

CHILD CARE RESOURCE AND REFERRAL AGENCY

COMPLAINT/REFERRAL POLICY

1. **Removal and Reinstatement of Providers from CCRR Referral List--** Providers will be flagged and removed from CCRR referral listings when any of the following three compliance issues arise: an enforcement action, a serious regulatory violation (see attached criteria), or an allegation of abuse or maltreatment of a child in a day care setting.
 - a. **Enforcement Actions--**Providers will be flagged by the Department for removal from the referral list at the point that a formal decision has been made by the Department to revoke or suspend their license or registration (i.e., issuance of the notice of suspension or revocation).
 - b. **Serious Violations--**Once a violation has been substantiated and has been determined to be serious, the provider will be flagged. After a violation has been documented, the inspector sends the provider a corrective action plan specifying the time frame for correction. In the case of violations determined to be serious (per the attached criteria), the provider will be removed from the referral list until each serious violation has been corrected. In general, CCRRs will be notified every two weeks by the regional offices of providers who have been flagged and those whose flags should be removed and restored to the CCRR referral listing. In counties where there is a contract for registration, the registrar will notify the CCRR simultaneously to notifying the regional office of a serious, substantiated violation and of correction of these violations.
 - c. **CPS Allegations--**In the case of all CPS allegations, the provider will be removed from the referral list upon receipt of the allegation. CPS allegations are the only circumstance in which an allegation rather than a substantiated violation would trigger removal from the referral list. Providers will be restored to the referral list as soon as the regional office has verified that a plan is in place to ensure the safety of the children in the program from the alleged perpetrator(s).
2. **Complaint Investigation Timeframes--**Regional Office policy is to initiate the investigation of any complaint allegation involving potential imminent danger to children within 24 hours, any serious complaint allegation within 5 days, and all other complaint allegations within 15 days. Registration contractors with the responsibility for complaint inspection are expected to adhere to these time frames as well. For complaint allegations that do not involve CPS, providers will remain on the referral list until a licensor has initiated the investigation and established that serious violations are present.

3. **Response to Parent Inquiries by CCRR**—Generally, when a CCRR provides a parent with the names of programs for referral, the CCRR will let the parent know that if the parent wants more information regarding those programs' complaint or violation histories, the parent must contact the regional office. The exception to this general rule applies when a registration contractor is responsible for conducting inspections of that family day care provider. In those instances, the CCRR will refer the parent to the registrar for more information on the complaint or violation history. If the parent should inquire regarding a program that has been removed from the referral list in accordance with this policy, the CCRR will indicate that it does not currently have any information regarding that program's status and refer the parent to the regional office or registrar for additional information. CCRRs will not provide information on a program's compliance history to parents. They will not remove programs from their referral lists unless they have been instructed by the regional office or registration contractor to do so.
4. **Flow of Information**—CCRRs will be notified immediately to remove programs on which there is a CPS allegation or a decision to take an enforcement action. In the case of a CPS allegation, providers will be restored to the referral list as soon as the regional office has verified that a plan is in place to ensure the safety of the children in the program from the alleged perpetrator(s). Otherwise CCRRs will be notified to remove or restore providers from their referral lists through a biweekly transmittal from regional offices and registration contractors. (Registration contractors may opt to provide more frequent updates if there is no undue administrative burden in doing so.)

CRITERIA FOR SERIOUS VIOLATION

Serious violation means a circumstance or behavior which places a child at risk of significant or substantial injury or harm. Serious circumstances or behaviors may include, but are not limited to, the following:

- o Leaving children alone;
- o Lack of supervision or inadequate supervision;
- o Excessive numbers of children;
- o Use of corporal punishment;
- o Isolation of children;
- o Fire and/or safety hazards;
- o Lack of response, inappropriate response, or inadequate response by a provider to a child's medical, health, or nutritional needs, or
- o A pattern of repeated regulatory violations or other circumstances or behaviors not mentioned above that place a child at risk of significant injury or harm.

BUREAU OF EARLY CHILDHOOD SERVICES

REGIONAL OFFICES

BUFFALO REGIONAL OFFICE Chautauqua, Cattaraugus, Allegany, Erie,
Wyoming, Genesee, Niagara and Orleans Counties

Carolyn Huffman, Regional Day Care Manager
NYS Dept. of Social Services
295 Main Street 8th floor
838 Ellicott Square Building
Buffalo, New York 14203
(716) 847-3828; Userid AX9150

ROCHESTER REGIONAL OFFICE Monroe, Wayne, Livingston, Ontario, Yates,
Seneca, Schuyler, Steuben and Chemung Counties

Ella Renckert, Regional Day Care Manager
NYS Dept. of Social Services
259 Monroe Avenue, 3rd floor
Monroe Square
Rochester, New York 14607
(716) 238-8531; Userid AY6740

SYRACUSE REGIONAL OFFICE Tioga, Broome, Chenango, Cortland, Tompkins,
Cayuga, Onondaga, Madison, Herkimer, Oneida,
Oswego, Lewis, Jefferson and St. Lawrence
Counties

Carol Russ, Licensing Supervisor
NYS Dept. of Social Services
351 South Warren Street, 5th floor
Syracuse, New York 13202
(315) 423-1204; Userid AY7770

ALBANY REGIONAL OFFICE Delaware, Greene, Columbia, Rensselaer, Albany,
Schoharie, Otsego, Schenectady, Montgomery,
Saratoga, Fulton, Washington, Warren, Hamilton,
Essex, Franklin and Clinton Counties

Mabel Leon, Regional Day Care Manager
NYS Dept. of Social Services
40 North Pearl Street (3 City Square)
Albany, New York 12243
(518) 432-2763; Userid AW1040

YONKERS REGIONAL OFFICE Sullivan, Ulster, Dutchess, Orange, Putnam,
Rockland and Westchester Counties

Frances Pena, Regional Day Care Manager
NYS Dept. of Social Services
525 Nepperhan Avenue - Room 205
Yonkers, New York 10703
(914) 376-8810; Userid AW1890

HEMPSTEAD REGIONAL OFFICE Nassau and Suffolk Counties

Aurora Farrington, Regional Day Care Manager
NYS Dept. of Social Services
175 Fulton Avenue - Suite 502
Hempstead, New York 11550
(516) 564-4980; Userid AW3830

METROPOLITAN REGIONAL OFFICE the five boroughs of New York City

Judith Rollins, Regional Day Care Manager
NYS Dept. of Social Services
80 Maiden Lane, 5th floor
New York, New York 10038
(212) 383-1825; Userid AY7400