

CHILD CARE RESOURCES COMPLAINT AND PROVIDER REFERRAL POLICY

It is the goal of Child Care Resources (CCR) to provide to families who are seeking child care referrals, the names and numbers of licensed child care providers whose licenses are in good standing. Accordingly, licensed child care providers are subject to the terms of this policy when they consent to be included in Child Care Resources' referral database. Child Care Resources will inform each child care provider of CCR's Complaint and Provider Referral Policy when they initially fill out a provider questionnaire and ask to be included on the Child Care Resource referral database.

This policy outlines the way CCR will utilize "no referral" information received from the Department of Social and Health Services (DSHS) and how complaints received by CCR will be handled.

A. When CCR receives "No Referral" Information from DSHS

1. Removal of Licensed Child Care providers on CCR's referral database

Pursuant to CCR and DCCEL policy, CCR will place a child care provider on "no referral" status based on the following actions by DCCEL:

- A probationary license is issued and the provider has agreed to cease enrollment of additional children.
- A license has been summarily suspended because the provider is being investigated for serious licensing violations or for child abuse and neglect (and a 'stay' to the suspension has not been granted).
- A license has been summarily suspended and revoked (and a 'stay' to the suspension and revocation has not been granted).
- A license has been summarily suspended, even though the provider has obtained a 'stay' to the suspension, and is able to continue to operate.
- A license has been summarily suspended or revoked, even though the provider continues to operate pending the outcome of a hearing.
- An application by the provider has been denied, even though the provider continues to operate pending the outcome of a hearing.
- Civil penalties have been imposed upon the provider. The provider will stay on no referral status until the outcome of a hearing or payment of penalties.

2. Notification of “No Referral” Status Pursuant to Paragraph A.1.

When a provider has been placed on “no referral” status pursuant to paragraph A.1., CCR will inform the provider by mail of the “no referral” status.

3. Reinstatement of Licensed Child Care providers on CCR’s referral database

Child care providers placed on “no referral” status will be reinstated to active referral status when CCR is notified by DCCEL that the provider may be placed on active “referral” status or when CCR deems the matter satisfactorily resolved (but only in those cases when DCCEL allows for an active “referral” status). Providers have no appeal opportunities to CCR when placed on a “no referral” status under paragraph A.1. above.

B. When CCR receives a Complaint

CCR supplies provider information to parents who call CCR seeking child care referrals. There are times when a parent calls CCR to express concern regarding the care their child has received. This section will outline how CCR will handle complaints regarding licensed child care providers.

1. Child Care Resources Required Reporter Notification and Definitions

Child Care Resources (CCR) is required by law to report any complaints that involve suspected child abuse or neglect to Child Protective Services and by written agreement to report to DSHS Licensing Department any complaints that involve possible licensing violations.

A Department of Social and Health Services (DSHS) complaint is one that involves issues of potential child abuse or a provider’s failure to comply with any DSHS licensing requirement.

2. Communication with Parents about Complaints

The parent will first be encouraged to discuss his or her concern with the provider. If a parent wishes to make a formal complaint, the parent will be encouraged to call the Children’s Administration intake line to make the complaint directly. CCR will also forward the complaint to DSHS if it appears to be a CPS or licensing complaint. The identity of the person making the complaint will not be made known to the provider by CCR and may be kept confidential from DSHS if the complainant requests it. However, the parent will be advised that

DSHS is not likely to follow-up on the complaint without being able to corroborate the information from the person making the complaint.

3. Administration and Review Process

The Chief Executive Officer will appoint a Child Care Resources manager (the “Manager”) to be responsible for taking and processing parent complaints about providers. The Manager will review all complaints that the agency has received. He or she will determine whether it is appropriate for the agency to make an offer of technical assistance and support when a complaint concerning quality has been received. When CCR receives a parent complaint, it is CCR’s goal to help the parent and provider resolve the issue, and when appropriate, by offering to help the provider make positive changes. CCR recognizes there are times when parent complaints are unjustified or reflect individual philosophical differences and do not always require changes on the part of the provider.

4. When Parent Complaint Will Result in “No Referral” Status

CCR will place a provider on “no referral” status based on a parent complaint when:

- ◆ The complaint is screened in, by CPS, for investigation of child abuse and neglect.
- ◆ CCR has information that leads it to believe, in CCR’s sole discretion, that serious licensing violations by the provider exist or that violations exist that could threaten the health or safety of children.
- ◆ An excessive number (as determined by the Manager at his or her sole discretion) of complaints about a provider have been received by CCR from parents, particularly when numerous offers of technical assistance to the provider have been ignored or not followed.

5. Notification of “No Referral” Status Pursuant to Paragraph B.4.

When a provider is placed on “no referral” status pursuant to paragraph B.4., CCR will inform the child care provider by mail, except in cases where the complaint involves an investigation into child abuse, when the provider will be notified by DCCEL. CCR’s notification under this paragraph B.5. will also notify the provider of its opportunity to request (in writing) a review of the decision and will have an opportunity to present its response to the “no referral” status action taken by CCR. See Paragraph B.6. Appeal Process for more information.

6. Appeal Process for “No Referral” Status Actions Taken Pursuant to Paragraph B.4.

If the provider does not agree with CCR’s decision to place it on “no referral” status as provided in paragraph B.4., the provider may appeal to the Board of Directors of Child Care Resources.¹ The Board will then appoint a review committee (consisting of at least one center-based and one home provider, a member of the Child Care Resources Board of Directors, and at least two of the following: a public health nurse, a DSHS licenser, or a parent representative) (collectively the “Review Committee”) to hear the provider’s concerns, review the information, and make a final decision. Once the Review Committee has been provided the provider’s response and any relevant information, it will make its recommendation to the Board about the provider referral status. Generally, it will take no longer than two weeks for this process to occur once the Board has appointed the Review Committee. During this period, the provider will not be referred to parents calling CCR for assistance finding child care.

The Review Committee acts only in an advisory capacity by making recommendations regarding the referral status of the provider and also making recommendations about whether certain restrictions or conditions should be placed upon the provider prior to removing the provider from its “no referral” status. Ultimately, however, the final decision about a provider’s “no referral” status under paragraph B.4. will be made by CCR, in its sole discretion, and CCR retains discretion to reject the Review Committee’s recommendation, in whole or in part. In most cases, if the provider accepts technical assistance and support from CCR or another qualified party, the provider may be reinstated after a reasonable period of time and when they have demonstrated that the concerns have been resolved appropriately.

C. Referrals & Payments Made to Child Care Providers through CCR Contracts

CCR will not refer parents or make payment to a child care program that is currently on “no referral” status by either DCCEL or CCR complaint policy. If a parent selects a program that is on “no referral” status, the parent will be advised by CCR about the “no referral” status and will be told that CCR recommends that the parent contact DSHS for more information and details about the “no referral” status. If CCR participates in payment for that parent’s child care needs, the parent will be informed that CCR is not authorized to pay for care at that specific program and the family would have to make their own arrangements for payment

¹ As set forth above, if a provider is placed on “no referral” status pursuant to paragraph A.1., the provider will not have the right to an appeal of that decision by CCR.

should they place their children in the program that is on “no referral” status.

D. Conclusion

All parents using CCR’s referral services will be encouraged to contact the Division of Child Care and Early Learning (DCCEL) Licensed Child Care Information System (LCCIS) to receive complaint information about a child care facility they are considering for their child. Except as required by law and as outlined above, CCR will make reasonable efforts to keep confidential information about provider complaints that CCR has received.

CCR views child care providers as a valuable resource in caring for our community’s children. It is our hope that through proactive efforts to offer training and technical assistance and support, removal of a provider from the referral list will seldom occur. CCR recognizes that each complaint situation is unique and that resolution of one situation in any particular fashion is not necessarily a basis for resolution of a seemingly similar situation in an identical fashion. Subject to the guidelines above, the agency may resolve any complaint situation as CCR, in its sole discretion, deems appropriate.