

CHILDREN, YOUTH & FAMILIES DIVISION, CITY OF BOULDER CHILD CARE PROVIDER COMPLAINT POLICY

Revised May, 2010

Children, Youth & Families (CYF) reserves the right to list or not list (for referrals)* any licensed child care provider at our discretion. We may choose to remove a provider from our database(for referrals)* for any of the following reasons. Removal from the database for referrals* will also be cause to terminate payment from the Child Care Certificate Program. (REFER TO THE ATTACHED COMPLAINT GUIDELINES CHART FOR DEFINITION OF LEVELS):

- Even one substantiated complaint in Level 0 (child abuse; imminent danger to children);
- Even one substantiated complaint in Level 1 (very serious)
- Even one substantiated complaint in Level 2 (serious) items 4,5,8
- A pattern of substantiated complaints in Level 2 (serious) items 1,2,3,6,7 (number 9 does not apply because CYF does not list any unlicensed care for referrals.
- Even one substantiated complaint in Level 3(moderate) items 5,8,14
- A pattern of substantiated complaints in Level 3 (moderate) items 1,2,3,4,6,7,9,12,15 (items 10,11, and 13 are not applicable because CYF does not list any unlicensed care, adoption agencies, or ski areas for referrals)
- A pattern of substantiated complaints in Level 4 (mild) items 1,2,3,4,5 (item 6 is not applicable because CYF does not list any unlicensed care for referrals)
- Case by case substantiated complaints in Level 4 (mild) items 7,8 – these would be reviewed for other violations that resulted from these situations
- Case by case substantiated complaints in Level 5 (very mild) – it is unlikely that referrals would be held for complaints in this category. Rather, education would be provided.
- Negative licensing action, including probationary license or suspended license.
- Criminal charges brought against a child care provider or an immediate member of her/his family who is in the home when children are present in care.
- Documented concerns of CYF staff regarding the quality of care provided in the child care program.

*While a provider may be removed for referral purposes, the provider would still receive mailings and information about trainings.

COMPLAINT INVESTIGATION RISK FACTOR GUIDELINES FOR CHILD CARE
CENTERS/AGENCIES

CDHS Guideline Revision Date June 18, 2008; CYF Policy Revision Date 5/2010

LEVEL	CATEGORY	TIMEFRAME TO INVESTIGATE	DESCRIPTION
0	CHILD ABUSE IMMINENT DANGER TO CHILDREN	Report to police or Protective Services within 24 hours	Child abuse and Neglect allegations, including sexual abuse, children totally unsupervised, hospitalization or death of a child. These allegations are not investigated by licensing staff.
1	Very Serious AN INDIVIDUAL CHILD OR OTHER CHILDREN MAY BE IN DANGER	On-site inspection within 48 hours Effective 7/1/2000	<ol style="list-style-type: none"> 1. Gross violation of ratios in infant and toddler rooms (e.g. double the number of children for what the ratio should be; 1:10 or more toddlers OR 1:6 or more infants). 2. Double the number of children for which the family child care home is licensed (e.g. 8 or more in an infant toddler home, 16 or more in a regular family child care home, 24 or more in a large family child care home, or 14 or more in an ECCP). 3. Children abandoned or overlooked at a location away from the child care facility; or left unsupervised in a vehicle without adult supervision; or wandering away from the physical premises of the facility onto city or other private property; lost child for which local police or protective services are notified. 4. Domestic violence occurring while children are in care; failure to report child abuse due to internal investigation by facility and/or staff. 5. Provider under the influence of alcohol or drugs and ability impaired to provide care for children at the time the complaint is made. 6. Swimming accident; drowning or near drowning 7. Unlocked weapons accessible to children 8. Severe injury to child (e.g. fall off trampoline or high piece of equipment. 9. Unexplained serious injury to an infant or toddler (not including minor scratches or bruises) 10. Severe injury because of another violation
2	Serious	0-7 working days	<p>Would include:</p> <ol style="list-style-type: none"> 1. Gross violation of ratios in child care centers (e.g. double the number of children for what the ratio should be, 1:20 or more

			<p>preschoolers, 1:30 or more school-ages; any other ratio violation for toddlers)</p> <ol style="list-style-type: none"> 2. In family child care home double the number of infants allowed by regulation (e.g. 4 under one in an infant toddler home, or 4 under 2 in a regular family child care home, or 4 under two in a large family child care home, or 5 or more under two in an ECCP). 3. Serious physical injury (e.g. any injury to a child's eye, broken bones, bites that break the skin); child hospitalized 4. Failing to obtain emergency medical care for a child 5. Caring for infants or toddlers in a child care center without a license for such care. 6. Provider or staff person under the influence of drugs or alcohol and ability impaired to care for children. 7. When requested by the health department possible outbreak of communicable disease. 8. Medication, drugs or alcohol left within children's reach. 9. Unlicensed Care involving a fatality
3	Moderate	0 – 17 working days	<p>Would include:</p> <ol style="list-style-type: none"> 1. Ratio violations 2. Inadequate numbers of staff 3. Unqualified staff or unqualified and/or under-age family member caring for children 4. Lack of supervision 5. Inappropriate discipline, including rough handling or yelling at children; child abuse/neglect such as preferential or differential treatment, or inappropriate isolation. 6. Unsafe equipment or furnishings 7. Building safety hazards 8. Unsafe transportation of children; too many children in a vehicle 9. Over enrollment 10. Unlicensed care with other allegations that would indicate a threat to the safety of the children (children unsupervised, large numbers of children in care, filthy conditions). 11. Complaints about adoption agencies. 12. Inadequate resilient surface 13. Violation of statute concerning ski areas 14. Child Care, Foster Home or 24-hour facility dirty or unsanitary to the level of being a health hazard 15. Infant or toddler's diaper not appropriately

			<p>changed in day care home</p> <p>16. Individualized case plans for children are inadequate.</p>
4	Mild	0 – 25 working days	<p>Would include:</p> <ol style="list-style-type: none"> 1. Children not getting enough or adequate food 2. Inappropriate or inadequate rest period 3. Inadequate equipment or furnishings 4. Crying child/ren not attended to 5. Parents not notified of injury to child 6. Unlicensed care (also see level 2 & 3 above) 7. Inadequate policies or procedures or not providing policies to parents 8. Complaint about circumstances that occurred more than 4 months previous
5	Very Mild	Next reasonable visit Or within 60 days	<p>Would include:</p> <ol style="list-style-type: none"> 1. Civil Rights issues involving children (religion, ADA, discrimination) 2. Poor business practices. Inadequate finances to operate a child care facility (e.g. no money for food, staff checks bouncing)