and modalities than in others:
 - New York City and LIRO showed clear GFDC gains (3% to 4% and 2% to 4% per year, respectively) that dwarfed any elsewhere (< ½%, balance-of-state three-year change, 2011 – 14).
 - Outside New York City, DCC facility numbers grew only marginally (< ½%, all three years).

³²See Figure 2.1 note on a few SDCC programs' inclusion (and their locations) in registered "total" counts shown. As a result, the latter can exceed the sums of FDC and SACC counts shown at other locations (e.g., Table 2.1, pg. 9, "any point" columns) for certain years and locations.

³³ Licensed provider numbers excluding day care center (DCC) programs in New York City.

Figure 2.2.b displays the corresponding changes in licensed providers underlying these trends for New York City and the balance of the state, as summarized in Table 2.1. Appendix A.4 documents the regional changes in licensees broken down by modality, referenced.³⁴

Figure 2.2.b. Providers Licensed at Any Point During Reporting Period, By Major State Region and Modality, For Year Beginning:³⁵



- Another strategy for identifying regional trends is to evaluate *intra-year* changes in provider numbers using point-in-time measures (e.g., “first day,” “last day” counts introduced above):
 - Among *registered* programs, this revealed striking, continuous FDC declines for all regions but more variable SACC trends, increasing almost half the time (*Fig. 2.3.a*).
 - Among *licensed* programs, this showed DCC and GFDC trends more randomized – with growth and decline about equally likely, but gains generally larger for GFDC programs (*Fig. 2.3.b*).

Figures 2.3.a – b detail the percent change in registrant and licensee counts referenced, by region, from start to finish for each of the three years ending March 2014.

³⁴ See Figures 2.5.a – b in Appendix A.4 (p. 45), respectively (summarizing data on all modalities from Table 2.2, pg. 46), for DCC and GFDC trends discussed.

³⁵ Excluding day care center (DCC) programs for New York City

Figure 2.3.a. Percent Change in Registered Providers From First Day to Last Day of Interval, By Region and Modality, For Year Beginning:³⁶

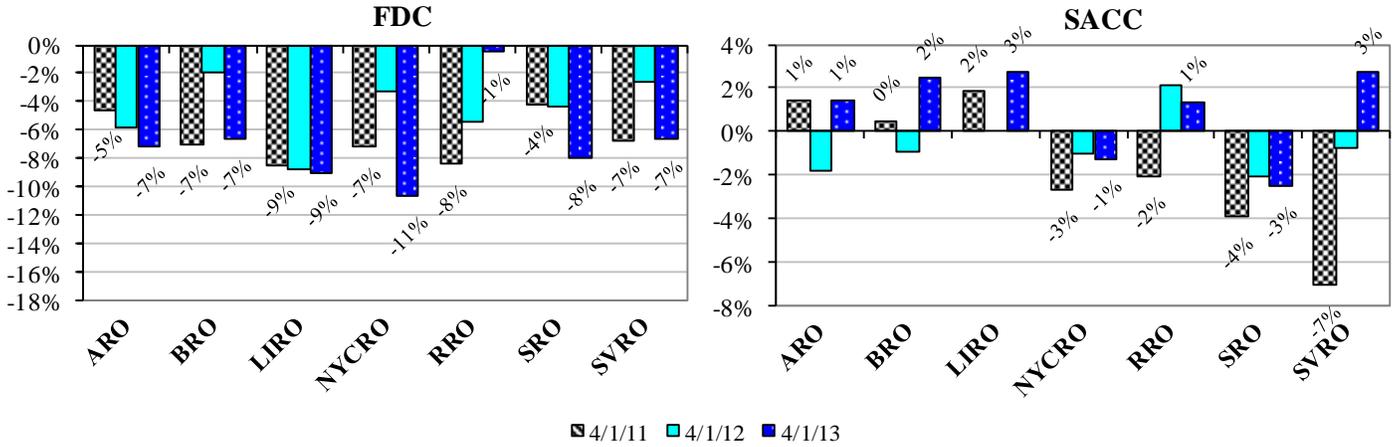
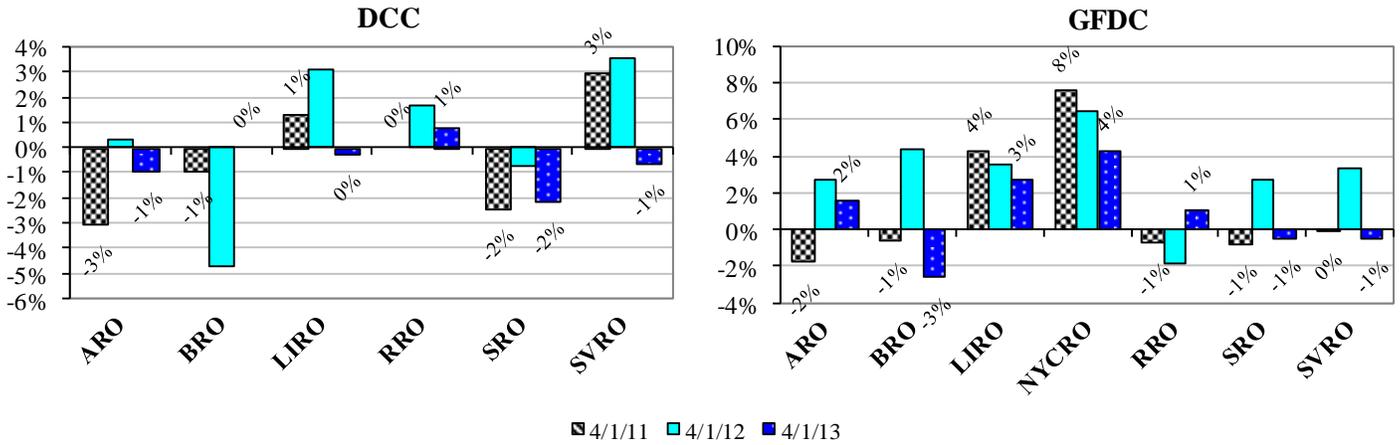


Figure 2.3.b. Percent Change in Licensed Providers³⁷ From First Day to Last Day of Interval, By Region and Modality, For Year Beginning:



³⁶ Table 2.2 in Appendix A.4 (pg. 46) details the regional provider counts summarized in Figures 2.3.a and 2.3.b. Note that the rounding of percentages used in labels sometimes yields bars which appear distinct despite identical labeling (e.g., Fig. 2.3.a: FDC, LIRO, “-9%”).

³⁷ Day care center (DCC) counts excluding New York City programs.

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,³⁸ to individual child care program staff. In every instance, complaints are required to be immediately entered into CCFS for appropriate handling. 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 the corresponding investigation must be *initiated*, while each allegation included in a complaint must also be *determined* as either substantiated or unsubstantiated within 60 days of the date on which the complaint was received.³⁹ As detailed in the Appendix, both this review’s measurements of timeliness for initiating and for determining investigations, under this framework, are conservative, slightly *understating* the timeliness of performance involved as compared with the corresponding OCFS performance standards for registered programs – in large part, due to CCFS data limitations that constrain the type of retrospective measurements emphasized throughout this report series.⁴⁰ Due to this limitation, for clarity, the review’s findings on timeliness of determination are labeled, “determination *and closure*,” to emphasize that they concern a wider range of agency activity (were findings determined, corrective action plans developed, *and* complaints closed, within 60 days?) than that involved in OCFS’s compliance monitoring of determinations (were *allegations substantiated or not* within 60 days?).

b) Volume, Rate and Characteristics of Complaints Received

- Complaints for *registered* providers, overall, declined yearly, statewide (–8% to –10% per year), over the three years ending March 2014, concealing regional and modality differences (*Fig. 3.1*):
 - Five DCCS regions (ARO, Buffalo [BRO], LIRO, New York City [NYCRO], RRO) shared declines the final year (–6% to –23%) while two (SRO, Spring Valley [SVRO]) showed modest (5%) gains (*Fig. 3.2*).

³⁸ See *Background on Child Care Registration and Licensing*, pg. 2, for a discussion of the entities responsible for registration services in different locales.

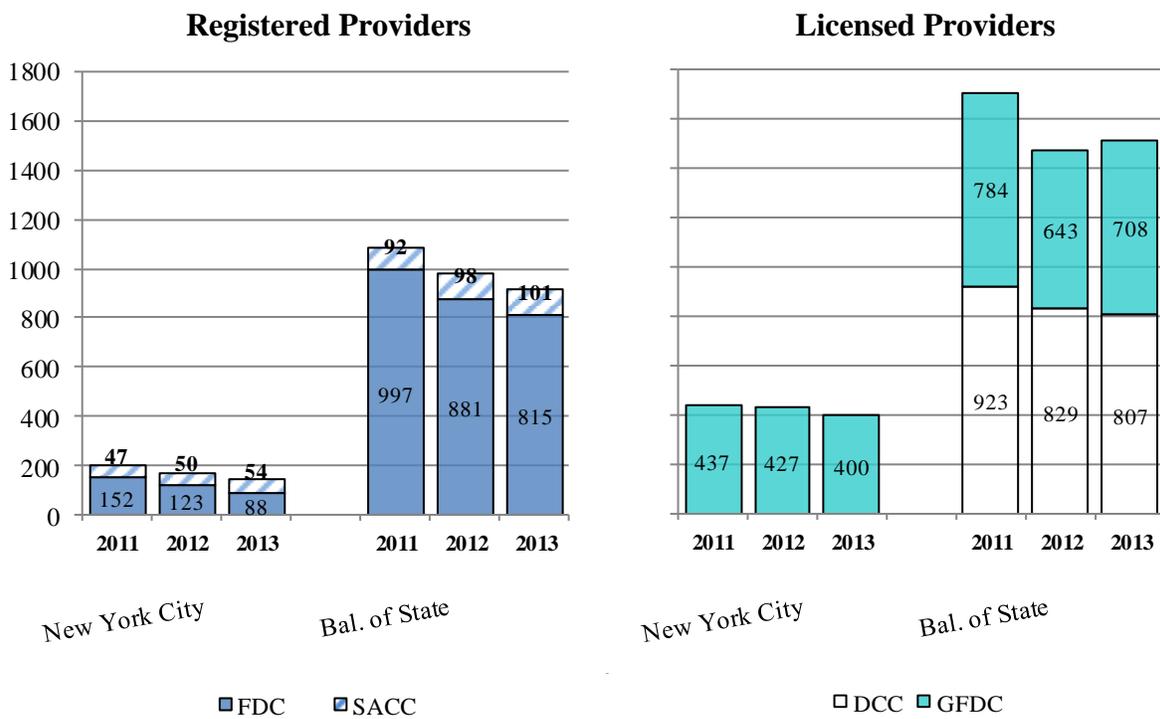
³⁹ This review adopts the 60-day “determination” standard nominally used in the state’s performance contracting for **registered** programs in order to emphasize a conservative, consistent frame of reference (anchored in practice) in the report’s broader comparisons across modalities. That standard, nonetheless, is best understood as a compromise that reconciles two 30-day standards which are technically now in effect but problematic to operationalize in practice as separate events – one for “determination” in the sense discussed, and another for closure once a determination is made. Given a window of as long as 15 days for initiating investigations, and allowances of as long as 30 days for implementation of corrective actions responding to a determination, neither determinations nor closures are *reliably* constrained to 30 days, each, prompting adoption of a conservative 60-day standard for completing “at least” determination, or both activities, as a more defensible and valid compromise measurement.

⁴⁰ Appendix A.3 details the specific time frames, definitions and situational factors that enter into measures 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. 41, especially, for details on the (slight) understatement of timeliness in complaint processing in this review, and how this could impact the comparisons made.

- Since SACC complaints decreased in only two regions the final year (BRO, -39%, RRO, -6%), declines in FDC complaints were largely responsible for falling totals (Fig. 3.2).
- Complaints for *licensed* programs went almost unchanged, statewide, the year ending March 2014 (+1%), after declining moderately (-11%) the prior year (Fig. 3.1):
 - Underlying the late net stability, three DCCS regions (BRO, NYCRO, SVRO) showed modest declines in these complaints ($\leq 6\%$) and four, modest increases ($\leq 10\%$), that year (Fig. 3.2).
 - These complaints consistently outnumbered those logged for registered programs in every region except SRO throughout the three years ending March 2014 (Fig. 3.2).

Figures 3.1 - 3.2 detail the numbers of complaints received for registered and licensed programs, by region and modality, underlying these trends for the period ending March 2014.

Figure 3.1
Total Complaints Received for Registered or Licensed Providers,⁴¹
By Major State Region and Modality for Three Years Beginning April 1: 2011 – 2013



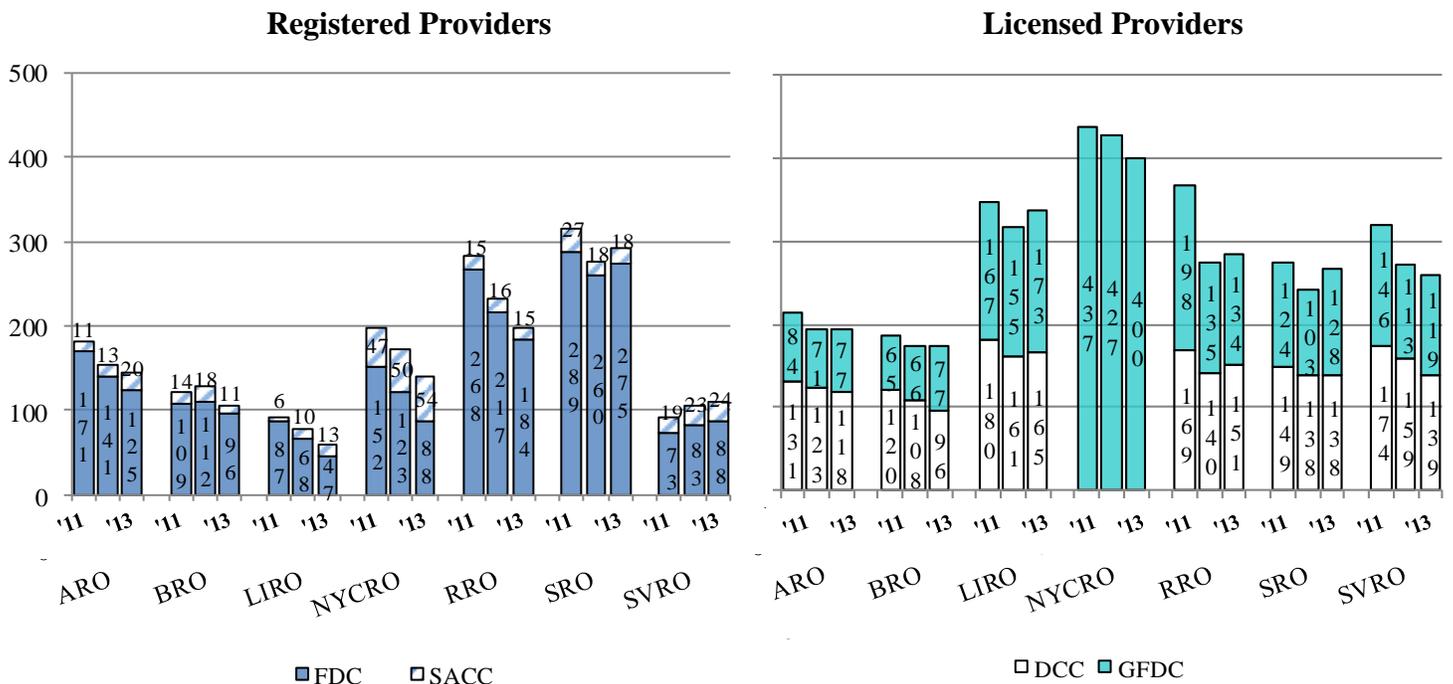
- There were apparent disparities between complaint numbers received in and outside of New York City, relative to the two areas' size:

⁴¹Total registered programs excluding a small number of SDCC facilities and total licensed programs excluding New York City DCC facilities.

- For *registered* programs, ratios of complaints filed outside New York City, to those filed within New York City were at least 5:1 each of the three years ending March 2014 (e.g., [101+815]:[54+88], Fig. 3.1).
- For *licensed* programs, the same ratios were at least 3:1 every year, or 1.5:1 if limiting the comparison to GFDC programs with statewide data available (e.g., 708:400, Fig. 3.1).⁴²

Figure 3.1 (prior page) details the numbers of complaints received, by major state region, reflected in these trends.

Figure 3.2. Total Complaints Received for Registered and Licensed Providers, By Region and Modality for Three Years Beginning April 1: 2011 – 2013⁴³



Since complaint counts and differences in counts by region are difficult to evaluate absent information on the numbers of programs to which they refer, standardized rates expressing the number of complaints *per 100 providers* (registered or licensed, as appropriate) were calculated to provide more meaningful comparisons among geographic areas and time periods. This

⁴² See n. 9, pg. vii. As noted above (n. 6, pg. vi), the data on “total” licensed programs presented throughout this report simply mirrors OCFS’s regulatory authority by including all such facilities except New York City DCC programs, which by law are licensed by New York City and not subject to OCFS regulation.

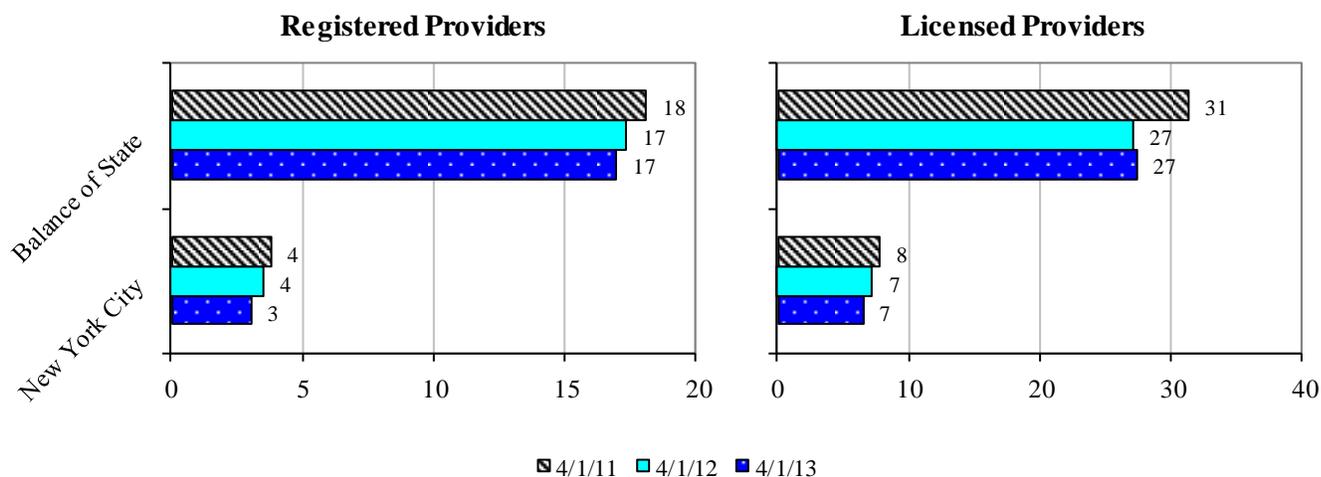
⁴³ Total registered programs excluding a small number of SDCC facilities; total licensed programs excluding New York City DCC facilities.

reinforces the evidence of disproportionate complaint activity by geographic area (*Figure 3.3, below*):

- For *registered* programs, standardized rates outside New York City were over four times the New York City rates each year (*i.e.*, 17:3).
- For *licensed* programs excepting only New York City DCC facilities, standardized rates outside New York City were at least three times the New York City rates each year (*i.e.*, 27:7).

Figure 3.3 details the standardized complaint rates referenced for the three years ending March 2014.

Figure 3.3. Number of Complaints Per Year Per 100 Registered or Licensed Providers, By Major State Region, For Year Beginning:

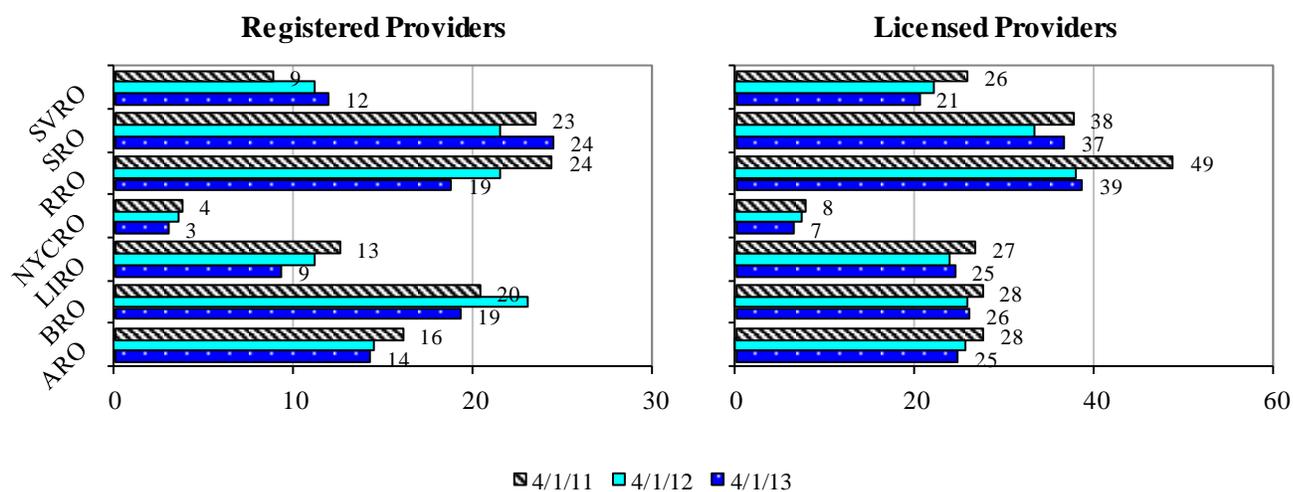


- Apart from these differences between major areas of the state, there were also pronounced differences in rates among the seven DCCS regions:
 - Compared with the balance-of-state rate for *registered* programs for 2013 – 2014 (17 per 100 providers: *Fig. 3.3, above*), rates for some DCCS regions outside New York City that year ranged from as low as 47% less (nine per 100: LIRO) to as high as 41% more (24 per 100: SRO). (*Fig. 3.4*)
 - For *licensed* programs, the balance-of-state rate (27 per 100 providers: *Fig. 3.3*) was exceeded by 44% and 37% by the RRO and SRO regions (39 per 100, 37 per 100, respectively). (*Fig. 3.4*)

Figure 3.4 (*next page*) details the standardized complaint rates for specific DCCS regions, underlying these trends.⁴⁴

⁴⁴ For readers' utility, standardized complaint rates are also included in several tables focusing on other detail, later in this chapter, to facilitate geographic and time comparisons.

Figure 3.4. Number of Complaints Per Year Per 100 Registered or Licensed Providers, By Region, For Year Beginning:



In addition to differences of scale between complaint-reporting in New York City and the rest of the state, and among DCCS regions, there were also dramatic differences in the mix of severity levels reported for complaints received in different parts of the state.

- New York City and the balance of the state differed consistently (with modality much less a factor) in ratings of complaints’ “seriousness” – apparently reflecting rating protocol differences possible under the state’s *county-administered* system⁴⁵ rather than intrinsic disparities in complaint characteristics:
 - New York City DOHMH classified between 94 percent and 95 percent of all complaints as involving “imminent danger,” compared with just one percent of complaints lodged elsewhere during each of the three years concluding March 2014, leaving little room for modality or other factors to be influential.
 - Complaints rated as “serious” represented between 79 percent and 83 percent of the respective years’ complaints outside New York City – including somewhat higher proportions for registered than for licensed programs – but only four percent to five percent of all complaints within New York City.⁴⁶

⁴⁵ See discussion in prior reports (e.g., *Report to The Governor and Legislature on Family Day Care and School Age Child Care Registration: April 1, 2012 – March 31, 2013* [DCCS, 2014], pg. 18, esp. n. 18).

⁴⁶ “Non-emergency” complaints’ rarity in New York City (< one dozen per year: Table 3.1) makes regional comparisons involving those complaints less informative.

Table 3.1 summarizes the numbers of complaints, by initial severity ratings, underlying these trends in New York City and the balance of the state.⁴⁷

Region	Year Starting April 1,	Number of Complaints				Percent of Total Complaints By Seriousness		
		By Seriousness			Total	Non-Emergency	Serious	Imminent Danger
		Non-Emergency	Serious	Imminent Danger				
New York City	2011	4	32	600	636	1%	5%	94%
	2012	7	21	572	600	1%	4%	95%
	2013	10	22	510	542	2%	4%	94%
Balance of State	2011	556	2,202	38	2,796	20%	79%	1%
	2012	409	2,016	27	2,452	17%	82%	1%
	2013	384	2,021	26	2,431	16%	83%	1%
Total	2011	560	2,234	638	3,432	16%	65%	19%
	2012	416	2,037	599	3,052	14%	67%	20%
	2013	394	2,043	536	2,973	13%	69%	18%

New York City and the balance of the state also differed somewhat in their dispositions of investigations of complaints. Complaints in New York City were somewhat less likely to be substantiated than those received elsewhere, although widely different sample sizes in the two areas limit the degree of confidence warranted for the finding.

- For complaints rated as serious, substantiation rates in New York City were at least 12 percentage points lower than in the balance of the state for two of the three years preceding March 2014, nearly reaching parity (41% versus 38%, respectively) in the last year; New York City's number of such complaints was small, ranging from 21 to 32.
- For complaints classified as “imminent danger,” substantiation rates in New York City lagged those elsewhere by as much as 10 to 22 percentage points during the last two years, but based on marginal complaint numbers *outside* New York City (ranging from 26 to 38).⁴⁹

⁴⁷ See Appendix A.5 for additional detail revealing only more minor differences (compared with those discussed) in complaints' reported severity by DCCS region outside New York City (Table 3.2, pg. 47) and by modality within New York City and the balance of the state (Figures 3.5.a – b, pg. 48)

⁴⁸ Unlike the preceding summaries (such as Figure 3.1, pg. 13), this table is based on pooled complaints for registered and licensed facilities except for a small number of SDCC programs statewide and DCC programs in New York City. For example, total New York City n = 542 shown for 3rd year here = (88 + 54) + 400 as shown for New York City's 3rd year (FDC + SACC) and GFDC programs, respectively, in Figure 3.1 (left + right side).

⁴⁹ Given the rarity of “non-emergency” complaints in New York City (see n. 46), the sometimes-higher rate of substantiations for those complaints (e.g., Table 3.3, pg. 18) warrants less confidence for this discussion.

Table 3.3 documents the numbers of complaints by seriousness and disposition (unsubstantiated, substantiated, other⁵⁰), by major state region, underlying these trends.⁵¹

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	2011	75%	25%	0%	78%	22%	0%	65%	29%	6%
	2012	57%	43%	0%	71%	24%	5%	57%	33%	9%
	2013	40%	60%	0%	41%	41%	18%	58%	32%	10%
Balance of State	2011	60%	38%	2%	58%	37%	5%	50%	26%	24%
	2012	60%	36%	3%	60%	36%	4%	33%	56%	11%
	2013	69%	29%	2%	57%	38%	5%	23%	42%	35%
Total	2011	60%	38%	2%	58%	37%	5%	64%	29%	7%
	2012	60%	37%	3%	60%	36%	4%	56%	34%	9%
	2013	68%	30%	2%	57%	38%	6%	56%	33%	11%

* Based on complaints for all registered and licensed providers except for DCC programs in New York City.

c) Department Response to Complaints

Once a complaint is received, it is classified and investigated according to the time frames for initiating and determining investigations set forth in statute (see *Background*, pg. 12). Tables 3.4.a – b (pg. 51, Appendix A.6) document the number of complaints received for registered and licensed programs together with the timeliness of response to those complaints,⁵² and standardized rates of complaints (introduced above). For clarity, Figures 3.9.a – b highlight and track only the data on timeliness of the department’s response in initiating, and in determining and closing investigations, respectively, for the three years culminating in the 2013 – 2014 report year.

Before proceeding, the question of how to interpret any differences in timeliness in relation to different types of providers (registered versus licensed) or different geographic areas’ activities

⁵⁰ Various other dispositions (such as facility closings) typically accounted for only small numbers of complaints and were grouped together under “Other.” For all tables, additionally, “Closed, unsubstantiated” and “Closed, substantiated” counts pool all relevant complaints showing such dispositions, as well (e.g., “Open, substantiated”).

⁵¹ See Appendix A.5 (pg. 49) for figures illustrating Table 3.3’s content: Figures 3.6 – 3.8, displaying the mix of dispositions reported for complaints, by major state region, separately by level of seriousness.

⁵² As already noted, see Appendix A.3 (pg. 41) for the specific timeframes for initiating and determining complaint investigations pertinent to each complaint category (non-emergency, etc.) used in all calculations in this section. Also, note that Tables 3.4.a – b each group all complaints relating to registered or licensed providers, respectively (with calculations accounting for category of complaint), while the complaint rates shown are based on total providers registered or licensed, respectively, at any point during the respective years. Readers will find provider numbers here corresponding to those shown under *Registered and Licensed Providers* (pg. 7) and complaint counts as shown above in *Volume ... of Complaints Received* (Table 3.1, pg. 17, summing registered and licensed facilities).

with a given type of provider (e.g., FDC across DCCS regions) is critical to any appropriate use and understanding of this report series' data on timeliness.

Ostensibly, the report format juxtaposing information on different time periods, different geographies, and different regulatory classes of providers (licensed, registered) offers readers seemingly easy comparisons over time, place, and provider type – comparisons not readily available previously. While potentially useful, such comparisons could invite misinterpretation, absent a consideration of the context which is essential to evaluating what difference is actually being compared. To cite a prime example, regional differences in staffing numbers can be stark, negating the “all else equal” assumption normally implied. Without the context essential for weighing the report series' many comparisons – number, training and responsibilities of staff, or other issues which are unavailable to these annual reviews – such contrasts are best treated neutrally, as descriptive differences, rather than as evidence of performance differences among alternative staffing groups (e.g., registrars operating under performance contracts versus licensors who are not). Where state licensors also handle program registration in many counties and New York City registrars also handle licensing for GFDC programs, the differing expectations of staff make it inadvisable to draw conventional judgments about performance from comparisons of indicators applied to registered and licensed providers – a point bearing attention throughout this review.

- Complaint investigations were almost always initiated on time for registered providers during the three years ending March 2014; for licensed providers, timeliness depended somewhat on geography:
 - For *registered* programs, New York City consistently initiated these actions on time (100% each year) while the balance-of-state was almost as timely (97% – 98% per year). Outside New York City, the strong performance left little room for variance: all six DCCS regions met or exceeded a 95% timeliness standard for initiating the investigations during the last year of the period.
 - For *licensed* programs, New York City investigations were initiated just as promptly (99% – 100% per year) while those elsewhere evidenced more – but diminishing – delays (rising from 89% to 94% timeliness). Outside New York City, the reduced timeliness concealed regional differences, with four of six DCCS regions exceeding a 95% standard for initiations (ARO, BRO, LIRO, SRO) and two others falling short of that standard (RRO: 92%, SVRO: 82%) for the year ending March 2014.

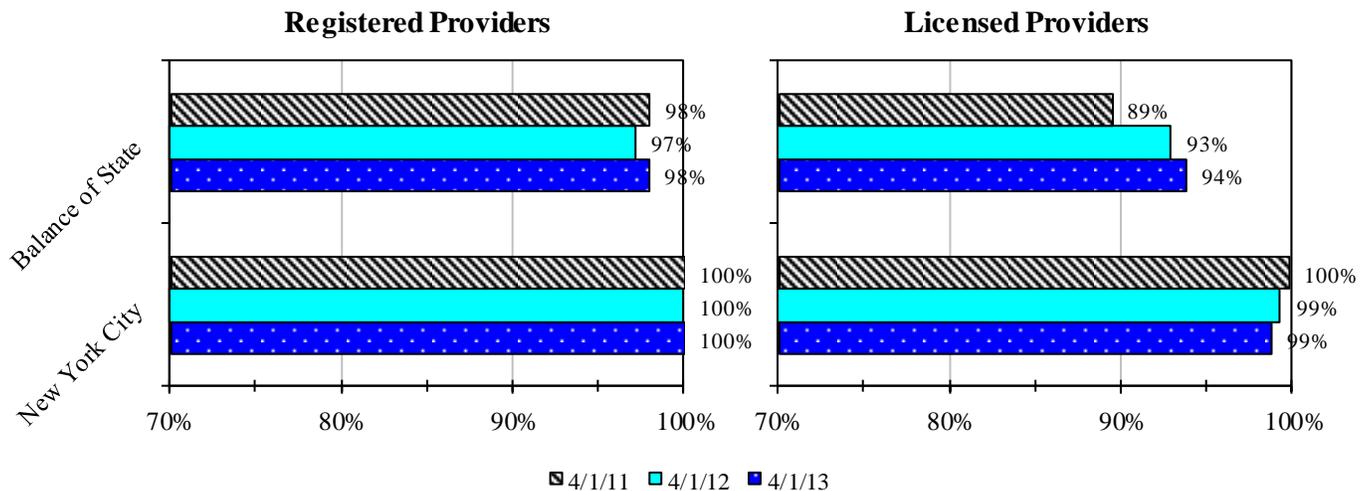
Figure 3.9.a (*next page*) summarizes the timeliness of performance in initiating investigations for registered and licensed programs achieved by the two major areas of the state (*see Appendix for results by DCCS region*).⁵³

⁵³ See Appendix A.6 (especially Figures 3.10.a – b, pg. 52), for the detailed results on timeliness of response, by DCCS region, discussed here and immediately below.

- Timeliness at determining and closing investigations during the three years lagged that of initiating investigations in much of the state, although widespread improvements reduced the shortfalls; larger shortfalls were more common for licensees than for registrants:
 - For *registered* providers, New York City met the 60-day standard 94% to 95% of the time, every year. The balance-of-state achieved 89% – 91% levels each year – the latter reflecting three DCCS regions meeting or nearly meeting a 95% standard the last year (BRO, SVRO; RRO: 94%), two meeting 90% levels (ARO: 92%, LIRO: 90%) and one region, more modest achievement (SRO: 84%).
 - For *licensed* providers, New York City met the timeliness standard 89% – 93% of the time each year, compared with 79% – 86% levels elsewhere. Outside New York City, the weaker overall result signaled greater regional disparities, with only one DCCS region meeting a high standard for the year ending March 2014 (LIRO: 96%), three reporting 88% – 93% levels (ARO, BRO, RRO) and two others showing more modest results that year (SRO: 70%, SVRO: 83%).

Figure 3.9.b (*next page*) summarizes the timeliness of performance at determining and closing investigations for registered and licensed programs achieved by the two major areas of the state, as discussed.⁵⁴

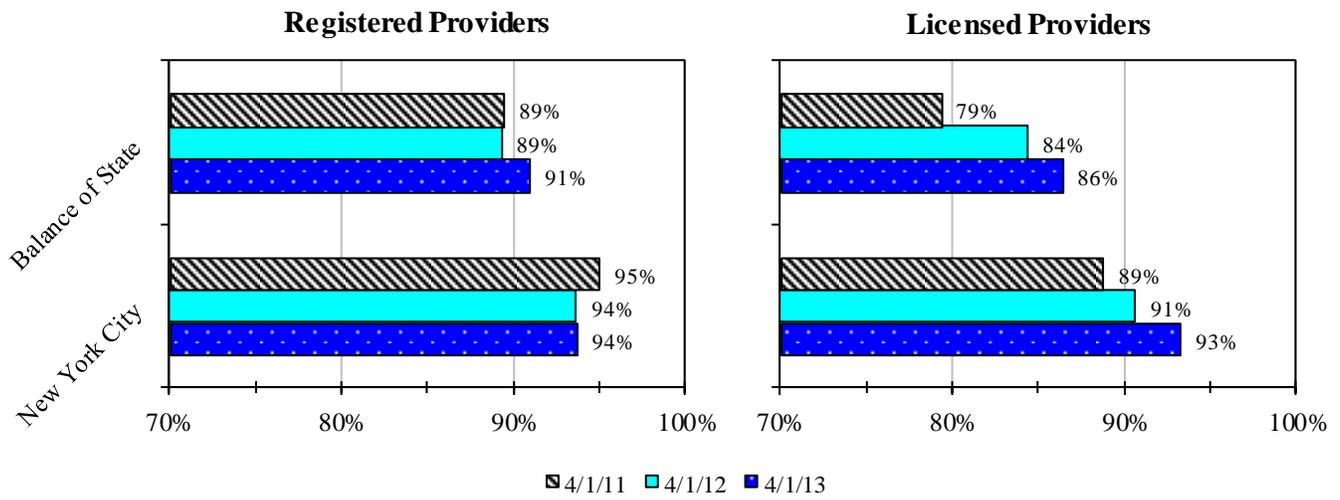
Figure 3.9.a. Percent of Investigations Initiated On Time for Registered and Licensed Providers, By Major State Region, For Year Beginning:⁵⁵



⁵⁴ See *ibid.* for the results on timeliness of determinations/closures, by DCCS region, discussed.

⁵⁵ Tables 3.4.a – b (pg.51, “Totals”) detail the counts of complaints for registered and licensed providers, respectively, summarized in each bar in the left and right sides of Figures 3.9.a – b.

Figure 3.9.b. Percent of Investigations with Timely Determinations/Closures for Registered and Licensed Providers, By Major State Region, For Year Beginning:



4. Administrative Actions Including Applications and Inspections

a) Applications for Registration or Licensure⁵⁶

After receipt of an application to operate a regulated child care facility, workers responsible for registration or licensing services in the county are expected to process and completely resolve the application within six months of receipt. A wide array of requirements must be satisfied as part of this process, including but not limited to: 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. Applications not resolved within this six-month time frame, where there is not an applicant issue, are considered to be untimely.⁵⁷

1) Number of Applications

- Applications for *registration* declined statewide each year throughout the three years ending March 2014, but this varied by geography and modality:
 - New York City and the balance of the state mirrored the statewide trend with consecutive annual declines in total applications representing cumulative reductions of -32% and -19%, respectively (*Fig. 4.1*).⁵⁸ The decline was broad-based, geographically, occurring in six DCCS regions (declines of -7% to -35%); only one region showed a small gain (RRO: 4%). (*Fig. 4.2.a*)
 - Six of seven DCCS regions' FDC applications declined (from -7% to -48%, excepting RRO) but four regions' SACC applications made three-year *gains* over the same period (from 6% to 82%: NYCRO, RRO, SRO, SVRO), thereby making FDC trends the primary driver of the overall decline (*Fig. 4.2.a*).

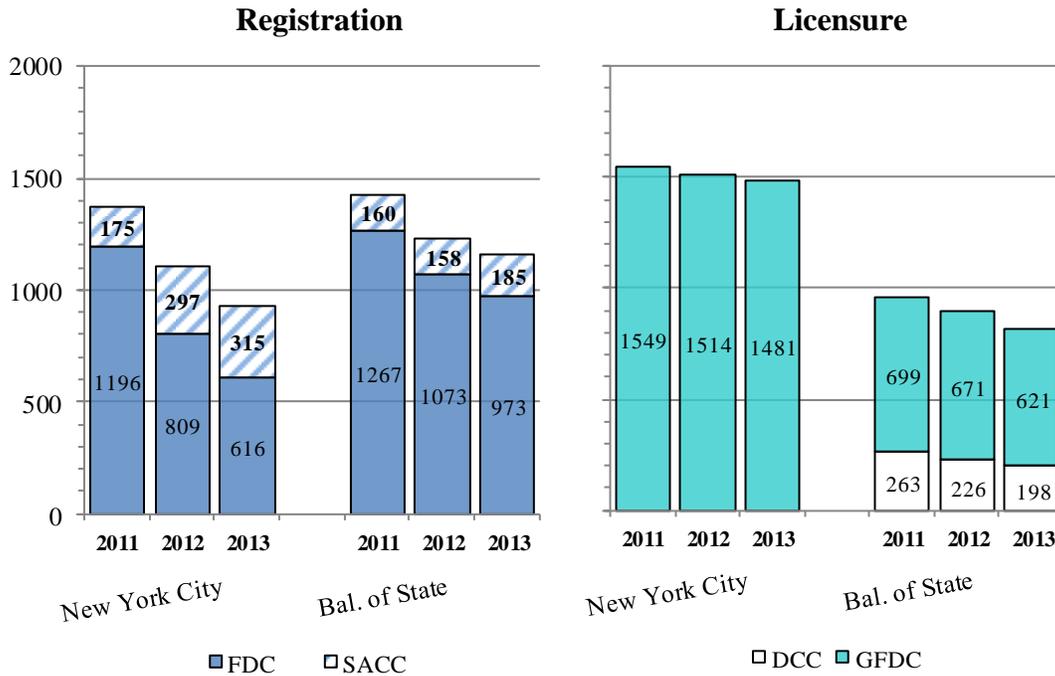
Figures 4.1 (pg. 23) and 4.2.a (pg. 24) display the registration application counts by modality and by major state region and DCCS region, underlying these trends.

⁵⁶ This section reports on the response to applications *received* by DCCS, not the larger universe of those requested by prospective providers – some of which DCCS never receives, subsequently. In illustration, Tables 4.1.a – b (beginning p. 27) show 4,391 applications received (excluding New York City DCC facilities) for the fiscal year ending March, 2014, while a standard CCFS report shows over 12,000 corresponding applications requested for calendar year 2014.

⁵⁷ As part of its quality assurance efforts, OCFS conducts 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 percent 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; similar incentivized reviews occur in relation to the other performance standards focused on complaint investigations, contract renewals and “50 percent inspections.”

⁵⁸ Calculations based on Table 4.1.a (pg. 27: totals) or equivalently, Figure 4.1 (pg. 23: summing modalities). Percentages refer to the change in application numbers between the implied “base” year and the last year of the period involved; e.g., 32 percent represents New York City’s three-year decline from 1,371 to 931 total registration applications (in Table 4.1.a) or from (175 SACC + 1,196 FDC) to (315 SACC + 616 FDC) in Figure 4.1.

Figure 4.1.⁵⁹ Number of Applications for Registration or Licensure Received, By Major State Region and Modality for Three Years Beginning April 1st: 2011 – 2013



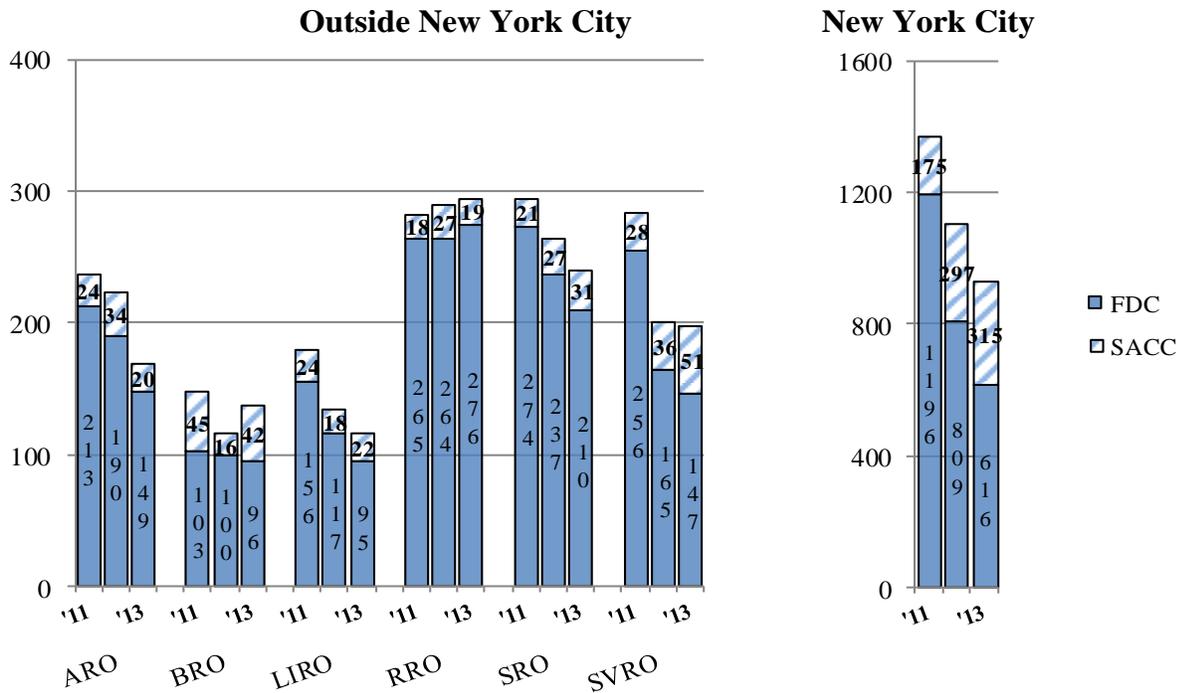
- Applications for *licensure* also declined statewide each year over the three-year period. This decline varied by geography and modality, but *differently* than for registrations:
 - Reversing the geography of registration applications, New York City’s three-year decline was smaller than that elsewhere (–4% versus –15%, respectively: *Fig. 4.1*).
 - The New York City trend was also more uniform, with a measured, two percent annual decline over the three years. Elsewhere in the state there was a sharp division, with half of the regions’ applications declining by over 20% the final year of the period (BRO, RRO, SVRO) and the other half showing either modest increases ($\leq 8\%$: ARO, LIRO) or little change that year relative to the year before (SRO). (*Fig. 4.2.b*)
 - Regional variations showed modality unlikely as a primary factor in the overall decline. For GFDC applications, three regions posted modest declines over the three years (LIRO, RRO, NYCRO: $\leq 16\%$), three showed modest gains (ARO,

⁵⁹ Summarizing application counts from Tables 4.1.a – b (pp. 27, 28, respectively). Total **registration** applications counts in this Section (used to calculate certain percentages) include tiny numbers relating to “small day care centers” (n = 4, n = 4 and n = 2, respectively, for the three years here), 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., 616 + 315 + 973 + 185 = 2089 for year-three, left side of Figure 4.1) may be exceeded by the corresponding annual total registration application counts reported elsewhere [e.g., 2091 for year-three (State Total), Table 4.1.a, pg. 27]. Counts for **license** applications throughout this Section include GFDC programs, statewide, and DCC programs except in New York City.

BRO, SRO: $\leq 16\%$) and only one, much more pronounced change accounting for over half the statewide GFDC decline (SVRO's -47% change). Outside New York City, DCC applications tracked a three-year pattern marginally more consistent with the overall trend: four regions showing either marked or modest declines (SVRO: -55% , SRO: -37% ; ARO, BRO: $\leq 15\%$) and two with modest gains (LIRO, RRO: $\leq 22\%$). (Fig. 4.2.b)

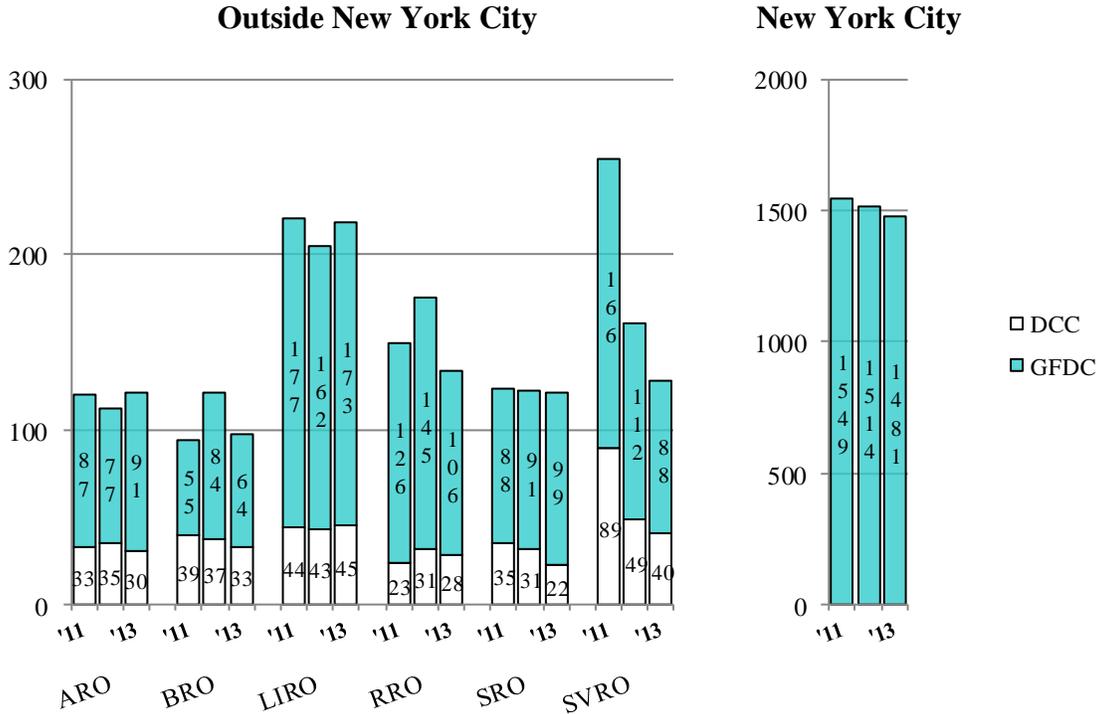
Figures 4.1 (pg. 23) and 4.2.b (pg. 25) display the license application counts (by modality), by major state region and DCCS region, respectively, underlying these trends.

Figure 4.2.a.⁶⁰ Number of Applications for Registration Received, By Region and Modality for Three Years Beginning April 1st: 2011 – 2013



⁶⁰ Excluding a small number of SDCC facilities as documented in *ibid*.

Figure 4.2.b.⁶¹ Number of Applications for Licensure Received, By Region and Modality for Three Years Beginning April 1st: 2011 – 2013



2) Timeliness in Processing Applications

- Statewide, the proportion of *registration* applications processed in accord with the six-month standard was impressive, but declined two percent, to 92%, for the year ending March 2014 (Fig. 4.3), with each major part of the state contributing to the change (Fig. 4.4). Outside New York City, most but not all regions mirrored the decline:
 - New York City showed an identical two percent decline, to 97%, from its routinely timely (99%) rate the first two years of the period.
 - The balance of the state, somewhat lower-achieving, also showed a two percent drop, to 89%, for the last year of the period.
 - Only one region outside of New York City showed strong *and* improving timeliness the final year (SVRO: 98% to 99%), making four other regions' performance the primary drivers for the balance-of-state decline that year: ARO (-3%, to 83%), BRO (-11%, to 79%), RRO (-2%, to 94%) and SRO (-3%, to 88%).⁶²

⁶¹ Total licensed programs excluding New York City DCC facilities.

⁶² The remaining region (LIRO) posted slightly improving timeliness but hardly ideal performance: +1%, to 79%.

Figures 4.3 – 4.4, below, summarize the timeliness of applications processed, statewide and by major geographic area, reflected in these trends. Figure 4.5 in Appendix A.7 (pg. 55) provides the corresponding results discussed for DCCS regions.

Figure 4.3. Percent of Applications for Registration or Licensure Processed Timely, For Year Beginning:⁶³

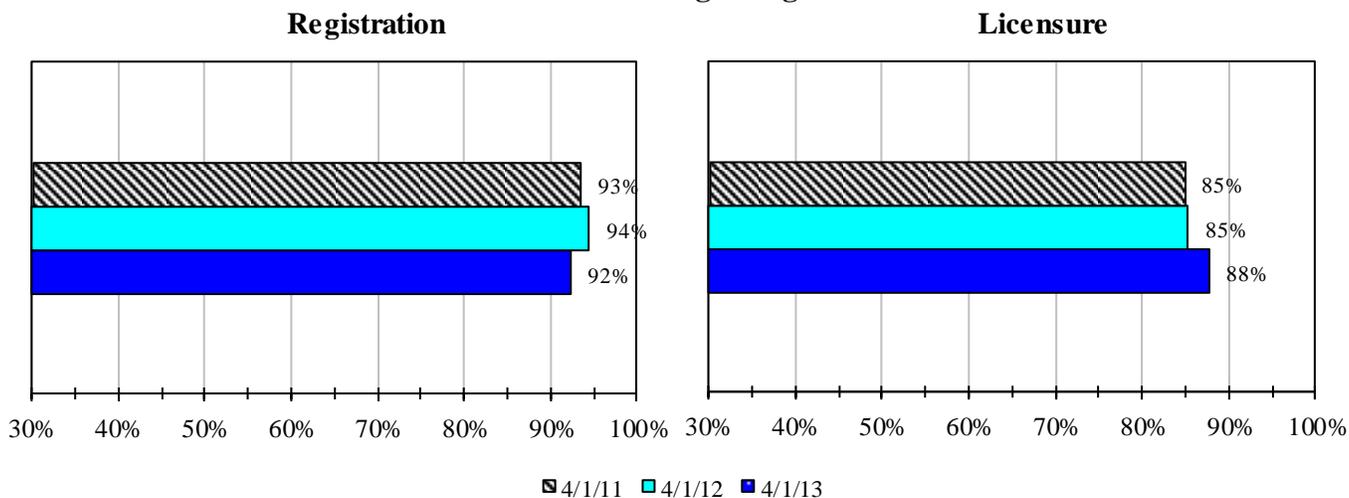
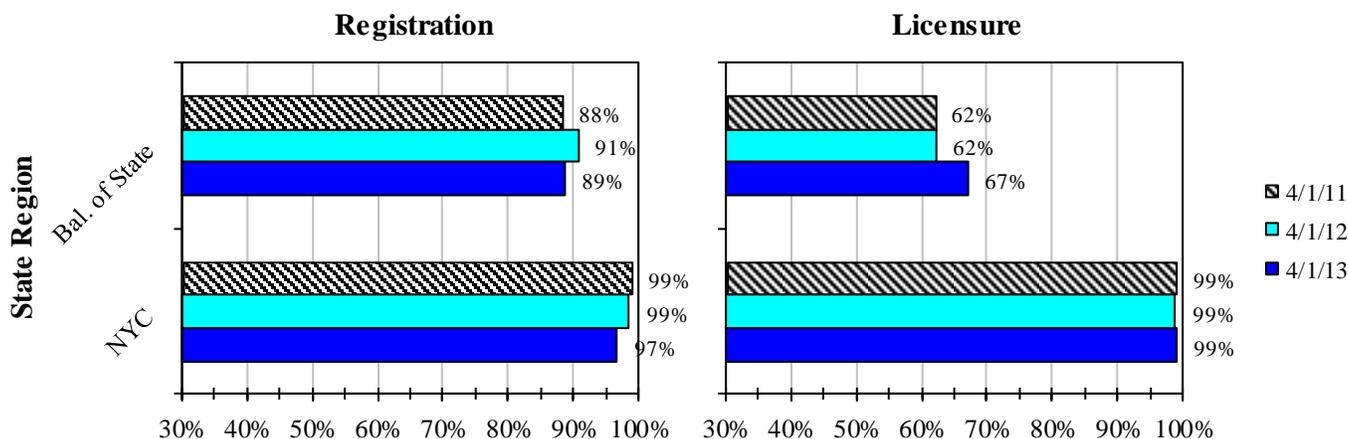


Figure 4.4. Percent of Applications for Registration or Licensure Processed Timely, By Major State Region, For Year Beginning:⁶⁴



⁶³ Summarizing “State Total” timeliness in Tables 4.1.a – b (next page). Counts as defined in n. 59, pg. 23. As shown in those tables, the statewide numbers of applications summarized for each year/bar displayed for registration are: 2802, 2341 and 2091, respectively, and for licensure, 2511, 2411 and 2300, respectively..

⁶⁴ See *ibid.* regarding definitions of counts. The same note applies to all remaining Tables and Figures in this Section, except that those providing registration results *by modality* show only programs of the modalities indicated. See Tables 4.1.a – b (pg. 27) for the numbers of applications per major state region summarized in each year/bar displayed in this Figure.

- Statewide, the proportion of *license* applications processed on time was five to ten percentage points lower than for registrations, but rising by the end of the triennium (from 85% to 88%: *Fig. 4.3*). There were clear differences between the two major parts of the state (*Fig. 4.4*) and among the regions outside New York City:
 - New York City achieved virtually routine timeliness here, unchanged throughout the three years, at 99%.
 - The balance of the state showed moderate, but improving timeliness over the period (rising from 62% to 67%) – accounting for the statewide gain since there was no change within New York City.
 - Outside New York City, the modest overall performance reflected a range of regional situations offering ample opportunity for improvement: four regions showing 54% - 67% timeliness levels (BRO, LIRO, RRO, SVRO) for the last year of the period and two, 79% - 80% levels (ARO, SRO). Three regions drove the wider-area improvement: ARO, BRO and LIRO showed gains of eight to fourteen percentage points over the triennium.

Figures 4.3 – 4.4 display the timeliness of license application processing referenced, as summarized in Tables 4.1.a – b, below. Figure 4.5 in Appendix A.7 (pg. 55) provides the corresponding results discussed for DCCS regions.

Region	Year Starting April 1,	Number of Applications			Percent of Applications Processed Timely
		Timely	Not Timely	Total	
New York City	2011	1,356	15	1,371	99%
	2012	1,091	15	1,106	99%
	2013	901	30	931	97%
Balance of State	2011	1,263	168	1,431	88%
	2012	1,121	114	1,235	91%
	2013	1,029	131	1,160	89%
State Total	2011	2,619	183	2,802	93%
	2012	2,212	129	2,341	94%
	2013	1,930	161	2,091	92%

Region	Year Starting April 1,	Number of Applications			Percent of Applications Processed Timely
		Timely	Not Timely	Total	
New York City	2011	1,534	15	1,549	99%
	2012	1,498	16	1,514	99%
	2013	1,467	14	1,481	99%
Balance of State	2011	597	365	962	62%
	2012	559	338	897	62%
	2013	550	269	819	67%
State Total	2011	2,131	380	2,511	85%
	2012	2,057	354	2,411	85%
	2013	2,017	283	2,300	88%

- Timeliness in resolving applications also varied modestly by modality, favoring FDC over SACC programs and DCC over GFDC programs where data on both were available. But the same patterns seen overall – modest declines in handling registration applications on time and modest improvements in timeliness regarding license applications – also held for each modality:
 - With respect to *registration* applications, New York City and the balance of the state both achieved better timeliness in handling FDC than SACC applications during these three years (differences of one to seven percentage points per year, for New York City, or two to eight points per year elsewhere).
 - Regardless of location, timeliness fell off somewhat for the year ending March 2014 for both registration modalities, ranging from one-point declines in most instances to four-to-seven point declines for SACC programs in New York City and the balance of the state, respectively.
 - In handling *license* applications, New York City showed consistently timely resolutions of GFDC applications (unchanged at 99%), compared with far more modest but improving performance for GFDC programs (rising from 61% to 66%) and DCC programs (rising from 65% to 71%) elsewhere in the state.

Figures 4.6.a – 4.6.b summarize the timeliness of processing applications for registration and licensure, respectively, by modality and major state region, reflected in these trends. Tables 4.3.a – 4.3.b (beginning pg. 30), then detail the corresponding numbers of applications and performance data underlying the figures.

Figure 4.6.a. Percent of Applications for Registration Processed Timely, By Major Region and Modality of Care, For Year Beginning:⁶⁵

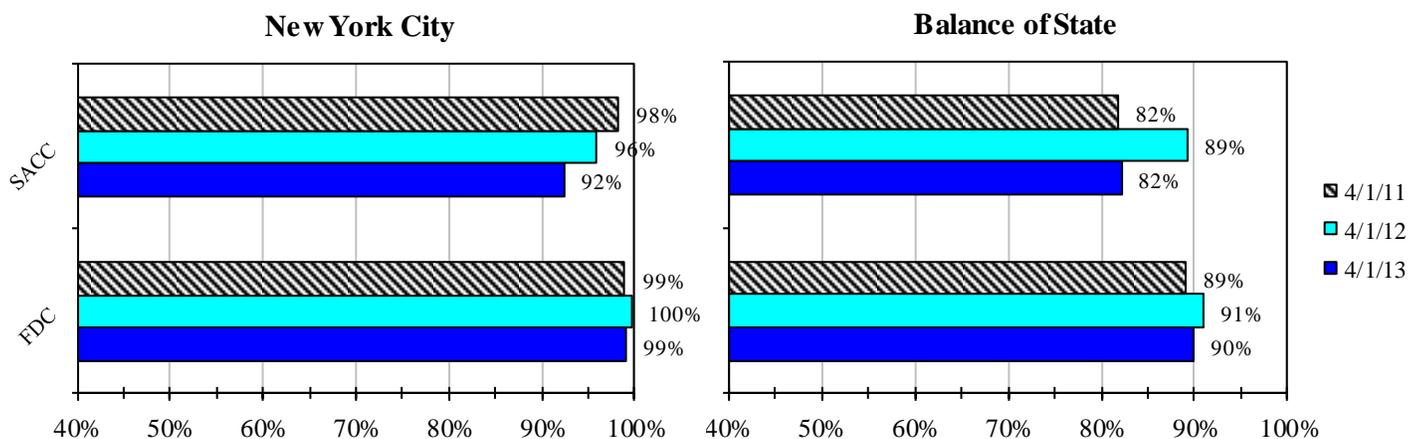
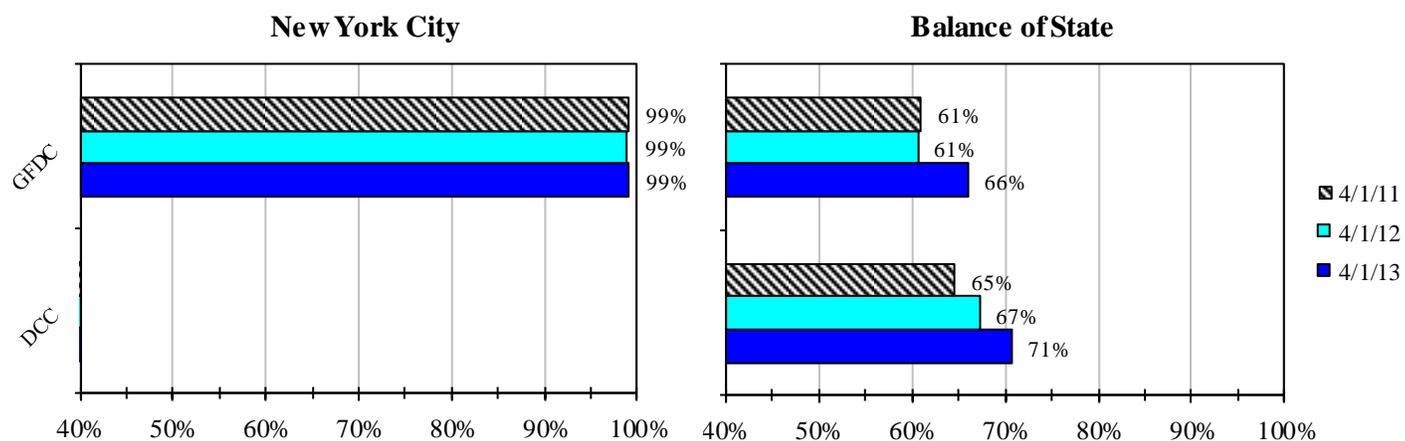


Figure 4.6.b. Percent of Applications for Licensure Processed Timely, By Major Region and Modality of Care, For Year Beginning:⁶⁶



⁶⁵ Table 4.3.a (*next page*) shows the numbers of registration applications (by major state region and modality) involved for each year/bar displayed in Figure 4.6.a; for New York City: 175, 297, 315 (SACC), 1196, 809, 616 (FDC); for Balance of State: 160, 158, 185 (SACC), 1267, 1073, 973 (FDC).

⁶⁶ See n. 6 (pg. vi) on New York City DCC facilities' omission from this and other Figures and Tables throughout the report. Table 4.3.b (pg. 31) shows the numbers of license applications (by major state region and modality) involved for each year/bar displayed in Figure 4.6.b; for New York City: 1549, 1514, 1481 (GFDC); for Balance of State: 699, 671, 621 (GFDC), 263, 226, 198 (DCC).

Table 4.3.a. Number and Timeliness of Processing of Registration Applications (FDC/SACC), By Major State Region, Modality and Year: 4/1/11 - 3/31/14					
Region	Year Starting April 1,	Modality	Number of Applications		Percent of Applications Processed Timely
			Total	Not Timely	
New York City	2011	FDC	1,196	12	99%
		SACC	175	3	98%
	2012	FDC	809	3	100%
		SACC	297	12	96%
	2013	FDC	616	6	99%
		SACC	315	24	92%
Balance of State	2011	FDC	1,267	138	89%
		SACC	160	29	82%
	2012	FDC	1,073	97	91%
		SACC	158	17	89%
	2013	FDC	973	98	90%
		SACC	185	33	82%
State Total	2011	FDC	2,463	150	94%
		SACC	335	32	90%
	2012	FDC	1,882	100	95%
		SACC	455	29	94%
	2013	FDC	1,589	104	93%
		SACC	500	57	89%

Table 4.3.b. Number and Timeliness of Processing of Licensure Applications (DCC/GFDC), By Major State Region, Modality and Year: 4/1/11 - 3/31/14 ⁶⁷					
Region	Year Starting April 1,	Modality	Number of Applications		Percent of Applications Processed Timely
			Total	Not Timely	
New York City	2011	DCC	na	na	na
		GFDC	1,549	15	99%
	2012	DCC	na	na	na
		GFDC	1,514	16	99%
	2013	DCC	na	na	na
		GFDC	1,481	14	99%
Balance of State	2011	DCC	263	93	65%
		GFDC	699	272	61%
	2012	DCC	226	74	67%
		GFDC	671	264	61%
	2013	DCC	198	58	71%
		GFDC	621	211	66%
State Total	2011	DCC	263	93	65%
		GFDC	2,248	287	87%
	2012	DCC	226	74	67%
		GFDC	2,185	280	87%
	2013	DCC	198	58	71%
		GFDC	2,102	225	89%

b) “50 Percent Inspections”

Section 390(4)(a) of Social Services Law, effective December 31, 2001, requires that DCCS or contracted registration service providers inspect annually at least 50 percent of all registered providers of a given modality per county, in order to ensure the providers’ compliance with the regulatory and statutory requirements protecting the quality of care in New York. Such “50 percent inspections” need to be understood as distinct from others – e.g., those required during the application process that is described above – as they represent a critical additional tool in regulating and monitoring care.⁶⁸ Each year, this requirement involves the identification of literally thousands of providers throughout the state who are scheduled for such inspections. Since “50 percent inspections” pertain, by definition, only to *registered* child care programs, this Section does not include the content on licensed providers shown in other parts of the review.

⁶⁷ See *ibid.* (note on New York City DCC facilities).

⁶⁸ See Appendix A.3 (pg. 41) for additional details defining these inspections (and other measurements used in the report).

- Both major areas of the state exceeded the required number of “50 percent inspections” for the year ending March 2014 as well as for the two preceding years:
 - New York City's “50 percent inspection” goal was met and exceeded by between two-thirds (+67%) and more than two times over (+169%), for each of the three years.
 - The balance of the state exceeded its goal by between one-third (+36%) and almost two times over (+88%), for each of the years.

Table 4.4, below, details the facility counts, inspection goals and inspections-completed data, by major state region, underlying these trends for the period ended March 2014.⁶⁹

Region	Year Starting April 1,	Number Facilities	Number of Inspections			Percent of:	
			Goal	Conducted	With Violations	Goal Achieved	Inspections with Violations
New York City	2011	2,826	1,413	3,800	2,630	269%	69%
	2012	3,260	1,630	3,474	2,130	213%	61%
	2013	3,718	1,859	3,109	1,873	167%	60%
Balance of State	2011	3,561	1,781	3,343	1,578	188%	47%
	2012	3,960	1,980	3,074	1,243	155%	40%
	2013	4,465	2,233	3,039	1,238	136%	41%
Total	2011	6,387	3,194	7,143	4,208	224%	59%
	2012	7,220	3,610	6,548	3,373	181%	52%
	2013	8,183	4,092	6,148	3,111	150%	51%

- The proportion of “50 percent inspections” in which violations of applicable regulations were identified, fell slightly, statewide, for the 2013 – 2014 year (from 52 percent to 51 percent) – the second year in a row, after rising continuously since before the 2009 – 2010 year:⁷⁰
 - New York City drove the overall trend for the latest year, with a small decline (not matched Elsewhere) from 61 percent to 60 percent.

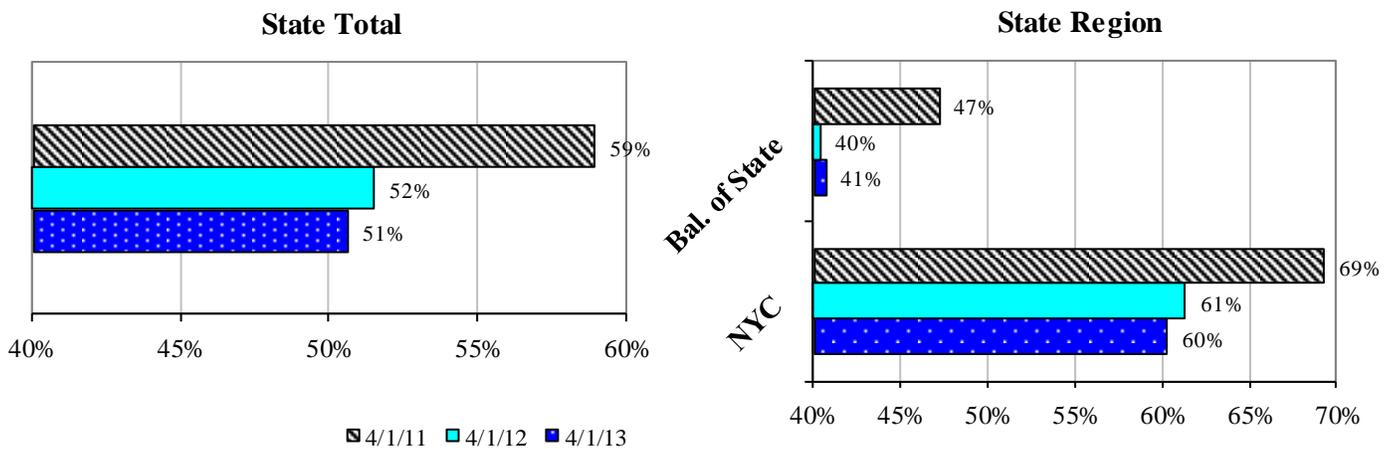
⁶⁹ Readers should note the distinction between Table 4.4’s facility counts – the base used to determine the number of “50 percent inspections” required – and counts of total registered providers presented above (e.g., Table 2.1, pg. 9). The former are *point in time* tallies reflecting populations as of the start of a period while the latter include similar time-limited tallies as well as much larger “ever-registered” counts (see n. 27, pg. 7). Appendix A.3 (pg. 41) clarifies the distinctions between the two measures presented.

⁷⁰ Table 4.4, above, details the numbers underlying these results for the year ending March 2014. See Table 4.4 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), and Table 4.4 in *Report to the Governor and Legislature on Family Day Care and School Age Child Care Registration: April 1, 2006 – March 31, 2009* (DCCS, 2010), respectively, for corresponding 2003 – 2006 and 2006 – 2009 source data showing persistent *decreases* in regulatory violations which were observed in connection with “50 percent inspections” for many years, prior to the recent upswing now halted.

- In contrast, last year both New York City and the balance of the state reported fewer such inspections with violations, jointly driving the downward trend.
- New York City’s latest-year decrease was driven entirely by declines in violations identified at inspections of FDC programs, but not for SACC programs where a slight increase in violations was reported.

Figure 4.7, below, displays the proportions of inspections involving regulatory violations, by major state region, as referenced, for the period ended March 2014.⁷¹ Figure 4.8 in Appendix A.8 (pg. 59) shows the additional results by major region and modality, discussed.

Figure 4.7. Percent of “50 Percent Inspections” (FDC/SACC) Involving Regulatory Violations, For State and Major Regions, For Year Beginning:⁷²



c) Using the Reports, Revisited

In an effort to make New York’s child care licensing process more efficient, during March of 2014 OCFS began working with the New York State Director of Lean⁷³ to identify improvements that could help streamline and abbreviate the process of applying for licenses to do business in our state. By early 2015 (less than a year following the period examined in the present review), average licensing times achieved for one modality – day care center (DCC) providers – had decreased dramatically, from just under the six-month standard evaluated in this report series, to approximately 80 days. Intriguingly, future reports in this series promise to allow readers to track the progress of this initiative, through changes in the timeliness of

⁷¹ See Appendix A.8 (Table 4.5, pg. 58, summarized in Figure 4.8, pg. 59), for additional “50 percent inspection” results by major state region, modality and year.

⁷² Table 4.4, above, shows the numbers of "50 percent inspections" summarized for each year/bar displayed in Figure 4.7; for New York State: 7143, 6548, 6148; for Balance of State: 3343, 3074, 3039; for NYC: 3800, 3474, 3109.

⁷³ In New York, one part of the Governor’s initiatives to improve efficiency has been to make use of principles from Lean – a popular business tool for analyzing, enhancing value, and minimizing waste within organizations and processes.

application processing seen in prior reports for different groups of providers (e.g., registered and licensed providers).

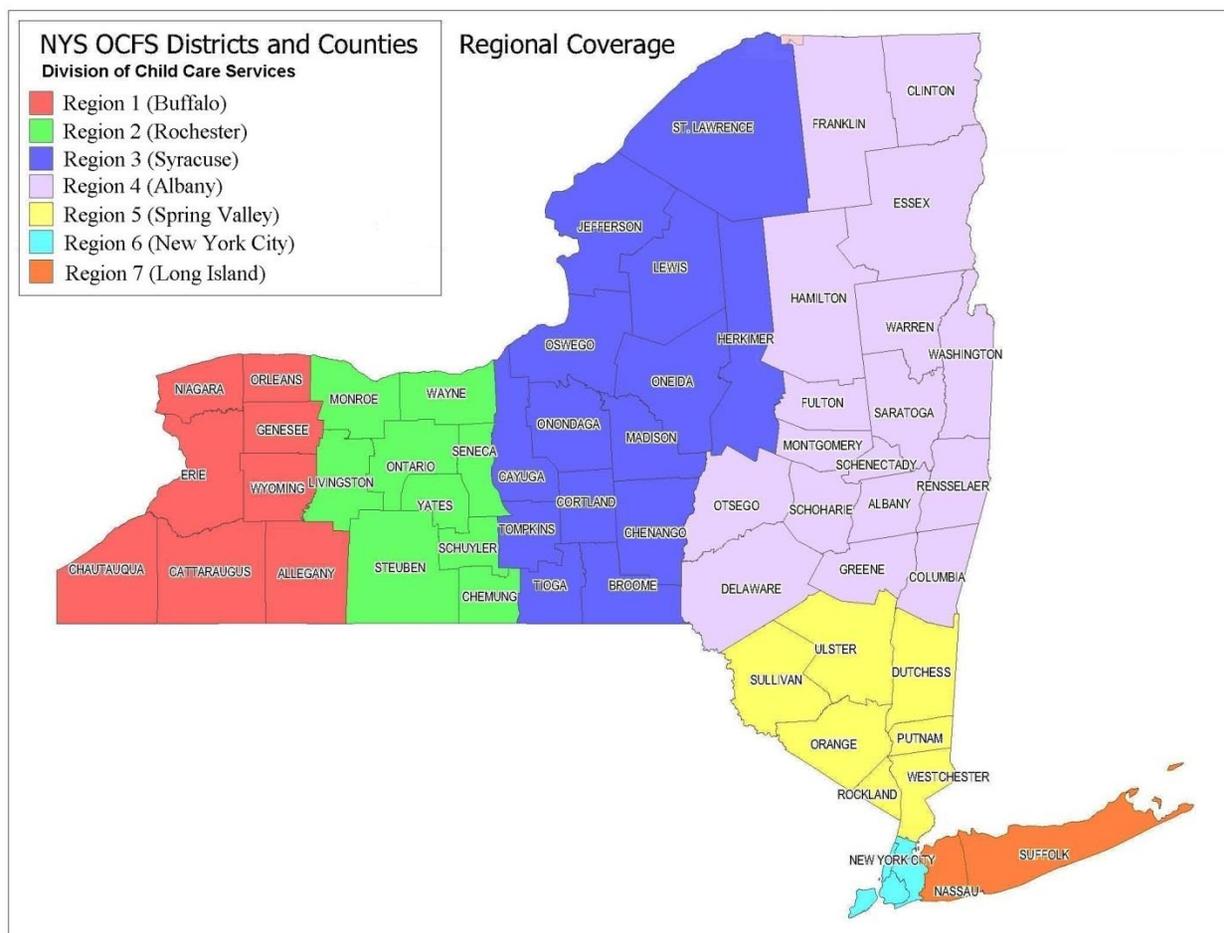
Each report in this series documents important performance benchmarks highlighting the volume and timeliness of key regulatory activities, as well as how that performance has changed over time. By consolidating information for all modalities of care and all regions of the state, these reports document a record of pronounced improvements in regulatory practice.

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⁷⁴ See note, pg. 37, regarding corrections made to selected maps from earlier reports in this series. See *Report to the Governor and Legislature ... 2010 – 2011*, op. cit., for 2004, 2005 – 2007 and 2008 maps.

OCFS Division of Child Care Services Regions and Constituent Counties⁷⁵



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	

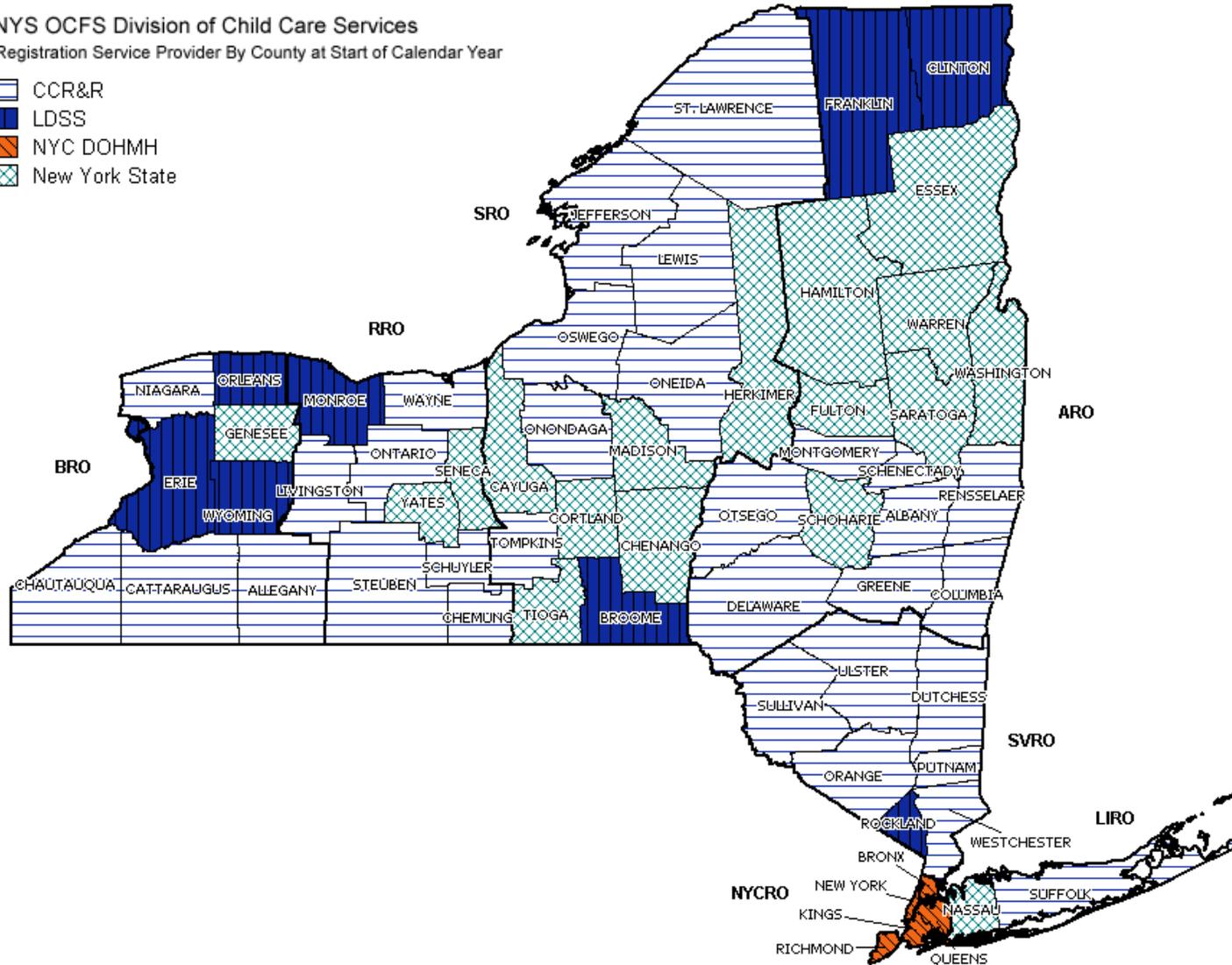
⁷⁵ Throughout this report, DCCS Regions, which are named for the location of the DCCS regional offices, are often referred to by abbreviation - ARO (Albany Regional Office), BRO (Buffalo ...), LIRO (Long Island ...), NYCRO (New York City ...), RRO (Rochester ...), SVRO (Spring Valley ...) and SRO (Syracuse ...).

Registration Service Provider by County: 2003⁷⁶

NYS OCFS Division of Child Care Services

Registration Service Provider By County at Start of Calendar Year

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



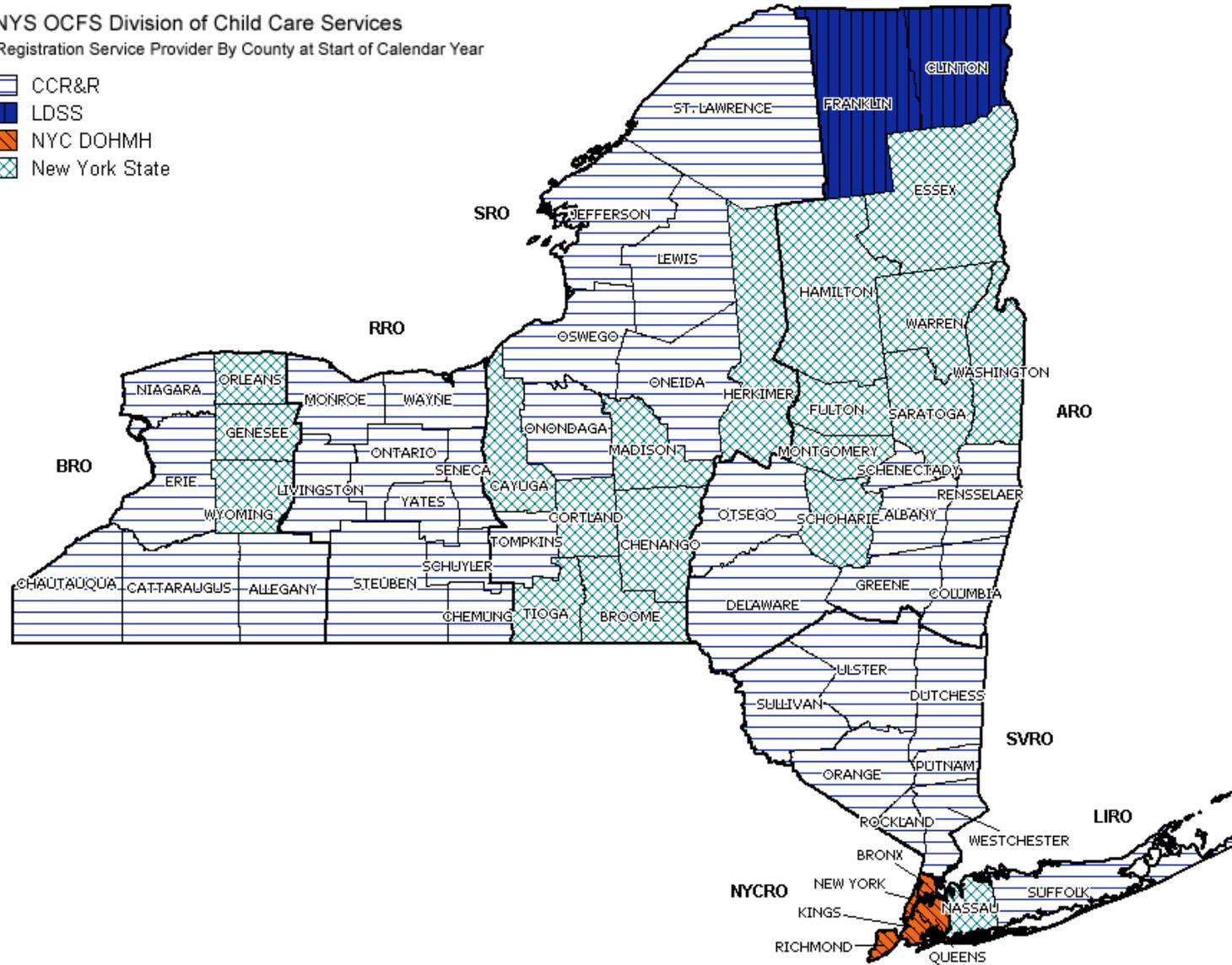
⁷⁶ Throughout this report, one county (Oneida) served by a not-for-profit agency which was not a CCR&R agency is grouped under the “CCR&R” category displayed on maps. In addition, two counties (St. Lawrence, Saratoga) whose correct grouping was reversed for all maps appearing in the 2003-6, 2006-9 and 2009-10 reports are displayed correctly in all maps here. See *Report to the Governor and Legislature ... 2010 – 2011*, op. cit., for 2004, 2005 – 2007 and 2008 maps not displayed here.

Registration Service Provider by County: 2011 – 2014⁷⁷

NYS OCFS Division of Child Care Services

Registration Service Provider By County at Start of Calendar Year

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



⁷⁷ Between 2012 and 2013, one change not representing a *net* change in registration services was the dissolution of a CCR&R serving Schuyler County, whose registration contract was then assumed by a different CCR&R serving neighboring Steuben and Yates counties.

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 both registered providers (FDC, SACC and perhaps a negligible number of SDCC programs sometimes appearing for particular time periods) and licensed providers (DCC programs except in New York City and GFDC programs, statewide). Two time frames are involved in assessing complaint investigations: time to initiate the investigation and time to make a final determination (or disposition) on any allegation(s) alleged under each complaint. For purposes of OCFS's performance standards which govern the state's performance monitoring of services for *registered* programs, registration service providers are expected to initiate investigations within **one 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) of receipt of a complaint and to make final determinations (as either substantiated or unsubstantiated) on all such allegation(s) within **60 calendar days of receipt of the complaint**. (As discussed more fully elsewhere (*pg. 12*), the report adopts the 60-day "determination" standard used in the state's performance contracting for registered programs in order to emphasize a conservative, consistent frame of reference for the report's broader comparisons across all modalities.) Complaints showing Child Protective Services investigation involvement, while included in the populations of complaints examined for both the performance standards and this report, are exempted from these time frames for determining timeliness under both sets of calculations.

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 complaint investigations, and one relating to the requirements for determining the findings of investigations (in the sense of whether allegations are substantiated or not).

Regarding the timeliness of *initiating* investigations, for years prior to the present (2013 – 2014) report year, the adjustment for business days (i.e., taking account of weekends and holidays) was *not* made, leading to a small understatement of timeliness calculated throughout this report with respect to this requirement. Since this bias would be expected to affect each year prior to the report 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 3.9.a on *pg. 20*).

A different type of understatement also applies to this review's measurements of the timeliness of *determinations* on investigations (in the sense already discussed). 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 fraction of *only the latest-year* complaints reviewed for this report – could include time associated with activities such as corrective action plans and provider

responses to same which precede the formal “closing” date for the complaint but post-date the key determination at issue under the 60-day requirement (i.e., *were complaint allegations substantiated/“unsubstantiated” on time?*). In contrast, the performance measure on this topic automatically runs within a few days of when timely determinations on each allegation in a complaint are due for all complaints received in a given month, unambiguously identifying *most*⁷⁸ “late determinations” from complaints still showing statuses of “pending” or “under investigation” at that point – an impossibility under this report’s retrospective three-year measures which cannot identify late determinations in the strict sense but can only identify *closures* which are late (i.e., requiring over 60 days) among complaints which are generally long-closed at the time of analysis. Conceptually, this should lead to small understatements of “determination” timeliness in this study as compared with the somewhat different standard afforded under the performance measures; as a result, the language, timeliness of “determination *and closure*,” is used throughout this report to emphasize the distinction involved. Just like the issue discussed above in measuring initiations, however, this limitation would not invalidate clear trends observed over time, making the review’s measurements on this score somewhat more conservative than those based on the analogous OCFS performance standards but still close approximations to the measures required.

II. Registration/Licensing Applications

The timeliness of initial applications for registration or licensure, like all measures included in this report, is based on applications data for the corresponding modalities (with the same proviso above regarding SDCC providers). Registration and licensing workers are expected to process and resolve such applications within **six months** of receipt, including providing applicants with all appropriate notifications regarding the status of their applications.

III. “50 Percent 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, registered child day care centers and registered school age child care programs” to determine compliance with applicable statutes and regulations.⁷⁹ Only inspections covering all such statutory or regulatory program requirements (not those more limited in focus) can qualify as “50 percent inspections.” In addition, either the primary or secondary reason for inspection reported in CCFS must be “50 percent 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 percent (or more) of all providers (*not applicants*) of a

⁷⁸ If complaints have *just closed* at the time of analysis, however, the same CCFS limitation makes this procedure, too, susceptible of failing to correctly identify determination status for certain complaints (but probably exceedingly few, given the narrow window of time between the end of each month, and run-time).

⁷⁹ OCFS, BECS Policy Statement 03-2 (12/5/03), *Registered Child Day Care Programs: 50% Inspection Requirement*.

given modality registered 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 percent inspection goals (appearing in Tables 4.4 – 4.5 [pg. [32](#), pg. [58](#), respectively]) 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 [pg. [9](#), pg. [46](#), respectively]).

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.

Figure 2.4.a.⁸⁰ Number of FDC Providers Registered at Any Point During Interval, By Region, For Year Beginning:

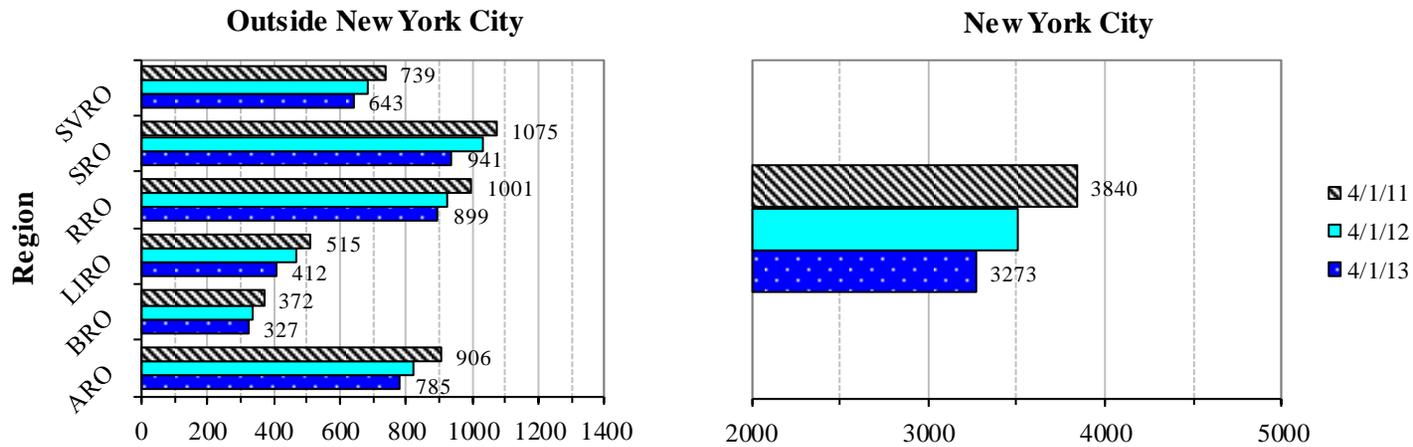
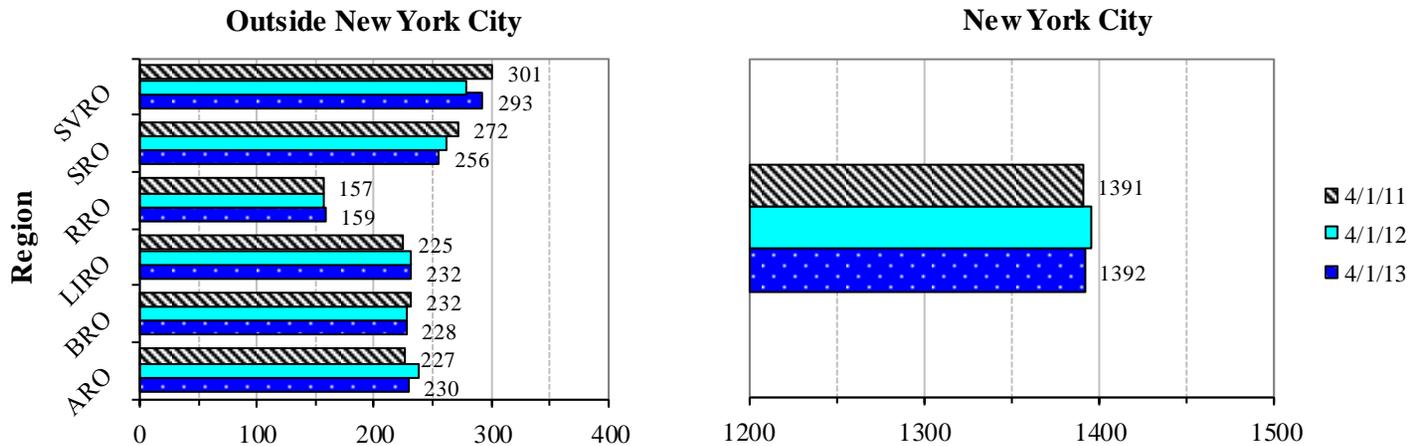


Figure 2.4.b. Number of SACC Providers Registered at Any Point During Interval, By Region, For Year Beginning:



⁸⁰ Figures on this and the following page summarize the complete data (including intervening years not displayed) from Table 2.2, pg. 46.

Figure 2.5.a. Number of DCC Providers Licensed at Any Point During Interval, By Region, For Year Beginning:⁸¹

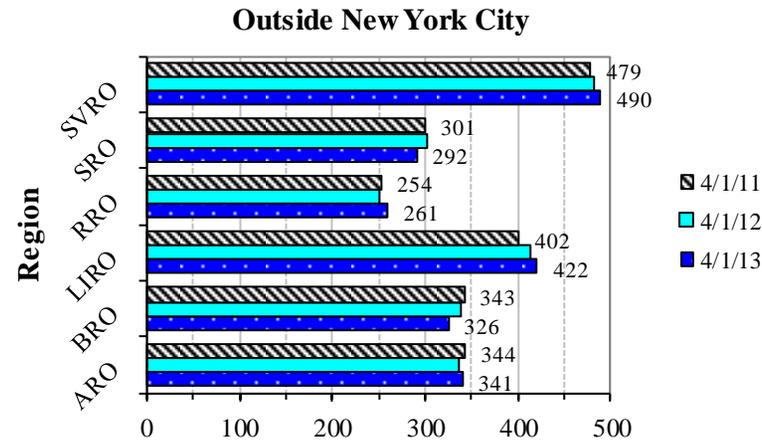
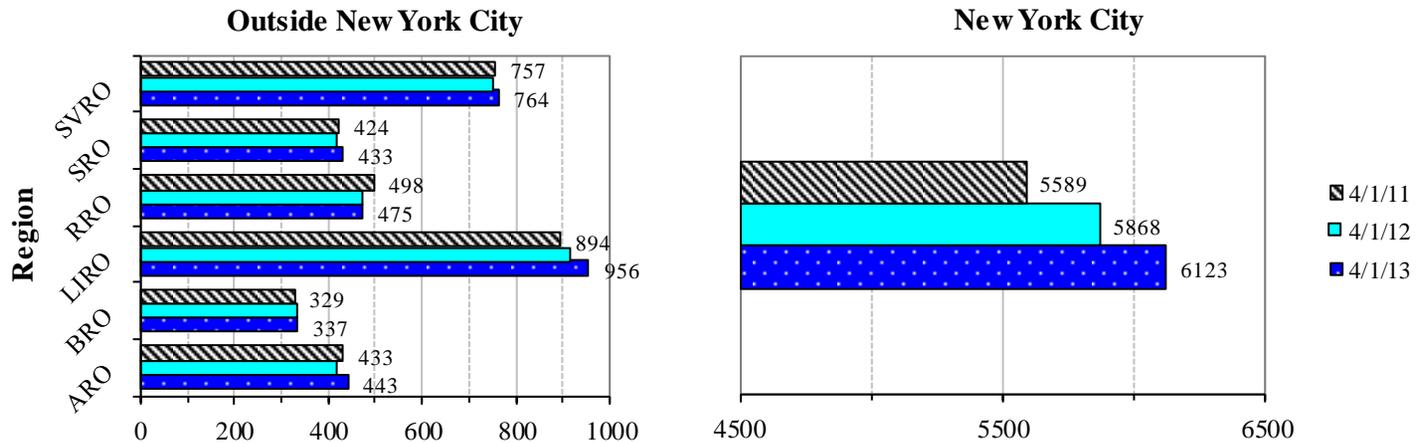


Figure 2.5.b. Number of GFDC Providers Licensed at Any Point During Interval, By Region, For Year Beginning:



⁸¹ Day care centers (DCC) excluding New York City programs; see n. 6 (pg. vi) on the omission of New York City’s DCC facilities from this and other Figures.
 New York State Office of Children and Family Services

Table 2.2. Registered (FDC/SACC) & Licensed (DCC/GFDC) Providers, ⁸² By Region and Modality: As of Any Point, As of the First Day and as of the Last Day, For Three Years, April 1, 2011 - March 31, 2014													
Region	Year Starting April 1,	Any Point During Year				First Day				Last Day			
		FDC	SACC	DCC	GFDC	FDC	SACC	DCC	GFDC	FDC	SACC	DCC	GFDC
ARO	2011	906	227	344	433	781	214	327	380	745	217	317	373
	2012	825	238	337	418	745	217	317	373	702	213	318	383
	2013	785	230	341	443	702	213	318	383	652	216	315	389
BRO	2011	372	232	343	329	329	206	323	298	306	207	320	296
	2012	337	227	339	335	306	207	320	296	300	205	305	309
	2013	327	228	326	337	301	205	305	309	281	210	305	301
LIRO	2011	515	225	402	894	447	214	384	788	409	218	389	821
	2012	466	231	414	915	409	218	389	821	373	218	401	850
	2013	412	232	422	956	373	218	401	851	339	224	400	874
NYCRO	2011	3,840	1,391	na	5,589	3,271	1,299	na	4,628	3,036	1,264	na	4,976
	2012	3,509	1,395	na	5,868	3,036	1,264	na	4,975	2,936	1,251	na	5,294
	2013	3,273	1,392	na	6,123	2,939	1,252	na	5,297	2,626	1,236	na	5,523
RRO	2011	1,001	157	254	498	878	146	237	425	804	143	237	422
	2012	923	157	252	473	804	143	237	422	760	146	241	414
	2013	899	159	261	475	760	146	241	414	756	148	243	418
SRO	2011	1,075	272	301	424	934	255	288	371	895	245	281	368
	2012	1,030	261	303	419	895	245	281	369	856	240	279	379
	2013	941	256	292	433	856	240	279	379	787	234	273	377
SVRO	2011	739	301	479	757	624	282	437	669	582	262	450	668
	2012	682	279	482	751	582	262	450	667	567	260	466	689
	2013	643	293	490	764	568	260	466	689	530	267	463	685
Total	2011	8,448	2,805	2,123	8,924	7,264	2,616	1,996	7,559	6,777	2,556	1,994	7,924
	2012	7,772	2,788	2,127	9,179	6,777	2,556	1,994	7,923	6,494	2,533	2,010	8,318
	2013	7,280	2,790	2,132	9,531	6,499	2,534	2,010	8,322	5,971	2,535	1,999	8,567

⁸² Registered "total" counts reported at certain points in report (e.g., Figures 2.1 - 2.2.a) include n = 3, n = 4 and n = 5 small day care center (SDCC) programs for the 1st year (n = 2, RRO, n = 1, SRO), 2nd year (n = 1, ARO, n = 2, RRO, n = 1, SRO) and 3rd year (n = 2, ARO, n = 2, RRO, n = 1, SRO), respectively, and thus can exceed the corresponding sums of FDC and SACC counts shown in this table for certain years and locations by the same numbers. Licensed day care center (DCC) counts exclude New York City programs (see *Ibid.*).

Table 3.2. Number of Complaints (FDC/SACC/SDCC/DCC/GFDC) By Seriousness and Region, For Three Years, April 1, 2011 - March 31, 2014 ⁸³								
Region	Year Starting April 1,	Number of Complaints				Percent of Total Complaints		
		By Seriousness			Total	By Seriousness		
		Non-Emergency	Serious	Imminent Danger		Non-Emergency	Serious	Imminent Danger
ARO	2011	86	308	3	397	22%	78%	1%
	2012	58	287	3	348	17%	82%	1%
	2013	41	296	3	340	12%	87%	1%
BRO	2011	45	252	11	308	15%	82%	4%
	2012	30	271	3	304	10%	89%	1%
	2013	24	251	5	280	9%	90%	2%
LIRO	2011	144	292	4	440	33%	66%	1%
	2012	79	312	3	394	20%	79%	1%
	2013	94	300	4	398	24%	75%	1%
NYCRO	2011	4	32	600	636	1%	5%	94%
	2012	7	21	572	600	1%	4%	95%
	2013	10	22	510	542	2%	4%	94%
RRO	2011	134	497	19	650	21%	76%	3%
	2012	92	409	7	508	18%	81%	1%
	2013	67	407	10	484	14%	84%	2%
SRO	2011	86	503	0	589	15%	85%	0%
	2012	88	429	2	519	17%	83%	0%
	2013	107	451	1	559	19%	81%	0%
SVRO	2011	61	350	1	412	15%	85%	0%
	2012	62	308	9	379	16%	81%	2%
	2013	51	316	3	370	14%	85%	1%
Total	2011	560	2,234	638	3,432	16%	65%	19%
	2012	416	2,037	599	3,052	14%	67%	20%
	2013	394	2,043	536	2,973	13%	69%	18%

⁸³ Based on complaints for all registered and licensed facilities except for DCC programs in New York City.

Figure 3.5.a
Percent Distribution of Total Complaints for Registered Programs, By Seriousness, Modality and Major State Region for Three Years Beginning April 1: 2011 – 2013⁸⁴

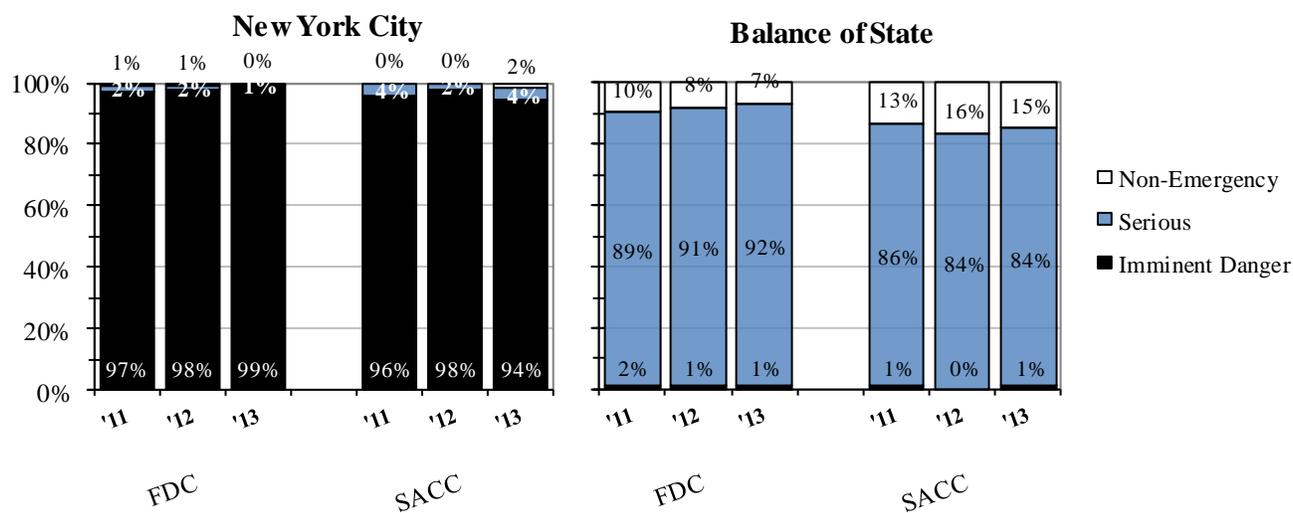
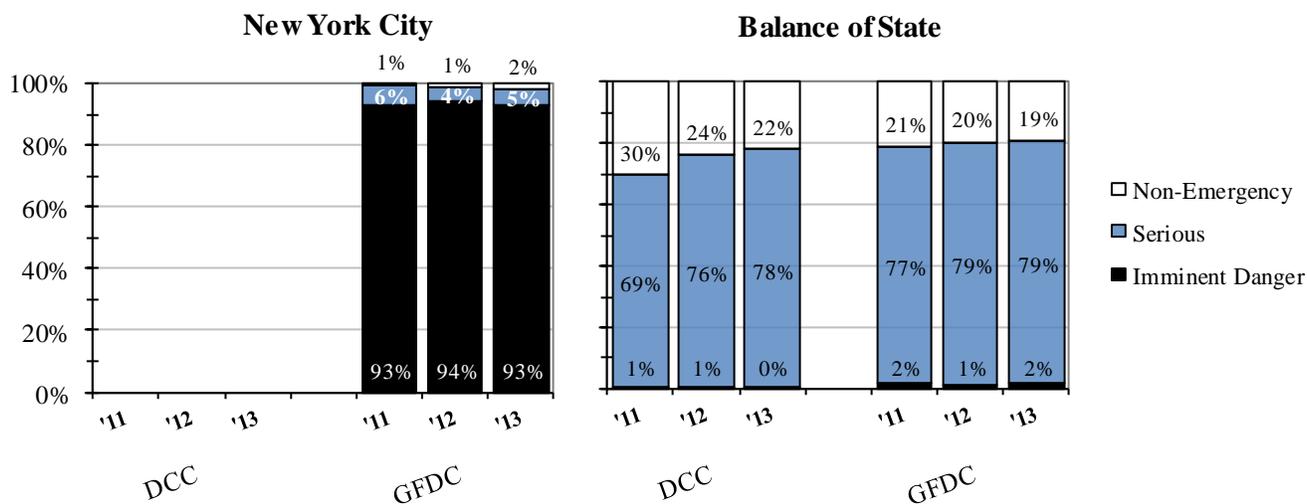


Figure 3.5.b
Percent Distribution of Total Complaints for Licensed Programs, By Seriousness, Modality and Major State Region for Three Years Beginning April 1: 2011 – 2013⁸⁵



⁸⁴ Based on complaints for registered facilities as described in n. 41 (pg. 13). As shown in Figure 3.1 (left side, pg. 13), the numbers of complaints summarized for each year/bar displayed are, in order: 152, 123 and 88 (for New York City FDC); 47, 50 and 54 (for NYC SACC); 997, 881 and 815 (for Balance of State FDC); and 92, 98 and 101 (for Balance of State SACC), respectively.

⁸⁵ Based on complaints for licensed facilities as described in n. 41 (pg. 13). As shown in Figure 3.1 (right side, pg. 13), the numbers of complaints summarized for each year/bar displayed are, in order: 437, 427 and 400 (for NYC GFDC); 923, 829 and 807 (for Balance of State DCC); and 784, 643 and 708 (for Balance of State GFDC), respectively.

Figure 3.6. Percent Distribution of Non-Emergency Complaints By Disposition, For Major State Regions, for Year Beginning:⁸⁶

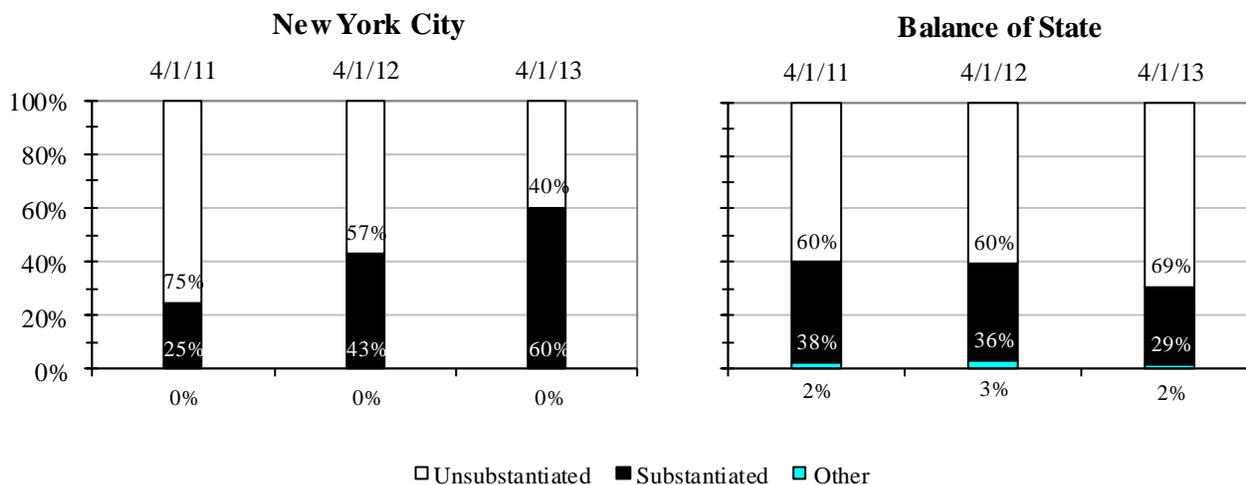
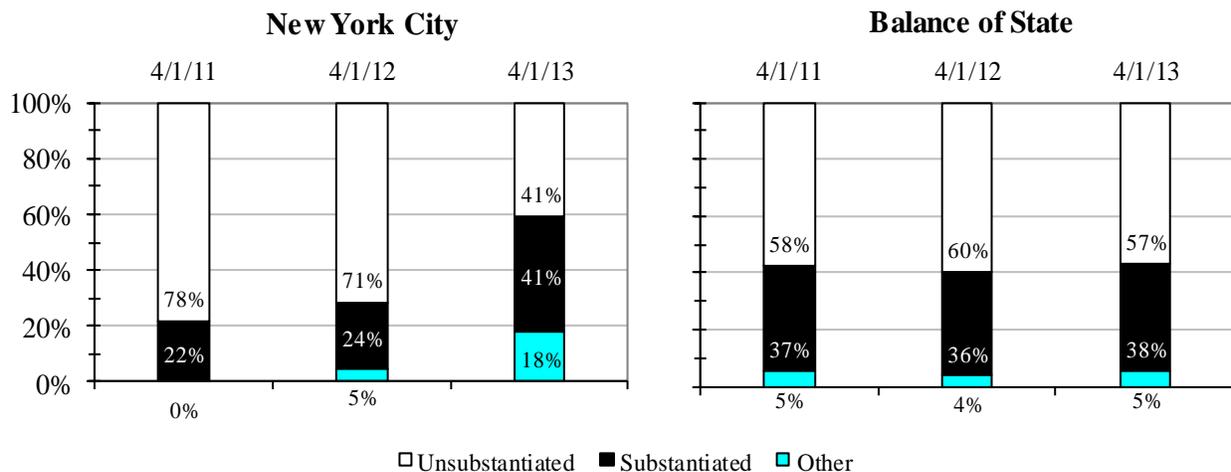


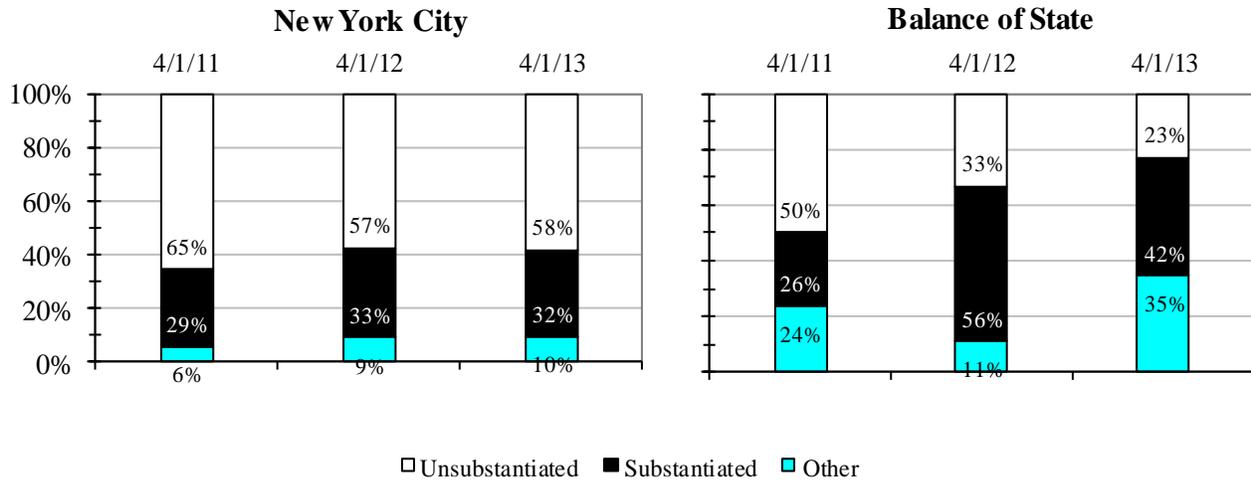
Figure 3.7. Percent Distribution of Serious Complaints By Disposition, For Major State Regions, for Year Beginning:⁸⁷



⁸⁶As shown in Table 3.1 (pg. 17, data col. 1), the numbers of non-emergency complaints represented for each year/bar displayed for New York City and the balance of the state are: 4, 7, 10, 556, 409 and 384, respectively.

⁸⁷As shown in Table 3.1 (pg. 17, data col. 2), the numbers of serious complaints represented for each bar in this Figure are: 32, 21, 22, 2202, 2016 and 2021, respectively.

Figure 3.8. Percent Distribution of Imminent Danger Complaints By Disposition, For Major State Regions, for Year Beginning:⁸⁸



⁸⁸As shown in Table 3.1 (pg. 17, data col. 3), the numbers of imminent danger complaints represented for each bar in this Figure are: 600, 572, 510, 38, 27 and 26, respectively.

Table 3.4.a. Handling and Rate of Complaints for Registered Programs, By Major Region and Year:*								
April 1, 2011 – March 31, 2014								
Major Region	Year Starting April 1,	Number of Complaints			Percent of Complaints		Rate of Complaints	
		Total	Investigation Initiated Late	Investigation Determination /Closure Late	Investigation Initiated Timely	Investigation Determination /Closure Timely	Total Providers	Complaints Per 100 Providers
New York City	2011	199	0	10	100%	95%	5,231	4
	2012	173	0	11	100%	94%	4,904	4
	2013	142	0	9	100%	94%	4,665	3
Balance of State	2011	1,089	22	115	98%	89%	6,025	18
	2012	980	28	105	97%	89%	5,660	17
	2013	916	19	83	98%	91%	5,410	17
Total	2011	1,288	22	125	98%	90%	11,256	11
	2012	1,153	28	116	98%	90%	10,564	11
	2013	1,058	19	92	98%	91%	10,075	11

* For all registered (FDC/SACC/SDCC) providers. Total providers (and rates) are based on providers registered *as of any point* during the respective periods, as discussed under *Registered and Licensed Providers* section.

Table 3.4.b. Handling and Rate of Complaints for Licensed Programs, By Major Region and Year:**								
April 1, 2011 – March 31, 2014								
Major Region	Year Starting April 1,	Number of Complaints			Percent of Complaints		Rate of Complaints	
		Total	Investigation Initiated Late	Investigation Determination /Closure Late	Investigation Initiated Timely	Investigation Determination /Closure Timely	Total Providers	Complaints Per 100 Providers
New York City	2011	437	1	49	100%	89%	5,589	8
	2012	427	3	40	99%	91%	5,868	7
	2013	400	5	27	99%	93%	6,126	7
Balance of State	2011	1,707	180	352	89%	79%	5,458	31
	2012	1,472	104	230	93%	84%	5,438	27
	2013	1,515	94	206	94%	86%	5,543	27
Total	2011	2,144	181	401	92%	81%	11,047	19
	2012	1,899	107	270	94%	86%	11,306	17
	2013	1,915	99	233	95%	88%	11,669	16

** For all licensed providers except DCC programs in New York City. Total providers (and rates) are based on providers licensed *as of any point* during the respective periods, as discussed under *Registered and Licensed Providers* section.

Figure 3.10.a. Percent of Investigations Initiated On Time for Registered and Licensed Providers, By Region, For Year Beginning:⁸⁹

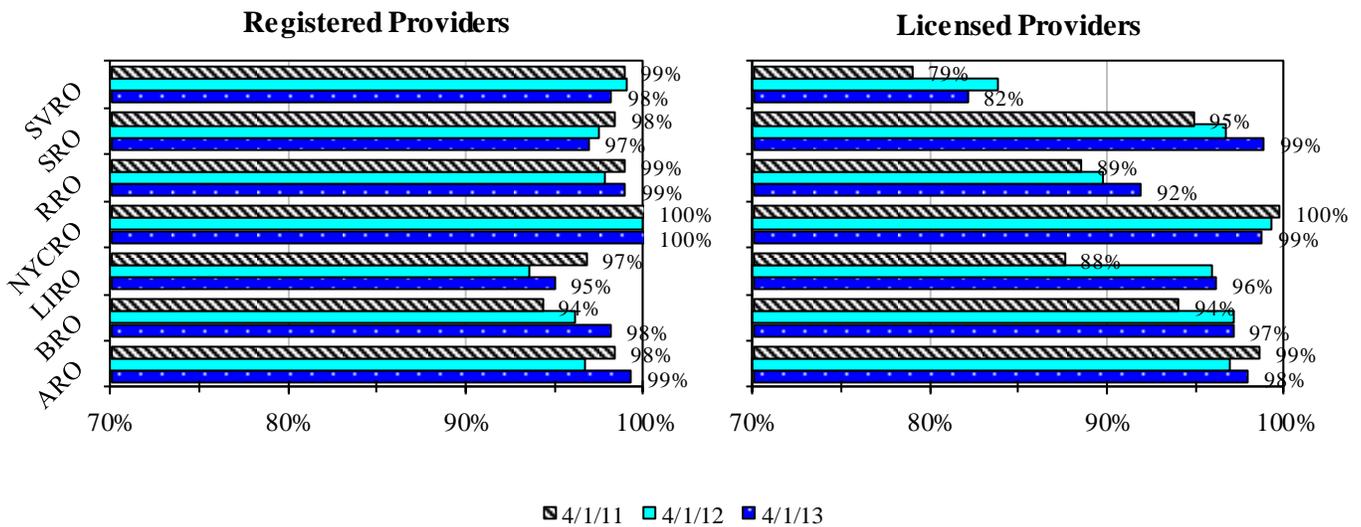
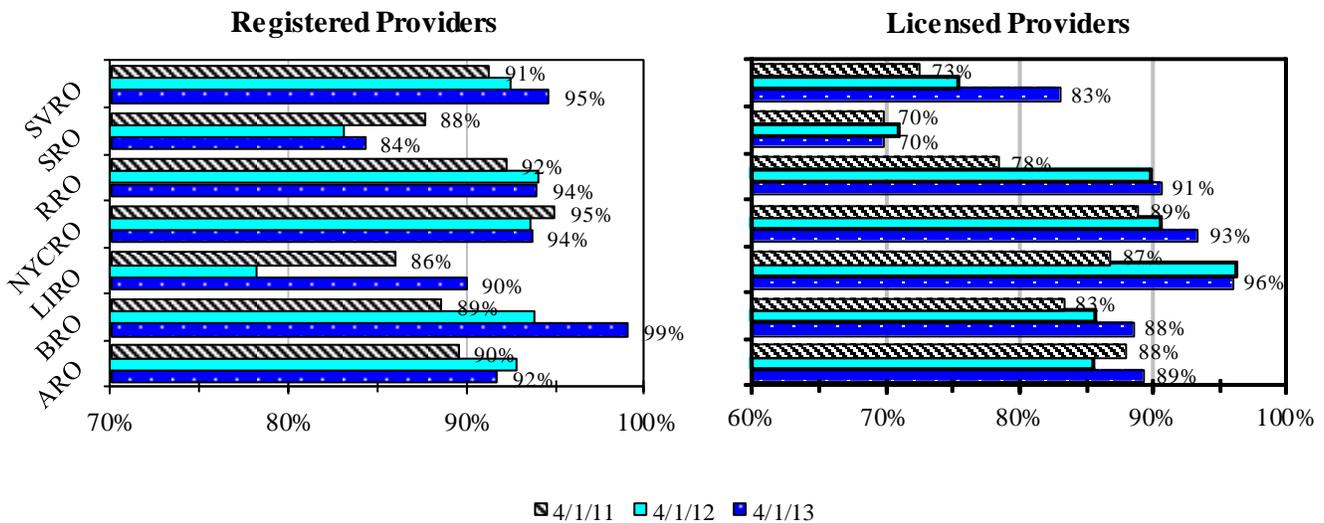


Figure 3.10.b. Percent of Investigations with Timely Determinations/Closures for Registered and Licensed Providers, By Region, For Year Beginning:



⁸⁹ Figures on this page based on complaints for all registered (FDC/SACC/SDCC) providers or all licensed (DCC/GFDC) providers except for New York City DCC facilities, respectively. Tables 3.5.a - b, beginning on the next page, detail the numbers of complaints, respectively, summarized in each year/bar displayed in the two Figures. Anywhere from 60 - 316 complaints annually were involved per DCCS region for both left-hand Figures (registered programs), compared with anywhere from 173 - 437 complaints per region and year for both right-hand Figures (licensed programs).

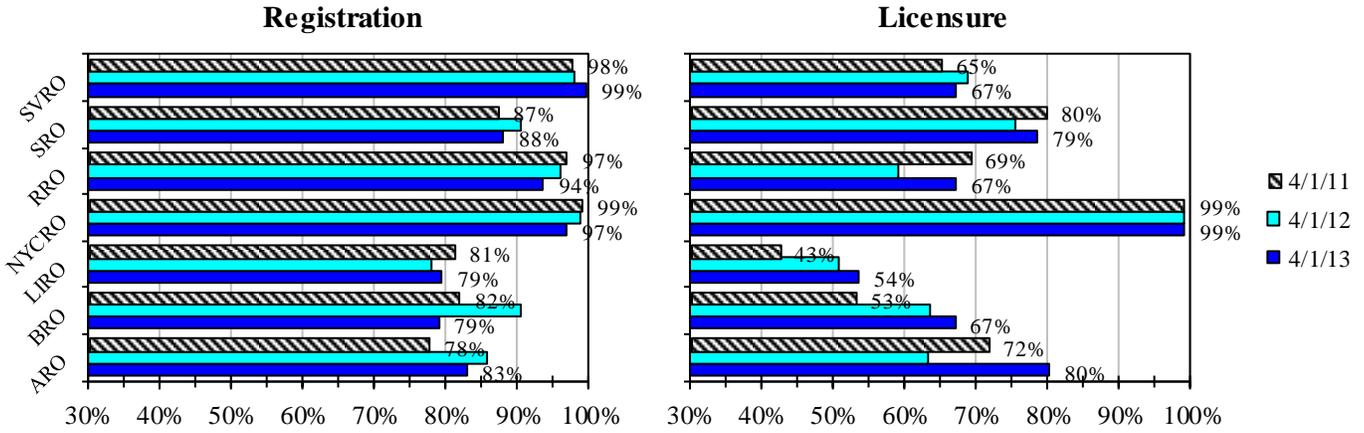
Table 3.5.a. Handling and Rate of Complaints for Registered Providers, By Region and Year: April 1, 2011 - March 31, 2014 ⁹⁰								
Region	Year Starting April 1,	Number of Complaints			Percent of Complaints		Rate of Complaints	
		Total	Investigation Initiated Late	Investigation Determination /Closure Late	Investigation Initiated Timely	Investigation Determination /Closure Timely	Total Providers	Complaints Per 100 Providers
ARO	2011	182	3	19	98%	90%	1,133	16
	2012	154	5	11	97%	93%	1,064	14
	2013	145	1	12	99%	92%	1,017	14
BRO	2011	123	7	14	94%	89%	604	20
	2012	130	5	8	96%	94%	564	23
	2013	107	2	1	98%	99%	555	19
LIRO	2011	93	3	13	97%	86%	740	13
	2012	78	5	17	94%	78%	697	11
	2013	60	3	6	95%	90%	644	9
NYCRO	2011	199	0	10	100%	95%	5,231	4
	2012	173	0	11	100%	94%	4,904	4
	2013	142	0	9	100%	94%	4,665	3
RRO	2011	283	3	22	99%	92%	1,160	24
	2012	233	5	14	98%	94%	1,082	22
	2013	199	2	12	99%	94%	1,060	19
SRO	2011	316	5	39	98%	88%	1,348	23
	2012	278	7	47	97%	83%	1,292	22
	2013	293	9	46	97%	84%	1,198	24
SVRO	2011	92	1	8	99%	91%	1,040	9
	2012	107	1	8	99%	93%	961	11
	2013	112	2	6	98%	95%	936	12
Total	2011	1,288	22	125	98%	90%	11,256	11
	2012	1,153	28	116	98%	90%	10,564	11
	2013	1,058	19	92	98%	91%	10,075	11

⁹⁰ For all registered (FDC/SACC/SDCC) providers. Total providers and rates are defined as in Table 3.4.a (pg. 51).

Table 3.5.b. Handling and Rate of Complaints for Licensed Providers, By Region and Year: April 1, 2011 - March 31, 2014 ⁹¹								
Region	Year Starting April 1,	Number of Complaints			Percent of Complaints		Rate of Complaints	
		Total	Investigation Initiated Late	Investigation Determination /Closure Late	Investigation Initiated Timely	Investigation Determination /Closure Timely	Total Providers	Complaints Per 100 Providers
ARO	2011	215	3	26	99%	88%	777	28
	2012	194	6	28	97%	86%	755	26
	2013	195	4	21	98%	89%	785	25
BRO	2011	185	11	31	94%	83%	672	28
	2012	174	5	25	97%	86%	674	26
	2013	173	5	20	97%	88%	663	26
LIRO	2011	347	43	46	88%	87%	1,296	27
	2012	316	13	12	96%	96%	1,329	24
	2013	338	13	14	96%	96%	1,379	25
NYCRO	2011	437	1	49	100%	89%	5,589	8
	2012	427	3	40	99%	91%	5,868	7
	2013	400	5	27	99%	93%	6,126	7
RRO	2011	367	42	79	89%	78%	752	49
	2012	275	28	28	90%	90%	725	38
	2013	285	23	27	92%	91%	737	39
SRO	2011	273	14	82	95%	70%	725	38
	2012	241	8	70	97%	71%	722	33
	2013	266	3	80	99%	70%	725	37
SVRO	2011	320	67	88	79%	73%	1,236	26
	2012	272	44	67	84%	75%	1,233	22
	2013	258	46	44	82%	83%	1,254	21
Total	2011	2,144	181	401	92%	81%	11,047	19
	2012	1,899	107	270	94%	86%	11,306	17
	2013	1,915	99	233	95%	88%	11,669	16

⁹¹ For all licensed providers except DCC programs in New York City. Total providers and rates are defined as in Table 3.4.b (pg. 51).

Figure 4.5.⁹² Percent of Applications for Registration or Licensure Processed Timely, By Region, For Year Beginning:



⁹² Registration and license application counts as defined in n. 59, pg. 23. Tables 4.2.a – b, beginning immediately below, provide the underlying results on registration and license application handling, respectively, by DCCS region, including the numbers of applications summarized for each year/bar displayed in this Figure.

Table 4.2.a. Number and Timeliness of Processing of Registration Applications (FDC/SACC/SDCC), By Region, For Three Years, 4/1/11 – 3/31/14 ⁹³					
Region	Year Starting April 1,	Number of Applications			Percent of Applications Processed Timely
		Timely	Not Timely	Total	
ARO	2011	184	53	237	78%
	2012	194	32	226	86%
	2013	140	29	169	83%
BRO	2011	122	27	149	82%
	2012	105	11	116	91%
	2013	109	29	138	79%
LIRO	2011	146	34	180	81%
	2012	106	30	136	78%
	2013	93	24	117	79%
NYCRO	2011	1,356	15	1,371	99%
	2012	1,091	15	1,106	99%
	2013	901	30	931	97%
RRO	2011	274	9	283	97%
	2012	280	12	292	96%
	2013	277	19	296	94%
SRO	2011	259	38	297	87%
	2012	239	25	264	91%
	2013	212	29	241	88%
SVRO	2011	278	7	285	98%
	2012	197	4	201	98%
	2013	198	1	199	99%
Total	2011	2,619	183	2,802	93%
	2012	2,212	129	2,341	94%
	2013	1,930	161	2,091	92%

⁹³ Total registration application counts in this table and at selected other locations in the report include minimal numbers of applications with "small day care center" (SDCC) reported for modality (n = 4, n = 4 and n = 2 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. 59, pg. 23, in body of report. [For 2011: n = 1, BRO, = 2, SRO, = 1, SVRO; for 2012: n = 2, ARO, n = 1, LIRO, n = 1, RRO; for 2013: n = 1, RRO, n = 1, SVRO].

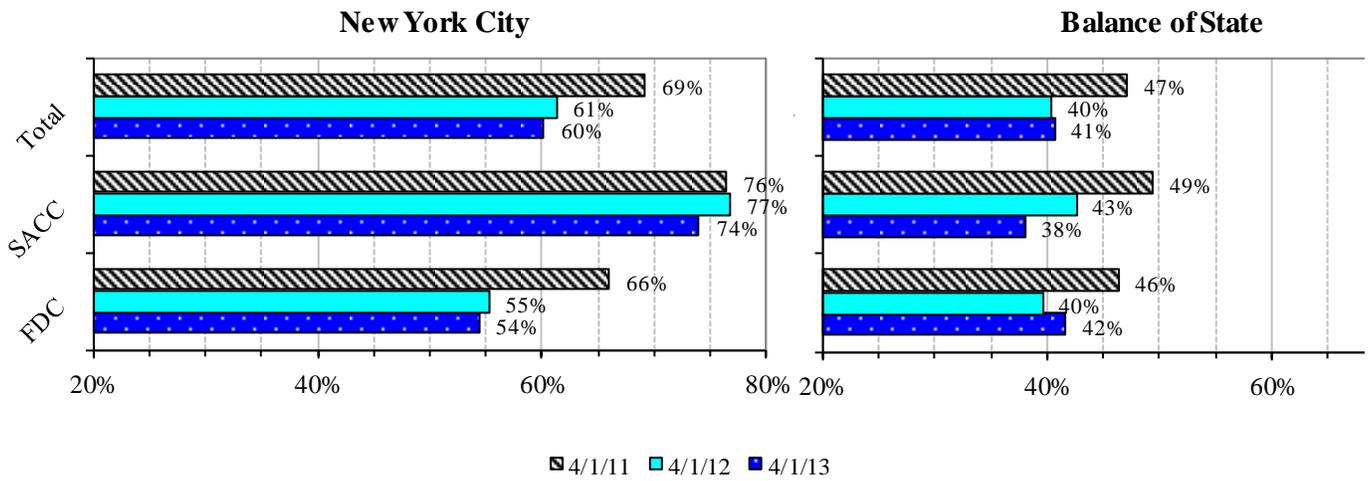
Region	Year Starting April 1,	Number of Applications			Percent of Applications Processed Timely
		Timely	Not Timely	Total	
ARO	2011	86	34	120	72%
	2012	71	41	112	63%
	2013	97	24	121	80%
BRO	2011	50	44	94	53%
	2012	77	44	121	64%
	2013	65	32	97	67%
LIRO	2011	94	127	221	43%
	2012	104	101	205	51%
	2013	117	101	218	54%
NYCRO	2011	1,534	15	1,549	99%
	2012	1,498	16	1,514	99%
	2013	1,467	14	1,481	99%
RRO	2011	103	46	149	69%
	2012	104	72	176	59%
	2013	90	44	134	67%
SRO	2011	98	25	123	80%
	2012	92	30	122	75%
	2013	95	26	121	79%
SVRO	2011	166	89	255	65%
	2012	111	50	161	69%
	2013	86	42	128	67%
Total	2011	2,131	380	2,511	85%
	2012	2,057	354	2,411	85%
	2013	2,017	283	2,300	88%

⁹⁴ License applications except for New York City DCC programs; see n. 6 (pg. vi) on the omission of New York City DCC facilities' data from this and other Tables.

Table 4.5. “50 Percent Inspections,” By Major State Region, Modality and Year: ⁹⁵								
Region	Modality	Year Starting April 1,	Number Facilities	Number of Inspections			Percent of:	
				Goal	Conducted	With Violations	Goal Achieved	Inspections with Violations
New York City	FDC	2011	1,845	923	2,637	1,741	286%	66%
		2012	2,173	1,087	2,498	1,381	230%	55%
		2013	2,496	1,248	2,191	1,193	176%	54%
	SACC	2011	981	491	1,163	889	237%	76%
		2012	1,087	544	976	749	180%	77%
		2013	1,222	611	918	680	150%	74%
	Total	2011	2,826	1,413	3,800	2,630	269%	69%
		2012	3,260	1,630	3,474	2,130	213%	61%
		2013	3,718	1,859	3,109	1,873	167%	60%
Balance of State	FDC	2011	2,468	1,234	2,478	1,150	201%	46%
		2012	2,784	1,392	2,267	899	163%	40%
		2013	3,180	1,590	2,199	918	138%	42%
	SACC	2011	1,093	547	865	428	158%	49%
		2012	1,176	588	807	344	137%	43%
		2013	1,285	643	840	320	131%	38%
	Total	2011	3,561	1,781	3,343	1,578	188%	47%
		2012	3,960	1,980	3,074	1,243	155%	40%
		2013	4,465	2,233	3,039	1,238	136%	41%
State Total	FDC	2011	4,313	2,157	5,115	2,891	237%	57%
		2012	4,957	2,479	4,765	2,280	192%	48%
		2013	5,676	2,838	4,390	2,111	155%	48%
	SACC	2011	2,074	1,037	2,028	1,317	196%	65%
		2012	2,263	1,132	1,783	1,093	158%	61%
		2013	2,507	1,254	1,758	1,000	140%	57%
	Total	2011	6,387	3,194	7,143	4,208	224%	59%
		2012	7,220	3,610	6,548	3,373	181%	52%
		2013	8,183	4,092	6,148	3,111	150%	51%

⁹⁵ See n. 69 (pg. 32) and Appendix A.3 (pg. 41) regarding the distinction between facility tallies in this table and counts of registered providers appearing elsewhere in the report.

Figure 4.8. Percent of “50 Percent Inspections” Involving Regulatory Violations, By Major State Region and Modality of Care, For Year Beginning:⁹⁶



⁹⁶ Table 4.5 (preceding page) documents the numbers of "50 percent inspections" summarized for each year/bar displayed in Figure; for New York City: 3800, 3474, 3109 (Total), 2637, 2498, 2191 (FDC), 1163, 976, 918 (SACC); for Balance of State: 3343, 3074, 3039 (Total), 2478, 2267, 2199 (FDC), 865, 807, 840 (SACC).