

Child Abuse, Licensing Reporting, and Complaint Policy

The ECCLC is not a regulatory agency and our purpose is not to monitor licensing requirements, however as mandated reporters we do assume an ethical duty to report suspected child abuse or neglect, and licensing violations which may put children's health or safety at risk, if they are observed or reported via a first party complaint to the staff of the ECCLC, particularly those rising to complaint violation severity levels 0-2 according to the State Department of Human Services Division of Child Care Complaint Investigation Guidelines. A copy of these guidelines is attached.

THE ECCLC DOES NOT INSPECT AND PROVIDES NO WARRANTY OR GUARANTEE OF THE QUALITY OF CHILD CARE GIVEN BY ANY OF THE PROVIDERS ON ITS DATABASE. The ECCLC gives only **REFERRALS** to parents; it does not recommend or endorse, screen or monitor any provider or facility. It is the belief of the ECCLC and a standard of national CCR&R policy that only parents can make the decision of where to place their child. However, no service provider has an automatic right to be included on the referral database. Listing is solely at the discretion of the ECCLC.

The ECCLC reserves the right to suspend or remove any provider from the referral list and /or from services when questions or complaints arise concerning the quality of the care or safety of the children. The protection of children will always be the primary concern.

All providers receiving services from the ECCLC will receive these policies and procedures in writing at their address listed in the NACCRRRA database both at the time of being added to the NACCRRRA database and at anytime that the policy or procedures are changed. A copy of the policy and procedure will be made available online at the ECCLC website.

This policy is not designed to prevent or deny any child care provider the right to do business. Any provider that is removed from the referral list or is declined services is only denied the privilege of receiving referrals and or services from the ECCLC.

In line with this policy, ECCLC staff is expected to follow the procedures in the attached documents.

State Department of Human Services Division of Child Care Complaint Investigation Guidelines

Severity level 0

These are child abuse or neglect allegations, in which it is felt that a child, or children, may be in imminent danger. These include but are not limited to sexual abuse, children totally unsupervised, etc. These concerns should be called in to the County Child Protection office first. Once it is reported to the Division of Child Care, it will be turned over to the County. The Division of Child Care will investigate any licensing violations when the County completes its investigation.

Severity level 1

These are very serious violations, in which children may be in danger. These include:

- 1.) Gross violations of ratios or capacities. (Double the licensed capacity)
- 2.) Children abandoned or overlooked. (Left unsupervised in a vehicle; wandering away from the facility; lost child; etc)
- 3.) Domestic Violence occurring while children are in care
- 4.) Provider under the influence of alcohol or drugs, and ability is impaired
- 5.) Unlocked weapons accessible to children
- 6.) Severe injury to a child. (Falling from high playground equipment; fall off trampoline; swimming accident....)
- 7.) Unexplained serious injury to an infant or toddler... not including minor scratches or bruises

Severity level 2

These are serious violations and include:

- 1.) Gross violation of capacity
- 2.) Provider asleep or incapacitated while children are awake
- 3.) Serious physical injury or child admitted to a hospital
- 4.) Failing to obtain emergency medical care for a child
- 5.) Medication, drugs, or alcohol left within the reach of children

Severity level 3

These are moderate allegations and include:

- 1.) Ratio violations
- 2.) Lack of supervision
- 3.) Inappropriate discipline
- 4.) Unsafe equipment
- 5.) Building safety hazards
- 6.) Facility dirty or unsanitary
- 7.) Unsafe transportation
- 8.) Diapers not changed

Level 4 or 5

These are the mild to very mild category and include:

- 1.) Children not getting enough food
- 2.) Inappropriate rest period
- 3.) Inadequate equipment or furnishings
- 4.) Crying children not attended to
- 5.) Parents not notified of injury
- 6.) Complaints about circumstances that occur more than 4 months prior
- 7.) Poor business practices
- 8.) Inadequate policies or procedures
- 9.) Money issues (i.e. no money for food)

When a complaint is called in to the Division of Child Care, a supervisor at the Division assigns the severity level to the complaint. The severity level dictates timelines for investigation and completion of the report.

PROCEDURES FOR REPORTING SUSPECTED CHILD ABUSE OR NEGLECT

1. If you observe behavior that you believe constitutes child abuse or neglect, or if you observe a child in a condition that you believe is a result of child abuse or neglect, as a mandated reporter you are obligated to immediately report it by contacting Larimer County Department of Social Services Child Protection at 970- 498-6990.
2. If there is disagreement with others involved in the situation and you continue to suspect abuse or neglect, you are still obligated to make the report. If you are unsure about how to proceed, contact Larimer County Department of Social Services Child Protection at 970- 498-6990 and request assistance in determining if a report is needed.
3. Notify your supervisor about the child abuse or neglect that you observed within 24 hours of completing your observation. Submit documentation to your supervisor. In the event that you are unable to reach your supervisor, contact the Executive Director.

LICENSING VIOLATIONS (Levels 0-2)

1. If you observe what you believe to be a child care licensing violation that places any child at imminent risk (potential violations in complaint levels 0-2 according to the State Department of Human Services Division of Child Care Complaint Investigation Guidelines), report your concern to the State Dept. of Human Services Child Care Division of Licensing by calling the DHS Supervisor of the Day, 303-866-5958 or 1-800-799-5876 and faxing the report to Marlene Romero at 303-866-4453. You may also contact this number if you have questions about whether or not your concern constitutes a reportable violation.
2. Notify your supervisor about the violation you observed within 24 hours of completing your observation. Submit documentation to your supervisor. In the event that you are unable to contact your supervisor contact the Executive Director.
3. You or your supervisor will follow up with the State Dept. of Human Services Child Care Division to ascertain the Dept.'s disposition of the report. Note follow up actions with the documentation of the original report.

CHILD CARE REFERRAL COMPLAINTS

1. When complaints are received by the ECCLC staff regarding a provider on the referral data base the caller will be advised how to contact the Division of Child Care to file a complaint by calling the DHS Supervisor of the Day, 303-866-5958 or 1-800-799-5876 and faxing the report to Marlene Romero at 303-866-4453. If the situation in question is suspected child abuse ECCLC staff will also advise the caller on how to contact Larimer County Department of Social Services Child Protection at 970-498-6990.
2. If it is a first party complaint (i.e. the caller either witnessed or is a guardian of a child using the child care program in question) the ECCLC child care referral program will contact the appropriate authority (Division of Child Care and/or child protection) to share that a complaint was received with pertinent details. The complaint will also be documented and kept in a confidential file.
3. If the complaint is of a personal nature (i.e. unrelated to licensing regulations or child abuse concerns) the staff will document the complaint, and it will be filed in a confidential file with no further action taken. The referral specialist may offer the parent support and suggestions on how to talk to the provider about their concerns.
4. If the complaint is third party (the person calling was not present or directly involved in the situation) the referral staff will document the complaint and keep the report filed in a confidential file with no further action taken.
5. If the complaint is believed to be a child care licensing violation or child care protection issue that places any child at imminent risk (those rising to complaint levels 0-2 according to the State Department of Human Services Division of Child Care Complaint Investigation Guidelines) child care referrals may be withheld during investigation. The referral staff, referral coordinator, and executive director will make the determination after reviewing the situation on when to withhold referrals. Providers will be notified in writing when a decision to withhold referrals is made unless there is reason to believe that this would interfere with the investigation.
6. Upon completion of the investigation of a complaint by the Division of Child Care or Larimer County Child Protection action will be taken based on the investigation outcome. If the complaint is unfounded the provider will be removed from the hold list and begin receiving referrals again. If the complaint is founded referrals will continue to be withheld until the division of child care licensing staff and or child protection verifies that the situation has been corrected. The child care referral team

leader will be the primary contact for the licensing specialist, Division of Child Care, Larimer County Child Protection, and is responsible for follow up to attain the information needed.