



**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, 2014 – March 31, 2015
(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 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 centers (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, 2014 and ending March 31, 2015, drawing comparisons both to the preceding year and to the three-year period ending March 31, 2015, based on data from CCFS. This report – like all reports since that for 2011 – 2012 – focuses on both registered programs (FDC and SACC facilities) and licensed programs (DCC and GFDC facilities) in order to satisfy both the mandated reporting requirement under Chapter 750 (limited to registered programs) 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 should make the report series 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 the topic of orientation under Chapter 750 ceased being a prerequisite for registration beginning in 2001,³ all recent reports in the series have modified the original reporting charge under the law by adding content on the closely-related process of handling applications for registration or licensure. In addition, since recently adopted regulations (effective May 1, 2014) reinstated the requirement of pre-application orientations for family-based (FDC and GFDC) settings, that topic is again appropriate for inclusion in the series, at least in a limited fashion,

¹ Beginning with the 2011 – 2012 report, the inclusion of licensed as well as registered providers rectified a problem in earlier reports, which presented only a partial snapshot of New York’s regulated child care universe that was occasionally at odds with developments among other kinds of child care providers not subject to the reporting mandate. 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 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. 83 (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.

beginning with this report – for family-based settings, for the period from May 1, 2014 through March 31, 2015.

While the inclusion of both licensed and registered providers suggests easy comparisons between the two major sectors of New York’s regulated child care sector, which have 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. 6)

- For the three years ending March 2015, the total number of **registered** providers statewide – primarily FDC and SACC programs⁵ – decreased each year. There were year-to-year declines in FDC facilities both in New York City and the balance of the state (ranging from –7% to –13%, and holding at –6%, per year, respectively). The SACC sector, in contrast, increased annually statewide, but mainly in the third year (10%) and mainly in New York City (17% in the City versus 2% elsewhere). **[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], 1% to 4% per year) and on Long Island ([LIRO], 3% to 5% per year). GFDC programs in the balance of the state and DCC facilities outside of New York City contributed little to this growth (2%, < 1% gains over the entire three years, respectively).⁷ **[Figures 2.1, 2.2.b, 2.5.a - b; Tables 2.1, 2.2]**

Complaint Handling

Volume and rate of complaints (pg. 11)

- Compared with the prior year, the number of complaints received for all **registered** programs for the year ending March 2015 increased only slightly statewide. The number increased more in New York City than in the balance of the state (+3%, +6%, +3% increases, respectively). Since all but one region (Buffalo [BRO]) had an increase in FDC complaints, and all but one (Rochester [RRO]) had an increase in SACC

⁴ See the section, *Department Response to Complaints* (beginning on pg. 17, 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 there are only a very small number of these 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. 26, pg. 6).

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 All “three-year” percentages cited in this report refer to the change between the first of the three years (beginning April 1, 2012) and the third – the year beginning April 1, 2014. The smaller licensee increases shown outside of New York City 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 include DCC facilities (which would make the two areas’ data less comparable).

complaints that year, both modalities contributed to the year's uptick in complaints. **[Figures 3.1 – 3.2.]**

- Paralleling the increase in the number of **licensed** programs, the number of complaints received for all licensed programs for the year ending March 2015 rose modestly, with an overall change of +4% over the prior year. The number of complaints received for licensed programs grew 16% in New York City but only 1% 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, 2015, 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.⁸ **[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, and confirmed the disparities noted. For **registered** programs, standardized complaint rates (per 100 providers) were near or over five times greater every year outside New York City than within it, and for **licensed** programs, at least three times greater each year. **[Figure 3.3; Tables 3.4.a – b]**

Timeliness initiating and determining/closing complaints⁹ (pg. 17)

- For **registered** programs, complaint investigations were almost always *initiated* on time during the three years ending March 2015. New York City showed 99% -100% timeliness each year and the balance of the state achieved 97% - 98% timeliness. Success at *determining and closing* investigations on time for these programs was more varied during the three years – ranging from 92% - 94% per year in New York City and from 89% - 91% per year outside New York City. **[Figures 3.9.a – b]**
- For **licensed** programs, complaint investigations in New York City were routinely *initiated* on time (99%, consistently). In the rest of the state, timeliness rose to 94% and then fell to 90% over the same three years. Timeliness in *determining and closing* such investigations was lower, but consistently improved only within New York City – rising from 91% to 94% there, but declining to 83% elsewhere over the three years. **[Figures 3.9.a – b, 3.10.a – b]**

⁸ For licensed programs, this ratio dropped to 1.3:1 when limiting the comparison to GFDC programs (with statewide data available) rather than also including DCC information which was unavailable to the review for the City (e.g., 646:465, Fig. 3.1, p. 12).

⁹ See *Background* (under *Complaints*, pg. 11) 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.

Application Processing

Number of applications received¹⁰ (pg. 23)

- Statewide, the number of **registration** applications received declined 11% in New York City and 26% in the balance of the state during the three-year period ending March 2015. The overall decline was driven by FDC trends rather than by SACC developments: both New York City and the balance of the state showed pronounced three-year declines in FDC applications over the period (-48%, -31%, respectively) even as SACC applications increased, albeit unevenly, in both areas (91%, 3%, respectively). **[Figure 4.1]**
- Total **license** applications also declined over the three years, but – reversing the pattern for registration applications – more sharply in New York City than in the balance of the state (-32%, -17%, respectively). As with registration applications, the overall decline was clearly associated with modality, with all seven regions showing declines in GFDC applications over the three years (ranging from -10% to -39%) but little change in DCC applications, especially outside of New York City. **[Figure 4.1]**

Timeliness processing applications (pg. 26)

- By the end of the triennium ending March 2015, the percentage of **registration** applications processed on time statewide improved to 95% (from 92% the prior year). Both New York City and the balance of the state improved, especially in the final year of the period (from 97% to 98%, and from 89% to 91%, respectively). **[Figures 4.3, 4.4]**
- Statewide, timeliness in processing **license** applications during the same three years was two to nine percentage points lower than for registrations, although timeliness had improved by the end of the period (rising from 86% to 93% overall). In New York City, license applications were processed in a timely manner throughout the period (unchanged at 99%, dropping to 98% the last year), but in the rest of the state, timeliness was lower in the first two years but improved markedly in the final year (63% and 68%, jumping to 86%). This may be the result of recent licensing reforms intended to streamline the licensing process (see *Using the Reports*, next page). **[Figures 4.3, 4.4]**

“50 Percent Inspections” (pg. 32)

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.

- Both New York City and the balance of the state completed more of these inspections than required for the year ending March 31, 2015. For each of the three years preceding that date, New York City exceeded its goal for such inspections by 42 percent or more, while the rest of the state exceeded its goal by 28 percent or more. **[Table 4.4]**
- For the year ending March 2015, the percentage of “50 percent inspections” in which violations of applicable regulations were identified fell slightly statewide (from 51% to 49%). Outside of New York City, the percentage of such inspections with violations decreased from 41% to 36%), while in New York City, the percentage increased from 61% to 64%. Outside of New York City, the decline in such violations that year occurred

¹⁰ Counts here represent applications received (and then resolved) by DCCS during the respective years, not the far larger number *requested* by prospective providers (many of which DCCS never receives, subsequently). See *Orientations and Requests for Applications* (p. 20) for trend data on the latter, documenting how requests for family-based applications declined sharply with the advent of an orientation requirement, effective May 1, 2014. Or see *Applications ... Received*, n. 64 (p. 23) for a quick comparison of the scale of applications requested and received.

in both FDC and SACC programs, while within New York City, the increase in such violations occurred entirely among FDC programs. **[Table 4.4, Figure 4.8]**

Using the Reports

Each report in this series documents important performance benchmarks regarding the volume and timeliness of key regulatory (registration and licensing) activities overseen by DCCS, as well as how the performance of those activities 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 (such as those documented for different regions in the report). Taken as a whole, the report series represents a significant new monitoring opportunity, allowing for the development of programmatic responses to such differences, once identified.

In addition, beginning with this report, the 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, in March of 2014, OCFS began a systematic effort to apply the principles of Lean – a popular business methodology for analyzing, enhancing value and minimizing waste within business processes – to evaluate the licensing process, with the goal of significantly reducing the time required to issue child care provider licenses. As seen in this report's section on Applications, this effort has begun to show results in terms of reducing application-processing times – improvements that are expected to become even more apparent in upcoming reports as the Lean initiative continues. (See *Using the Reports, Revisited*, pg. [34](#), 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.¹¹ 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.”¹²

This report covers the year April 1, 2014 – March 31, 2015 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, 2014. Prior to the 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 two reports, however, this one widens the focus by also including licensed (DCC and GFDC) providers 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.¹³ In addition, while the focus is 2014 – 2015, this study also offers extensive comparisons with the preceding two years 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 predecessors, includes detailed information on a closely related part of the regulatory process: the timeliness with which applications for registration or licensure are handled.¹⁴ Since new regulations recently resumed the requirement of pre-application orientations for family-based (FDC, GFDC) settings, effective May 1, 2014, and effective June 1, 2015 for center-based (DCC, SACC and SDCC) settings, this report also includes information

¹¹ 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.

¹² *McKinney's 1990 Session Laws of New York* (West Publishing Co.), V. 1, pg. 1531. Numbering added.

¹³ See *Background on Child Care Registration and Licensing*, pg. 2, for an overview of different modalities of care and the corresponding regulatory frameworks.

¹⁴ 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*.

on orientations, but only for FDC and GFDC facilities during the period from May 1, 2014 through March 31, 2015.

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 to them; and
- c) Administrative Actions – the number of orientations provided, applications received, applications processed and inspections completed.

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).¹⁵ 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 Hygiene (NYC DOHMH) provides such services within the City.¹⁶ 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 12 years ending with the current report period, New York State’s regional child care offices provided registration services directly to a sizable, relatively

¹⁵ 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).

¹⁶ 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.

consistent number of counties (reaching 19) between 2011 and 2015.¹⁷ During that same period, a dwindling number of LDSSs entered into Memoranda of Understanding (MOUs) with OCFS to provide registration services directly, falling from eight counties in 2003 to two counties by 2011 – 2015.¹⁸ Simultaneously, a slowly growing number of LDSSs subcontracted with not-for-profit entities, primarily Child Care Resource and Referral (CCR&R) agencies, for the provision of registration services (rising from 32 counties in 2003 to 36 counties by 2011 – 2015).¹⁹ OCFS contracted with NYC DOHMH to provide registration services in New York City (five counties).²⁰ Most recently, between 2010 and 2011, two additional counties previously serviced by New York State staff (Seneca, Yates) requested OCFS permission (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.*

One consequence of these different licensing and registration service arrangements has been a “natural experiment,” in effect, made possible by DCCS’s implementation of performance-based contracting for some, but not all of this work, in an effort to improve the consistency of regulatory practice across the state. That is, outside of New York City all licensing work and some registration work has remained a state regional office responsibility; in contrast, effective January 1, 2005, all contracts for the provision of registration services²¹ by non-state entities such as CCR&Rs, NYC DOHMH or LDSSs were converted into performance-based arrangements in an effort to maximize accountability and oversight by conditioning payments for services on localities’ attainment of a variety of accepted standards in completing the work.²² The fact that improvements in regulatory practices documented throughout this series of reports have typically coincided with these regional or modality-based contractual arrangements clearly suggests the effectiveness of the contracts in achieving improvements to practice.

The transition to performance-based contracting probably contributed to the differences in performance seen between registration and licensing activity, as well as to disparities 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. But 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.

¹⁷ See Figure 1, pg. 4, (green cross-hatch).

¹⁸ *Ibid.* (dark blue hatch).

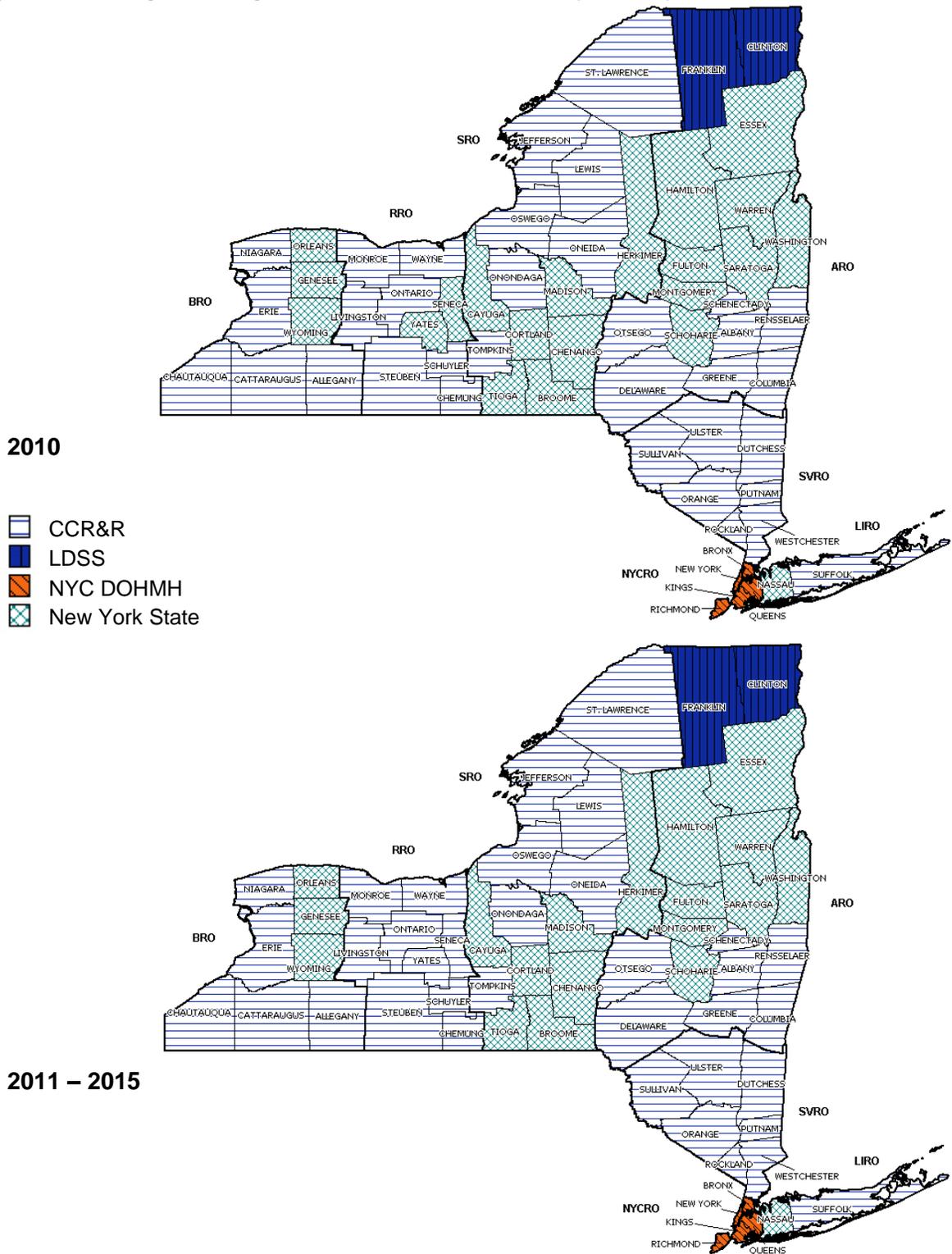
¹⁹ *Ibid.* (light blue hatch).

²⁰ *Ibid.* (orange cross-hatch). See Appendix A.2 (pg. 37) for maps documenting all of the changes cited.

²¹ Alone among all the performance contracts in place, one exception is NYC DOHMH’s to provide *licensing* services for New York City GFDC facilities.

²² In particular, 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.

Figure 1. Changes in Registration Service Provider by County: 2010 – 2015²³



²³ Registration service providers as of start of respective calendar years. 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 – 2015 map note, pg. 40, regarding changes not reflected on map.)

c) Methodology and Data Sources

This report relies primarily 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 discussed. As a result, the report provides a clear perspective on any changes that occurred during the year ending March 31, 2015, in comparison with prior report periods. Since CCFS does not include data on New York City DCC facilities, this report focuses 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 measures were created using CCFS data, or existing performance measures used to administer registration contracts were modified to satisfy the new reporting purposes while remaining as similar to the original registration contract standards as possible. 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 comparisons, viz., standardized rates of complaints received.²⁴ 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 registration contract performance standards. Finally, the Appendix also includes a complete complement of map figures that appear in or are cited in the report – sized larger than in the body of the report for maximum detail, when appropriate.

Given that CCFS is the database of record for child care in New York, this report relies on that data, but calls attention, where informative, to instances where variations in reporting (e.g., definitional and/or practice issues) may have influenced findings.²⁵ The report’s finding of fewer complaints reported for New York City than might be expected, based on its 40-to-50 percent share of the population of providers, is a primary example (see pp. 12 - 15).

²⁴ 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. The performance indicator on complaint processing, e.g., runs within a few days of when complaints received *in a given month* are due to be processed, providing a localized, ‘point-in-time’ look at performance; in comparison with this report’s broad retrospective year-by-year measures of complaint handling. Similarly, this report makes use of counts of providers “ever” registered or licensed (i.e., at any point) during the report period, as distinguished from the point-in-time counts with which readers may be more familiar.

²⁵ 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*.

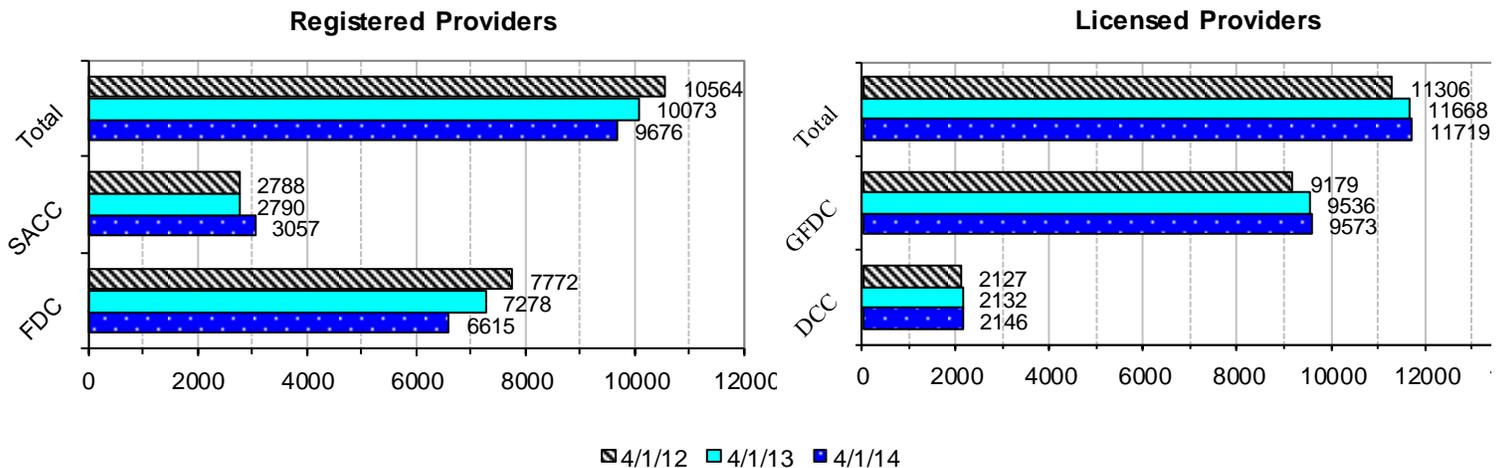
2. Registered and Licensed Providers²⁶

a) Overview

- *Registered* provider numbers declined each year statewide (ranging from -4% to -5% per year, for a total 2012-15 decline of -8%) reflecting:
 - consecutive annual FDC declines (ranging from -6% to -9% per year; 2012-15 change: -15%)
 - modest SACC increases some years (10%, 2014-15 and 2012-15)
- *Licensed* provider numbers increased each year statewide (ranging from < 1% to 3% per year, with a 2012-15 gain of +4%) reflecting:
 - consecutive annual GFDC increases (ranging from < 1% to 4% per year; 2012-15 gain: +4%)
 - marginal DCC growth outside New York City (\leq .7% each year; 2012-15 change: +.9%)

Figure 2.1 summarizes the corresponding changes in numbers of providers registered or licensed at any time, by modality, for the three years ending March 2015.

Figure 2.1
Providers Registered or Licensed at Any Point During Reporting Period,
By Modality, For Year Beginning:²⁷



²⁶ 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). Table 2.1 (pg. 8) 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.

²⁷ Registered totals include n = 4 small day care center (SDCC) programs for the 1st year (n = 1, Albany region [ARO], n = 2, Rochester region [RRO], n = 1, Syracuse region [SRO]), n = 5 SDCC programs for the 2nd year (n = 2, ARO, n = 2, RRO, n = 1, SRO) and n = 4 SDCC programs for the 3rd year (n = 2, ARO, n = 1, RRO, n = 1, SRO), respectively. Licensed day care center (DCC) counts exclude New York City programs.

One factor potentially contributing to the continuing declines in registered providers and increases in licensed programs is the appeal for registered FDC providers of transitioning to licensed GFDC programs to become eligible for the higher maximum child care subsidy rates for GFDC providers.²⁸

b) Regional Detail

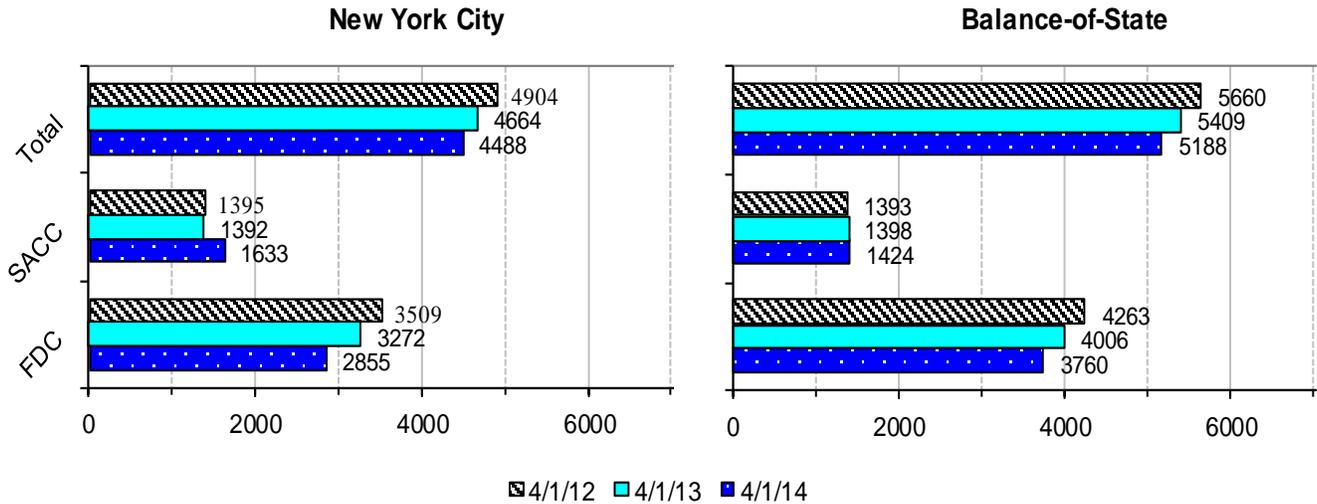
- *Registered* provider numbers declined each year statewide but this varied by modality:
 - New York City, the balance-of-state, and all seven DCCS regions mirrored the statewide trend with consecutive year-to-year declines in total providers (ranging from -4% to -5% per year, -4% each year, and -2% to -8% per year, respectively).
 - New York City, the balance-of-state and all seven individual DCCS regions also had consecutive year-to-year declines in FDC numbers (ranging from -7% to -13% per year, -6% each year, and -2% to -13% per year, respectively).
 - SACC numbers, in contrast, remained almost flat about half the time, both in New York City (< 1% change, except +17%, 2014-15) and elsewhere (< 1% change, except +2%, 2014-15). Over the entire three years, five DCCS regions showed little change on this front (ranging from -3% to +4%) while two showed modest increase (SVRO, NYCRO: +13%, +17%, respectively).

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.²⁹

²⁸ See earlier reports in this series for history and context on the opposing trends seen for FDC and GFDC provider numbers for some years now (e.g., *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).

²⁹ 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:³⁰



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	2012	3,509	1,395	na	5,868	3,036	1,264	na	4,975	2,935	1,251	na	5,294
	2013	3,272	1,392	na	6,126	2,938	1,252	na	5,297	2,624	1,234	na	5,525
	2014	2,855	1,633	na	6,192	2,619	1,234	na	5,527	2,215	1,523	na	5,490
Balance of State	2012	4,263	1,393	2,127	3,311	3,741	1,292	1,994	2,948	3,557	1,282	2,010	3,023
	2013	4,006	1,398	2,132	3,410	3,559	1,282	2,010	3,024	3,338	1,298	1,999	3,040
	2014	3,760	1,424	2,146	3,381	3,336	1,300	1,999	3,039	3,007	1,277	2,002	2,963
Total	2012	7,772	2,788	2,127	9,179	6,777	2,556	1,994	7,923	6,492	2,533	2,010	8,317
	2013	7,278	2,790	2,132	9,536	6,497	2,534	2,010	8,321	5,962	2,532	1,999	8,565
	2014	6,615	3,057	2,146	9,573	5,955	2,534	1,999	8,566	5,222	2,800	2,002	8,453

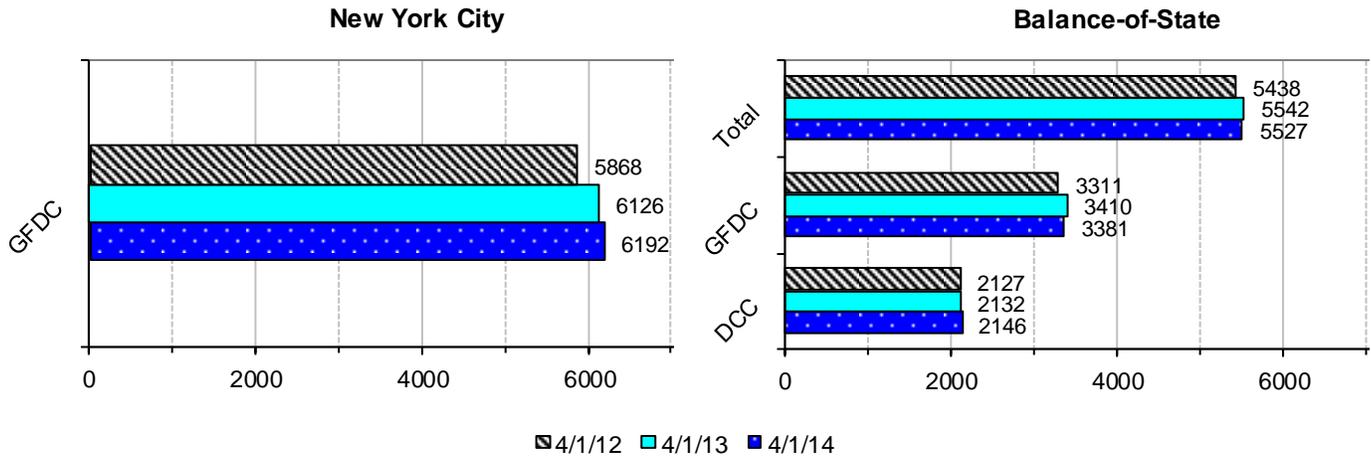
- For *licensed* providers, year-to-year statewide increases were fueled by growth which was more prominent in certain DCCS regions and modalities than in others:
 - New York City and LIRO showed successive GFDC gains (1% to 4% and 3% to 5% per year, respectively) larger than elsewhere (compare with +2%, balance-of-state three-year change, 2012 – 15).
 - Outside New York City, DCC facility numbers grew only marginally (< 1%, all three years).

³⁰See 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. 8, "any point" columns) for certain years and locations.

³¹ 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.³²

Figure 2.2.b. Providers Licensed at Any Point During Reporting Period, By Major State Region and Modality, For Year Beginning:³³



- 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 2015.

³² 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.

³³ 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:³⁴

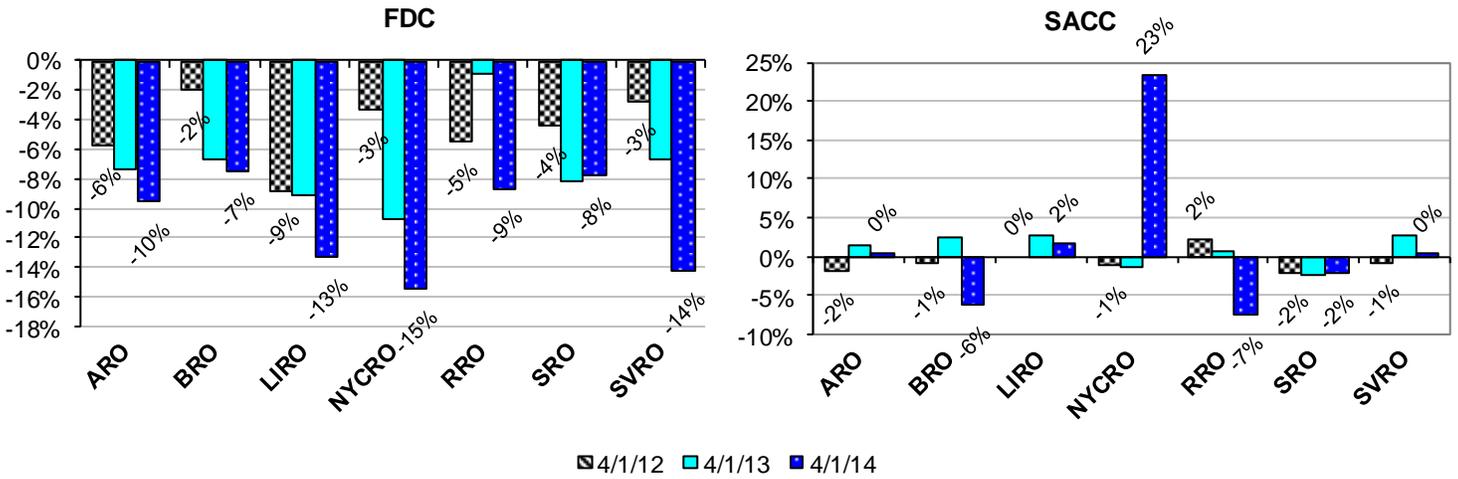
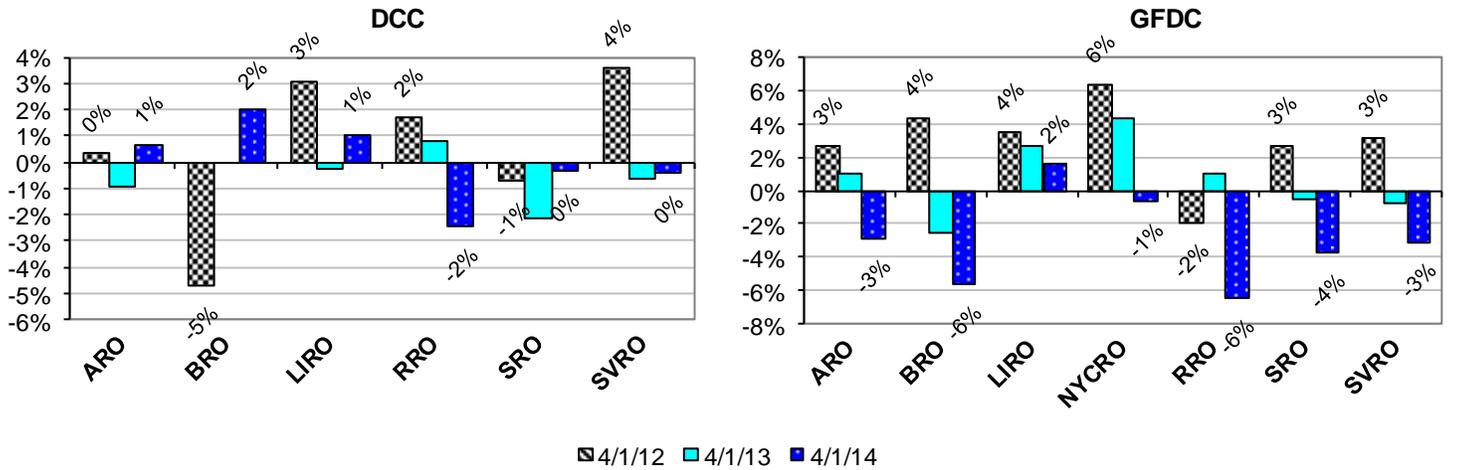


Figure 2.3.b. Percent Change in Licensed Providers³⁵ **From First Day to Last Day of Interval, By Region and Modality, For Year Beginning:**



³⁴ 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.

³⁵ 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,³⁶ 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.³⁷ 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.³⁸ 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, increased modestly statewide (+3%), for the year ending March 2015, after a larger decline (-8%) the prior year (*Fig. 3.1*):
 - Five DCCS regions (ARO, LIRO, New York City [NYCRO], SRO, Spring Valley [SVRO]) shared in the 2014 – 15 increase (gains of 6% to 25%) while just two showed declines that year (Buffalo [BRO]: -23%, RRO: -3%). (*Fig. 3.2*).
 - Since all but one region (RRO) showed increases in SACC complaints, and all but one (BRO), increases in FDC complaints for the 2014 – 15 year, both modalities contributed to that year's uptick in complaints. (*Fig. 3.2*).

³⁶ See *Background on Child Care Registration and Licensing*, pg. 2, for a discussion of the entities responsible for registration services in different locales.

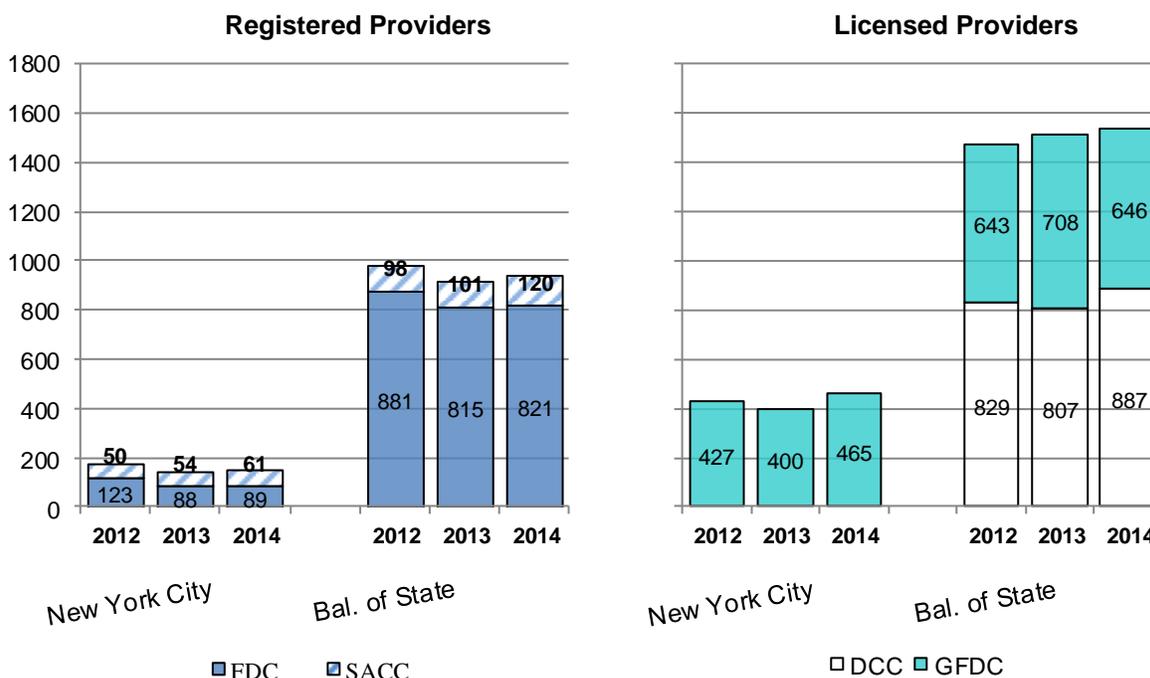
³⁷ This review adopts the 60-day "determination" standard nominally used in the state's performance contracting for **registered** programs in order to emphasize a conservative, consistent frame of reference (anchored in practice) in the report's broader comparisons across modalities. That standard, 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.

³⁸ 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.

- Complaints for *licensed* programs also increased modestly statewide (+4%) for the year ending March 2015, after edging slightly higher (< 1%) the prior year (*Fig. 3.1*):
 - Underlying the latest increase were some clear differences, with four DCCS regions (ARO, LIRO, RRO, SRO) showing modest declines in these complaints ($\leq 7\%$) but three (BRO, NYCRO, SVRO), somewhat larger increases (8% to 19%), that year (*Fig. 3.2*).
 - Just as in the last review, these complaints consistently outnumbered those logged for registered programs in every region except SRO throughout the three years ending March 2015 (*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,³⁹
By Major State Region and Modality for Three Years Beginning April 1: 2012 – 2014



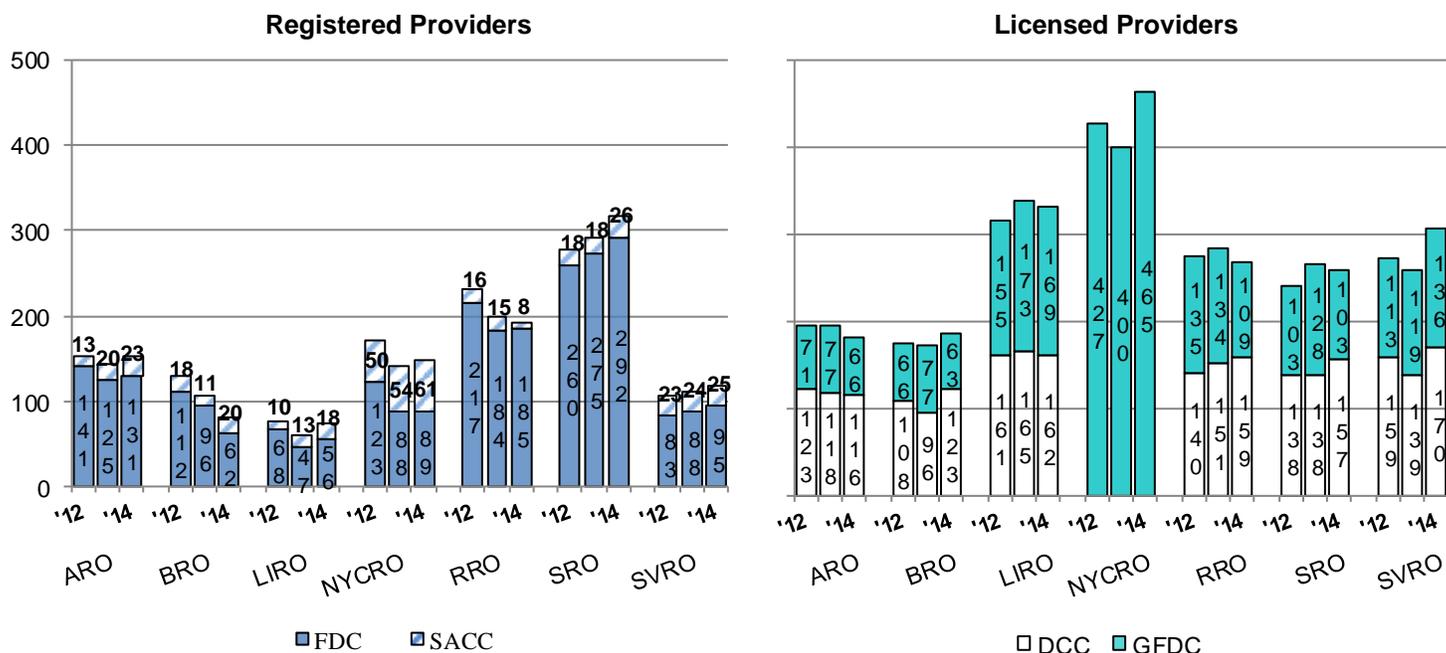
- There were apparent disparities between complaint numbers received in and outside of New York City, relative to the two areas' sizes:
 - For *registered* programs, ratios of complaints filed outside New York City, to those filed within New York City were near or exceeded 6:1 each of the three years ending March 2015 (e.g., $[120+821]:[61+89]$, *Fig. 3.1*).

³⁹Total registered programs excluding a small number of SDCC facilities and total licensed programs excluding New York City DCC facilities.

- For *licensed* programs, the same ratios were at least 3:1 every year, or 1.3:1 if limiting the comparison to GFDC programs with statewide data available (e.g., 646:465, Fig. 3.1).⁴⁰

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: 2012 – 2014⁴¹



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

- For *registered* programs, standardized rates outside New York City were near or greater than five times the New York City rates each year (*i.e.*, 18:3).

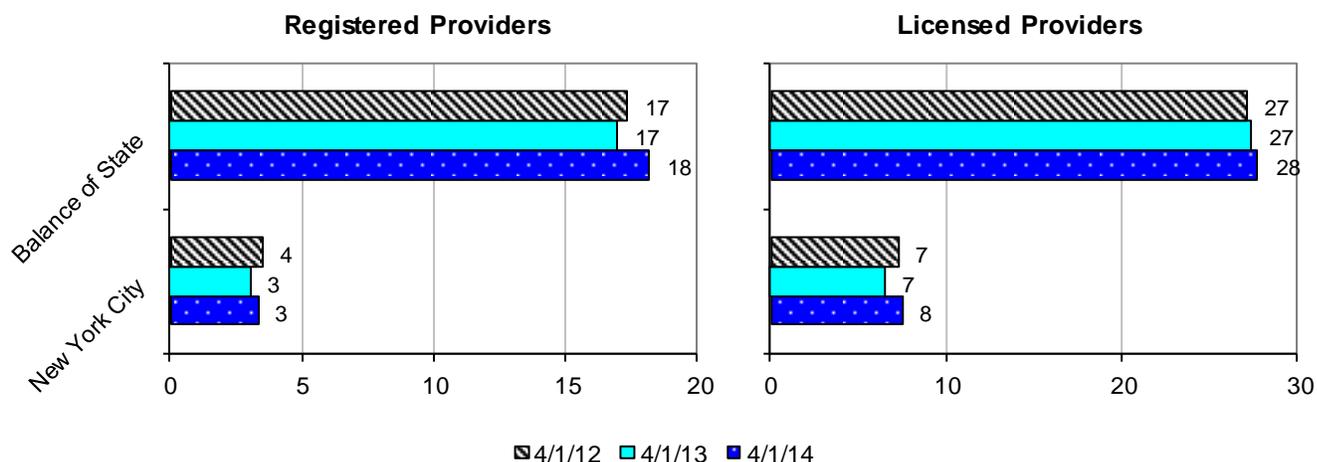
⁴⁰ See n. 9, pg. viii. As noted above (n. 6, pg. vii), the data on “total” licensed programs presented throughout this report simply mirrors OCFS’s regulatory authority by including all such facilities except New York City DCC programs, which by law are licensed by New York City and not subject to OCFS regulation.

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

- 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.*, 28:8).

Figure 3.3 details the standardized complaint rates referenced for the three years ending March 2015.

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

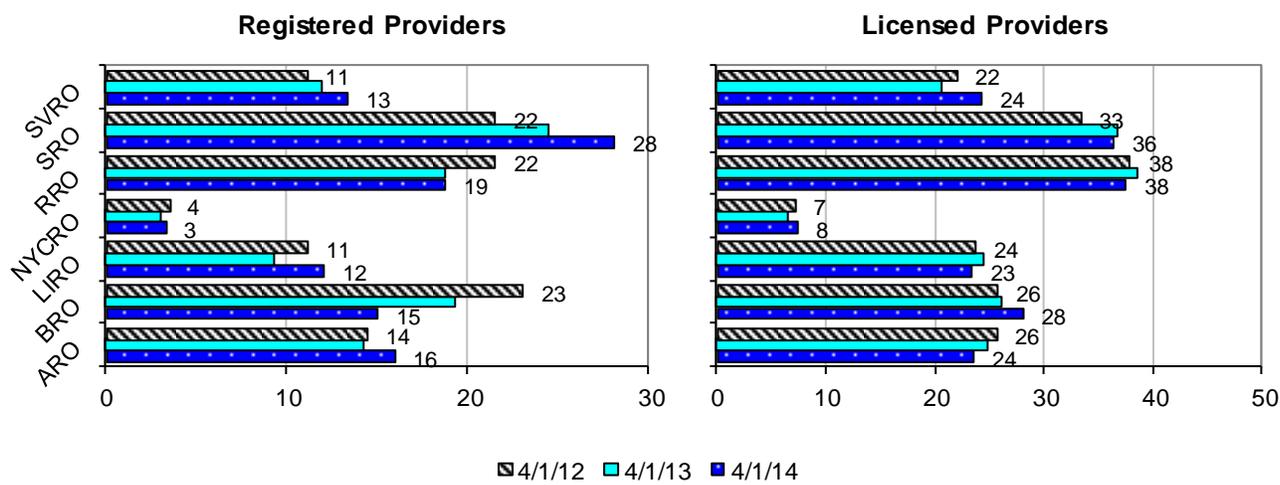


- Apart from these differences between major areas of the state, there were also pronounced differences in rates among the seven DCCS regions:
 - Compared with the balance-of-state rate for *registered* programs for 2014 – 2015 (18 per 100 providers: *Fig. 3.3, above*), rates for some DCCS regions outside New York City that year ranged from as low as 33% less (twelve per 100: LIRO) to as high as 56% more (28 per 100: SRO). (*Fig. 3.4*)
 - For *licensed* programs, the balance-of-state rate (28 per 100 providers: *Fig. 3.3*) was exceeded by 36% and 29% by the RRO and SRO regions (38 per 100, 36 per 100, respectively). (*Fig. 3.4*)

Figure 3.4 (*next page*) details the standardized complaint rates for specific DCCS regions, underlying these trends.⁴²

⁴² 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 State 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* system⁴³ rather than intrinsic disparities in complaint characteristics:
 - New York City DOHMH classified between 93 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 2015, leaving little room for modality or other factors to be influential.
 - Complaints rated as “serious” represented between 82 percent and 85 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.⁴⁴

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.⁴⁵

⁴³ 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).

⁴⁴ Table 3.1, below, Figures 3.5.a – b, pg. 48. “Non-emergency” complaints’ rarity in New York City (< a dozen and a half, per year: Table 3.1) makes regional comparisons involving those complaints less informative.

⁴⁵ 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 3.3, pg. 47) and by modality within New York City and the balance of the state (Figures 3.5.a – b, pg. 48)

Table 3.1. Number of Complaints by Seriousness and Major State Region, For Three Years, April 1, 2012 – March 31, 2015 ⁴⁶								
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	2012	7	21	572	600	1%	4%	95%
	2013	10	22	510	542	2%	4%	94%
	2014	16	30	569	615	3%	5%	93%
Balance of State	2012	409	2,016	27	2,452	17%	82%	1%
	2013	384	2,021	26	2,431	16%	83%	1%
	2014	358	2,103	14	2,475	14%	85%	1%
Total	2012	416	2,037	599	3,052	14%	67%	20%
	2013	394	2,043	536	2,973	13%	69%	18%
	2014	374	2,133	583	3,090	12%	69%	19%

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 2015, nearly reaching parity (41% versus 38%, respectively) in the second year; New York City's number of such complaints was small, ranging from 21 to 30.
- For complaints classified as "imminent danger," substantiation rates in New York City lagged those elsewhere by as much as 11 to 23 percentage points during the first two years, nearly closing the gap to five points by the last year, but based on marginal complaint numbers *outside* New York City (ranging from 14 to 27).⁴⁷

Table 3.2 documents the numbers of complaints by seriousness and disposition (unsubstantiated, substantiated, other⁴⁸), by major state region, underlying these trends.⁴⁹

⁴⁶ Unlike the preceding summaries (such as Figure 3.1, pg. 12), this table is based on pooled complaints for all 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 = 615 shown for 3rd year here = (89 + 61) + 465 as shown for the City's 3rd year (FDC + SACC) and GFDC programs, respectively, in Figure 3.2 (left + right side).

⁴⁷ Given the rarity of "non-emergency" complaints in New York City (see n. 44), the sometimes-higher rate of substantiations for those complaints (e.g., Table 3.2, pg. 17) warrants less confidence for this discussion.

⁴⁸ 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").

⁴⁹ See Appendix A.5 (pg. 49) for figures illustrating Table 3.2's content: Figures 3.6 – 3.8, displaying the mix of dispositions reported for complaints, by major state region, separately by level of seriousness.

Table 3.2. Percent of Complaints by Seriousness and Major Disposition Category,
By Major State Region, For Three Years, April 1, 2012 - March 31, 2015*

Region	Year Starting April 1,	Seriousness of Complaints											
		Non-Emergency			Serious			Imminent Danger			All Complaints		
		Closed, Unsubst.	Closed, Subst.	Other	Closed, Unsubst.	Closed, Subst.	Other	Closed, Unsubst.	Closed, Subst.	Other	Closed, Unsubst.	Closed, Subst.	Other
New York City	2012	57%	43%	0%	71%	24%	5%	58%	33%	8%	59%	33%	8%
	2013	40%	60%	0%	50%	41%	9%	61%	31%	8%	61%	32%	8%
	2014	63%	38%	0%	57%	23%	20%	57%	31%	12%	57%	31%	12%
Balance of State	2012	60%	36%	3%	60%	36%	4%	33%	56%	11%	60%	37%	4%
	2013	69%	29%	2%	58%	38%	4%	27%	42%	31%	60%	36%	4%
	2014	55%	39%	6%	57%	36%	7%	43%	36%	21%	56%	37%	7%
Total	2012	60%	37%	3%	60%	36%	4%	57%	34%	9%	59%	36%	5%
	2013	68%	30%	2%	58%	38%	4%	60%	31%	9%	60%	35%	5%
	2014	55%	39%	6%	57%	36%	7%	57%	31%	12%	57%	35%	8%

* 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. 11). 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,⁵⁰ and standardized rates of complaints (introduced above). For maximum clarity, Figures 3.9.a – b in this section highlight 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 2014 – 2015 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 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

⁵⁰ 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. 6) and complaint counts as shown above in *Volume ... of Complaints Received* (Table 3.1, pg. 16, summing registered and licensed facilities).

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 2015; for licensed providers, timeliness depended somewhat on geography:
 - For *registered* programs, New York City initiated these actions on time almost routinely (99% – 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 virtually as promptly (99% every year) while those elsewhere evidenced some delays (rising to 94%, before falling to 90% timeliness). Outside New York City, the reduced timeliness concealed greater regional differences, with three of six DCCS regions exceeding a 95% standard for initiations (ARO, BRO, SRO) and three not matching that standard (LIRO: 92%, RRO: 85%, SVRO: 79%) for the year ending March 2015.

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*).⁵¹

- Timeliness at determining and closing investigations during the three years lagged that of initiating investigations throughout the state and across different provider types, by modest, relatively consistent proportions (5% – 8%):
 - For *registered* providers, New York City met the 60-day standard 92% to 94% 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 (ARO, BRO: 94%, SVRO: 95%), one meeting 90% levels (RRO: 92%) and two regions, more modest achievement (LIRO: 77%, SRO: 84%).
 - For *licensed* providers, New York City met the timeliness standard 91% – 94% of the time each year, compared with 83% – 85% 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 2015 (LIRO: 95%), two reporting 88% – 93% levels (ARO, BRO) and three others showing more modest results that year (RRO: 79%, SRO: 67%, SVRO: 76%).

⁵¹ 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.

Figure 3.9.b 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.⁵²

Figure 3.9.a. Percent of Investigations Initiated On Time for Registered and Licensed Providers, By Major State Region, For Year Beginning:⁵³

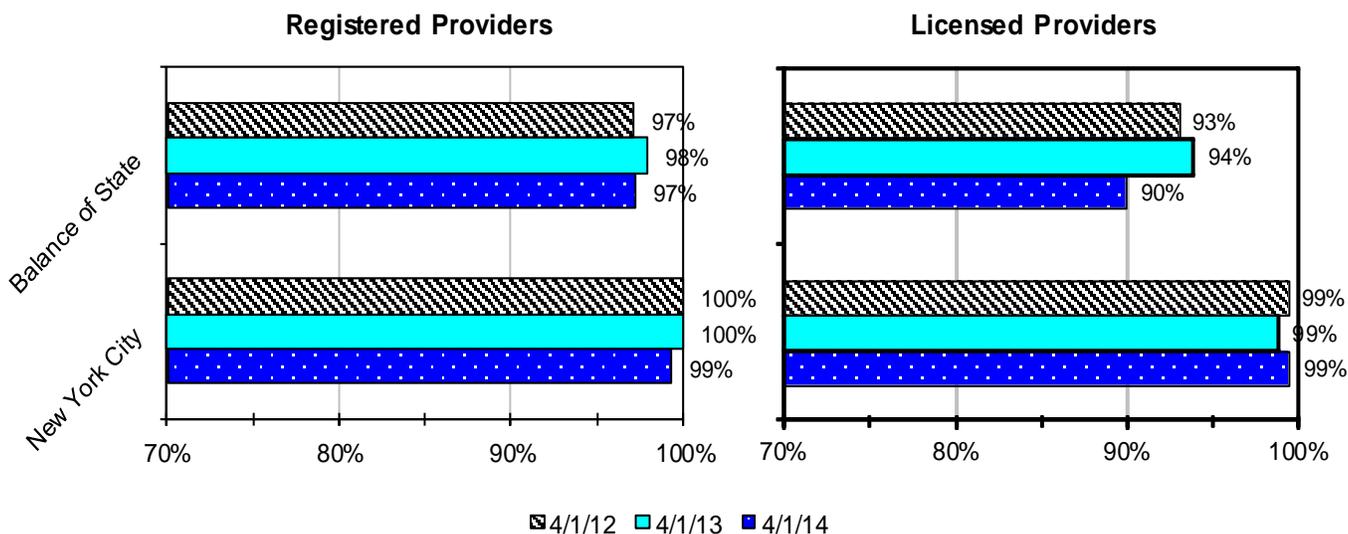
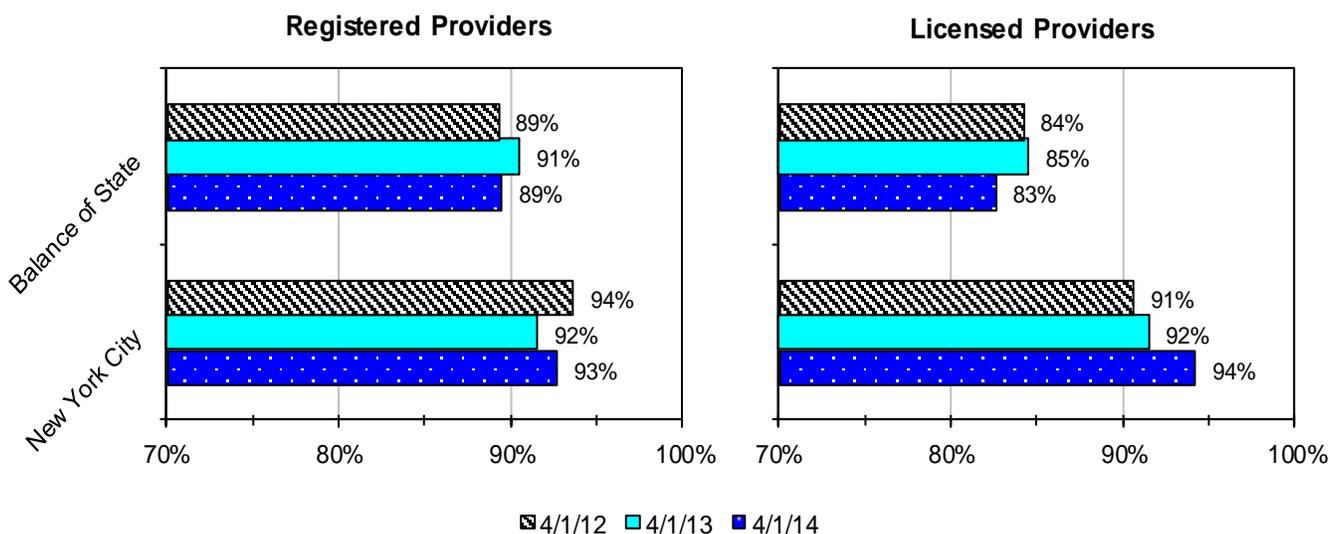


Figure 3.9.b. Percent of Investigations with Timely Determinations/Closures for Registered and Licensed Providers, By Major State Region, For Year Beginning:



⁵² See *ibid.* for the results on timeliness of determinations/closures, by DCCS region, discussed.

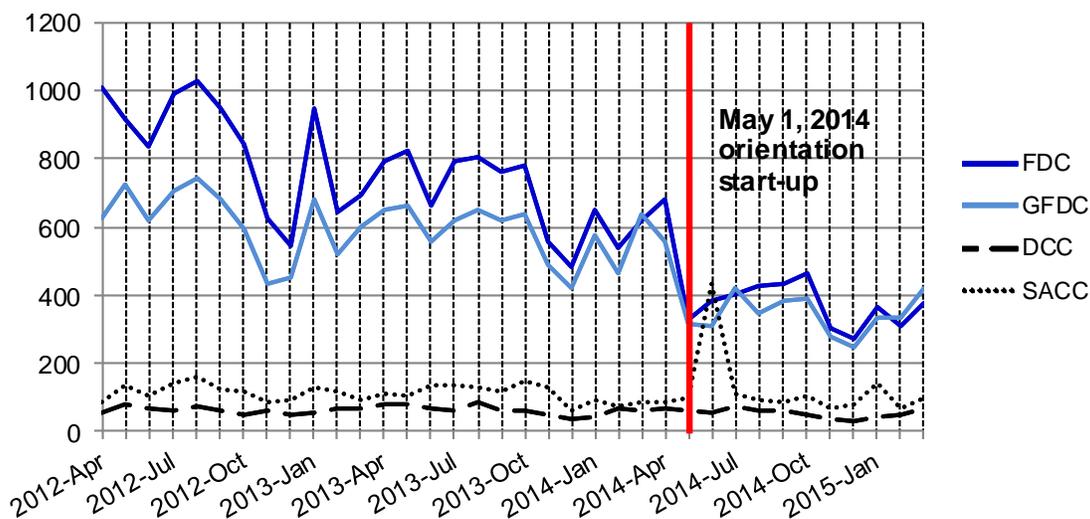
⁵³ Tables 3.4.a – b (pg.51, “Totals”) detail the counts of complaints for registered and licensed providers, respectively, summarized in each bar in the left and right sides of Figures 3.9.a – b.

4. Administrative Actions Including Applications and Inspections

a) Orientations and Requests for Applications

Until relatively recently, the process of applying to operate a regulated child care facility in New York State began, simply, by requesting an application. One month into the April 2014 – March 2015 report year, however, new regulations effective May 1, 2014 established a requirement that all family-based (FDC, GFDC) providers complete an orientation on child care *prior to obtaining* an application – a requirement which previously applied to registered (FDC, SACC) providers until 2001.⁵⁴ As if in response to the May regulatory change, requests for family-based provider applications showed an abrupt downturn the same month, declining by a half or more from levels typical during the two years (April 2012 – April 2014) preceding the new mandate. (Figure 4)

Figure 4. Number of Applications for Registration or Licensure Requested, By Month and Modality for Three Years: April 1, 2012 – March 31, 2015⁵⁵



Since orientations are now a focus of this report, and took effect simultaneously with the decline in family-based provider application requests, data on orientation activity conducted from May 2014 through March 2015 were reviewed both for purposes of describing the additional services now being rendered and in order to explore possible explanation(s) the data might suggest for the downturn in application requests seen.

⁵⁴ See n. 14, pg. 1, above, regarding earlier reports' discussion of the discontinuance of orientation as a registration requirement for FDC and SACC programs early in 2001 as part of the *Quality Child Care and Protection Act*. Effective June 1, 2015 – two months following the present report year – the same orientation requirement was extended to prospective center-based (DCC, SACC, SDCC) applications. Although not required to complete orientations to obtain center-based applications prior to that point, some of those oriented during the period examined here went on to request such applications.

⁵⁵ Applications *requested*, not the far smaller number *received by DCCS* and generally focused on in this report beginning in part (b), below (pg. 23). See Table 4.6 in Appendix A.7 (p. 55) for data source and detailed data summarized here as well as information on SDCC application requests excluded from Figure 4 due to miniscule sample sizes (ranging from 0-4 for the first two years shown to under half those involved for DCC facilities for the third year shown). Note that the brief surge in SACC application requests seen for June of 2014 corresponds exactly to the award period of a major Mayoral initiative to increase SACC programs in New York City that summer.

- Orientations were conducted in two venues – *online* and *in-person*⁵⁶ – but the latter accounted for only a small share of all orientations completed during the 11 months from May 2014 through March 2015:
 - The exact number of **online** orientations completed during the period was undocumented, for reasons of website design choices;⁵⁷ the number of orientations *leading to application requests*, however, averaged about 500 monthly, statewide (about 5,500 in total), corresponding to roughly similar numbers of FDC/GFDC application requests, and persons-oriented totals, during the period. (*Tables 4.01,*⁵⁸ *4.02 [next page], respectively*)
 - **In-person** orientations conducted during the period, in contrast, probably numbered not much over one-hundred in total – less than two percent of the online numbers – based on a survey of CCR&Rs offering the service.⁵⁹
- One explanation for the sharp decline in application requests beginning in May 2014 – that orientations educate applicants to be more selective in both the **number** and **type(s)** of applications they request, compared with “novices” – is consistent with and reinforced by the data:
 - Prospective applicants who completed orientations⁶⁰ during the May 2014 – March 2015 period only rarely requested more than one type of application (i.e., for more than one modality of care); 94 percent requested just one type while only six percent requested more than one type. Along with anecdotal evidence portraying application “shopping” as commonplace before the orientation mandate, this suggests that application strategies may have become more discriminating, because better-informed, under the new requirement. (*Table 4.1, next page*)
 - Those who completed orientations and requested multiple applications including at least one, for family-based care, typically focused any additional request(s) on *another family-based modality* rather than on center-based types of care. In contrast, those requesting at least one application for center-based care (not yet mandated to complete orientations) showed a wider variety of choices, without

⁵⁶ Online orientations have been provided through a contract with the *Professional Development Program* (PDP) of Rockefeller College at the State University at Albany while in-person orientations relying on the same PDP-developed training material are provided as needed in particular localities, on an ad hoc basis, by Child Care Resource & Referral Agencies (CCR&Rs) contracted to serve the respective areas.

⁵⁷ Reflecting a priority on activities leading to applications, above all else, the online orientation system tracks orientations only if participants completing an orientation *also* request an application, leaving any other orientations, even if nominally completed, uncounted.

⁵⁸ See Appendix A.7 (p. 55), as summarized in Figure 4; two or more times as many family-based application requests (~ 1,000+, monthly) were made during the two years (April 2012 – April 2014) immediately preceding the new mandate. .

⁵⁹ At the time of this writing, no formal procedures or requirement existed for CCR&R reporting of orientations provided to prospective providers requesting an in-person alternative to the predominant online mode of accessing orientations beginning in May 2014. As a result, DCCS’s Child Care Resource Contract Unit made an informal ad hoc request for the information from the roughly thirty CCR&Rs contracted to serve different regions of the state. Approximately one-third of the organizations, including some representing New York City and some, the balance of the state, reported providing in-person orientations at some point since the May 2014 mandate took effect for prospective family-based providers. In certain instances, some of the organizations reported tallies for broader and/or different time intervals than that in question, making the resulting conclusions, necessarily, *estimates* for the May 2014 – March 2015 time period.

⁶⁰ Given n. 57, all references such as this, here, should be understood as abbreviations – denoting only those who *also* requested applications, subsequently.

clear “favorites” as far as modality, when requesting additional applications. (Table 4.2)⁶¹

Number of Application Types	Number of Persons	Percent of Persons
1	5,151	94.0%
2	309	5.6%
3	14	0.3%
4	2	0.0%
5	2	0.0%
Total	5,478	100.0%

* See Appendix A.3 (pg. 41) regarding source data. Application “types” refer to those relating to a specific modality of care. Notably, the online orientation system not only allows individuals to request different types, but also more than one of a single type, of application (e.g., two FDC applications), once a specified time interval following an earlier request has elapsed. In such instances, all data and calculations presented in this report reflect *unduplicated* results in order to accurately identify both the number and unique combinations of application types requested.

Modality	Modality of Additional Request(s)				
	DCC	FDC	GFDC	SACC	SDCC
DCC (n = 181)	-	6% (11)	8% (15)	5% (9)	7% (13)
FDC (n = 2,712)	<1% (11)	-	9% (246)	<1% (14)	1% (32)
GFDC (n = 2,711)	<1% (15)	9% (246)	-	<1% (15)	<1% (23)
SACC (n = 66)	14% (9)	21% (14)	23% (15)	-	8% (5)
SDCC (n = 159)	8% (13)	20% (32)	14% (23)	3% (5)	-

⁶¹ For example, in Table 4.2, the rough parity of percentages shown in rows designating the additional application choices of those requesting DCC, SACC, or SDCC applications contrasts with the sharper distinctions (signaling clearer preferences) among those requesting family-based applications (FDC or GFDC rows).

⁶² See n. 60, p. 21.

⁶³ *Ibid.*

b) Applications for Registration or Licensure Received⁶⁴

Once an application to operate a regulated child care facility is received by DCCS, 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 no applicant issue is involved, are considered to be untimely.⁶⁵

1) Number of Applications

- Applications for *registration* declined statewide each year throughout the three years ending March 2015, but this varied by geography and modality:
 - The area outside New York City, overall, mirrored the statewide trend, with consecutive annual declines in total applications representing a cumulative reduction of -26% (Fig. 4.1).⁶⁶ The decline was broad-based, geographically, occurring in all six DCCS regions in the area (declines of -13% to -37% over the three years). (Fig. 4.2.a)
 - New York City applications, in contrast, increased modestly at the end of the period ($+6\%$: year ending March 2015) after falling the year before (-16%), for a cumulative reduction smaller than that elsewhere: -11% over the three years. (Fig. 4.1)
 - While all seven DCCS regions' FDC applications declined over the three years (from -12% to -48%), four regions' SACC applications *increased* over the same period (from 26% to 91% : LIRO, NYCRO, SRO, SVRO), making FDC trends the primary driver of the overall decline. (Fig. 4.2.a).

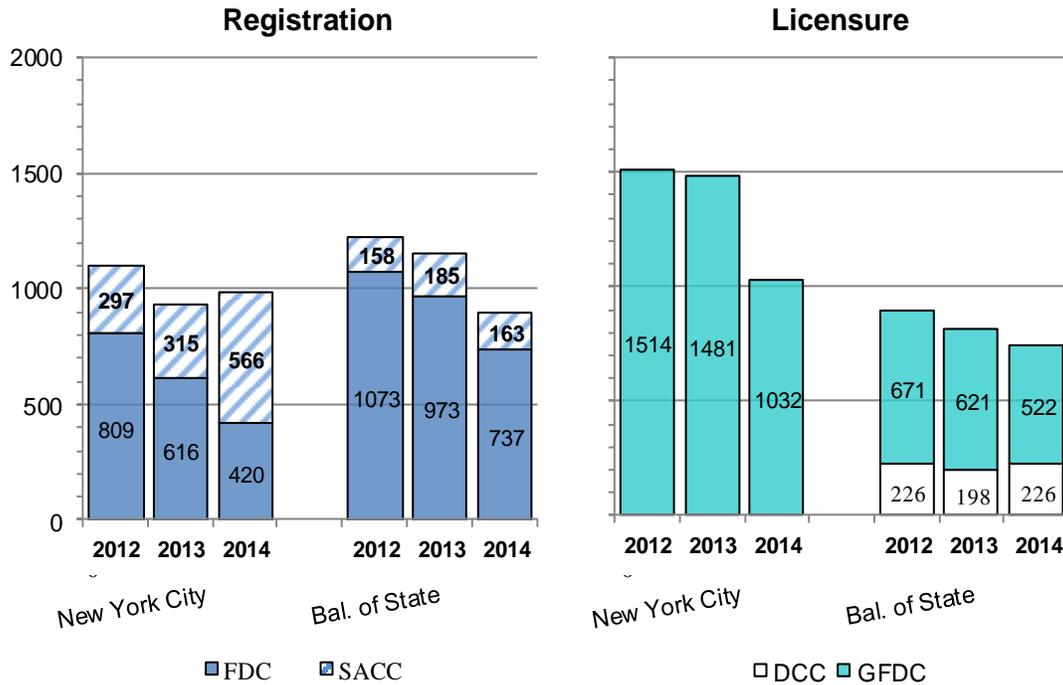
Figures 4.1 (pg. 24) and 4.2.a (pg. 25) display the registration application counts by modality and by major state region and DCCS region, underlying these trends.

⁶⁴ This section reports on the response to applications *received* by DCCS, not the far larger universe of those *requested* by prospective providers (many of which DCCS never receives, subsequently) referenced in the preceding section on orientations. In illustration, Tables 4.3.a – b (beginning p. 28) show 4,391 applications received by DCCS (excluding New York City DCC facilities) for the fiscal year ending March, 2014, while a standard CCFS report shows over 17,000 corresponding applications requested for the same period. (See Appendix A.7, Table 4.6, p. 55, "Total" column sum = 17,299 for April 2013 through March 2014; see Appendix A.3, p. 41, on data sources.)

⁶⁵ 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."

⁶⁶ Calculations based on Table 4.3.a (pg. 28: totals) or equivalently, Figure 4.1 (pg. 24: 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 4.3.a) or from (175 SACC + 1,196 FDC) to (315 SACC + 616 FDC) in Figure 4.1.

Figure 4.1.⁶⁷ Number of Applications for Registration or Licensure Received, By Major State Region and Modality, for Three Years Beginning April 1: 2012 – 2014



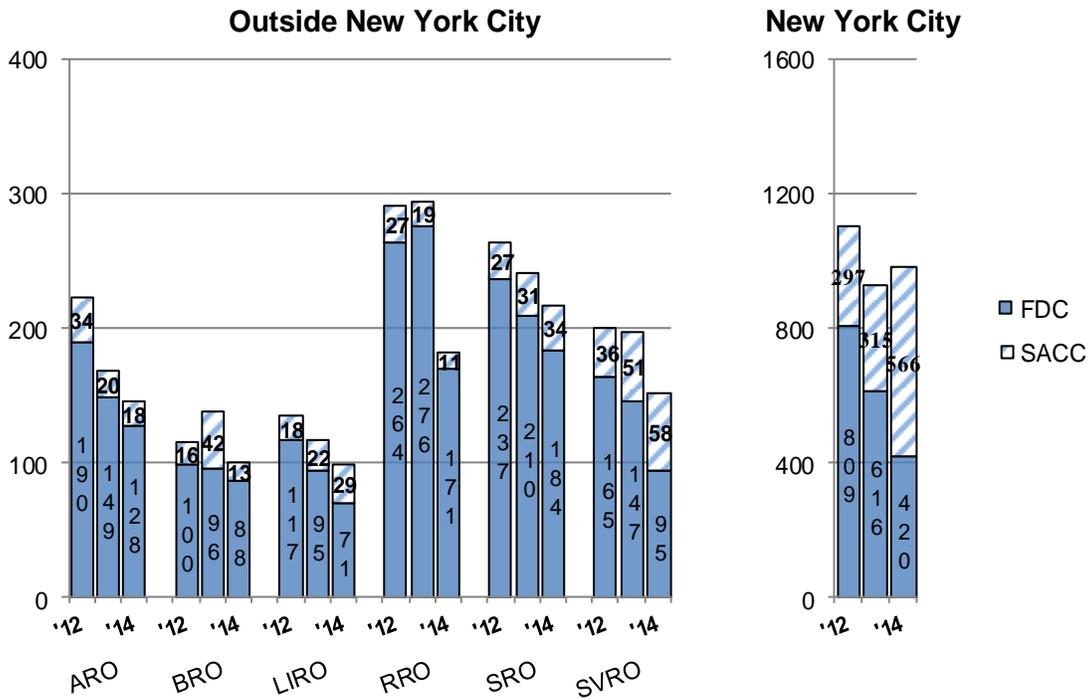
- Applications for *licensure* also declined statewide each year over the three-year period. This decline varied by geography and modality, but *differently* than for registrations:
 - Reversing the geography of registration applications, New York City’s three-year decline was larger than that elsewhere (–32% versus –17%, respectively: *Fig. 4.1*).
 - New York City’s trend was also far less uniform over time, with a modest two percent decline the second of the three years succeeded by a precipitous –30% drop the year ending March 2015. Elsewhere in the state there was a consistent decline of –9% annually over the three years, with all six regions’ applications sharing in the fall-off (three-year declines ranging from LIRO’s minus three percent to RRO’s minus 32 percent). (*Fig. 4.2.b*)
 - Similar to the trend in registration applications, modality was also clearly associated with the overall decline. For GFDC applications, all seven regions shared declines over the three years ranging in size from –10% to –18% (LIRO, SRO, SVRO) to –25% to –39% (ARO, BRO, NYCRO, RRO). In contrast, outside

⁶⁷ Summarizing application counts from Tables 4.3.a – b (pp. 28, 29, respectively). Total **registration** applications counts in this section (on which some percentages are based) include tiny numbers of applications with “small day care center” reported for modality (n = 4, n = 2 and n = 9, 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., 420 + 566 + 737 + 163 = 1886 for year-three, left side of Figure 4.1) may be exceeded by the corresponding annual totals reported [e.g., 1895 for year-three (State Total), Table 4.3.a, pg. 28]. Counts for **license** applications throughout this section include GFDC programs, statewide, and DCC programs except in New York City. Thus, information on “licensure” trends within the City actually relates to the GFDC sector, only.

New York City, DCC applications tracked a three-year pattern unlike the overall trend, with three regions showing modest declines (ARO, BRO: $\leq 9\%$; SVRO: 16%), three with modest gains (RRO, SRO: $\leq 10\%$; LIRO: 23%), and no net change whatever, overall, across the three years. (Fig. 4.2.b, Fig. 4.1)

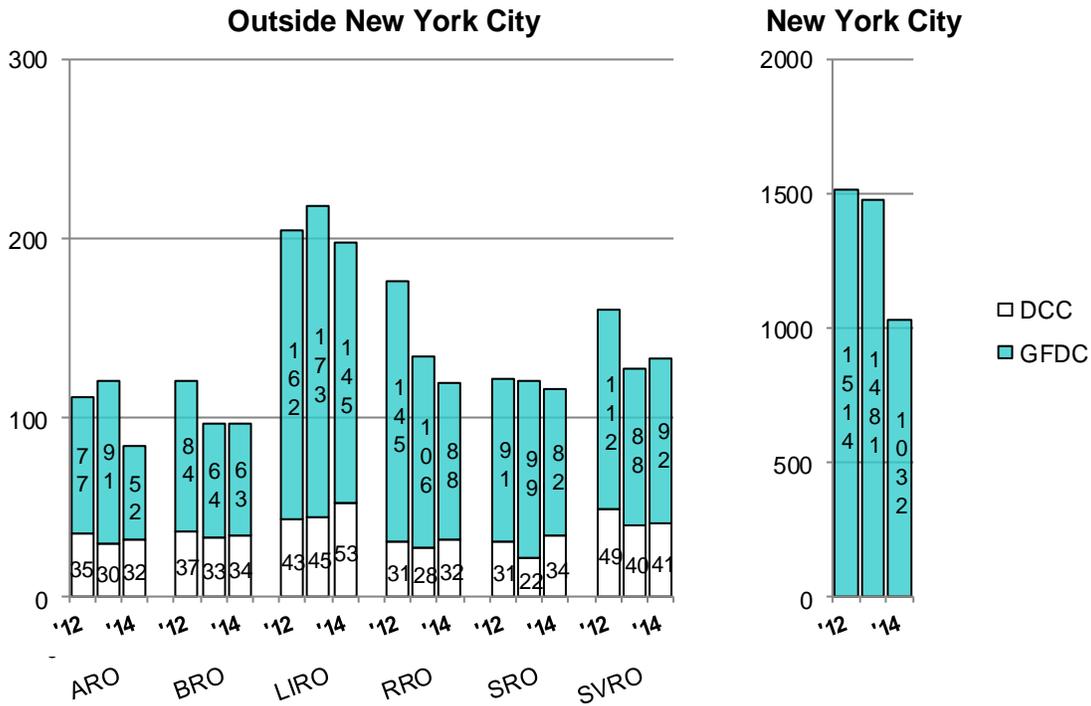
Figures 4.1 (pg. 24) and 4.2.b (pg. 26) display the license application counts (by modality), by major state region and DCCS region, respectively, underlying these trends.

Figure 4.2.a.⁶⁸ Number of Applications for Registration Received, By Region and Modality, for Three Years Beginning April 1: 2012 – 2014



⁶⁸ Excluding a small number of SDCC facilities as documented in *ibid.*

Figure 4.2.b.⁶⁹ Number of Applications for Licensure Received, By Region and Modality, for Three Years Beginning April 1st: 2012 – 2014



2) Timeliness in Processing Applications

- Statewide, the proportion of *registration* applications processed in accord with the six-month standard improved three percent, to 95%, for the year ending March 2015, reversing the prior year's decline (*Fig. 4.3*). Although New York City and the balance of the state as a whole each contributed to the change (*Fig. 4.4*), not all regions outside the City shared in the improvement:
 - New York City showed a one percent improvement for the year ending March 2015, to 98%, after declining to 97% the prior year.
 - The balance of the state, somewhat lower-achieving, showed a two percent improvement, to 91%, for the last year of the period, completely reversing the prior-year decline.
 - Outside of New York City, just two regions showed marked timeliness gains the final year (BRO: +15 percentage points, to 94%; LIRO: +16 points, to 95%), making those regions' performance the primary drivers for the balance-of-state improvement that year.⁷⁰

⁶⁹ Total licensed programs excluding New York City DCC facilities.

⁷⁰ Two other regions outside the City (ARO, SRO) showed moderate but slightly declining timeliness the final year (82%, 86%, respectively) while the remaining two (RRO, SVRO) each posted strong but *unchanged* timeliness that year (94%, 99%, respectively).

Figures 4.3 – 4.4 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:⁷¹

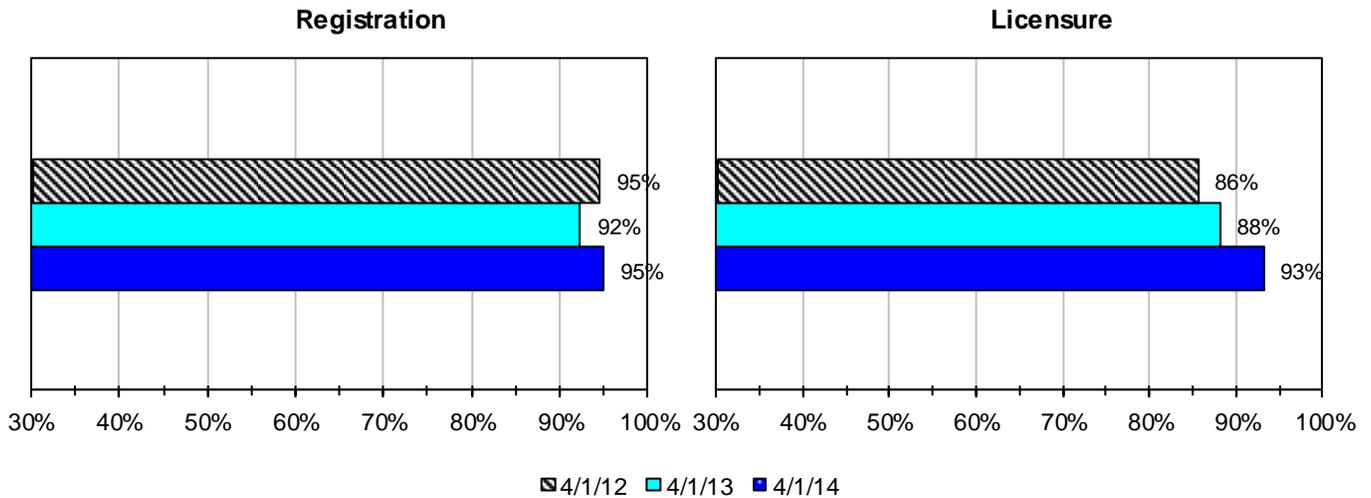
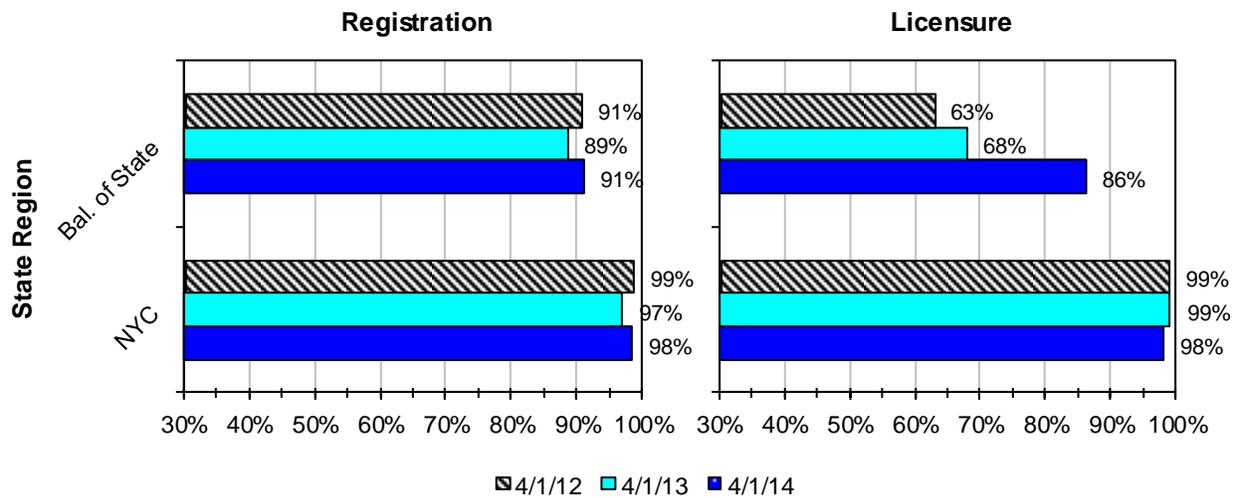


Figure 4.4. Percent of Applications for Registration or Licensure Processed Timely, By Major State Region, For Year Beginning:⁷²



- Statewide, the proportion of *license* applications processed on time during the three years ending March 2015 was anywhere from two to nine percentage points lower than for registrations, but rising, by the end of the triennium (from 86% to 93%: Fig. 4.3). But

⁷¹ Summarizing “State Total” timeliness in Tables 4.3.a – b (beginning next page). Counts as defined in n. 67, pg. 24. As shown in those tables, the statewide numbers of applications summarized for each year/bar displayed for registration are: 2341, 2091 and 1895, respectively, and for licensure, 2411, 2300 and 1780, respectively.

⁷² 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 4.3.a – b (beginning pg. 28) for the numbers of applications per major state region summarized in each year/bar displayed in this Figure.

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 throughout the three years: 99%, falling to 98% the last year.
- The balance of the state showed moderate and then sharply improving timeliness over the three years (rising from 63% to 68% to 86%) – accounting for the statewide gain from 86% to 93% given New York City’s persistently strong performance.
- Significantly, the marked improvement from 68% to 86% outside New York City for the year ending March 2015 coincided with DCCS’s effort to streamline the licensing process under LEAN, in which average licensing times for the first modality targeted for improvement – DCC – fell dramatically from just under six months in 2014 to approximately 80 days by early 2015.
- Outside New York City, both the timing and geographic consistency of performance improvements suggested the Lean campaign responsible, with all six regions showing sharp, simultaneous improvements in timeliness for the year ending March 2015. Four of the six regions (BRO, LIRO, RRO, SVRO) posted one-year gains of 15 percentage points or more, and all six, substantially reduced differences in timeliness in processing registration and licensure applications.

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	2012	1,092	14	1,106	99%
	2013	903	28	931	97%
	2014	971	15	986	98%
Balance of State	2012	1,121	114	1,235	91%
	2013	1,028	132	1,160	89%
	2014	828	81	909	91%
State Total	2012	2,213	128	2,341	95%
	2013	1,931	160	2,091	92%
	2014	1,799	96	1,895	95%

Region	Year Starting April 1,	Number of Applications			Percent of Applications Processed Timely
		Timely	Not Timely	Total	
New York City	2012	1,499	15	1,514	99%
	2013	1,470	11	1,481	99%
	2014	1,013	19	1,032	98%
Balance of State	2012	565	332	897	63%
	2013	557	262	819	68%
	2014	645	103	748	86%
State Total	2012	2,064	347	2,411	86%
	2013	2,027	273	2,300	88%
	2014	1,658	122	1,780	93%

- For the two years preceding April 2014, timeliness in resolving applications also varied by modality, favoring FDC over SACC programs and DCC over GFDC programs (where data on both were available), but such differences diminished sharply for the year ending March 2015 – whether due to reforms under Lean, or other factors:
 - 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 the two years preceding March 2014 (differences of four to six percentage points per year for New York City, or two to eight points per year, elsewhere). For the year ending March 2015, the two areas made large improvements in processing SACC applications on time (gains of five and 12 percentage points, respectively), reducing these disparities to just one point (99% vs. 98%) and four points (94% vs. 90%, favoring SACC), respectively.
 - In handling *license* applications, New York City showed virtually routine timeliness in processing GFDC applications (99%, falling to 98% the third year), compared with far more modest but improving, and then rapidly improving performance both for GFDC programs (rising from 61% to 67% to 84%) and DCC programs (rising from 68% to 71% to 92%) elsewhere in the state for the triennium ending March 2015. For the year ending March 2015, the balance-of-state improvements in processing GFDC and DCC applications on time (gains of 17 and 21 percentage points, respectively) appeared to be further evidence of the benefits of Lean for improving licensing times.

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 4.4.a – 4.4.b (beginning pg. 28), 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:⁷³

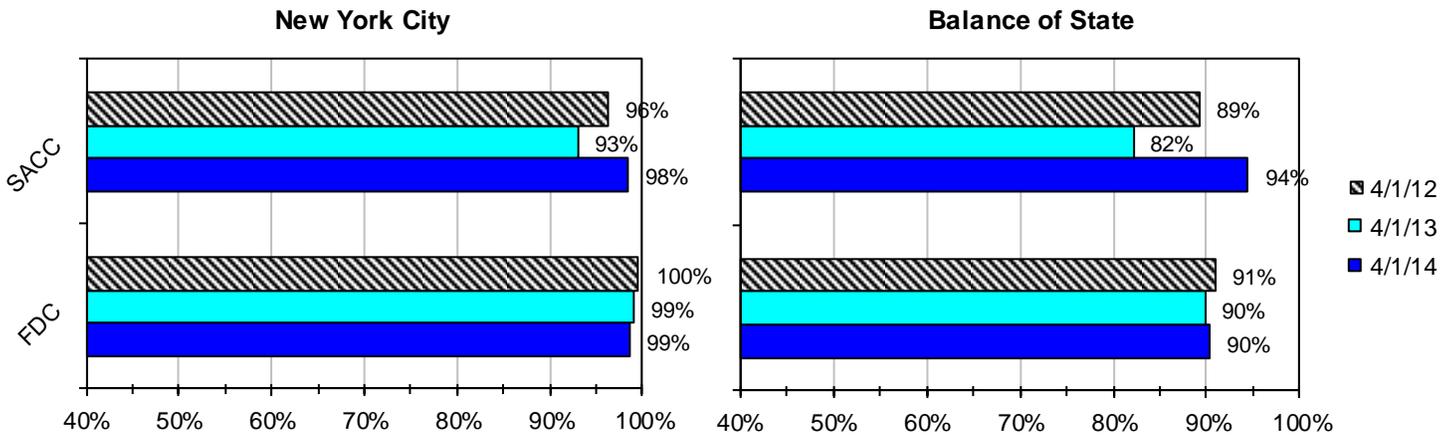
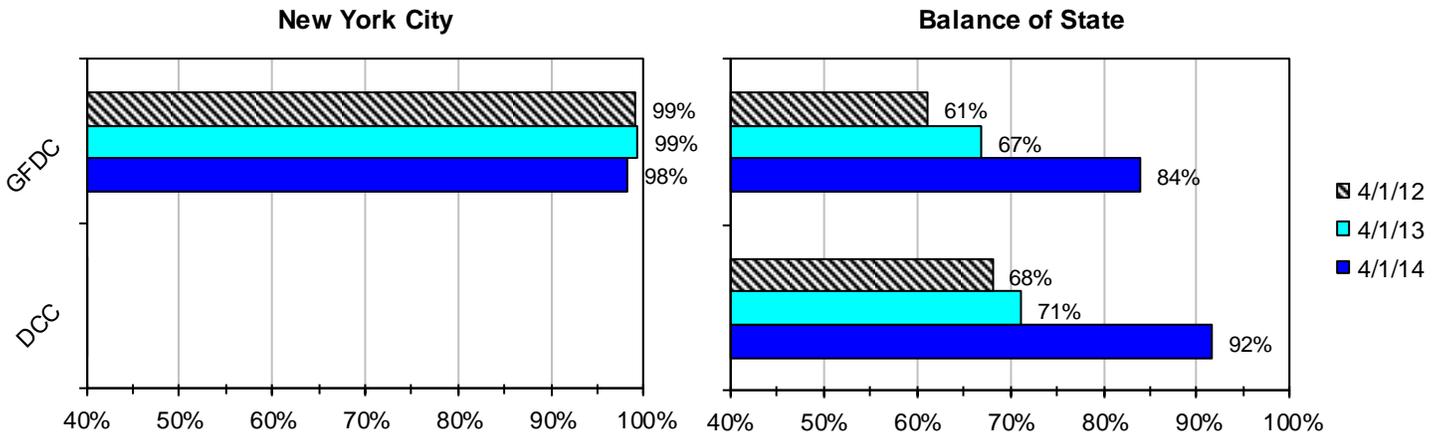


Figure 4.6.b. Percent of Applications for Licensure Processed Timely, By Major Region and Modality of Care, For Year Beginning:⁷⁴



⁷³ Table 4.4.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: 297, 315, 566 (SACC), 809, 616, 420 (FDC); for Balance of State: 158, 185, 163 (SACC), 1073, 973, 737 (FDC).

⁷⁴ See n. 6 (pg. vii) on New York City DCC facilities' omission from this and other Figures and Tables throughout the report. Table 4.4.b (pg. 32) 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: 1514, 1481, 1032 (GFDC); for Balance of State: 671, 621, 522 (GFDC), 226, 198, 226 (DCC).

Table 4.4.a. Number and Timeliness of Processing of Registration Applications (FDC/SACC), By Major State Region, Modality and Year: 4/1/12 - 3/31/15					
Region	Year Starting April 1,	Modality	Number of Applications		Percent of Applications Processed Timely
			Total	Not Timely	
New York City	2012	FDC	809	3	100%
		SACC	297	11	96%
	2013	FDC	616	6	99%
		SACC	315	22	93%
	2014	FDC	420	6	99%
		SACC	566	9	98%
Balance of State	2012	FDC	1,073	97	91%
		SACC	158	17	89%
	2013	FDC	973	99	90%
		SACC	185	33	82%
	2014	FDC	737	71	90%
		SACC	163	9	94%
State Total	2012	FDC	1,882	100	95%
		SACC	455	28	94%
	2013	FDC	1,589	105	93%
		SACC	500	55	89%
	2014	FDC	1,157	77	93%
		SACC	729	18	98%

Region	Year Starting April 1,	Modality	Number of Applications		Percent of Applications Processed Timely
			Total	Not Timely	
New York City	2012	DCC	na	na	na
		GFDC	1,514	15	99%
	2013	DCC	na	na	na
		GFDC	1,481	11	99%
	2014	DCC	na	na	na
		GFDC	1,032	19	98%
Balance of State	2012	DCC	226	72	68%
		GFDC	671	260	61%
	2013	DCC	198	57	71%
		GFDC	621	205	67%
	2014	DCC	226	19	92%
		GFDC	522	84	84%
State Total	2012	DCC	226	72	68%
		GFDC	2,185	275	87%
	2013	DCC	198	57	71%
		GFDC	2,102	216	90%
	2014	DCC	226	19	92%
		GFDC	1,554	103	93%

c) “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.⁷⁶ 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.

- Both major areas of the state exceeded the required number of “50 percent inspections” for the year ending March 2015 as well as for the two preceding years:

⁷⁵ See *ibid.* (note on New York City DCC facilities).

⁷⁶ See Appendix A.3 (pg. 41) for additional details defining these inspections (and other measurements used in the report).

- New York City's "50 percent inspection" goal was met and exceeded by between 42% and more than two times over (+173%), for each of the three years.
- The balance of the state exceeded its goal by between 28% and almost two times over (+92%), for each of the years.

Table 4.5 details the facility counts, inspection goals and inspections-completed data, by major state region, underlying these trends for the period ended March 2015.⁷⁷

Region	Year Starting April 1,	Number Facilities	Number of Inspections			Percent of:	
			Goal	Conducted	With Violations	Goal Achieved	Inspections with Violations
New York City	2012	2,543	1,272	3,476	2,132	273%	61%
	2013	2,866	1,433	3,136	1,900	219%	61%
	2014	3,478	1,739	2,473	1,572	142%	64%
Balance of State	2012	3,206	1,603	3,074	1,243	192%	40%
	2013	3,543	1,772	3,046	1,244	172%	41%
	2014	4,009	2,005	2,574	922	128%	36%
Total	2012	5,749	2,875	6,550	3,375	228%	52%
	2013	6,409	3,205	6,182	3,144	193%	51%
	2014	7,487	3,744	5,047	2,494	135%	49%

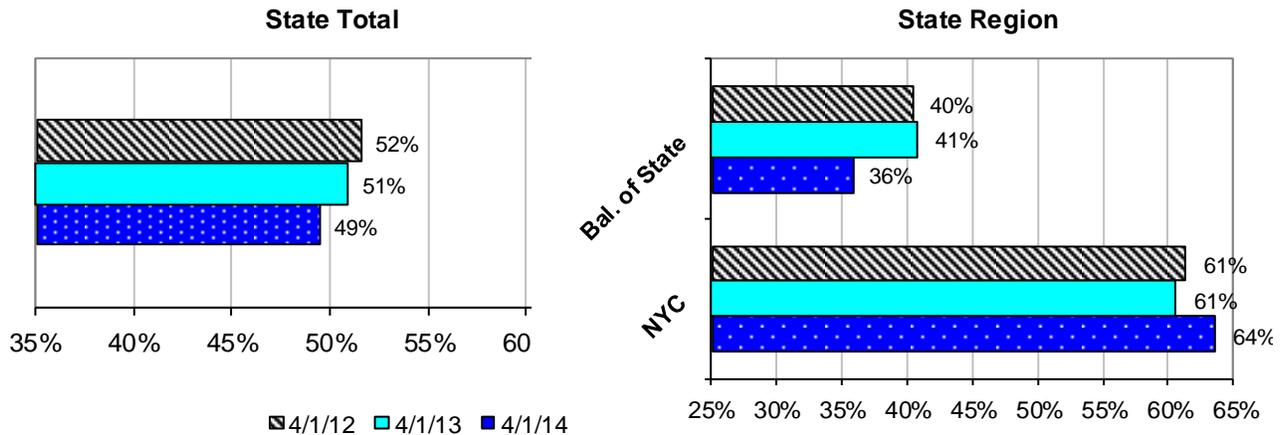
- The proportion of "50 percent inspections" in which violations of applicable regulations were identified, fell slightly, statewide, for the 2014 – 2015 year (from 51 percent to 49 percent) – the third year in a row, after rising continuously since before the 2009 – 2010 year:⁷⁸
 - New York City countered the overall trend for the latest year, with a small increase (not matched elsewhere) from 61 percent to 64 percent.
 - In contrast, last year New York City alone reported fewer such inspections with violations, driving the downward trend by itself.
- The balance-of-state's latest-year decrease (from 41% to 36%) reflected similar declines in violations identified at inspections of FDC programs (from 42% to 36%) and at SACC programs (from 38% to 35%).

⁷⁷ Readers should note the distinction between Table 4.5'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. 8). 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. 26, pg. 6). Appendix A.3 (pg. 41) clarifies the distinctions between the two measures presented.

⁷⁸ Table 4.5, above, details the numbers underlying these results for the year ending March 2015. 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.

Figure 4.7 displays the proportions of inspections involving regulatory violations, by major state region, as referenced, for the period ended March 2015.⁷⁹ 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:⁸⁰



d) Using the Reports, Revisited

In an effort to make New York’s child care licensing process more efficient, two years ago, in March of 2014, OCFS began working with the New York State Director of Lean⁸¹ to identify improvements that could help streamline and abbreviate the process of applying for licenses to do business in our state. By early 2015, near the end of the period examined in the present review, one striking precursor of progress accomplished toward that end had emerged on DCCS’s internal tracking reports: average licensing times achieved for day care center (DCC) providers decreased dramatically, from just under the six-month standard evaluated in this report series, to approximately 80 days. This report is the first in the series to begin to document these improvements – for example, the marked reductions in application processing times seen for licensed providers outside of New York City, in this section. Intriguingly, future reports in the series promise to allow readers to track the continued progress of this initiative, as further changes in performance on application processing relative to that seen in prior reports emerge for different groups of providers (e.g., registered and licensed providers).

Each report in this series has documented 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, the series documents a record of pronounced improvements in regulatory practice.

⁷⁹ See Appendix A.8 (Table 4.8, pg. 58, summarized in Figure 4.8, pg. 59), for additional “50 percent inspection” results by major state region, modality and year.

⁸⁰ Table 4.5, above, shows the numbers of “50% inspections” summarized for each year/bar displayed in Figure 4.7; for New York State: 6550, 6182, 5047; for Balance of State: 3074, 3046, 2574; for NYC: 3476, 3136, 2473.

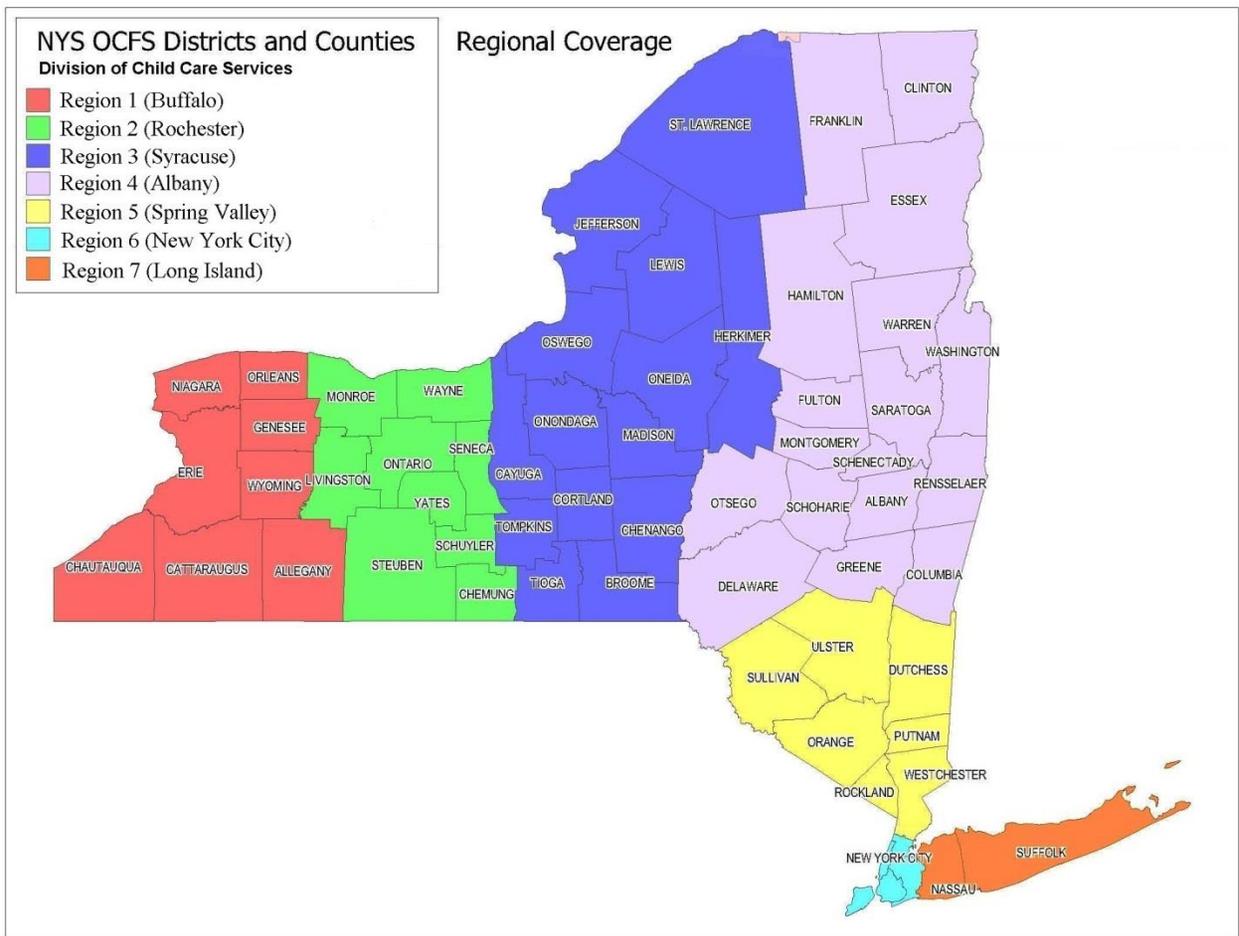
⁸¹ In New York, one part of the Governor’s initiatives to improve efficiency has been to make use of principles from Lean – a popular business methodology for analyzing, enhancing value, and minimizing waste within organizations and processes.

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⁸² 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 Counties⁸³



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	

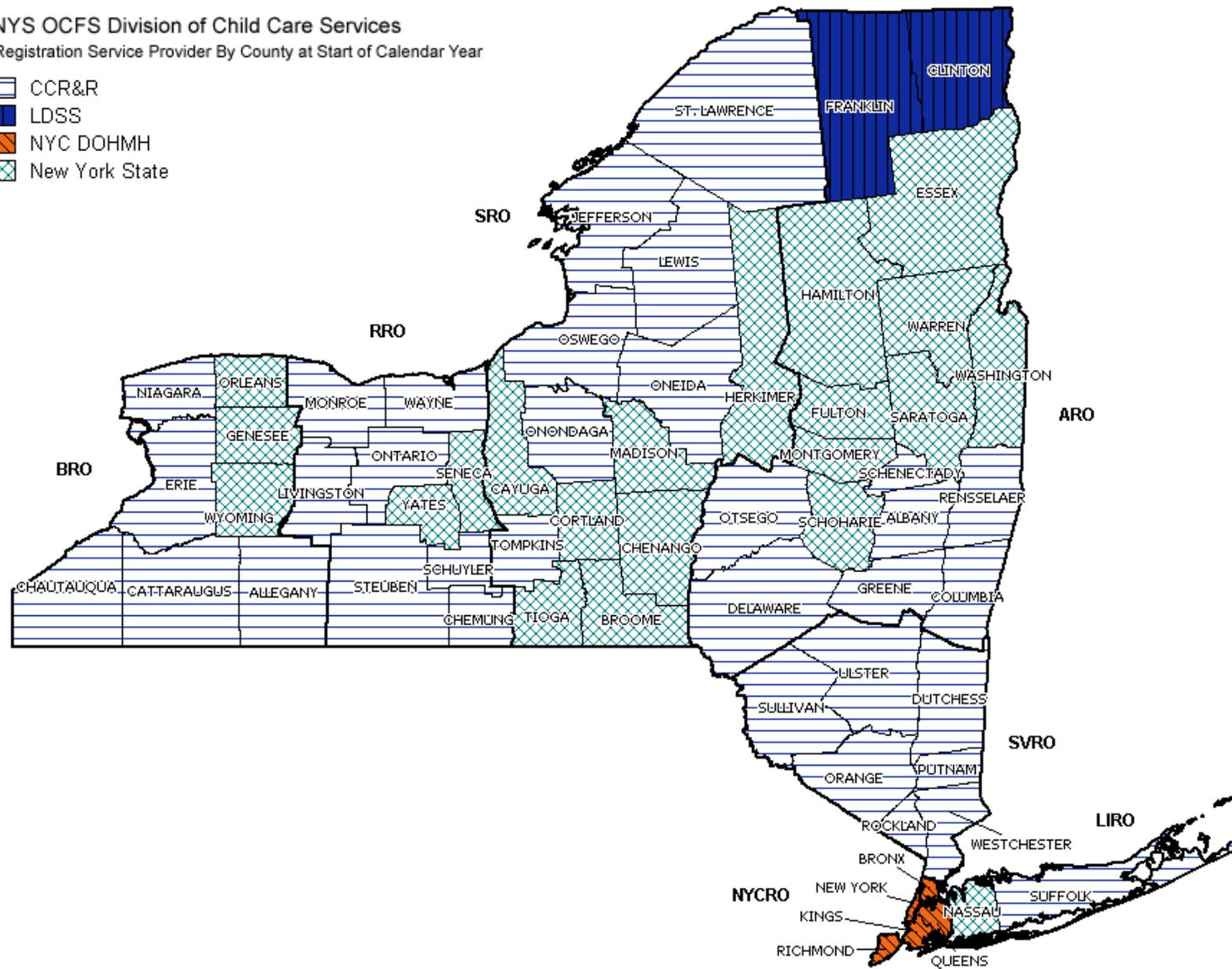
⁸³ Throughout this report, DCCS Regions, which are named for the location of the DCCS regional offices, are often referred to by abbreviation - ARO (Albany Regional Office), BRO (Buffalo ...), LIRO (Long Island ...), NYCRO (New York City ...), RRO (Rochester ...), SVRO (Spring Valley ...) and SRO (Syracuse ...).

Registration Service Provider by County: 2010

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

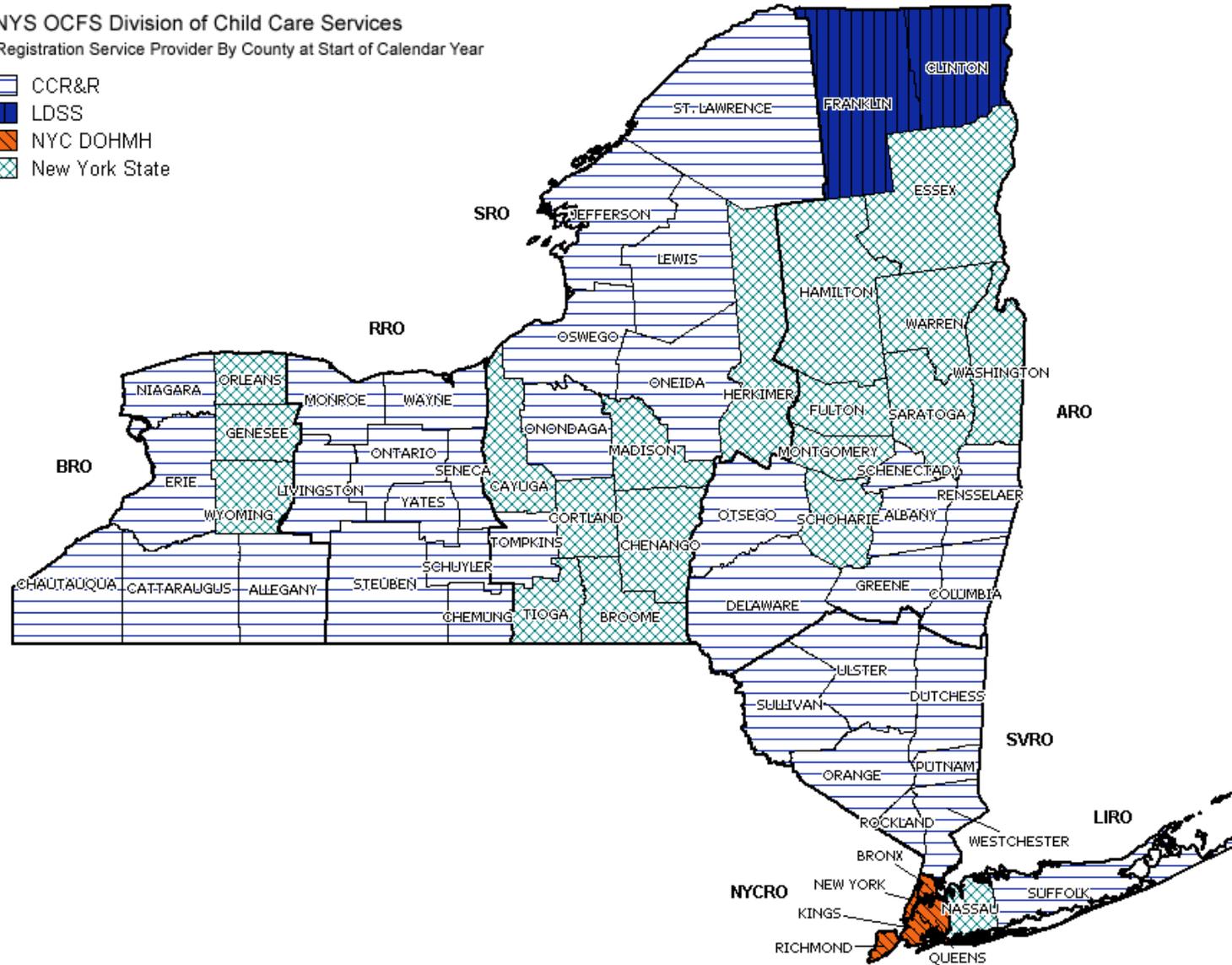


Registration Service Provider by County: 2011 – 2015⁸⁵

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



⁸⁵ 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 **five 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. 11*), 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 (2014 – 2015) 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. 19*).

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*⁸⁶ “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. Orientations and Requests for Applications

For time-periods prior to the May 2014 implementation of the orientation requirement for prospective family-based applications, information on **requests for applications** has been available only in the form of *summary count data* – broken down by month and modality but devoid of individual record-level detail required to tease out other details about the requests made – from a standard CCFS report, *Initial Applications By Year, Month and Modality*. Simple tabulations of application requests such as Table 4.6 (p. 55) rely on this data source.

For the period beginning May 2014, data on application requests was available both from CCFS, as above, and from two other sources – the Professional Development Program (PDP), the orientation contractor for DCCS,⁸⁷ and the state’s Office of Information Technology Services (ITS), which processes PDP’s data before transmitting it to OCFS’s CCFS unit. Since neither CCFS’s standard reports nor the *Cognos* interface for accessing CCFS, as presently implemented, permitted manipulating this data at the individual record-level, however, the data set produced by PDP’s online orientation system offered important advantages for developing additional analyses of orientation activity and application requests used in the review, given the superior level of detail still available for use in PDP’s data, as follows.

For tabulations such as **types of requests per person** or **numbers of providers completing orientations** in Table 4.1 (“... *Application Types Requested Per Person for Prospective Providers ...*,” p. 22), records representing *individual applications* as the unit of analysis were grouped (i.e., aggregated) by type of application (to un-duplicate application types if multiple

⁸⁶ 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).

⁸⁷ See n. 56 (p. 21) on PDP and its role in providing online orientations.

applications of any type were requested)⁸⁸ and prospective provider, or by prospective provider *alone*, to develop the respective counts.

To identify the frequencies of **combination(s) of different types of applications requested** by prospective providers (Table 4.2, "... Application Types Requested, By Type, Associated with Additional Requests, By Type ...," p. 22), similarly, application-level records were simply grouped by provider *while retaining flags* for any application type(s) involved, to permit the desired counts.

IV. "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.⁸⁹ 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 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 4.5, 4.8 [pg. 33, 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. 8, 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.

⁸⁸ See Table 4.1 note (p. 22) explaining that not only multiple types of applications, but more than one of a given type of application, could be requested.

⁸⁹ OCFS, BECS Policy Statement 03-2 (12/5/03), *Registered Child Day Care Programs: 50% Inspection Requirement*.

Figure 2.4.a.⁹⁰ Number of FDC Providers Registered at Any Point During Interval, By Region, For Year Beginning:

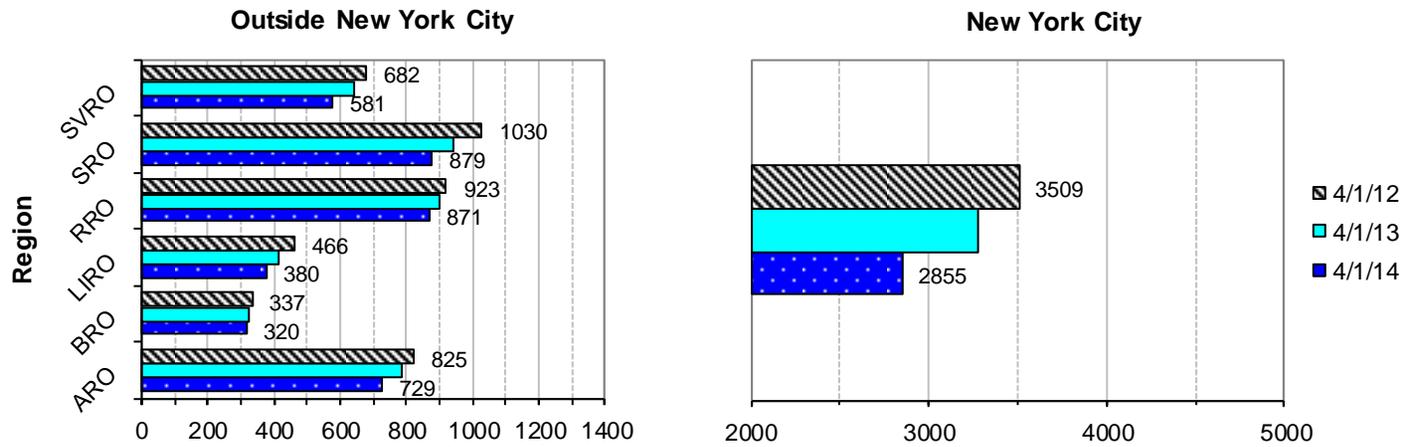
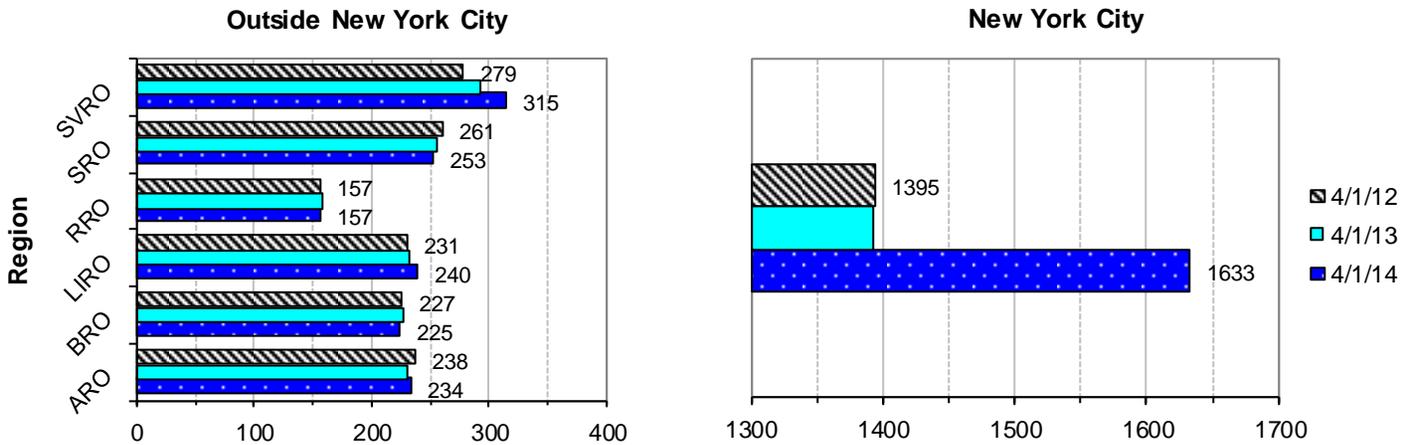


Figure 2.4.b. Number of SACC Providers Registered at Any Point During Interval, By Region, For Year Beginning:



⁹⁰ 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:⁹¹

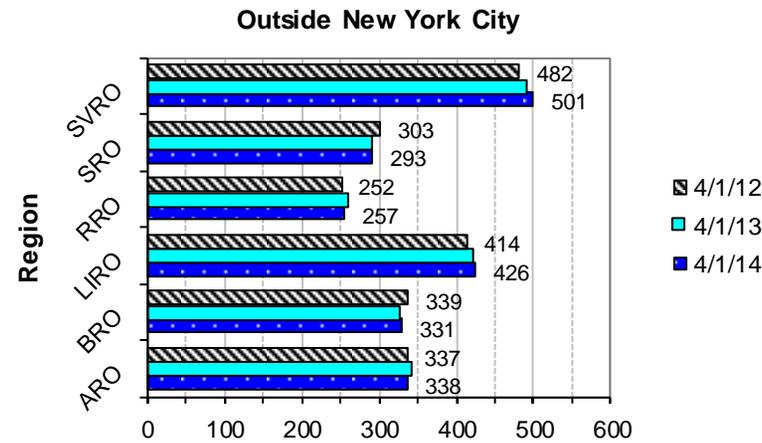
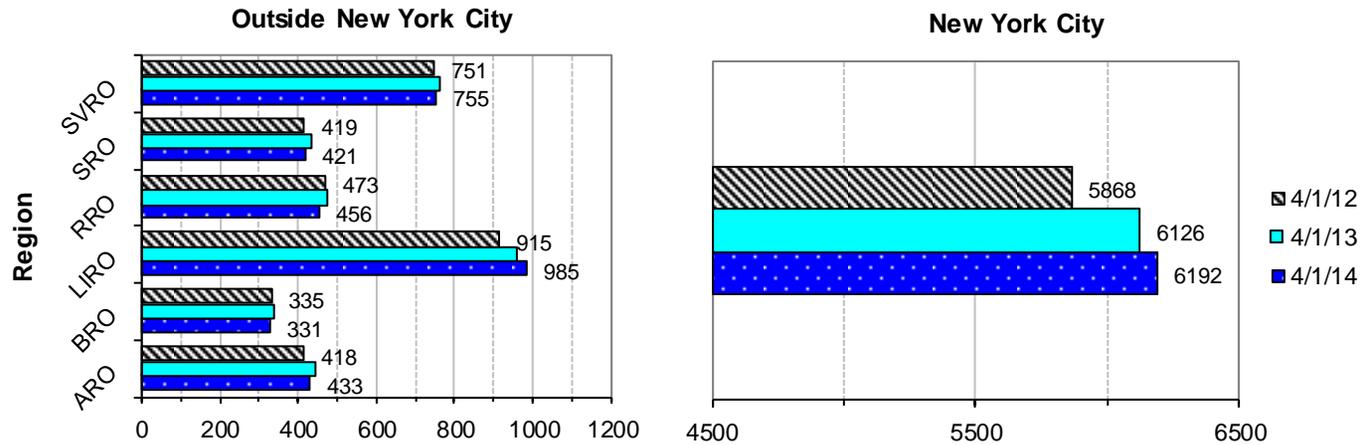


Figure 2.5.b. Number of GFDC Providers Licensed at Any Point During Interval, By Region, For Year Beginning:



⁹¹ Day care centers (DCC) excluding New York City programs; see n. 6 (pg. vii) 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,⁹² By Region and Modality:
As of Any Point, As of the First Day and as of the Last Day, For Three Years, April 1, 2012 - March 31, 2015**

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	2012	825	238	337	418	745	217	317	373	702	213	318	383
	2013	785	230	341	444	702	213	318	383	650	216	315	387
	2014	729	234	338	433	650	216	315	388	588	217	317	377
BRO	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
	2014	320	225	331	331	282	211	305	301	261	198	311	284
LIRO	2012	466	231	414	915	409	218	389	821	373	218	401	850
	2013	412	232	422	957	373	218	401	851	339	224	400	874
	2014	380	240	426	985	339	224	400	873	294	228	404	887
NYCRO	2012	3,509	1,395	na	5,868	3,036	1,264	na	4,975	2,935	1,251	na	5,294
	2013	3,272	1,392	na	6,126	2,938	1,252	na	5,297	2,624	1,234	na	5,525
	2014	2,855	1,633	na	6,192	2,619	1,234	na	5,527	2,215	1,523	na	5,490
RRO	2012	923	157	252	473	804	143	237	422	760	146	241	414
	2013	899	159	261	476	760	146	241	414	753	147	243	418
	2014	871	157	257	456	752	147	243	418	687	136	237	391
SRO	2012	1,030	261	303	419	895	245	281	369	856	240	279	379
	2013	941	256	292	433	856	240	279	379	786	234	273	377
	2014	879	253	293	421	785	234	273	376	724	229	272	362
SVRO	2012	682	279	482	751	582	262	450	667	566	260	466	688
	2013	642	293	490	763	567	260	466	688	529	267	463	683
	2014	581	315	501	755	528	268	463	683	453	269	461	662
Total	2012	7,772	2,788	2,127	9,179	6,777	2,556	1,994	7,923	6,492	2,533	2,010	8,317
	2013	7,278	2,790	2,132	9,536	6,497	2,534	2,010	8,321	5,962	2,532	1,999	8,565
	2014	6,615	3,057	2,146	9,573	5,955	2,534	1,999	8,566	5,222	2,800	2,002	8,453

⁹² Registered "total" counts reported at certain points in this report (e.g., Figures 2.1 - 2.2.a) include n = 4, n = 5 and n = 4 small day care center (SDCC) programs for the 1st year (n = 1, ARO n = 2, RRO n = 1, SRO), 2nd year (n = 2, ARO n = 2, RRO n = 1, SRO) and 3rd year (n = 2, ARO n = 1, 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 3.3. Number of Complaints (FDC/SACC/SDCC/DCC/GFDC) By Seriousness and Region, For Three Years, April 1, 2012 - March 31, 2015 ⁹³								
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				
ARO	2012	58	287	3	348	17%	82%	1%
	2013	41	296	3	340	12%	87%	1%
	2014	49	285	2	336	15%	85%	1%
BRO	2012	30	271	3	304	10%	89%	1%
	2013	24	251	5	280	9%	90%	2%
	2014	13	251	4	268	5%	94%	1%
LIRO	2012	79	312	3	394	20%	79%	1%
	2013	94	300	4	398	24%	75%	1%
	2014	96	307	3	406	24%	76%	1%
NYCRO	2012	7	21	572	600	1%	4%	95%
	2013	10	22	510	542	2%	4%	94%
	2014	16	30	569	615	3%	5%	93%
RRO	2012	92	409	7	508	18%	81%	1%
	2013	67	407	10	484	14%	84%	2%
	2014	52	406	3	461	11%	88%	1%
SRO	2012	88	429	2	519	17%	83%	0%
	2013	107	451	1	559	19%	81%	0%
	2014	107	470	1	578	19%	81%	0%
SVRO	2012	62	308	9	379	16%	81%	2%
	2013	51	316	3	370	14%	85%	1%
	2014	41	384	1	426	10%	90%	0%
Total	2012	416	2,037	599	3,052	14%	67%	20%
	2013	394	2,043	536	2,973	13%	69%	18%
	2014	374	2,133	583	3,090	12%	69%	19%

⁹³ 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: 2012 – 2014⁹⁴

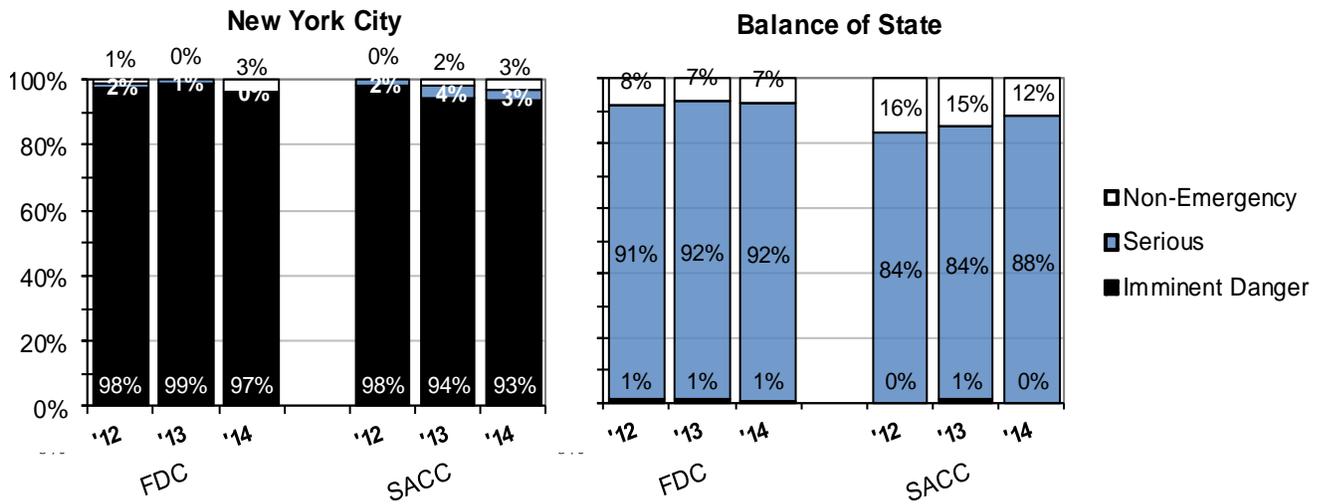
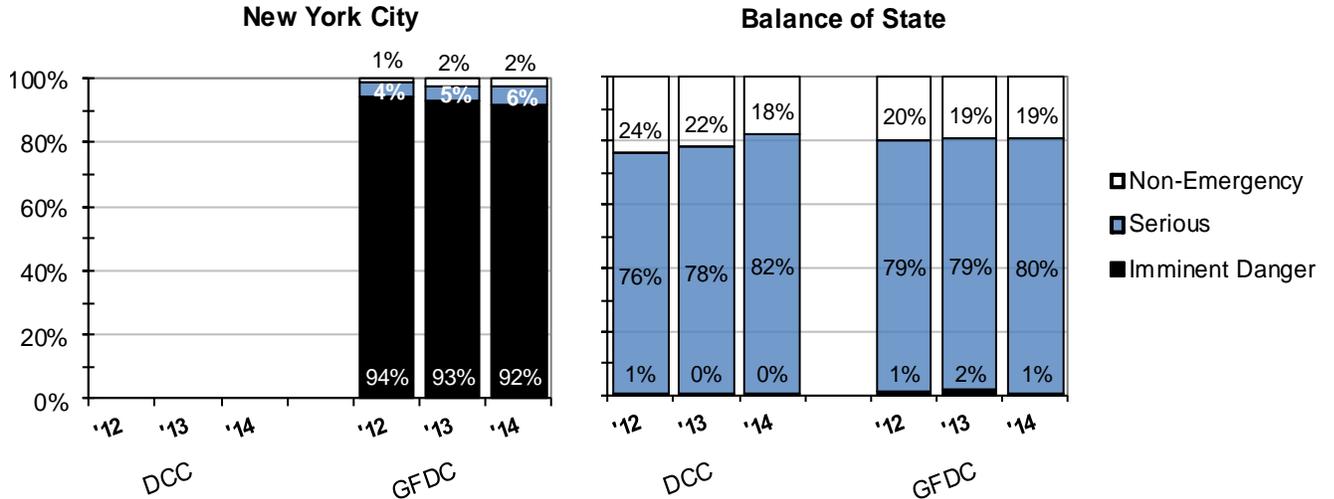


Figure 3.5.b
Percent Distribution of Total Complaints for Licensed Programs, By Seriousness, Modality and Major State Region, for Three Years Beginning April 1: 2012 – 2014⁹⁵



⁹⁴ Based on complaints for registered facilities as described in n. 39 (pg. 12). As shown in Figure 3.1 (left side, pg. 12), the numbers of complaints summarized for each year/bar displayed are, in order: 123, 88 and 89 (for New York City FDC); 50, 54 and 61 (for NYC SACC); 881, 815 and 821 (for Balance of State FDC); and 98, 101 and 120 (for Balance of State SACC), respectively.

⁹⁵ Based on complaints for licensed facilities as described in n. 39 (pg. 12). As shown in Figure 3.1 (right side, pg. 12), the numbers of complaints summarized for each year/bar displayed are, in order: 427, 400 and 465 (for NYC GFDC); 829, 807 and 887 (for Balance of State DCC); and 643, 708 and 646 (for Balance of State GFDC), respectively.

Figure 3.6. Percent Distribution of Non-Emergency Complaints By Disposition, For Major State Regions, for Year Beginning:⁹⁶

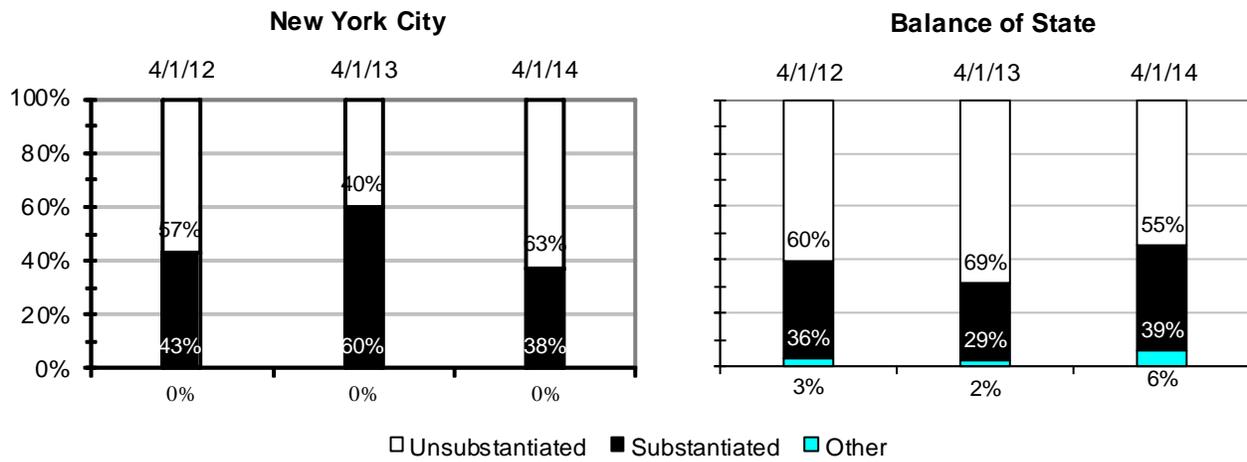
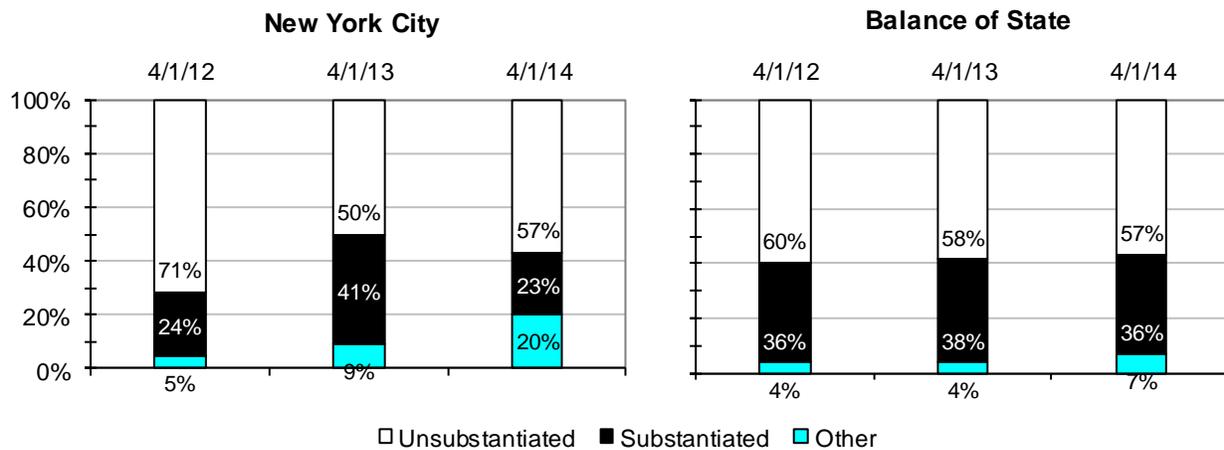


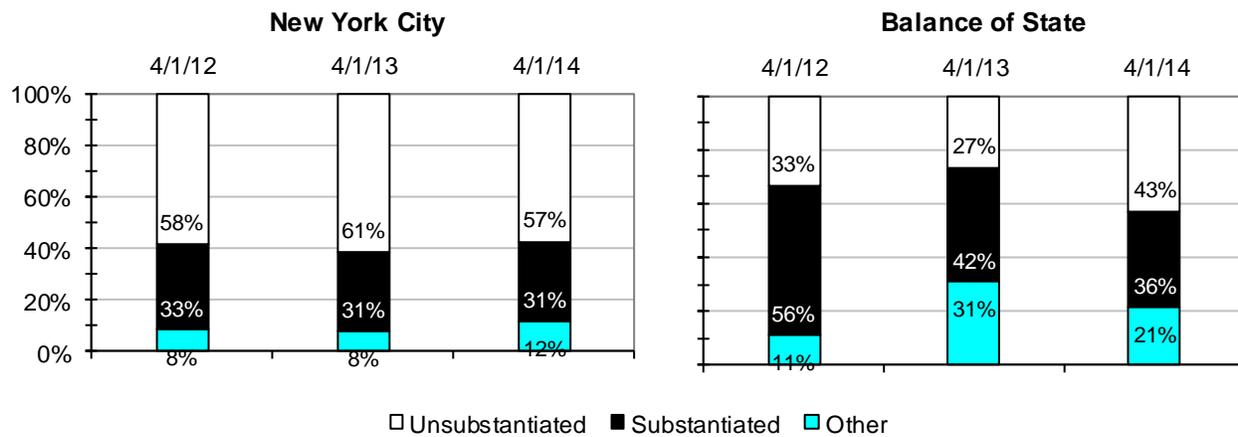
Figure 3.7. Percent Distribution of Serious Complaints By Disposition, For Major State Regions, for Year Beginning:⁹⁷



⁹⁶ As shown in Table 3.1 (pg. 16, 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: 7, 10, 16, 409, 384 and 358, respectively.

⁹⁷ Similarly, as shown in Table 3.1 (pg. 16, data col. 2), the numbers of serious complaints represented for each bar in this Figure are: 21, 22, 30, 2016, 2021 and 2103, respectively.

Figure 3.8. Percent Distribution of Imminent Danger Complaints By Disposition, For Major State Regions, for Year Beginning:⁹⁸



⁹⁸As shown in Table 3.1 (pg. 16, data col. 3), the numbers of imminent danger complaints represented for each bar in this Figure for New York City and the balance of the state are: 572, 510, 569, 27, 26 and 14, respectively.

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	2012	173	0	11	100%	94%	4,904	4
	2013	142	0	12	100%	92%	4,664	3
	2014	150	1	11	99%	93%	4,488	3
Balance of State	2012	980	28	105	97%	89%	5,660	17
	2013	916	19	87	98%	91%	5,409	17
	2014	942	26	99	97%	89%	5,188	18
Total	2012	1,153	28	116	98%	90%	10,564	11
	2013	1,058	19	99	98%	91%	10,073	11
	2014	1,092	27	110	98%	90%	9,676	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.

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	2012	427	3	40	99%	91%	5,868	7
	2013	400	5	34	99%	92%	6,126	7
	2014	465	3	27	99%	94%	6,192	8
Balance of State	2012	1,472	104	232	93%	84%	5,438	27
	2013	1,515	94	234	94%	85%	5,542	27
	2014	1,533	155	266	90%	83%	5,528	28
Total	2012	1,899	107	272	94%	86%	11,306	17
	2013	1,915	99	268	95%	86%	11,668	16
	2014	1,998	158	293	92%	85%	11,720	17

^{**} 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:⁹⁹

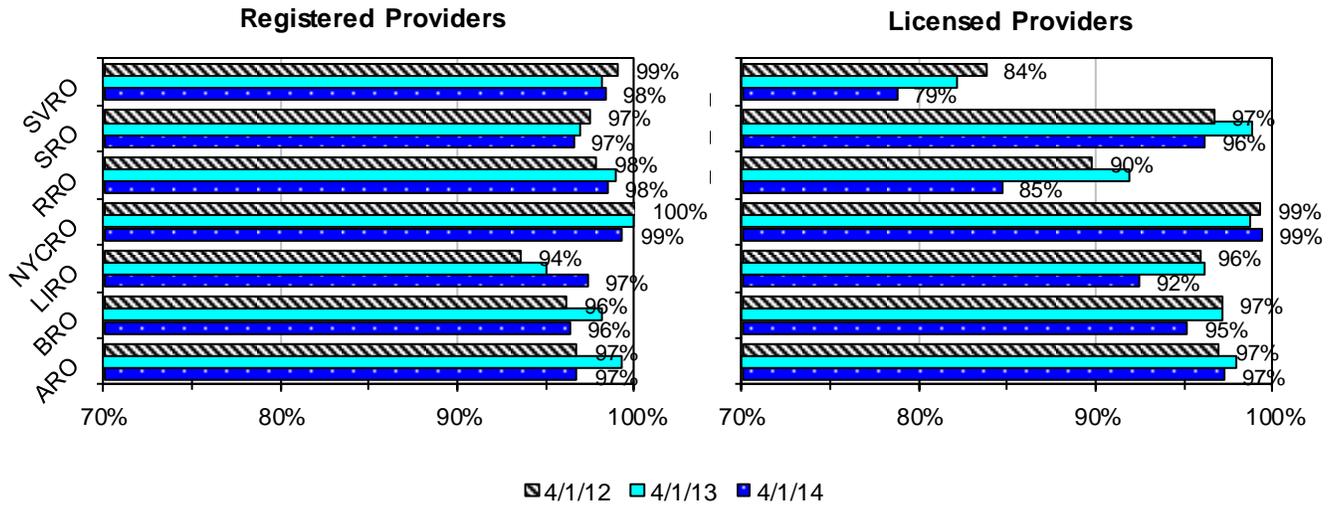
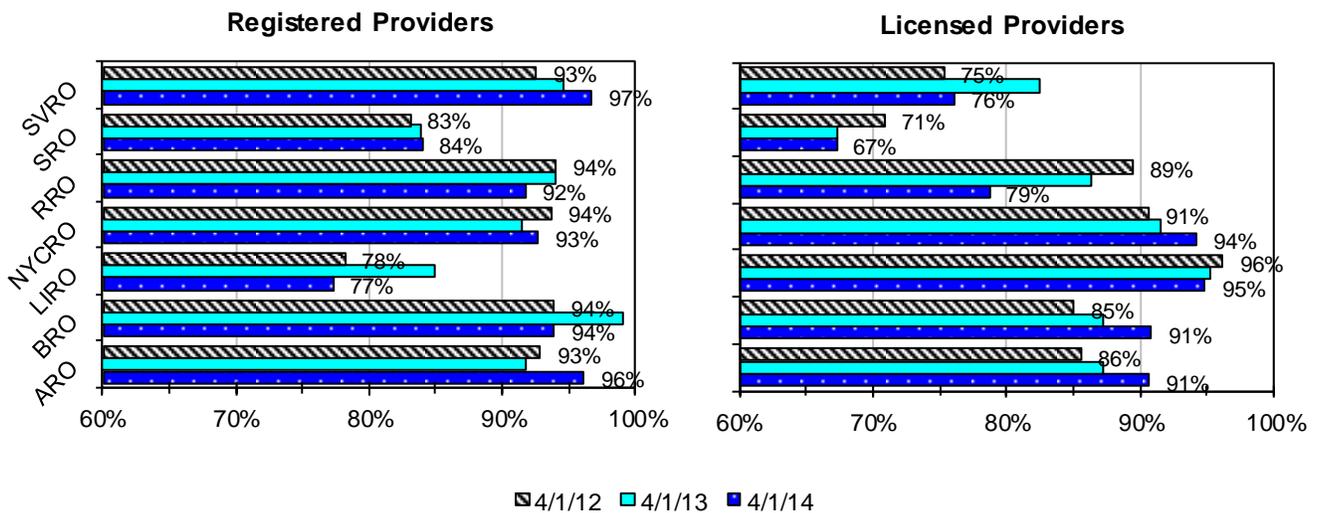


Figure 3.10.b. Percent of Investigations with Timely Determinations/Closures for Registered and Licensed Providers, By Region, For Year Beginning:



⁹⁹ 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 - 318 complaints annually were involved per DCCS region for both left-hand Figures (registered programs), compared with anywhere from 173 - 465 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, 2012 - March 31, 2015 ¹⁰⁰								
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	2012	154	5	11	97%	93%	1,064	14
	2013	145	1	12	99%	92%	1,017	14
	2014	154	5	6	97%	96%	965	16
BRO	2012	130	5	8	96%	94%	564	23
	2013	107	2	1	98%	99%	555	19
	2014	82	3	5	96%	94%	545	15
LIRO	2012	78	5	17	94%	78%	697	11
	2013	60	3	9	95%	85%	644	9
	2014	75	2	17	97%	77%	620	12
NYCRO	2012	173	0	11	100%	94%	4,904	4
	2013	142	0	12	100%	92%	4,664	3
	2014	150	1	11	99%	93%	4,488	3
RRO	2012	233	5	14	98%	94%	1,082	22
	2013	199	2	12	99%	94%	1,060	19
	2014	193	3	16	98%	92%	1,029	19
SRO	2012	278	7	47	97%	83%	1,292	22
	2013	293	9	47	97%	84%	1,198	24
	2014	318	11	51	97%	84%	1,133	28
SVRO	2012	107	1	8	99%	93%	961	11
	2013	112	2	6	98%	95%	935	12
	2014	120	2	4	98%	97%	896	13
Total	2012	1,153	28	116	98%	90%	10,564	11
	2013	1,058	19	99	98%	91%	10,073	11
	2014	1,092	27	110	98%	90%	9,676	11

¹⁰⁰ 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, 2012 - March 31, 2015¹⁰¹

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	2012	194	6	28	97%	86%	755	26
	2013	195	4	25	98%	87%	785	25
	2014	182	5	17	97%	91%	771	24
BRO	2012	174	5	26	97%	85%	674	26
	2013	173	5	22	97%	87%	663	26
	2014	186	9	17	95%	91%	662	28
LIRO	2012	316	13	12	96%	96%	1,329	24
	2013	338	13	16	96%	95%	1,379	25
	2014	331	25	17	92%	95%	1,411	23
NYCRO	2012	427	3	40	99%	91%	5,868	7
	2013	400	5	34	99%	92%	6,126	7
	2014	465	3	27	99%	94%	6,192	8
RRO	2012	275	28	29	90%	89%	725	38
	2013	285	23	39	92%	86%	737	39
	2014	268	41	57	85%	79%	714	38
SRO	2012	241	8	70	97%	71%	722	33
	2013	266	3	87	99%	67%	725	37
	2014	260	10	85	96%	67%	714	36
SVRO	2012	272	44	67	84%	75%	1,233	22
	2013	258	46	45	82%	83%	1,253	21
	2014	306	65	73	79%	76%	1,256	24
Total	2012	1,899	107	272	94%	86%	11,306	17
	2013	1,915	99	268	95%	86%	11,668	16
	2014	1,998	158	293	92%	85%	11,720	17

¹⁰¹ 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).

Table 4.6. Number of Applications for Registration or Licensure Requested, By Month of Request and Modality, for Three Years: April 1, 2012 – March 31, 2015* (Date Orientation Requirement Implemented [for family provider requests] in red)						
Month of Request	Modality					Total
	DCC	FDC	GFDC	SACC	SDCC	
2012-Apr	55	1010	626	82	0	1,773
2012-May	76	916	723	134	2	1,851
2012-Jun	64	838	622	103	3	1,630
2012-Jul	58	993	709	138	3	1,901
2012-Aug	71	1027	743	161	0	2,002
2012-Sep	56	949	681	119	3	1,808
2012-Oct	46	842	593	113	1	1,595
2012-Nov	59	624	435	82	0	1,200
2012-Dec	48	543	451	93	1	1,136
2013-Jan	53	946	684	129	4	1,816
2013-Feb	65	647	520	117	0	1,349
2013-Mar	67	692	602	90	2	1,453
2013-Apr	76	793	651	106	2	1,628
2013-May	79	826	664	103	2	1,674
2013-Jun	63	663	557	133	1	1,417
2013-Jul	60	795	621	132	0	1,608
2013-Aug	82	804	651	127	2	1,666
2013-Sep	61	762	616	118	2	1,559
2013-Oct	56	784	639	146	1	1,626
2013-Nov	48	559	491	127	0	1,225
2013-Dec	37	484	418	60	1	1,000
2014-Jan	42	652	577	92	0	1,363
2014-Feb	65	536	461	73	0	1,135
2014-Mar	59	621	635	82	1	1,398
2014-Apr	64	683	557	85	0	1,389
2014-May	56	327	314	95	14	806
2014-Jun	50	381	308	430	17	1,186
2014-Jul	69	399	417	109	22	1,016
2014-Aug	59	424	347	87	15	932
2014-Sep	57	435	384	86	10	972
2014-Oct	45	463	388	103	18	1,017
2014-Nov	34	304	274	63	14	689
2014-Dec	25	268	247	77	11	628
2015-Jan	38	363	333	139	20	893
2015-Feb	45	306	332	67	13	763
2015-Mar	63	375	417	97	14	966
Total	2,051	23,034	18,688	4,098	199	48,070

* From *Initial Applications By Year, Month and Modality* (CCFS report run September 9, 2015). Reflects applications requested by prospective providers, not those received by DCCS and largely focused on in this report (e.g., timeliness results). See n. 64 (p. 23) for comparison.

Figure 4.5.¹⁰² Percent of Applications for Registration or Licensure Processed Timely, By Region, For Year Beginning:

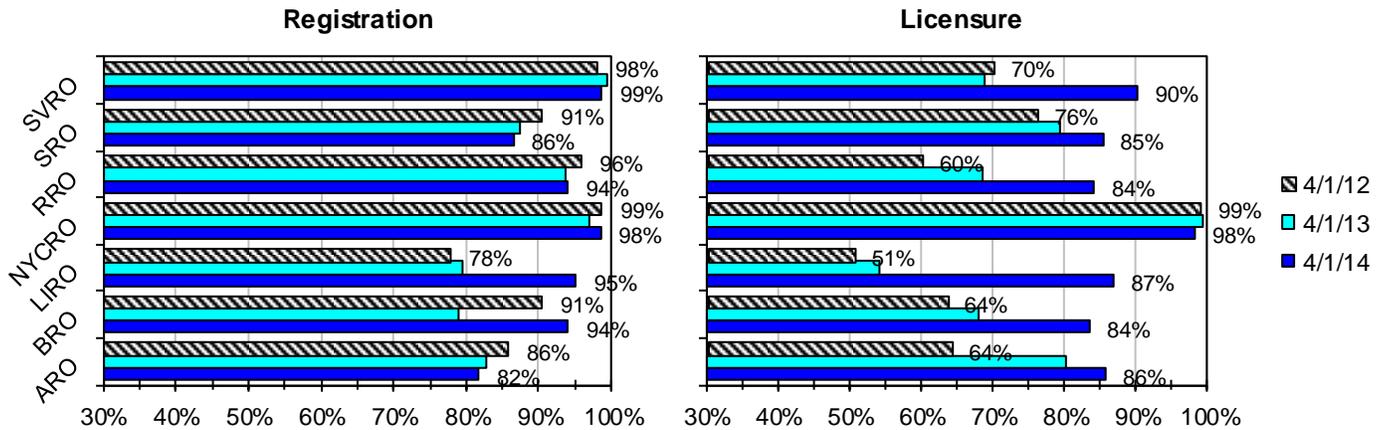


Table 4.7.a. Number and Timeliness of Processing of Registration Applications (FDC/SACC/SDCC), By Region, For Three Years, 4/1/12 – 3/31/15¹⁰³

Region	Year Starting April 1,	Number of Applications			Percent of Applications Processed Timely
		Timely	Not Timely	Total	
ARO	2012	194	32	226	86%
	2013	140	29	169	83%
	2014	121	27	148	82%
BRO	2012	105	11	116	91%
	2013	109	29	138	79%
	2014	95	6	101	94%
LIRO	2012	106	30	136	78%
	2013	93	24	117	79%
	2014	97	5	102	95%
NYCRO	2012	1,092	14	1,106	99%
	2013	903	28	931	97%
	2014	971	15	986	98%
RRO	2012	280	12	292	96%
	2013	277	19	296	94%
	2014	172	11	183	94%
SRO	2012	239	25	264	91%
	2013	211	30	241	88%
	2014	192	30	222	86%

¹⁰² Registration and license application counts as defined in n. 67, pg. 24. Tables 4.7.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.

¹⁰³ 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 = 2 and n = 9 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. 67, pg. 24, in body of report. [For 2012: n = 2, ARO, = 1, LIRO, = 1, RRO; for 2013: n = 1, RRO, n = 1, SVRO; for 2014: n = 2, ARO, n = 2, LIRO, n = 1, RRO, n = 4, SRO].

Table 4.7.a. Number and Timeliness of Processing of Registration Applications (FDC/SACC/SDCC), By Region, For Three Years, 4/1/12 – 3/31/15 ¹⁰³					
Region	Year Starting April 1,	Number of Applications			Percent of Applications Processed Timely
		Timely	Not Timely	Total	
SVRO	2012	197	4	201	98%
	2013	198	1	199	99%
	2014	151	2	153	99%
Total	2012	2,213	128	2,341	95%
	2013	1,931	160	2,091	92%
	2014	1,799	96	1,895	95%

Table 4.7.b. Number and Timeliness of Processing of Licensing Applications (DCC/GFDC), By Region, For Three Years, 4/1/12 - 3/31/15 ¹⁰⁴					
Region	Year Starting April 1,	Number of Applications			Percent of Applications Processed Timely
		Timely	Not Timely	Total	
ARO	2012	72	40	112	64%
	2013	97	24	121	80%
	2014	72	12	84	86%
BRO	2012	77	44	121	64%
	2013	66	31	97	68%
	2014	81	16	97	84%
LIRO	2012	104	101	205	51%
	2013	118	100	218	54%
	2014	172	26	198	87%
NYCRO	2012	1,499	15	1,514	99%
	2013	1,470	11	1,481	99%
	2014	1,013	19	1,032	98%
RRO	2012	106	70	176	60%
	2013	92	42	134	69%
	2014	101	19	120	84%
SRO	2012	93	29	122	76%
	2013	96	25	121	79%
	2014	99	17	116	85%
SVRO	2012	113	48	161	70%
	2013	88	40	128	69%
	2014	120	13	133	90%
Total	2012	2,064	347	2,411	86%
	2013	2,027	273	2,300	88%
	2014	1,658	122	1,780	93%

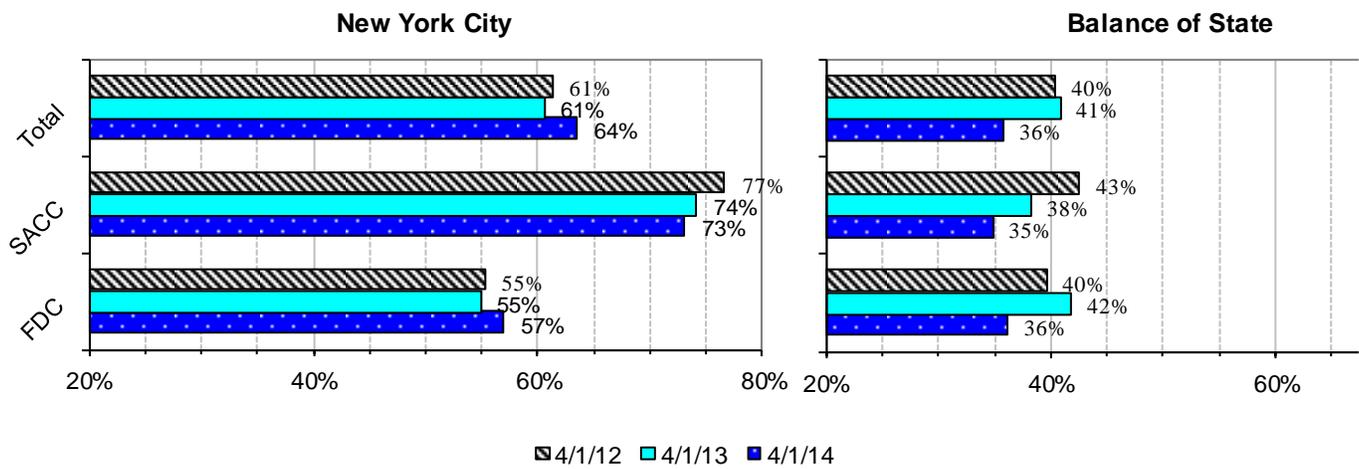
¹⁰⁴ License applications except for New York City DCC programs; see n. 6 (pg. vii) on the omission of New York City DCC facilities' data from this and other Tables.

Table 4.8. “50 Percent Inspections,” By Major State Region, Modality and Year:¹⁰⁵

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	2012	1,568	784	2,500	1,383	319%	55%
		2013	1,781	891	2,213	1,215	249%	55%
		2014	2,003	1,002	1,474	841	147%	57%
	SACC	2012	975	488	976	749	200%	77%
		2013	1,085	543	923	685	170%	74%
		2014	1,475	738	999	731	135%	73%
	Total	2012	2,543	1,272	3,476	2,132	273%	61%
		2013	2,866	1,433	3,136	1,900	219%	61%
		2014	3,478	1,739	2,473	1,572	142%	64%
Balance of State	FDC	2012	2,171	1,086	2,267	899	209%	40%
		2013	2,425	1,213	2,202	921	182%	42%
		2014	2,772	1,386	1,777	644	128%	36%
	SACC	2012	1,035	518	807	344	156%	43%
		2013	1,118	559	844	323	151%	38%
		2014	1,237	619	797	278	129%	35%
	Total	2012	3,206	1,603	3,074	1,243	192%	40%
		2013	3,543	1,772	3,046	1,244	172%	41%
		2014	4,009	2,005	2,574	922	128%	36%
State Total	FDC	2012	3,739	1,870	4,767	2,282	255%	48%
		2013	4,206	2,103	4,415	2,136	210%	48%
		2014	4,775	2,388	3,251	1,485	136%	46%
	SACC	2012	2,010	1,005	1,783	1,093	177%	61%
		2013	2,203	1,102	1,767	1,008	160%	57%
		2014	2,712	1,356	1,796	1,009	132%	56%
	Total	2012	5,749	2,875	6,550	3,375	228%	52%
		2013	6,409	3,205	6,182	3,144	193%	51%
		2014	7,487	3,744	5,047	2,494	135%	49%

¹⁰⁵ See n. 77 (pg. 33) 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:¹⁰⁶



¹⁰⁶ Table 4.8 (preceding page) documents the numbers of "50 inspections" summarized for each year/bar displayed in Figure; for New York City: 3476, 3136, 2473 (Total), 2500, 2213, 1474 (FDC), 976, 923, 999 (SACC); for Balance of State: 3074, 3046, 2574 (Total), 2267, 2202, 1777 (FDC), 807, 844, 797 (SACC).