

# **CHILD CARE LICENSING**

## **Policies and Procedures Manual**

**State of Alaska  
Department of Health and Social Services  
Division of Public Assistance  
Child Care Program Office**

Revised Effective February 1, 2020

# CHILD CARE LICENSING POLICIES AND PROCEDURES MANUAL

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## **6000**

## **CHILD CARE LICENSING GENERAL INFORMATION**

The Child Care Licensing (CCL) Program is housed within the State of Alaska Department of Health and Social Services (DHSS), Division of Public Assistance (DPA), Child Care Program Office (CCPO). This section details the Authority and Delegation of Authority for Child Care Licensing (CCL); Purpose and Program Overview for Child Care Licensing; Purpose of the Child Care Licensing Program Manual and Manual Users; and Child Care Licensing Program Tools and Resources.

### **6000-1**

### **STATE OF ALASKA DEPARTMENT OF HEALTH AND SOCIAL SERVICES, DIVISION OF PUBLIC ASSISTANCE AND CHILD CARE PROGRAM OFFICE MISSION AND VISION**

#### **6000-1 A.**

#### **MISSION**

The State of Alaska Department of Health and Social Services (DHSS) mission is “to promote and protect the health and well-being of Alaskans.” The Division of Public Assistance (DPA) mission is “We promote self-sufficiency and provide for basic living expenses to Alaskans in need in order to support the health, safety, and well-being of all Alaskans.” The Child Care Program Office (CCPO) mission is “We support families in accessing quality child care.”

#### **6000-1 B.**

#### **VISION**

The DHSS vision is “Alaska individuals, families, and communities are safe and healthy.” The DPA vision is, “DPA is a national leader in best practices for the delivery of public assistance benefits and services. We continuously improve our business processes, effectively leverage technology, and enable our quality workforce to provide participant centered services.” The CCPO vision is: “Safe, healthy child care is available and affordable for all families in Alaska.”

## **6000-1 C.**

### **CHILD CARE PROGRAM OFFICE STRATEGIES**

The CCPO contributes to the Department's mission by: providing child care subsidies to allow low and moderate income families to obtain and retain employment; providing oversight and monitoring of licensed child care facilities to ensure the health and safety of children while in care; and promoting improvements to the quality of child care.

The CCPO contributes to the Division's mission by helping low and moderate income working families pay for a portion of their child care costs. Circumstances in which assistance may be provided include while the parent(s) is working, looking for work, attending school or training. By providing access to affordable, safe, and quality child care, families can succeed in the work place and attain self-sufficiency.

Providing access to quality child care is a key component in efforts to assist families in achieving economic self-sufficiency. To accomplish the mission and achieve the vision of the CCPO, the following strategies for families accessing quality child care will be applied.

#### **1. Access:**

- a. Helping families pay child care costs;
- b. Connecting families to the statewide Child Care Resource and Referral Network (CCR&R); and
- c. Recruiting and retaining child care providers.

#### **2. Quality:**

- a. Licensing child care facilities;
- b. Providing professional development opportunities for child care providers;
- c. Distributing consumer information about quality child care;
- d. Offering financial and technical support to child care facilities; and
- e. Supporting early childhood care and education initiatives to promote and reflect best practices in the field of Early Childhood Education.

## **6000-2**

# **AUTHORITY AND DELEGATION OF AUTHORITY FOR CHILD CARE LICENSING**

## **6000-2 A.**

### **AUTHORITY FOR CHILD CARE LICENSING**

The Child Care Licensing (CCL) Program is authorized under Alaska Statute (AS) 47.32 Centralized Licensing and Related Administrative Procedures, AS 47.05.300– 47.05.390 Criminal History; Registry, Alaska Administrative Code (AAC) 7 AAC 10 Licensing, Certification, and Approvals, and 7 AAC 57 Child Care Facilities Licensing, to enforce licensing and health and safety requirements to any individuals providing child care services regardless of compensation or licensing status.

#### **1. State and federal statutes and regulations:**

- a. Alaska Statutes are enacted by the state legislature and set forth absolute requirements that must be met by the department in licensing child care facilities. The licensing statutes remove the right of a person to provide child care (unless license exempt) and then return that right under provisions for licensure;
- b. Alaska Statutes authorize the Department of Health and Social Services (DHSS) to establish standards in regulations, in order to implement the statutes. DHSS regulations, promulgated and adopted, are contained in the AAC. Once adopted, administrative regulations are law. Licensing regulations identify and describe applicant and licensee rights and responsibilities;
- c. The department cooperates with the federal government in order to receive federal funding to help support child care programs. Receiving those funds is contingent upon compliance with pertinent federal statutes, contained in the United States Code, and regulations, contained in the Federal Register; and
- d. The statutes and regulations, on which CCL Program policies and procedures set forth in this manual are based, will not be stated in each section of the manual text. The CCL statutes and regulations are located and can be viewed on the Child Care Program Office (CCPO) website at:  
<http://www.hss.state.ak.us/dpa/programs/ccare/>.

## **6000-2 B. DELEGATION OF AUTHORITY FOR CHILD CARE LICENSING**

The State of Alaska (SOA), DHSS, Division of Public Assistance (DPA), Child Care Program Office (CCPO) delegates its child care licensing authority to the Municipality of Anchorage (MOA) Child Care Licensing (CCL) Program, for child care providers within the MOA. The boundaries of MOA extend from Girdwood to the south and Eklutna to the north, which includes the communities of: Chugiak, Peters Creek, Eagle River, Anchorage, Bird, and Indian.

MOA CCL is required to ensure policies, procedures, and best practices used to enforce the provisions of child care licensing meet or exceed the standards and requirements of AS 47.32, AS 47.05, 7 AAC 10, and 7 AAC 57.

## **6000-3 PURPOSE AND PROGRAM OVERVIEW FOR CHILD CARE LICENSING**

The Child Care Licensing (CCL) Program is responsible for reducing predictable risk of harm to children receiving child care services regardless of compensation or licensing status of the child care provider. The CCL Program also investigates reports of concern and allegations of violations of child care licensing regulations and statutes.

The CCL Program reduces predictable risk of harm to children by ensuring children receive safe, healthy, quality child care services through:

1. Developing, promulgating, and enforcing child care licensing regulation requirements and standards;
2. Consistently and uniformly making decisions regarding the issuance, non-issuance, or revocation of a license for a child care home, child care group home, or child care center;
3. Conducting inspections, investigations, and gathering evidence and documentation to help ensure provider's ongoing compliance with child care licensing statutes and regulations;
4. Consistently and uniformly making decisions regarding enforcement actions taken regarding violations of regulations;



5. Providing technical assistance to unlicensed child care facilities to remain in compliance with child care licensing regulation exemptions and encouragement to become licensed;
6. Providing technical assistance, orientation, monitoring, and regulatory based training to encourage and assist licensed child care facilities in their efforts to improve their programs;
7. Entering into contractual agreements with a qualified individual, private agency, or government agency to conduct on-site inspections and investigations and provide reports regarding the findings;
8. Promoting quality care by supporting and encouraging professional development of child care providers;
9. Collaborating with partner agencies to recruit and retain early childhood professionals; and
10. Being child focused, family friendly, and fair to providers.

## **6000-4                    PURPOSE OF THE CHILD CARE LICENSING PROGRAM MANUAL AND MANUAL USERS**

### **6000-4 A.                PURPOSE OF THE CHILD CARE LICENSING PROGRAM MANUAL**

This manual is intended primarily for Child Care Licensing (CCL) Staff. CCL Staff is inclusive of Child Care Licensing Specialists (CCLS), Licensing Supervisors, and Program Managers overseeing the State of Alaska (SOA) and Municipality of Anchorage (MOA) Child Care Licensing Programs. The manual contains the policies, procedures, technical details, and best practices to be used in the enforcement of the provisions of CCL, authorized under Alaska Statute (AS) 47.32 Centralized Licensing and Related Administrative Procedures, AS 47.05.300- 47.05.390 Criminal History; Registry, Alaska Administrative Code (AAC) 7 AAC 10 Licensing, Certification, and Approvals, 7 AAC 57 Child Care Facilities, and Anchorage Municipal Code (AMC) 16.55 Licensing.

While the primary focus of this manual is child care licensing, this manual also contains the policies and procedures for CCL Staff on investigating reports of concern and health and safety violations in facilities or programs with children, who are exempt from licensure under 7 AAC 57, including providers participating in the Child Care Assistance Program (CCAP) under 7 AAC 41.

***This manual cannot anticipate every situation that may occur while administering CCL Program services.*** Users, as applicable, may encounter circumstances where the manual does not provide enough detail to make a decision. Prudent and reasonable judgment is expected to be exercised when encountering specific provider situations as well as using the appropriate tools and resources, and seeking Licensing Supervisor or Licensing Program Manager assistance when needed.

There may be situational occurrences when a decision has to be made outside of this manual. These situations will be reviewed and a determination made on a case by case basis by the Licensing Supervisor or Licensing Manager.

## **6000-4 B. CHILD CARE LICENSING PROGRAM MANUAL USERS**

Users of the manual include, but are not limited to SOA and MOA CCL Staff who monitor licensed child care facilities, conduct health and safety inspections and investigate reports of concern involving licensed child care facilities and child care providers (legally exempt) participating in the CCAP, and investigate reports of concern involving illegally operating facilities or programs.

## **6000-5 CHILD CARE LICENSING PROGRAM TOOLS AND RESOURCES**

A variety of tools and resources are available and must be used, as applicable, by Child Care Licensing (CCL) Staff to deliver CCL Program services. These tools include: Integrated Child Care Information System (ICCIS); ICCIS Policies and Procedures manual; ICCIS User Guide; New Alaska Background Check System (NABCS); Child Care Program Office (CCPO) Licensing Bag (State of Alaska CCL Staff only); Child Care Assistance Program (CCAP) Policies and Procedures; and Adverse Action Calendar.

Additional resources include: CCPO At A Glance; CCPO Brochures; CCPO website; Interpreter Services; Retention Schedule; What's Happening, Other Child Care Program Office Policies and Procedures Manuals, such as Child Care Assistance Program (CCAP); Child Care Grant Program; and Alaska Inclusive Child Care Programs Policies and Procedures, and etc.

## **6000-5 A. INTEGRATED CHILD CARE INFORMATION SYSTEM (ICCIS)**

The ICCIS is the database system used by CCL Staff to document and track: child care provider provisional and renewal application information; inspection and compliance information; staff/household member information; license issuance; rates (if provider is not participating in the CCAP); schedule of operation; holiday and other scheduled closures; and provider contacts.

Users must have signed a *Division of Public Assistance Confidentiality Statement Gen 144* and a *Division of Public Assistance Security Agreement for ARIES, EIS, Network and Related Systems* applicable to State of Alaska (SOA) users or a *Service Provider Computer Security Agreement* applicable to a non-state worker, and approval granted to access the system before a profile specific to the actions the user will be completing is established in ICCIS. The *Division of Public Assistance Confidentiality Statement Gen 144* is available on-line at: <http://dpaweb.hss.state.ak.us/node/37> and the *Division of Public Assistance Security Agreement for ARIES, EIS, Network and Related Systems* and *Service Provider Computer Security Agreement* are available on-line at: <https://iccis.dhss.alaska.gov>.

The *Division of Public Assistance Confidentiality Statement Gen 144* and *Division of Public Assistance Security Agreement for ARIES, EIS, Network and Related Systems* or *Service Provider Computer Security Agreement* are faxed to the CCPO toll free at 1-888-224-4536 or 907-269-1064; or scanned and emailed to [ccpo@alaska.gov](mailto:ccpo@alaska.gov).

When a staff member leaves an agency or access to ICCIS is no longer needed, the CCPO must be notified immediately via phone or email and a copy of the *Division of Public Assistance Security Agreement for ARIES, EIS, Network and Related Systems* or *Service Provider Computer Security Agreement*, as applicable, with the box checked "Delete Account" is to be emailed to the email address: [ccpo@alaska.gov](mailto:ccpo@alaska.gov).

The ICCIS User Guide and ICCIS Policy and Procedures Manual are on-line after logging into ICCIS at: <https://iccis.dhss.alaska.gov/>

## **6000-5 B. NEW ALASKA BACKGROUND CHECK SYSTEM**

The Department of Health and Social Services (DHSS), Division of Health Care Services (DHCS), Alaska Background Check Program (BCP) provides centralized background check support for programs that provide for the health, safety, and welfare of persons who are served by the programs administered by the DHSS.

Individuals applying to become child care providers or who are sixteen (16) years of age or older and reside or work in a child care facility must obtain a valid background check clearance. The NABCS is Alaska's on-line system for processing background applications and obtaining clearance or barrier results. Information about the BCP can be obtained at:

<http://dhss.alaska.gov/dhcs/Pages/cl/bgcheck/default.aspx>

## **6000-5 C. CHILD CARE PROGRAM OFFICE LICENSING BAG**

SOA Child Care Licensing Specialists (CCLS) are issued a CCPO Licensing Bag to use while traveling and when conducting inspections and/or investigations. The bag needs to be readily available and contain the following licensing tools, including but not limited to:

1. Identification Badge;
2. Business cards;
3. Cell phone programmed with the licensing supervisor, other CCPO office staff, and any other necessary phone numbers;
4. Camera – charged with a clean Secure Digital (SD) card;
5. Water thermometer;
6. Flashlight (working);
7. Tape measure or laser measuring tool to check square footage;
8. Investigation checklists, plans and review forms;

9. Statutes and regulations;
10. Extra facility forms;
11. Notebook (paper) and pen; and
12. Maps for communities assigned (as applicable).

## **6000-5 D. ADVERSE ACTION CALENDAR**

The Division of Public Assistance (DPA) produces a monthly Adverse Action Calendar, to assist workers in determining timeframes related to case processing. This calendar also assists workers in determining the last date an action can be taken in the current month, to implement the change the following month. This calendar is an internal administrative tool and does not independently create legal requirements for action.

The Adverse Action Calendar reflects ten (10), fifteen (15), and thirty (30) day timeframes, without asterisks, for the due dates when requesting information from the applicant/licensee. CCL Staff are to use the Adverse Action Calendar for determining the due date on information requested from the applicant/licensee and the action completion date by CCL Staff.

The Adverse Action Calendar also lists due dates with a single asterisk for taking action on reports of change and with a double asterisk for making a determination on an application. The Adverse Action Calendar identifies different program's due dates within the calendar.

The Adverse Action Calendar is distributed by DPA to the CCPO and partner agencies via email or can be accessed at:

<http://dpaweb.hss.state.ak.us/main/PDF/adverseAction.pdf>

## **6000-5 E. CCPO AT A GLANCE**

The CCPO maintains a roster with the primary duties and contact information for each CCPO staff person titled "CCPO At A Glance". This document is reviewed and updated at least quarterly and made available to Child Care Licensing partner agencies.

## **6000-5 F. CHILD CARE PROGRAM OFFICE BROCHURES**

The CCPO has developed and makes available to the public brochures describing the office and programs administered: The Child Care Program Office; Child Care Assistance PASS I; Child Care Assistance PASS II and PASS III; Child Care Licensing; Child Care Grant Program; and Alaska Inclusive Child Care Program.

Contact the CCPO to request brochures toll free at 1-888-268-4632 or by email to: [CCPO@alaska.gov](mailto:CCPO@alaska.gov). The title of the brochure, quantity and timeframe to receive are to be included in the request.

The CCPO brochures can be viewed on the CCPO website at:  
<http://dhss.alaska.gov/dpa/Pages/ccare/default.aspx>

## **6000-5 G. CHILD CARE PROGRAM OFFICE WEBSITE**

The CCPO maintains a website with information regarding the programs administered and other early childhood activities and initiatives. The website also contains a listing of real time ICCIS active/open licensed and exempt child care providers.

The CCPO website can be accessed at:  
<http://dhss.alaska.gov/dpa/Pages/ccare/default.aspx>

## **6000-5 H. INTERPRETER SERVICES**

If an individual is not able to or is limited in speaking, reading, or writing English, or the individual requests translation services, licensing staff must make every effort to arrange for translation services.

Telephonic interpreter services are provided free of charge by DPA for DPA Staff and Grantees through a contract for services. DPA Staff and Grantees are notified by DPA when interpreter services contract changes are implemented.

Staff may provide this assistance through one-on-one or group orientations, using the following: telephonic interpreter service provided by the department's contracted interpreter service; resources within the community that provide translation services; bilingual employees of the Department and Grantee; or as a last resort friends and family of the applicant.

Individuals who understand English, but are unable to read the application or other printed materials must have these read aloud to them.

Staff must help the provider complete the application or other required forms by confirming with the individual that they understand each question that is read. Staff may not complete the application or other forms for them. Applicants may have someone of their choosing complete the application document and other forms on their behalf, but the applicant must sign where required.

If the Staff member or an interpreter assists with translation or reading of the information, the reader's or translator's name must be documented in an ICCIS case note. The relationship between the reader or translator and the applicant must also be documented. The case note should include: the name of the DPA contract interpreter service and interpreter's name and ID #, bilingual staff member (name); language used and any other information to assist the applicant/provider with future interactions.

## **6000-5 I. RETENTION SCHEDULE**

The CCPO developed a retention schedule (chart) to assist staff in determining the length of time work product and closed case files need to be retained before destroying. More detailed Department, Division and Program retention information is available should questions arise.

## **6000-5 J. WHAT'S HAPPENING**

"What's Happening" is a newsletter produced by the CCPO. This resource provides information about the various projects and initiatives with which the CCPO is involved. This newsletter is produced for and provided to CCPO partners.

## **6000-5 K. OTHER CHILD CARE PROGRAM OFFICE POLICIES AND PROCEDURES MANUALS**

The CCL Staff will use other CCPO Policies and Procedures Manuals such as, Child Care Assistance, Child Care Grant, and Alaska Inclusive

Child Care Program policies and procedures to fulfill licensing's role in administering those programs. Licensing Specialist roles and responsibilities, as applicable are listed in each manual.

## **6000-5 L.            TRAINING FOR LICENSING SPECIALISTS**

Licensing Specialists must meet the qualifications for their position classification: the State of Alaska Child Care Program Office (CCPO) position of a Community Care Licensing Specialist, and the Municipality of Anchorage (MOA) position of a Child Care Licensing Specialist. All Licensing Specialists are trained by their Supervisors in all aspects of their licensing positions for their first year of employment, and continue to receive additional training in health and safety, investigations and other relevant topics pertinent to their positions throughout their time employed by the CCPO or MOA.

## **6000-6                DATE STAMPING**

All applications, supporting verification, reports of change, or other documents submitted as part of child care provider's application, monitoring or renewal must be date stamped when received by Child Care Licensing (CCL) staff.

When documents are received during the normal business day they are date stamped with that day's month, day, and year.

Child Care Program Office (CCPO) or CCL staff are to ensure the date and time are set on fax machines to accurately reflect when a fax is received particularly if the sender has not set their fax's date and/or time.

Documents received via fax or email after the close of business and retrieved the following business day are to be date stamped according to the received date and timeframe indicated on the fax or email.

Items received after the close of business via a drop box and retrieved the next business day are to be date stamped with the date of the previous or most recent business day.



## 6000-7

### RETURNED MAIL PROCESSING

Child care providers are required to ensure their contact information is current and correct.

When the United States Postal Service (USPS) returns information mailed, either regular or certified delivery, receipt of the returned mail is documented in an Integrated Child Care Information System (ICCIS) case note by the licensing specialist assigned to the facility's case.

If the information sent was incorrectly addressed by the Child Care Licensing (CCL) Staff, the address is corrected on the mailing including any necessary adjustments to any applicable due dates. The corrected information is documented in an ICCIS case note using the Subject Heading: Incorrect Address. The body of the case note documents the actions taken and corrected information noted, and then mailed to the correct address.

In instances where the reason for the information being sent is resolved prior to it being returned by the USPS, the information does not need to be resent.

## 6000-7 A.

### NO FORWARDING ADDRESS PROVIDED

When the USPS mail returned provides no forwarding address, the CCL Staff is to attempt to contact the child care provider by telephone to inquire about their new or updated mailing address.

If the CCL staff is unable to contact the child care provider a *Child Care Licensing – Information Needed* letter is issued to the address on record, requesting a current mailing address. The child care provider is given ten (10) days, based on the Adverse Action Calendar, to respond.

If there is no response from the child care provider and/or the letter is returned by the USPS, the child care provider's case is closed after the letter's due date. The *Child Care Licensing Closure – No Contact* letter is issued to the provider's address on record. Notification is sent regarding the closure, via email, to the CCPO Eligibility and Benefits Team at [dpaccp@alaska.gov](mailto:dpaccp@alaska.gov), the Child Care Assistance Program (CCAP) Designee, and any other partner agencies.

## **6000-7 B. FORWARDING ADDRESS PROVIDED**

When the USPS provides an in-state forwarding address on mail returned, the CCL Staff is to document the new address in an ICCIS case note and attempt to contact the child care provider by telephone to inquire about their new or updated mailing address.

If the CCL Staff is unable to contact the child care provider, the *Child Care Licensing – Information Needed letter* is issued to the forwarding address provided by the USPS, requesting confirmation of a new mailing address. The child care provider is given ten (10) days, based on the Adverse Action Calendar, to respond. If there is no response from the child care provider and/or the notice is not returned, the mailing address is updated in ICCIS.

The information originally returned is sent to the new address with any needed adjustments made to any applicable due dates.

If there is no response from the child care provider and/or the letter is returned by the USPS, the child care provider's case is closed after the letter's due date. The *Child Care Licensing Closure – No Contact* letter is issued to the provider's address on record. Notification is sent regarding the closure, via email, to the CCPO Eligibility and Benefits Staff and/or Designee and other partner agencies.

## **6010 CHILD CARE FACILITIES REGULATED BY CHILD CARE LICENSING**

Individuals providing child care services, regardless of compensation, for more than four (4) children who are not related to them must be:

1. Licensed by the State of Alaska (SOA) Department of Health and Social Services (DHSS), Division of Public Assistance (DPA), Child Care Program Office (CCPO);
2. Licensed by the Municipality of Anchorage (MOA) Anchorage Health Department (AHD); or
3. Determined exempt under Alaska Administrative Code (AAC) 7 AAC 57.015. See section 6020 Child Care Licensing Exemptions.

Providers exempt under 7 AAC 57.015, include but are not limited to: providers participating in the SOA Child Care Assistance

Program (CCAP) as Approved Relative Providers, and In-Home Providers.

A list of current licensed and approved providers, excluding In-home providers, who are in Active/Open status in the Integrated Child Care Information System (ICCIS), is maintained on the CCPO website at <http://www.hss.state.ak.us/dpa/programs/ccare/>.

## 6010-1

### FACILITY TYPES

1. The State of Alaska Child Care Licensing (CCL) Program issues licenses to the following facility types:
  - a. **Child Care Home:**  
A child care home is licensed for up to and including eight (8) children.
  - b. **Child Care Group Home:**  
A child care group home is licensed for nine (9) to twelve (12) children.
  - c. **Child Care Center:**  
A child care center is licensed for thirteen (13) or more children.
2. The MOA CCL Program issues licenses to the following facility types:
  - a. **Child Care Home:**  
A child care home is licensed for up to and including eight (8) children.
  - b. **Child Care Center:**  
A child care center is licensed for more than eight (8) children.

## **6010-2 OPERATING MULTIPLE LICENSED CHILD CARE FACILITIES; OPERATING IN A LOCATION ALSO LICENSED FOR ANOTHER FACILITY TYPE; OR SHARING SPACE WITH A PROGRAM EXEMPT FROM LICENSURE**

Only one (1) child care license may be issued to a single premises based on its address regardless of the number of buildings on the premises.

An applicant or licensee may choose to:

1. Operate multiple licensed child care facilities;
2. Operate in a location also licensed for another facility type: or
3. Share space with a program exempt from licensure.

### **6010-2 A. ONE APPLICANT OR CHILD CARE LICENSEE WITH MULTIPLE CHILD CARE FACILITIES**

A governing body or owner of a child care facility may be the applicant or licensee of multiple child care facilities, if the following criteria are met:

1. The child care facilities are located at separate addresses. Two (2) child care facilities may be operated in a building approved for their license type, if the two (2) facilities have separate addresses and can be operated as totally separate entities, such as a duplex;
2. Entirely separate operations are maintained;
3. The children are not moved back and forth between the child care facilities;
4. The children attend the child care facility in which they are enrolled;
5. The Administrator and designated on-site adult requirements are met;

6. All children's attendance and emergency records are maintained at the child care facility at which children are receiving care. Other records required by licensing may be stored at the child care facility at which children are receiving care or at a centralized location specified by the applicant or licensee accessible to the Child Care Licensing (CCL) staff during an on-site inspection or investigation; and
7. Parents receive advance written notice stating where children will be cared for during the specified time period when a licensee of multiple child care facilities reduces the number of sites and combines children during specific times, such as school breaks.

## **6010-2 B. ONE APPLICANT OR CHILD CARE LICENSEE IN A LOCATION ALSO LICENSED FOR ANOTHER FACILITY TYPE**

An applicant or licensee may choose to operate a child care facility in a location also licensed for another facility type, such as a foster care home or assisted living home, when prior approval of both licensing agencies is granted.

An application for a child care facility located where there is already another licensed facility type, must contain a *Plan for Shared Use of a Child Care Facility* CC73 form.

When a *Plan for Shared Use of a Child Care Facility* CC73 form is submitted, a Child Care Licensing Specialist (CCLS) will:

1. Review the *Plan for Shared Use of a Child Care Facility* CC73 form to ensure it contains all of the required information;
2. Contact the other licensing agency by phone or email to ensure the other facility type will not pose a risk to children in care, and casenote in ICCIS the determination;
3. Document the determination of approval or denial with the reason for denial on the *Child Care Licensing Determination* form;
4. Maintain a copy of the *Plan for Shared Use of a Child Care Facility* CC73 form and the *Child Care Licensing Determination* form in the licensing binder; and

5. Mail a copy of the *Plan for Shared Use of a Child Care Facility* CC73 form and the *Child Care Licensing Determination* form to the facility for their records.

## **6010-2 C. ONE APPLICANT OR CHILD CARE LICENSEE SHARING SPACE WITH A PROGRAM EXEMPT FROM LICENSURE**

An applicant or licensee of a child care center may choose to operate a child care facility at the same location as a program exempt from licensure, such as an Early Head Start/Head Start Program, a school district pre-elementary school program approved by the Department of Education and Early Development (DEED), or an exempt afterschool program, only when prior approval of both agencies is granted.

The applicant or licensee of a child care center must ensure their facility and the program exempt from licensure do not share the same classroom space. The playground space, bathrooms, and other multi-use areas such as auditoriums may be shared but not at the same time, without prior approval from a department approved *Plan for Shared Use of a Child Care Facility* CC73 form. The shared space may not be counted when calculating capacity. Staff and children from the child care center may not be mixed with the program exempt from licensure.

An application for a child care center located where there is already a program exempt from licensure, must contain a *Plan for Shared Use of a Child Care Facility* CC73 form.

When a *Plan for Shared Use of a Child Care Facility* CC73 form is submitted, a CCLS will:

1. Review the *Plan for Shared Use of a Child Care Facility* CC73 form to ensure it contains all of the required information;
2. Contact the other approving agency by phone or email to ensure the program exempt from licensure will not pose a risk to children in care;
3. Document the determination of approval or denial with the reason for denial, and include determination from other approving

agency, when applicable on the *Child Care Licensing Determination* form;

4. Maintain a copy of the *Plan for Shared Use of a Child Care Facility* CC73 form and the *Child Care Licensing Determination* form in the licensing binder; and
5. Mail a copy of the *Plan for Shared Use of a Child Care Facility* CC73 form and the *Child Care Licensing Determination* form to the facility for their records.

## 6020

## CHILD CARE LICENSING EXEMPTIONS

### 6020-1

### CHILD CARE PROGRAMS EXEMPT FROM LICENSURE

Individuals providing child care services, regardless of compensation, for more than four (4) children who are not related to them must be licensed unless determined exempt under Alaska Administrative Code (AAC), 7 AAC 57.015.

Programs exempt under 7 AAC 57.015, include the following:

1. **Parents On-site** – a program in which child care is regularly provided and each child's parent is on the premises within reasonable proximity and accessibility to the child;
2. **Military Licensed/Certified Facility** – a program located on a United States (US) Department of Defense or US Coast Guard installation that is located on federal property, or a facility certified as a family child care provider by a branch of the US Department of Defense or by the US Coast Guard;
3. **Recreational Program** – a recreational program that allows children to attend but that does not assume responsibility for care of the children;
4. **Daytime Therapeutic Program** – a daytime therapeutic program of supervised, educational, and rehabilitative services for children with special needs as described in 7 AAC 57.940, or with behavioral problems;
5. **Pre-Elementary Program** – a program whose primary function is educational and that is certified as a pre-elementary school

under Alaska Statute (AS), AS 14.07.020 and 4 AAC 60, or is operated as a Head Start preschool program required to meet standards established under 42 United States Code (U.S.C.) 9836a;

6. **Temporary Facility** – a temporary program that provides care for one (1) specific one (1)-time occurrence scheduled for less than five (5) weeks in any twelve (12)-month period, including a conference or weekend seminar, and is not a day camp;
7. **Relative Providers** – a program in which the caregiver is a relative of all of the children in care;
8. **In-Home Providers** – a program in which the caregiver is caring for a child in the child's own home, regardless of whether the caregiver is a relative of the child; and
9. **Elementary School Program** – a public or private elementary school program, kindergarten through grade six (6), lasting seven (7) or fewer hours each day; the exemption in this paragraph does not apply to child care provided at the school site before or after school.

The following additional program type can be exempt under 7 AAC 57.015, if the program implements and conducts a fingerprint-based criminal history check that meets or exceeds the standards set in AS 47.05.300 – 47.05.390 and 7 AAC 10.900 – 7 AAC 10.990 for each employee and other individual associated with the program in a manner described in 7 AAC 10.900(b). The department will accept the accreditation or certification standards of the program in lieu of all licensing requirements of this chapter, except for the requirements for criminal history checks:

1. **Day Camp** - a day camp or similar facility or program that holds a current accreditation or certification from the American Camping Association or another national accreditation group with standards the department finds are substantially similar to the requirements of this chapter.



A child care facility may be exempt from Child Care Facilities Licensing regulations, Alaska Administrative Code (AAC) 7 AAC 57.015 and/or Anchorage Municipal Code (AMC) 16.55.050 based on statute, administrative regulation, or both. Child Care Licensing (CCL) Staff are responsible for obtaining sufficient information about a child care program to determine whether the program is in compliance with regulatory requirements.

A child care program who may be exempt but wishes to obtain a child care license may submit an application. See 6020-1 Child Care Programs Exempt from Licensure. The department will not issue a license to the following exempt child care programs:

1. Military Licensed/Certified Facility;
2. Recreational Program;
3. Daytime Therapeutic Program;
4. In-Home Providers;
5. Elementary School Program; and/or
6. Day Camp.

A child care facility who wishes to receive approval from the State of Alaska (SOA) or Municipality of Anchorage (MOA) Child Care Licensing (CCL) Program to operate as an exempt provider must submit a *Request for Exemption from Child Care Licensure* CC75 form to their local Child Care Program Office (CCPO), citing the statute or regulation under which the facility is not subject to regulation and include documentation to support the facility's position.

## **6020-3**

### **PROCESSING A REQUEST FOR EXEMPTION FROM CHILD CARE LICENSURE**

When a *Request for Exemption from Child Care Licensure* CC75 form is submitted, a Child Care Licensing Specialist (CCLS) will within ten (10) business days:

1. Review the form to ensure it contains the following information necessary to determine whether a facility is exempt from child care licensure:
  - a. Person(s) or group responsible for care;
  - b. Relationship of child(ren) to the caregiver;
  - c. Details of program operation that may meet the criteria for exemption;
  - d. Projected duration of the child care arrangement;
  - e. Days child care is planned or provided;
  - f. Hours child care is planned or provided;
  - g. Number of children in care;
  - h. Location of the facility; and
  - i. Ages of children in care.
2. Evaluate the information received from the facility;
3. Consult with the Licensing Supervisor and determine whether additional information is needed or if the exemption criteria are met or not met;
4. Complete, sign, and date the *Child Care Licensing Exemption Determination* form, and obtain the Licensing Supervisor's signature;
5. Make a copy of the signed *Child Care Licensing Exemption Determination* form, and place it on the inside left hand side of a green colored folder labeled with the facility's name and Integrated Child Care Information System (ICCIS) identification number. Place the supporting documentation used to make the determination on the inside right side of the green folder;
6. Inform the facility of the department's decision by calling the facility and explaining the decision and mailing the *Request for Exemption from Child Care Licensure* CC75 form with the completed and signed *Child Care Licensing Exemption Determination* form to the facility; and

7. Create a Facility in the ICCIS Facility Module by using the facility's information on the *Request for Exemption from Child Care Licensure* CC75 form and enter a case note using subject heading: Request for Exemption Determination. The body of the case note should include the date the *Request for Exemption from Child Care Licensure* CC75 form was received, the department's decision to approve or deny, and the date of notification by phone and mailing of the *Child Care Licensing Exemption Determination* form to the provider.

## **6030 INFORMATION AND INQUIRES ABOUT LICENSING**

### **6030-1 PROVIDING INFORMATION ABOUT CHILD CARE LICENSING PROCESSES**

Child Care Licensing (CCL) Staff are responsible for providing information about the licensing process to inquirers interested in becoming licensed or learning more about the licensing process. Additionally, CCL Staff are responsible for discussing the business of any inquirer who is already operating as a licensed child care facility.

If an inquirer is found to be operating a child care facility that is not licensed or needs to be determined exempt under Child Care Facilities Licensing regulations, Alaska Administrative Code (AAC) 7 AAC 57.015, the CCL Staff will inform the inquirer of the regulation requirements and request the program submit an application for licensure or a *Request for Exemption from Child Care Licensure* CC75 form, in order for the department to ensure the program is operating in compliance with licensing regulations. See sections 6020 Child Care Licensing Exemptions and 6040-3 Receiving an Application for Provisional Child Care License Packet.

### **6030-2 INQUIRY TO CHILD CARE LICENSING**

When an individual or business contacts the Child Care Program Office (CCPO) inquiring about becoming a licensed child care facility, Child Care Licensing (CCL) Staff will determine if the individual/business needs to be referred to the Municipality of Anchorage (MOA) Child Care Licensing office or to the CCPO website for an *Application for Provisional Child Care License* packet. The application packet contains information relevant to the child care licensing requirements for each facility type.

When CCL Staff receive an inquiry about becoming licensed they will:

1. Determine what type of child care facility: Home, Group Home, or Center potential applicant is looking to operate and provide additional information with the application based on certain criteria including, but not limited to:
  - a. Administrator qualifications;
  - b. The number of children they wish to provide care for;
  - c. The property information (residential home or commercial building);
  - d. The number of caregivers providing care or planning to provide care; and/or
  - e. The total square footage of the environment to allow the minimum square feet of space per child in care.
2. Review with the potential applicant the items that are necessary for licensure based on facility type and location; including, but not limited to:
  - a. The process to receive a valid criminal history background check for all persons sixteen (16) years of age or older living in the facility or having contact with children in care;
  - b. Fire Marshal approval;
  - c. Department of Environmental Conservation for waste and water approval (as applicable);
  - d. Department of Environmental Conservation for Food Safety and Sanitation for kitchen approval (as applicable);
  - e. Local city planning and/or zoning approval (as applicable);
  - f. Pediatric CPR/First Aid certification;
  - g. State of Alaska Business License; and
  - h. Any other requirements based on the type of child care facility license for which the potential applicant is seeking.

3. Explain to potential applicant how to obtain an *Application for Provisional Child Care License* packet from the CCPO website.

## 6040

### PROVISIONAL CHILD CARE LICENSING APPLICATIONS

#### 6040-1

#### APPLICATION PROCESS FOR A PROVISIONAL CHILD CARE LICENSE

Child Care Licensing (CCL) regulations involve the assessment of risk to children from the beginning phases of the application process through the licensing period. CCL Staff screen applications to ensure only individuals who are able to meet the specific requirements of child care licensing statutes and regulations are issued a license to operate within the State of Alaska (SOA). CCL Staff engage applicants in a positive, professional, and supportive manner when enforcing the provisions of the child care licensing regulation requirements.

The Provisional Child Care Licensing Process includes receipt and review of an *Application for Provisional Child Care License* packet, a Provisional Child Care Licensing Orientation and on-site inspection of the facility by CCL Staff, and a determination for licensure. The approval and issuance of a provisional license or denial of the application will be made within ninety (90) days of the receipt of a complete application packet.

*An Application for Provisional Child Care License* packet must be submitted complete before a Provisional Child Care Licensing Orientation and on-site inspection of the facility by CCL Staff occurs and a determination of licensure is made.

*A Provisional Child Care License* will be issued by CCL Staff to the applicant upon successful completion of the Provisional Child Care Licensing Process. The license is issued effective the first (1<sup>st</sup>) day of the month following completion of the licensing process, which includes: the Provisional Child Care Licensing Orientation; on-site inspection; and a determination by CCL Staff. A Provisional Child Care License is valid for a period not to exceed one (1) year.

*A Provisional Child Care License* will be issued for the following:

1. A qualifying new applicant who seeks licensure for a Child Care Home, Child Care Group Home, or a Child Care Center;
2. A change of ownership of a licensed child care facility. This does not include a change from Sole Proprietor to a Limited Liability Company (LLC) where the owner remains the same;
3. A child care facility moves physical location;
4. A change in the type of child care facility, such as changing from a Child Care Home to Child Care Group Home; or
5. An enforcement action based on a child care facility's noncompliance.

## 6040-2

### **PROVISIONAL CHILD CARE LICENSE APPLICATION PACKET CONTENTS**

The contents of the application packet are specified in Alaska Statute (AS) 47.32.040 and Alaska Administrative Code (AAC) Licensing Regulations 7 AAC 57.030. The department has detailed these requirements in application forms that must be used by applicants. An *Application for Provisional Child Care License* packet is provided to an applicant for each child care facility type: Child Care Home, Child Care Group Home, or Child Care Center. The *Application for Provisional Child Care License* packet contains an application with supplemental forms and other information to help an applicant complete and submit their packet.

The *Application for Provisional Child Care License* packet includes the following forms and verification requirements which must be completed and submitted to the department. The requirements of a completed application are listed below based on the facility type:

#### **1. Child Care Homes:**

Child Care Homes must have an Owner/Administrator who is at least twenty-one (21) years of age who resides in the home; may care for up to and including eight (8) children; must have at least thirty-five (35) square feet of usable interior space in the area where care will be provided, per child the facility is licensed for and seventy-five (75) square feet of exterior space per child based on the maximum number of children allowed in the outdoor play area at one time.

The requirements for a complete Child Care Home application include the following:

- a. *An Application for Provisional Child Care License* CC52;
- b. *Permission to Operate a Child Care Business* CC72, if applicable;
- c. *Request for Nighttime Care Specialization* CC53, if applicable (Fire Marshal approval is required for this, regardless if they have five (5) or fewer children);
- d. *Request for Specialized Program Activity* CC54, if applicable;
- e. *Governing Body Information* CC55, if applicable;
- f. *An Administrator Designation and Qualification Form* CC56 with supporting documentation. The Administrator must meet the age, skills, abilities, and education requirements;
- g. Four (4) *Child Care Facility- Administrator Reference* CC57 forms provided by the Administrator;
- h. *Child Care Facility Parent Policies Checklist* CC77, and required documentation;
- i. *Child Care Facility Personnel Policies Checklist* CC60, and required documentation, if applicable;
- j. *Child Care Facility Staffing Plan* CC71, and required documentation, if applicable;
- k. *Get out Alive! Disaster Preparedness and Emergency Evacuation Plan* CC67 or facility's own plan meeting licensing requirements;
- l. *Plan for Alternate Outdoor Recreation Space* CC74, if applicable;
- m. A valid criminal history check for all individuals associated with the facility who are sixteen (16) years of age and older;
- n. Fire Marshal approval if caring for six (6) or more children and/or requesting a nighttime care specialization. Fire Marshal approval is not needed to be licensed for five (5) or fewer children, unless required by a municipality to which the state Fire Marshal has deferred building fire safety inspection and enforcement activities under 13 AAC 50.075(c);
- o. Plan of Operation which includes: child care facility policies, rules, program description, schedules, forms, and all outlined information contained in the *Application for Provisional Child Care License* packet;
- p. Copy of current Pediatric First Aid and Pediatric cardiopulmonary resuscitation (CPR) card (front and back sides);
- q. Well water test, if applicable;
- r. Septic system approval, if applicable;
- s. State of Alaska Business License with the primary or secondary line of business listed as 62-Health Care and Social Assistance, and the primary or secondary Northern America Industry

Classification System (NAICS) code listed as 624410 Child Day Care Services; and

- t. Approval by local city planning and/or zoning office(s), if applicable.

## **2. Child Care Group Homes:**

Child Care Group Homes must have an Owner/Administrator who is at least twenty-one (21) years of age who resides in the Group Home; and a second caregiver who is at least eighteen (18) years of age; may care for nine (9) to twelve (12) children; must have at least thirty-five (35) square feet of usable interior space in the area where care will be provided, per child the facility is licensed for, and seventy-five (75) square feet of exterior space per child based on the maximum number of children allowed in the outdoor play area at one time.

Exception #1: An applicant may be licensed as a group home with only one (1) Owner/Administrator who is at least twenty-one (21) years of age who resides in the Group Home. The Administrator or the Administrator's designee must have one (1) year of licensed home child care experience or the equivalent, or twelve (12) semester hours of college credit in early childhood development, child development, child psychology, or the equivalent, or hold a current Child Development Associate (CDA) credential or Montessori Certificate. The total number of children in care can be twelve (12) or fewer children who must all be school aged (seven (7) through twelve (12) years), including the caregiver's children younger than thirteen (13) years of age. Or the total number of children in care can be ten (10) or fewer, including the caregiver's children younger than thirteen (13) years of age, with none of the children being younger than thirty (30) months of age, and not more than two (2) of the total number of children being non-ambulatory.

Exception #2: Child Care Group Homes may be licensed in a commercial building with special consideration to rural and remote areas in Alaska where other care is not readily available and specific fire marshal approval stating the facility meets the E occupancy requirements and no one is required to reside in the facility. The Group Home must have an Administrator who is at least twenty-one (21) years of age; and a second caregiver who is at least eighteen (18) years of age; may care for nine (9) to twelve (12) children; must have at least thirty-five (35) square feet of usable interior space in the area where care will be provided, per child the facility is licensed for, and seventy-five (75) square feet



of exterior space per child based on the maximum number of children allowed in the outdoor play area at one time.

The requirements for a complete Child Care Group Home application include the following:

- a. *An Application for Provisional Child Care License* CC52;
- b. *Permission to Operate a Child Care Business* CC72, if applicable;
- c. *Request for Nighttime Care Specialization* CC53, if applicable (Fire Marshal approval is required for this, regardless if they have five (5) or fewer children);
- d. *Request for Specialized Program Activity* CC54, if applicable;
- e. *Governing Body Information* CC55, if applicable;
- f. *An Administrator Designation and Qualification Form* CC56 with supporting documentation. The Administrator must meet the age, skills, abilities, and education requirements.
- g. Four (4) *Child Care Facility- Administrator Reference* CC57 forms provided by the Administrator;
- h. *Child Care Facility Parent Policies Checklist* CC77, and required documentation;
- i. *Child Care Facility Personnel Policies Checklist* CC60, and required documentation, if applicable;
- j. *Child Care Facility Staffing Plan* CC71, and required documentation, if applicable;
- k. *Get Out Alive! Disaster Preparedness and Emergency Evacuation Plan* CC67 or facility's own plan meeting licensing requirements;
- l. *Plan for Alternate Outdoor Recreation Space* CC74, if applicable;
- m. A valid criminal history check for all individuals associated with the facility who are sixteen (16) years of age and older;
- n. Fire Marshal approval;
- o. Plan of Operation which includes: child care facility policies, rules, program description, schedules, forms, and all outlined information contained in the *Application for Provisional Child Care License* packet;
- p. Copy of current Pediatric First Aid/CPR card (front and back sides);
- q. Septic system approval, if applicable;
- r. State of Alaska Business License with the primary or secondary line of business listed as 62-Health Care and Social Assistance, and the primary or secondary Northern America Industry Classification System (NAICS) code listed as 624410 Child Day Care Services; and
- s. Approval by local city planning and/or zoning office(s), if applicable.

### 3. Child Care Centers:

Child Care Centers must have a qualified Administrator; a qualified Child Care Associate for each thirty (30) children; meet child-to-caregiver ratios; care for at least thirteen (13) children within the State of Alaska (SOA) Child Care Licensing (CCL) Program or at least nine (9) children within the Municipality of Anchorage (MOA) Licensing Program; must have at least thirty-five (35) square feet of usable interior space per child in each classroom and seventy-five (75) square feet of exterior space per child to determine the maximum number of children who can be in the outdoor play area at any time.

The requirements for a complete Child Care Center application include the following:

- a. *An Application for Provisional Child Care License CC52;*
- b. *Permission to Operate a Child Care Business CC72, if applicable;*
- c. *Request for Nighttime Care Specialization CC53, if applicable (Fire Marshal approval is required);*
- d. *Request for Specialized Program Activity CC54, if applicable;*
- e. *Governing Body Information CC55, if applicable;*
- f. *An Administrator Designation and Qualification Form CC56 with supporting documentation. The Administrator must meet the age, skills, abilities, and education requirements.*
- g. *Four (4) Child Care Facility- Administrator Reference CC57 forms provided by the Administrator;*
- h. *A Child Care Associate Designation and Qualification Form CC58 for each Child Care Associate. The Child Care Associate(s) must meet the age, skills, abilities, and education requirements.*
- i. *Three (3) Child Care Facility-Child Care Associate Reference CC59 forms provided by the Child Care Associate;*
- j. *Child Care Facility Parent Policies Checklist CC77, and required documentation;*
- k. *Child Care Facility Personnel Policies Checklist CC60, and required documentation;*
- l. *Child Care Facility Staffing Plan CC71, and required documentation;*
- m. *Get Out Alive! Disaster Preparedness and Emergency Evacuation Plan CC67 or facility's own plan meeting licensing requirements;*
- n. *Plan for Alternate Outdoor Recreation Space CC74, if applicable;*
- o. *A valid criminal history check for all individuals associated with the facility who are sixteen (16) years of age and older;*
- p. *Fire Marshal approval;*

- q. Plan of Operation which includes: child care facility policies, rules, program description, schedules, forms, and all outlined information contained in the *Application for Provisional Child Care License* packet;
- r. Copy of current Pediatric First Aid/CPR card (front and back sides);
- s. Well water test, if applicable;
- t. Septic system approval, if applicable;
- u. State of Alaska Business License with the primary or secondary line of business listed as 62-Health Care and Social Assistance, and the primary or secondary Northern America Industry Classification System (NAICS) code listed as 624410 Child Day Care Services; and
- v. Approval by local city planning and/or zoning office(s), if applicable; and
- w. Department of Environmental Conservation (DEC) Sanitation Inspection for food services, if applicable.

## 6040-3

### RECEIVING AN APPLICATION FOR PROVISIONAL CHILD CARE LICENSE PACKET

An *Application for Provisional Child Care License* packet can be received by mail, email, fax, or in person at one of the Child Care Program Office (CCPO) regional offices. When an *Application for Provisional Child Care License* packet is received, all pages of the application, forms, and supporting documentation are date stamped, with the date received by the Administrative Staff or other CCPO Staff. Once date stamped the application packet is given to the Licensing Supervisor. The Licensing Supervisor assigns a Child Care Licensing Specialist (CCLS) based on a rotating list and current caseload comparison of the CCLSs' on their team.

When assigning a new application to a CCLS, the Licensing Supervisor will to the extent possible, not assign a caseload that exceeds a ratio of fifty (50) assigned child care facilities for each CCLS. The ratio may increase when caseload redistribution is necessary for coverage during a CCLS absence or vacancy, or in the event the CCPO Child Care Licensing Program has or projects shortfalls in state or federal funding.

The CCLS assigned to the application will process the application within ten (10) business days of the date received based upon the Adverse Action Calendar. To process the application, the CCLS will thoroughly review the application and documentation received to determine if the application packet is complete or incomplete. See

section 6040-3 C. Provisional Child Care License Application Process - Child Care Licensing Specialist.

Once complete, the CCLS assigned to the application will return the application packet to their Licensing Supervisor for review and assignment to a CCLS for their caseload.

The CCLS who received assignment to their caseload will complete the on-site inspection and follow through to determine compliance with the applicable licensing statutes and regulations required for a license, and make a determination of approval and issuance of a license, or a denial of the application.

## **6040-3 A. PROVISIONAL CHILD CARE LICENSE APPLICATION PROCESS - ADMINISTRATIVE STAFF/OTHER CCL STAFF**

Within one (1) business day of receiving an application packet, the CCPO Administrative Staff or other CCL Staff will:

1. Date stamp each page of the application and all supporting documentation with the date received by the CCL Office;
2. Access the Integrated Child Care Information System (ICCIS) using the *ICCIS User Guide* and conduct two (2) searches to determine if a provider case for the applicant already exists or if a new case is needed. The first (1<sup>st</sup>) search conducted will be by the applicant's social security number, the second (2<sup>nd</sup>) search conducted will be by the applicant's last name or the facility name.
  - a. If the applicant is found in ICCIS, and has a current open facility, the Administrative Staff or other CCL Staff will use the existing account and:
    - Enter receipt of the application in the provider's case in an ICCIS case note, using subject heading: CCL (TYPE) App Rcvd. Include in the body of the case note the date stamped received date and any additional documents received with the application;
    - Refer to the *CCPO Provider Application Intake and New Alaska Background Check System (NABCS) and Closure Process* to determine if the applicant has a NABCS case; and

- Give the application and all documents received to the Licensing Supervisor/Lead to assign a CCLS to begin the application process.
- b. If the applicant is found in ICCIS, but does not have a currently licensed facility, the Administrative Staff or other CCL Staff will:
- Create a new ICCIS account by selecting “Add Facility”
  - Enter the required data into each field of the “Add Facility” screen using the information contained in the application received;
  - Enter receipt of the application in the provider’s case in an ICCIS case note, using subject heading: CCL (TYPE) App Rcvd. Include in the body of the case note the date stamped received date and any additional documents received with the application;
  - Refer to the *CCPO Provider Application Intake and New Alaska Background Check System (NABCS) and Closure Process* to determine if the applicant has a NABCS case; and
  - Give the application and all documents received to the Licensing Supervisor/Lead to assign a CCLS to begin the application process.
- c. If the applicant is not found in ICCIS, the Administrative Staff or other CCL Staff will:
- Create a new ICCIS account by selecting “Add Facility”;
  - Enter the required data into each field of the “Add Facility” screen using the information contained in the application received;
  - Enter receipt of the application in the provider’s case in an ICCIS case note, using subject heading: CCL (TYPE) App Rcvd. Include in the body of the case note the date stamped received date and any additional documents received with the application;

- Refer to the *CCPO Provider Application Intake and New Alaska Background Check System (NABCS) and Closure Process* to determine if the applicant has a NABCS case; and
- Give the application and all documents received to the Licensing Supervisor/Lead to assign a CCLS to begin the application process.

## **6040-3 B. PROVISIONAL CHILD CARE LICENSE APPLICATION PROCESS – LICENSING SUPERVISOR/LEAD**

Within one (1) business day of receiving the application, the Licensing Supervisor/Lead will:

1. Assign the application to a CCLS based on a rotating list and current case load comparison of the CCLSs' on their team.
2. Add the application information and assignment to:
  - a. Supervisor's caseload tracking;
  - b. Supervisor's Agenda; and
  - c. The Partners End of the Month Spreadsheet.

## **6040-3 C. PROVISIONAL CHILD CARE LICENSE APPLICATION PROCESS - CHILD CARE LICENSING SPECIALIST**

Within ten (10) business days of the date the application is date stamped received the CCLS will:

1. Check ICCIS to determine if there is a negative licensing history for the applicant to include a denied, suspended, or revoked license. If a negative licensing history is found the CCLS will review all hard copies and electronic records to determine if an administrative enforcement order was issued with a time period and discuss the findings with the Licensing Supervisor. If no negative licensing

history is found, they will proceed with the application review process;

2. Contact the applicant telephonically to introduce themselves, give an overview of the licensing process, provide their contact information, and ask if the provider has any questions;
3. Create the spine label and cover sheet for the child care facility's licensing binder, and add the licensing tabs and cover sheet to the facility's licensing binder;
4. Thoroughly review the application and supporting documentation received for completeness. See section 6040-4. Reviewing an Application for Provisional Child Care License Packet for Completeness; and
5. Notify the applicant in writing letting them know if their application is complete or incomplete. See section see 6040-4A. An Incomplete – Application for Provisional Child Care License Packet or 6040-4B. A Complete – Application for Provisional Child Care License Packet.

## **6040-4**

### **REVIEWING AN APPLICATION FOR PROVISIONAL CHILD CARE LICENSE PACKET FOR COMPLETENESS**

Within ten (10) business days of the date stamped received date on the application, the Child Care Licensing Specialist (CCLS) will review each of the following sections of the *Application for Provisional Child Care License* packet for completeness. Any sections of the packet deemed incomplete must be included in the *Incomplete Application Letter*. See section 6040-4 A. An Incomplete-Application for Provisional Child Care Licensing Application Packet.

- 1. An Application for Provisional Child Care License CC52:**  
Ensure all areas of the application are filled in (as applicable to the facility), the application is signed, and the required supporting documentation is attached.

The application forms must be signed by the owner and the facility's Administrator if different than the owner.

## Corporations

If the business owner in the Integrated Child Care Information System (ICCIS) is a corporation, the individual signing the application may be the President or the Registered Agent according to the provider's State of Alaska Business License or the facility's Administrator. If the Registered Agent is also the Administrator of the facility they are considered to have signing authority.

To determine if the signor is the corporation's President or Registered Agent, the Designee or CCPO will access the corporation's State of Alaska business license at:

[http://commerce.alaska.gov/occ/home\\_bus\\_licensing.html](http://commerce.alaska.gov/occ/home_bus_licensing.html).

and:

- a. Enter the business name and select search;
- b. Select the correct business name from a list at the bottom of the screen which will take you to the License Details showing the business type as a corporation;
- c. From the left hand side under Search License Data select Corporations. Enter the business name in the "Entity name" and Search; and
- d. Select entity # for the correct business from the list. This will take you to the Entity Details. The Registered Agent is listed as well as officials of the corporation.

## 2. Permission to Operate a Child Care Business CC72: (if applicable)

Verify the name on this form matches the name given on the *Application for Provisional Child Care License* CC52 and ensure permission is granted and the form has been signed.

## 3. Request for Nighttime Care Specialization CC53: (if applicable)

Ensure all areas of the form are filled in, signed, and the required supporting documentation is attached. Verify the hours of operation on this form match the hours listed in the *Application for Provisional Child Care License* CC52 and the requested capacity is not more than five (5) children total, including the providers own children under eighteen (18) years old for a Child Care Home or Child Care Group Home. Fire Marshal approval is required prior to approving this specialization. See number 18 of this section.

## 4. Request for Specialized Program Activity CC54: (if applicable)



Ensure all areas of the form are filled in, signed, and any required supporting documentation is attached. Review the request and attached documentation to ensure it meets the regulatory requirements for ratios, supervision, and safety.

**5. Governing Body Information CC55: (if applicable)**

Ensure all areas of the form are filled in, signed, and any required supporting documentation is attached. Verify the governing body name and type on this form matches the information in the *Application for Provisional Child Care License* CC52. Determine based on the Board Member's position on the board, related to the facility, whether they are required to obtain a background check.

**6. Administrator Designation and Qualification Form CC56:**

Ensure all areas of the form are filled in, signed, and any required supporting documentation is attached. Ensure the name on this form matches the name listed in the *Application for Provisional Child Care License* CC52. Search the Integrated Child Care Information System (ICCIS) to ensure there are not any negative licensing actions associated with this Administrator. Review documentation to ensure the individual meets the required qualifications, including the age, skills, abilities, and education requirements.

**7. Child Care Facility Administrator Reference CC57:**

Make sure there are four (4) references submitted from different individuals, at least three (3) of whom are unrelated to the Administrator. Review each reference submitted to ensure they are filled out completely and signed by the individual providing the reference. Ensure all of the information received is positive and meets regulatory requirements.

**8. Child Care Associate Designation and Qualification Form CC58: (if applicable)**

Ensure all areas of the form are filled in, signed, and any required supporting documentation is attached. Search ICCIS to ensure there are not any negative licensing actions associated with this Child Care Associate (CCA). Review documentation to ensure the individual meets the required qualifications, including the age, skills and abilities, and education level requirements.

**9. Child Care Facility Child Care Associate Reference CC59: (if applicable)**

Make sure there are three (3) references submitted from different individuals, at least two (2) of whom are unrelated to the CCA. Review each reference submitted to ensure they are filled out completely and signed by the individual providing the reference, or by the individual who completed the reference if received over the telephone. Ensure all of the information received is positive and meets regulatory requirements.

**10. Child Care Facility Parent Policies:**

Use the *Child Care Facility Parent Policies Checklist* CC77 to ensure information in the policies match any applicable information provided in the *Application for Provisional Child Care License* CC52 and supporting documentation. Review the entire policies to verify they contain all of the required information listed on the checklist and comply with regulatory requirements including: group size; child-to-caregiver ratios; how children will be supervised at all times, including during periods of rest; and how the facility defines and addresses suspension and expulsion and ensures the behavioral guidance regulatory requirements are followed.

**11. Child Care Facility Personnel Policies:** Use the *Child Care Facility Personnel Policies Checklist* CC60 to review and ensure the facility's policies include all of the required information including a job description for each position; qualifications required for each position; and a description of the facility's procedure for completing annual evaluations, and other applicable procedures pertaining to personnel.

**12. Child Care Facility Staffing Plan CC71:**

Ensure all areas of the form are filled out and includes each caregiver's position, and has enough caregivers and CCA's, as applicable, to meet the required child-to-caregiver ratios for the facility type, during all hours of operation. Ensure the Administrator is scheduled to be on-site during operating hours or has scheduled for an Administrator Designee to be available during the times the Administrator is absent.

**13. Daily Schedule of Activities:**

Ensure the facility submitted a copy or example of the typical daily schedule of activities for each age group of children they will be providing care for that encompasses the facility's hours of operation. The schedule must provide a balance of quiet and active activities, and group and individual activities, and must

include time for meals, snacks, sleep, toileting according to individual needs, and indoor and outdoor play. This is also acceptable if included in the Child Care Facility's Parent Policies.

**14. Plan of Supervision:**

Ensure the facility submitted a Plan of Supervision and the plan includes how they will ensure children are supervised at all times, including when children are indoors, outdoors, when participating in activities away from the facility, naptime, and during transportation. The Plan of Supervision may be included in the child care facility's Parent Policies or as a separate plan.

**15. Disaster Preparedness and Emergency Evacuation Plan:**

Ensure the facility has completed all sections of the *Get Out Alive! Disaster Preparedness and Emergency Evacuation Plan* CC67 or has submitted a plan that meets licensing requirements.

Review the facility's emergency procedures to ensure they address all of the types of emergencies which are likely to occur in the community where the facility is located. Ensure each emergency procedure includes a description of the assistance caregivers will provide to infants, children under thirty (30) months, and any other child who may need special assistance.

**16. Plan for Alternate Outdoor Recreation Space CC74: (if applicable)**

Ensure all areas of the form are filled out, signed, and any applicable supporting documentation is attached. Review the plan to ensure the facility will be providing the appropriate level of supervision to meet the individual needs of each age group of children at all areas of the alternative location, and have measures in place to ensure the alternative location is safe and appropriate care can be provided for children, such as diapering and toileting.

**17. Criminal History Check:**

Ensure the facility has obtained a valid criminal history check for all individuals associated with the facility who are sixteen (16) years of age and older. If not, attach the Child Care Licensing Provider – Criminal History Check Letter to the Incomplete Application Letter. See section 6040-4 A. An

Incomplete – Application for Provisional Child Care License Packet.

**18. Fire Marshal Approval: (if applicable)**

If the facility has applied to care for six (6) or more children, is located in a municipality to which the state Fire Marshal has deferred building fire safety inspection and enforcement activities under 13 Alaska Administrative Code (AAC) 50.075(c) that requires Fire Marshal approval, or is applying to operate any hours after 10:00pm or before 6:00am requiring nighttime care specialization to be approved by the department, Fire Marshal approval is needed. Identify the local fire authority with jurisdiction based on the facility's location referencing the CCL Community Contacts List and Fire Inspection Deferred Jurisdiction documents, as applicable. Determine that jurisdiction's method of granting approval, and send a *Fire Safety Inspection Request form* with the proper request to the correct jurisdiction contact. If fire approval is received with the application packet, contact the correct jurisdiction to confirm the granted approval matches the requested capacity and proposed child care areas in the facility's *Application for Provisional Child Care License CC52* and *Request for Nighttime Care Specialization CC53*, if applicable. Review the approval to identify any applicable conditions that may need to be applied to the license.

**19. Plan of Operation:**

Ensure the facility's Plan of Operation includes: child care facility policies, rules, program description, schedules including holiday or other scheduled closures, forms, and all outlined information contained in the *Application for Provisional Child Care License* packet. Ensure the applicant has submitted all of the forms they will use for their facility, as identified and required in regulations, and that they meet all applicable regulatory requirements.

**20. First Aid/Cardiopulmonary Resuscitation (CPR)**

**Certification:**

Ensure there are copies of both sides (front and back) of the First Aid and CPR Certification cards for all current caregivers. Review the cards to ensure the dates are still in effect and the training program provided was a class with skills practiced in front of a trainer. On-line courses are not acceptable, because they do not meet the regulatory requirement.

**21. Department of Environmental Conservation (DEC)**

**Approval- Food Service Permit: (if applicable)**

Ensure child care centers serving or preparing food have a Food Service Permit from DEC. If the facility has not provided a copy or needs an inspection, submit a Sanitation Inspection Request to DEC.

**22. DEC Approval-Well Water: (if applicable)**

Ensure a facility with a well has provided a water test from a DEC authorized water testing laboratory, dated, within the last ninety (90) days, showing a “negative” or “absent” result for coliform and nitrate contaminants.

**23. DEC Approval- Septic System: (if applicable)**

Ensure a facility with a septic system that obtained DEC approval prior to the system being installed provides a copy of the approval or if approval is needed after the system has already been installed provides a copy of the installation authorization received from DEC.

**24. State of Alaska Business License:**

Ensure the facility submitted a copy of their current State of Alaska Business License and the primary or secondary line of business listed is 62-Health Care and Social Assistance, and the primary or secondary Northern America Industry Classification System (NAICS) code listed is 624410 Child Day Care Services.

**25. Local City Planning and/or Zoning Office(s) Approval: (if applicable)**

Ensure applicant is in compliance with all city requirements for operating a licensed child care facility in their community, and any applicable licenses, certificates, permits, etc. are submitted.

**6040-4 A.**

**AN INCOMPLETE APPLICATION FOR  
PROVISIONAL CHILD CARE LICENSE PACKET**

If the Application for Provisional Child Care License packet is deemed incomplete the CCLS will:

1. Send an *Incomplete Application Process Letter* to the applicant notifying them of the missing items from their application with the

due date of fifteen (15) days, using the Adverse Action Calendar, the information is to be submitted;

2. Enter into the Integrated Child Care Information System (ICCIS) a case note using the subject heading: *Incomplete Application Process Letter*. Include in the body of the case note the date the *Incomplete Application Process Letter* was sent, the date the information is due back, and any other relevant facility information; and
3. Set an Alert in ICCIS for the date the incomplete information is due back.

The CCLS will place a copy of the letter, application, and all supporting documentation under each applicable tab in the facility's licensing binder.

If the information identified in the *Incomplete Application Process Letter* is not received by the date identified and the individual has not requested additional time, the application process is incomplete. See section 6040-8 Determining the Application Process for Provisional Child Care License is Incomplete.

## **6040-4 B. A COMPLETE APPLICATION FOR PROVISIONAL CHILD CARE LICENSE PACKET**

When the Application for Provisional Child Care License packet is deemed complete and contains all the required documents, clearances, and approvals as detailed in the requirements for a completed application, the CCLS will:

1. Complete all applicable screens in ICCIS;
2. Ensure the application and all supporting documentation is placed under each applicable tab in the facility's licensing binder;
3. Submit the completed facility's licensing binder to the Licensing Supervisor/Lead for their review and approval; and
4. Submit their travel request to their supervisor for approval and to be sent through the travel approval process, when travel is necessary.

Once the Supervisor has approved the application as complete, the CCLS will:

1. Contact the applicant to answer any questions and schedule the Provisional Child Care Licensing Orientation and on-site inspection;
2. Send the applicant a *Complete Application Letter*;
3. Document in an ICCIS case note the application is complete using the subject heading: *Complete Application Letter*. Include in the body of the case note the date the *Complete Application Letter* was sent to provider; and the date and time of the scheduled Provisional Child Care Licensing Orientation and on-site inspection; and
4. Place a copy of the letter in the facility's licensing binder.

#### **6040-4 C.      REVIEWING A COMPLETE APPLICATION FOR PROVISIONAL CHILD CARE LICENSE PACKET – LICENSING SUPERVISOR/LEAD**

Within ten (10) business days of the date the Licensing Supervisor/Lead receives the facility's licensing binder, they will complete the following:

1. Ensure all screens in ICCIS are updated;
2. Ensure the facility's licensing binder contains the application and all supporting documentation; and
3. Return the facility's licensing binder to the CCLS for corrections or additional actions necessary or approve for the CCLS to schedule the Provisional Child Care Licensing Orientation and on-site inspection.

#### **6040-5      SCHEDULING THE FACILITY PROVISIONAL CHILD CARE LICENSING ORIENTATION AND ON-SITE INSPECTION**

Within ninety (90) days of the date an *Application for Provisional Child Care License* packet is determined to be complete, the assigned Child Care Licensing Specialist (CCLS) must conduct a Provisional Child Care Licensing Orientation and on-site inspection of the facility for the purpose of determining regulatory compliance, prior to issuing a provisional license.

The CCLS will contact the applicant and set up a date to conduct the Provisional Child Care Licensing Orientation and the on-site inspection with the Administrator.

1. The Provisional Child Care Licensing Orientation should be conducted by the assigned CCLS and must include:
  - a. The facility Administrator, and may include the applicant if different from the Administrator, governing body members (if applicable), and/or other caregivers/staff if requested to attend;
  - b. Reviewing the inspection checklist and other inspection forms covering child care licensing statutes and regulations; and
  - c. Answering any questions the Administrator or others present may have.
2. During the on-site inspection, the CCLS will:
  - a. Conduct a thorough inspection of the outside of the facility premises including any separate buildings, garage(s), shed(s), and recreational vehicle(s) that are on the facility property, and ensure the children's play areas meet the square footage requirements for the capacity the facility is applying for;
  - b. Conduct a thorough inspection of the inside facility premises for any health and safety concerns including: children's care areas, bathrooms, kitchen, and bedrooms to ensure children do not have access to items that might present a hazard;
  - c. Take measurements of all child care areas to ensure they meet the square footage requirements for the capacity the facility is applying for. In a Child Care Home and Group Home the capacity will be determined based on the amount of indoor space of the main care area room(s). For example, if a facility uses the living room as their main care area and has a connecting dining room where the children use the table for eating and activities, both areas would be measured and the



space combined together to determine the maximum capacity for the Child Care Home and Group Home. In a Center the capacity will be determined by adding each classroom(s) spacing together. These measurements exclude rooms used only for sleeping, the measurements taken for those rooms, determine how many children based on the space available can use the sleeping room at one time;

- d. Take photographs of the outside of the facility from the street view, and the inside and outside premises where child care will be provided;
- e. Inspect all vehicles the facility will use to transport children for health and safety concerns to ensure the children will be transported in a safe manner, including but not limited to working seat belts and/or car seats as applicable for all children and a smoke free vehicle; and
- f. Meet with the Administrator and discuss any areas identified as a health or safety concern that need to be corrected prior to a license being issued, provide copies of the CCPO and Thread brochures, and/or to go over any other questions prior to leaving the facility.

3. After the on-site inspection, the CCLS will:

- a. Make a copy of the inspection checklists used during the inspection;
- b. Create an *Inspection Checklist Enclosed Cover Letter*, and make a copy;
- c. Mail the copy of the inspection checklist and the original *Inspection Checklist Enclosed Cover Letter* to the facility;
- d. Place the original inspection checklist and a copy of the *Inspection Checklist Enclosed Cover Letter* in the facility's licensing binder; and
- e. Document in an ICCIS case note using subject heading: Inspection/Orientation Complete. Include in the body of the case note the date the inspection and orientation were complete and the checklist and a copy of the *Inspection*

*Checklist Enclosed Cover Letter* was mailed to the provider, and originals filed in the licensing binder.

## **6040-6 DETERMINING THE APPLICATION PROCESS FOR PROVISIONAL CHILD CARE LICENSE IS COMPLETE**

After the applicant is in full compliance with all regulatory requirements including a complete application packet with all applicable supplemental documentation and requirements, participates in the Provisional Child Care Licensing Orientation, and the on-site inspection shows the facility is in regulatory compliance, the Provisional Child Care Licensing Process is complete.

### **6040-6 A. DETERMINING THE APPLICATION PROCESS FOR PROVISIONAL CHILD CARE LICENSE IS COMPLETE – CHILD CARE LICENSING SPECIALIST**

After the applicant is in full compliance with all regulatory requirements including a complete application packet and all applicable supplemental documentation and requirements, and participates in the Provisional Child Care Licensing Orientation, and the on-site inspection shows the facility is in regulatory compliance, the Child Care Licensing Specialist (CCLS) will:

1. Ensure all screens in the Integrated Child Care Information System (ICCIS) are updated;
2. Ensure the facility's licensing binder contains all application and inspection documentation, and correspondence regarding the licensing process; and
3. Submit the completed facility's licensing binder to the Licensing Supervisor/Lead for their review and approval.

## **6040-6 B. DETERMINING THE APPLICATION PROCESS FOR PROVISIONAL CHILD CARE LICENSE IS COMPLETE – LICENSING SUPERVISOR/LEAD**

When the Licensing Supervisor/Lead receives the facility's licensing binder, they will complete the following:

1. Ensure all screens in ICCIS are updated;
2. Ensure the facility's licensing binder contains all application and inspection documentation, and correspondence regarding the licensing process; and
3. Return the facility's licensing binder to the CCLS for corrections or additional actions necessary or approve for the facility to be issued a Provisional Child Care License.

## **6040-7 ISSUING A PROVISIONAL CHILD CARE LICENSE**

Once the applicant has met the requirements for licensure, a *Provisional Child Care License* will be issued with an effective date of the first (1<sup>st</sup>) day of the following month. A *Provisional Child Care License* is issued for a period of one (1) year, during which time the facility will be monitored through announced and unannounced inspections and investigations (as applicable), to ensure compliance with child care licensing regulations and requirements.

### **6040-7 A. ISSUING A PROVISIONAL CHILD CARE LICENSE - LICENSING SUPERVISOR/LEAD**

If the facility's licensing binder and the Integrated Child Care Information System (ICCIS) are complete and correct, the Licensing Supervisor/Lead will:

1. Create, print, sign, and apply the State of Alaska or Municipality of Anchorage seal, as applicable, to the *Provisional Child Care License* for the Facility,
2. Create the *License Issuance Cover Letter*;

3. Update the application screen in the Integrated Child Care Information System (ICCIS) to reflect the effective and expiration date of the new license, update the status date, and enter a case note with the subject heading: *Provisional License Issued*. Include in the body of the case note the date the *Provisional Child Care License* was created and issued;
4. Update all of the applicable spreadsheets; and
5. Scan the *Provisional Child Care License* and *License Issuance Cover Letter* to the assigned Child Care Licensing Specialist (CCLS); and
6. Mail the original *Provisional Child Care License* and *License Issuance Cover Letter* to the facility.

## **6040-7 B. ISSUING A PROVISIONAL CHILD CARE LICENSE – CHILD CARE LICENSING SPECIALIST**

After the Licensing Supervisor/Lead creates and signs a *Provisional Child Care License*, the CCLS will:

1. Print the scanned *Provisional Child Care License* and *License Issuance Cover Letter* and retain a copy in the facility's licensing binder;
2. Scan and attach a copy of the *Provisional Child Care License* to an email that is sent to all partner agencies stating a new *Provisional Child Care License* has been issued for that facility;
3. Update the case load, end of month spreadsheet, and/or any other applicable spreadsheets.

## **6040-8 DETERMINING THE APPLICATION PROCESS FOR PROVISIONAL CHILD CARE LICENSE IS INCOMPLETE**

If the information requested in the *Incomplete Application Letter* is not received by the requested due date or the applicant has not contacted the Child Care Licensing Specialist (CCLS) to request an

extension of the due date, the application is deemed incomplete. The CCLS will:

1. Make a copy of the application and all additional information received;
2. Mail the application and all additional information received back to the applicant, with an *Incomplete Application Return Letter* letting them know their application was deemed incomplete and if they wish to reapply in the future they will need to submit a complete application;
3. Place the copies of the information received in a manila envelope(s)/rubber band(s) with the facility and applicant's name on the front and file it with the closed files;
4. Update the applicable Integrated Child Care Information System (ICCIS) screens including the Application Screen closing out the application, update the status date, and enter a case note using subject heading: App Returned Incomplete. Include in the body of the case note the date the incomplete application was returned to the applicant; and
5. Verify the facility has terminated their NABCS account, and if not send the *Background Check Program NABCS: CCPO Provider/Facility Account Form* with notification of closure to the BCP;

## 6050

### **CHILD CARE LICENSING PROGRAM APPLICANT BACKGROUND CHECK REQUIREMENTS**

The Child Care Licensing (CCL) Staff must ensure all provider applicants have obtained the required background check prior to license issuance.

Individuals applying to become a provider and individuals working or residing in a child care facility where they will have contact with children in care must obtain a final background check clearance and be free from problems that may pose a risk to children.

Providers licensed by the Department of Health and Social Services (DHSS) CCPO or the Municipality of Anchorage (MOA) Anchorage Health Department (AHD) Child Care Licensing Programs must complete the background check process stated in Alaska

Administrative Code (AAC) 7 AAC 10 prior to being issued a child care license.

Should a barring crime and/or condition be identified for a licensed provider, caregiver or household members, action is taken to remove the individual from the facility and away from children in care, permanently or until a Background Check Variance is granted, when applicable.

## **6050-1**

### **ALASKA BACKGROUND CHECK PROGRAM ELIGIBILITY DETERMINATION**

The Alaska Background Check Program (BCP) conducts a series of criminal and civil registry checks including Child Protection Services (CPS), which take approximately twenty-four (24) to forty-eight (48) hours for those providers and household members required to apply to the BCP for background checks. If no barrier crimes or conditions are found during the registry checks, the individual is eligible to be hired provisionally while the BCP is waiting for fingerprint results. This information is available to the provider by accessing their case in the New Alaska Background Check System (NABCS). The provider may hire the individual at that time which associates them with the provider's case in NABCS. Individuals who are eligible for provisional hire may work in a child care facility for up to thirty (30) days while waiting for fingerprint results to be received and a final determination to be made by the BCP.

The CCL Staff is responsible for accessing and monitoring provider's NABCS cases. The CCL Staff will follow the internal CCPO Provider Application Intake and NABCS Activation and Closure Process document.

## **6050-2**

### **BARRING CRIME OR CONDITION FOUND**

If a barring crime and/or condition is found during this initial process, the Background Check Program (BCP) issues a determination of "Ineligible" for the individual in the New Alaska Background Check System (NABCS).

If this check is for a caregiver or household member of a facility, the provider must take action to immediately remove the individual from the child care facility.

When a barring condition is identified for a household member or a caregiver, the facility and the household member or caregiver are sent notification from the BCP advising of the barrier, allowing for a request for redetermination, and if applicable the option of applying for a Background Check Variance.

The individual may not apply for a variance if the barring crime or condition is identified in:

1. 45 CFR 98.43 (a) (2)  
A child care provider shall be ineligible if the provider employs a staff member who is ineligible for employment.
2. 45 CFR 98.43 (c) (1)  
A child care member is ineligible for employment if the individual:
  1. Refuses to consent to the criminal background check;
  2. Knowingly makes a materially false statement in connection with the criminal background check;
  3. Is registered, or is required to be registered on a State sex offender registry or repository or the National Sex Offender Registry; or
  4. Has been convicted of a felony consisting of
    - Murder;
    - Child abuse or neglect;
    - A crime against children, including child pornography;
    - Spousal abuse;
    - A crime involving rape or sexual assault;
    - Kidnapping
    - Arson;
    - Physical assault or battery; or
    - Has been convicted of a violent misdemeanor committed as an adult against a child including the following crimes: child abuse, child endangerment, sexual assault, or of a misdemeanor involving child pornography.

The individual may request reconsideration from the BCP of the determination if they believe the information is incorrect or if they are not the individual identified.

The Child Care Licensing (CCL) staff will follow up with the facility to ensure the household member or caregiver has been removed and

what action, if any the facility plans to take and casenote actions taken in the Integrated Child Care Information System (ICCIS). The CCL Staff will place a copy of the notification received from the BCP and a printed copy of the casenote in the facility's licensing binder under tab 15.

## **6050-3 ELIGIBLE TO PROVISIONALLY HIRE**

When the Background Check Program (BCP) makes an eligibility determination of Eligible for Provisional Hire, the individual is eligible to work and/or reside in a child care facility. The facility must "hire" the individual to connect them with the facility's New Alaska Background Check System (NABCS) case. If the provider does not take action to provisionally hire the individual in NABCS within thirty (30) days of the determination being made by the BCP the application in NABCS is closed. The provider must submit a new BCP application and complete the application process including submitting a new fingerprint card and payment of fees.

Once the individual has been "hired" provisionally, the Child Care Licensing (CCL) Staff will use the hired date to update the individual's information in the Staff/HH screen of the provider's Integrated Child Care Information System (ICCIS) and enter a case note using subject heading: BCP Clearance Rcvd. The body of the case note identifies the individual, the date and type of clearance granted by the BCP and whether or not the facility has hired the individual which associates them with the BCP case. An alert is set for the CCL Staff to check for Permanent Hire determination.

The provider and CCL Staff must continue to monitor the case for a determination of Eligible for Permanent Hire to be made by the BCP. Once the individual has received a determination for Permanent Hire, the CCLS Staff will update the individual's information in the Staff/HH screen of the provider's ICCIS case and enter a case note using subject heading: BCP Clearance Rcvd. The body of the case note identifies the individual, the date and type of clearance granted by the BCP.

## **6050-4 PROVISIONAL STATUS EXPIRES**

Individuals remain in "provisional status" with the Background Check Program (BCP) until a final determination is completed. Remaining in a provisional status could mean the individual's fingerprint card was rejected requiring them to be re-rolled and resubmitted. Provisional



status expires after sixty (60) days, therefore providers must monitor their New Alaska Background Check System (NABCS) case to ensure any action needed by the provider or individual is completed timely for a final determination to be made, including associating any applicable individuals with their case.

When a determination of Eligible for Permanent Hire is not made within sixty (60) days the individual's provisional status expires and they are no longer eligible to work or reside in a child care facility. The Child Care Licensing (CCL) Staff will enter a case note in the Integrated Child Care Information System (ICCIS) using subject heading: BCP Prov Status Expired. The body of the case note identifies the individual, and the date their provisional status expired.

When a provisional status has expired without a final determination being made, the individual is no longer eligible to have access to children in care or reside in a child care facility and must immediately be removed from the child care facility.

When CCL Staff receive notification from the BCP regarding a provisional status expiring on an individual associated with the child care facility, they will contact the provider by telephone and advise to immediately remove the individual from the child care facility. The CCL staff will follow up with the facility to ensure the household member or caregiver has been removed and what action, if any the facility plans to take.

A new application, including a new fingerprint card and payment of fees must be submitted and a determination of eligible for provisional hire must be received for the individual to return to the facility.

## **6050-5**

### **ELIGIBLE FOR PERMANENT HIRE**

When the Background Check Program (BCP) receives an individual's fingerprint results and there are no barring charges, crimes, or conditions, a determination of eligible for permanent hire is made in the New Alaska Background Check System (NABCS).

The provider must take action in NABCS to permanently hire the individual. These individuals are now "flagged" for the BCP to receive notification of any law enforcement involvement. The BCP notifies the individual and the provider if a barring crime and/or condition is identified after the individual is permanently hired.

The Child Care Licensing (CCL) Staff will access NABCS to review for application completion and to ensure the provider has hired/associated the individual with the provider's case. The CCL Staff will enter a case note in the Integrated Child Care Information System (ICCIS) using subject heading: BCP Clearance Rcvd. The body of the case note identifies the individual, the date and type of clearance granted by the BCP and whether or not the facility has hired the individual. The CCL Staff will enter the "permanent hired" date when updating the individual's information in the Staff/HH screen of the provider's ICCIS case.

## **6050-6 INCOMPLETE BACKGROUND CHECK APPLICATION**

When a child care provider does not submit all of the required information for themselves, household members, or their caregivers within thirty (30) days of their Background Check Program (BCP) application, their New Alaska Background Check System (NABCS) application is automatically closed by the BCP.

The Child Care Licensing (CCL) Staff will enter a case note in the provider's case in the Integrated Child Care Information System (ICCIS) using subject heading: BCP Incomplete. The body of the case note identifies the BCP application date and the information missing for the individual.

When the background check for the Administrator of a child care facility is the last item needed to complete the application process, the CCL Staff will issue the facility an *Incomplete Application – Application Returned* letter, update ICCIS and case note actions taken.

## **6060 BIENNIAL CHILD CARE LICENSE APPLICATION**

Licensed child care facilities, who want to continue to operate beyond their existing license's expiration date, must apply for renewal and be in full regulatory compliance.

### **6060-1 APPLICATION PROCESS FOR A BIENNIAL CHILD CARE LICENSE**

Child Care Licensing (CCL) will not issue or renew a *Biennial Child Care License* if the facility is not operating in full regulatory compliance.

CCL Staff review applications and facility histories to ensure the facility has met the specific requirements of child care licensing and has corrected any issues of noncompliance prior to a determination being made to issue a *Biennial Child Care License*.

Biennial licenses are issued once the child care facility has completed their renewal process, has been determined to be in regulatory compliance, and before the expiration of the facility's current (Provisional or Biennial) license.

The Biennial Child Care Licensing Process includes receipt and review of an *Application for Biennial Child Care License*, any changed information submitted on the *Report of Change CC95* form (if applicable), an on-site Child Care Licensing Inspection of the facility by CCL Staff, and a determination for licensure. The approval and issuance of a biennial license or denial of the application will be made within ninety (90) days of the receipt of a complete application.

An *Application for Biennial Child Care License* packet must be submitted and deemed complete before an on-site Biennial Child Care Licensing Inspection of the facility by CCL Staff occurs and a determination of licensure is made.

A *Biennial Child Care License* will be issued by CCL Staff to the facility upon successful completion of the Biennial Child Care Licensing Process. The license is issued effective the first (1st) day of the month following the last day of the facility's current license and completion of the licensing process, which includes the Biennial on-site inspection and determination by CCL Staff. A *Biennial Child Care License* is valid for a period not to exceed two (2) years.

A Biennial Child Care License will be issued for the following:

1. A current licensed (Provisional or Biennial) child care facility that is in regulatory compliance and seeks renewal of their Child Care Home License, Child Care Group Home License, or a Child Care Center License; and
2. A change of ownership of a licensed child care facility from Sole Proprietor to a Limited Liability Company (LLC) where the owner remains the same.

## BIENNIAL CHILD CARE LICENSE APPLICATION CONTENTS

The contents of the application packet are specified in Alaska Statutes (AS) 47.32.040 and in the Alaska Administrative Code (AAC) Child Care Facilities Licensing regulations 7 AAC 57.030. The department has detailed these requirements in application forms that must be used by applicants. An *Application for Biennial Child Care License* packet is provided to an applicant for each child care facility type: Child Care Home, Child Care Group Home, or Child Care Center. The Application for Biennial Child Care License packet contains a *Letter for License Renewal*; *Application for Biennial Child Care License* CC94; and a *Report of Change* CC95 form applicable to report facility changes, and other information to help an applicant complete and submit their packet.

The *Application for Biennial Child Care License* packet includes the following forms and verification requirements which must be completed and submitted to the department. The requirements of a completed application are listed below based on the facility type:

### 1. Child Care Homes:

Child Care Homes must have an Owner/Administrator who is at least twenty-one (21) years of age who resides in the home; may care for up to eight (8) children; must have at least thirty-five (35) square feet of usable space per child the facility is licensed for, and seventy-five (75) square feet of exterior space per child based on the maximum number of children allowed in the outdoor play area at one time.

The requirements for a complete Child Care Home application include the following:

- a. An *Application for Biennial Child Care License* CC94;
- b. *Report of Change* form CC95; and
- c. Annual License Fee (MOA only)

### 2. Child Care Group Homes:

Child Care Group Homes must have an Owner/Administrator who is at least twenty-one (21) years of age who resides in the Group Home; and a second caregiver who is at least eighteen (18) years of age; may care for nine (9) to twelve (12) children; must have at

least thirty-five (35) square feet of usable interior space per child the facility is licensed for, and seventy-five (75) square feet of exterior space per child based on the maximum number of children allowed in the outdoor play area at one time.

Exception #1: An applicant may be licensed as a group home with only one (1) Owner/Administrator who is at least twenty-one (21) years of age who resides in the Group Home. The Administrator or Administrator's designee must have one (1) year of licensed home child care experience or the equivalent; or twelve (12) semester hours of college credit in early childhood development, child development, child psychology, or the equivalent; or hold a current Child Development Associate (CDA) credential or Montessori Certificate. The total number of children in care can be twelve (12) or fewer children who must all be school aged (seven (7) through twelve (12) years), including the caregiver's children younger than thirteen (13) years of age. Or the total number of children in care can be ten (10) or fewer, including the caregiver's children younger than thirteen (13) years of age, with none of the children being younger than thirty (30) months of age, and not more than two (2) of the total number of children being non-ambulatory. The group home must have thirty-five (35) square feet of usable indoor space and seventy-five (75) square feet of outdoor recreation space per child.

Exception #2: Child Care Group Homes may be licensed in a commercial building with special consideration to rural and remote area in Alaska where other care is not readily available and specific fire marshal approval stating the facility meets the E occupancy requirements and no one is required to reside in the facility. The Group Home must have an Administrator who is at least twenty-one (21) years of age; and a second caregiver who is at least eighteen (18) years of age; may care for nine (9) to twelve (12) children; must have at least thirty-five (35) square feet of usable interior space in the area where care will be provided, per child the facility is licensed for, and seventy-five (75) square feet of exterior space per child based on the maximum number of children allowed in the outdoor play area at one time.

The requirements for a complete Child Care Group Home application include the following:

- a. *An Application for Biennial Child Care License CC94*; and

b. *Report of Change* CC95 form.

**3. Child Care Centers:**

Child Care Centers must have a qualified Administrator, a qualified Child Care Associate for each thirty (30) children; meet child-to-caregiver ratios; care for at least thirteen (13) children within the State of Alaska (SOA) Child Care Licensing (CCL) Program or at least nine (9) children within the Municipality of Anchorage (MOA) Licensing Program; must have at least thirty-five (35) square feet of usable interior space and seventy-five (75) square feet of outdoor play space per child.

The requirements for a complete Child Care Center application include the following:

- a. *An Application for Biennial Child Care License* CC94;
- b. *Report of Change* CC95 form; and
- c. Annual License Fee (MOA only).

**6060-3**

**SENDING OUT THE APPLICATION FOR BIENNIAL CHILD CARE LICENSE PACKET**

Whether a facility is currently operating with a provisional license or a biennial license, the Child Care Licensing Specialist (CCLS) processes the facility's renewal the same. An *Application for Biennial Child Care License* packet is sent to the facility one hundred and twenty (120) days prior to the expiration date of the license. The CCLS will:

1. Send an Application for Biennial Child Care License packet, including the *Application for Biennial Child Care License* and the *Report of Change* CC95 for the facility to complete the Application for Biennial Child Care License process, with a due date of fifteen (15) days, using the Adverse Action calendar;
2. Set an Alert in the Integrated Child Care Information System (ICCIS) for the date the Application for Biennial Child Care License packet is due to be submitted, and add a case note using subject heading: Biennial CCL App Mailed. Include in the body of the case note the date the *Application for Biennial Child Care License* and the *Report of Change* CC95 were mailed to the facility and the date the application is due back to the licensing office.

## **6060-4**

### **RECEIVING AN APPLICATION FOR BIENNIAL CHILD CARE LICENSE PACKET**

*An Application for Biennial Child Care License* packet can be received by mail, email, fax, or in person at one of the Child Care Program Office (CCPO) regional offices or Municipality of Anchorage (MOA) Child Care Licensing Office. The *Application for Biennial Child Care License* packet is due to be submitted no later than ninety (90) days prior to the expiration date of the facility's current license.

When an *Application for Biennial Child Care License* packet is received, all pages of the application, *Report of Change* CC95 form, and supporting documentation are date stamped, with the date received by the Administrative Staff or other Child Care Licensing (CCL) Staff. Once date stamped the application packet is given to the applicable assigned CCLS.

The CCL Staff assigned to the application will process the application within sixty (60) days of the date received. To process the application, the CCLS will thoroughly review the application and documentation received to determine if it meets all of the requirements to be deemed complete, determine compliance with the applicable licensing statutes and regulations required for a license, and make a determination of approval and issuance of a license, or a denial of the application.

## **6060-4 A.**

### **BIENNIAL CHILD CARE LICENSE APPLICATION PROCESS - ADMINISTRATIVE STAFF/OTHER CHILD CARE LICENSING STAFF**

Within one (1) business day of receiving an application packet, the CCPO Administrative Staff or other CCL Staff will:

1. Date stamp each page of the application and all supporting documentation with the date received by the CCPO;
2. Access ICCIS using the *ICCIS User Guide* to determine who the assigned CCLS is and give the application and all documents received to the applicable CCLS to begin the application process.

## **6060-4 B. BIENNIAL CHILD CARE LICENSE APPLICATION PROCESS - CHILD CARE LICENSING SPECIALIST**

Within ten (10) business days of the date the application is date stamped received based upon the Adverse Action Calendar the CCLS will:

1. Thoroughly review the application and supporting documentation received for completeness. See section 6060-5 Reviewing an *Application for Biennial Child Care License* Packet for Completeness; and
2. Notify the facility in writing letting them know if their application is complete or incomplete. See section 6060-5A. An Incomplete – Application for Biennial Child Care License Packet or 6060-5B. A Complete – Application for Biennial Child Care License Packet.

## **6060-5 REVIEWING AN APPLICATION FOR BIENNIAL CHILD CARE LICENSE PACKET FOR COMPLETENESS**

Within ten (10) business days of the date stamped received date on the application based upon the Adverse Action Calendar, the Child Care Licensing Specialist (CCLS) will review each of the following sections of the *Application for Biennial Child Care License* packet for completeness. Any sections of the packet deemed incomplete must be included in the Incomplete Application Letter. See section 6060-5 A. An Incomplete-Application for Biennial Child Care Licensing Application Packet.

1. *An Application for Biennial Child Care License* CC94:  
Ensure all areas of the application are filled in (as applicable to the facility), the application is signed, and the required supporting documentation for those areas are attached.
2. *Report of Change* form CC95;  
Ensure the form is filled out for the applicable changes being reported, the form is signed, and the required supporting documentation for any applicable areas checked as changes, are attached.



3. *Child Care Facility Invoice* (MOA only):  
Ensure the *Child Care Facility Invoice* was sent and the annual license fee has been submitted.

## **6060-5 A. AN INCOMPLETE – APPLICATION FOR BIENNIAL CHILD CARE LICENSE PACKET**

If the *Application for Biennial Child Care License* packet is deemed incomplete the CCLS will within ten (10) business days of the date stamped received date on the application:

1. Send an *Incomplete Biennial Application Letter* to the facility notifying them of the missing items from their application. If the *Application for Biennial Child Care License CC94* or *Report of Change CC95* form is missing information, highlight the information missing and make a copy of the form to retain in the facility's licensing binder. Send the highlighted originals to the facility with the *Incomplete Biennial Application Letter* with a due date of fifteen (15) days, using the Adverse Action calendar;
2. Enter into the Integrated Child Care Information System (ICCIS) a case note using subject heading: Incomplete Biennial App Rcvd. Include in the body of the case note the date the *Incomplete Biennial Application Letter* was sent, what information is missing and the date the information is due back; and
3. Set an Alert in ICCIS for the date the incomplete information is due back.

The CCLS will place a copy of the letter, application, and all supporting documentation under each applicable tab in the facility's licensing binder.

## **6060-5 B. A COMPLETE APPLICATION FOR BIENNIAL CHILD CARE LICENSE PACKET**

When the *Application for Biennial Child Care License* packet is deemed complete and contains all the required documents, clearances, and approvals as applicable, the CCLS will within ten (10) business days of the date stamped received date on the application:

1. Complete updates to all of the applicable screens in ICCIS based on information provided in the packet;

2. Contact the facility Administrator to answer any questions and schedule the Biennial Child Care Licensing on-site inspection;
3. Send the facility a *Complete Application Letter*, indicating the date and time of the inspection scheduled during your contact with the Administrator; and
4. Document in ICCIS on the Application Screen in the Licensing Renewal App Rec'd field the date the application was received and the date application was deemed complete in the APP Completed Date field, and add a case note using subject heading: Biennial CCL App Complete. Include in the body of the case note the application is complete; *Complete Application Letter* was sent to provider; and the date and time scheduled for the on-site inspection; and
5. Place a copy of the *Complete Application Letter*, *Application for Biennial Child Care License*, and all supporting documentation under each applicable tab in the facility's licensing binder.

## 6060-6

### **SCHEDULING FACILITY BIENNIAL CHILD CARE LICENSING ON-SITE INSPECTION**

Within thirty (30) days of the date an *Application for Biennial Child Care License* packet is determined to be complete, and no later than sixty (60) days prior to the facility's current license expiration date, the assigned Child Care Licensing Specialist (CCLS) must conduct a Biennial Child Care Licensing on-site inspection of the facility for the purpose of determining regulatory compliance, prior to issuing a biennial license.

The CCLS will:

1. Contact the facility's Administrator and set up a date to conduct the Biennial Child Care Licensing on-site inspection;
2. Add the inspection to their outlook calendar;
4. Submit a *Travel Request* to their supervisor, if travel is necessary to conduct the inspection;

5. Send a *Complete Application Letter* to the facility, and maintain a copy in the facility's licensing binder; and
5. Document the inspection date in an Integrated Child Care Information System (ICCIS) case note using subject heading: Inspection Scheduled. Include in the body of the case note the date and time of the inspection scheduled and date the *Complete Application Letter* was sent to the provider.

## 6060-7

### **BIENNIAL CHILD CARE LICENSING FILE AND DATABASE REVIEW PRIOR TO ON-SITE INSPECTION**

Once the facility's *Application for Biennial Child Care License* packet is determined to be complete and prior to the on-site inspection the Child Care Licensing Specialist (CCLS) will:

1. Complete a file review of the facility's licensing binder, including the facility's history, and any outstanding *Plans of Corrections* (POC) to determine if the facility is missing anything or needs to submit updated information in order for the facility to be operating in full regulatory compliance;
2. Review and update any applicable information in the Integrated Child Care Information System (ICCIS) Facility Tab, and review New Alaska Background Check System (NABCS) to determine if the facility is missing anything or needs to submit updated information in order for the facility to be operating in full regulatory compliance; and
3. Indicate any missing or needed items determined from the facility's licensing binder, POC, ICCIS, and NABCS review on the applicable Inspection checklist which will be used during the on-site inspection.

## 6060-8

### **BIENNIAL CHILD CARE LICENSING ON-SITE INSPECTION**

The Child Care Licensing Specialist (CCLS) will use the applicable *Inspection Checklist* created during the file and database review during the on-site inspection, and will:

1. Conduct a thorough inspection of the outside of the facility premises including any separate buildings, garage(s), shed(s), and recreational vehicle(s) that are on the facility property, and ensure the children's play areas meet the square footage requirements for the capacity the facility is reapplying for;
2. Inspect, all vehicles the facility will use to transport children for health and safety concerns to ensure the children will be transported in a safe manner, including working seat belts and car seats, as applicable, for all children and a smoke free vehicle;
3. Conduct a thorough inspection, of the inside facility premises for any health and safety concerns including: children's care areas, bathrooms, kitchen, and bedrooms to ensure children do not have access to items that might present a hazard;
4. Count the number of children in each care area including identifying the age of each child to ensure ratios are being met, and observe while in each care area to ensure the interactions between the caregiver and children in care are appropriate; and
5. Review facility records including but not limited to: children files; attendance records; personnel files; disaster evacuation drills, and any other records necessary to complete the inspection; and
6. Meet with the Administrator and discuss any areas identified on the completed *Inspection Checklist* identified as a health or safety concern, an area of non-compliance, or information missing or needed for regulatory compliance, have the Administrator sign the *Inspection Checklist* confirming the review, and answer any questions the Administrator has prior to leaving the facility.

Upon returning from the on-site inspection, the CCLS will within ten (10) business days of the completion of the on-site inspection:

1. Complete the *Report of Inspection or Report of Inspection/Notice of Violation* (see 6080-6 A. Report of Inspection – In Compliance and/or 6080-6B. Report of Inspection/Notice of Violation – Out of Compliance):
  - a. *Report of Inspection* (no findings): If no areas of non-compliance were noted during the Biennial Child Care

Licensing on-site inspection, and the facility is in full compliance with the Biennial Child Care Licensing process a *Report of Inspection* is written, signed and sent to the Supervisor/Lead (see 6060-7 A. Determining an Application Process for Biennial Child Care License is Complete – Child Care Licensing Specialist).

- b. *Report of Inspection/Notice of Violation* (with findings): If non-compliances are noted during the Biennial Child Care Licensing on-site inspection, a *Report of Inspection/Notice of Violation* needs to be written and approved by the Licensing Supervisor/Lead. If an Enforcement Action is recommended by the Licensing Specialist the *Report of Inspection/Notice of Violation* needs to be approved by the Licensing Supervisor/Lead.

## **6060-9**

### **DETERMINING THE APPLICATION PROCESS FOR BIENNIAL CHILD CARE LICENSE IS COMPLETE**

After the facility completes the biennial child care licensing process and is in full compliance with all regulatory requirements including the *Application for Biennial Child Care License* packet and all applicable supplemental documentation and requirements, the Biennial Child Care Licensing on-site inspection, the Child Care Licensing Specialist (CCLS) and Licensing Supervisor/Lead will determine the Biennial Child Care Licensing Process is complete.

## **6060-9 A.**

### **DETERMINING THE APPLICATION PROCESS FOR BIENNIAL CHILD CARE LICENSE IS COMPLETE – CHILD CARE LICENSING SPECIALIST**

After the facility completes the Biennial Child Care Licensing process and is in full compliance with all regulatory requirements including the application packet and all applicable supplemental documentation and requirements, and the Biennial Child Care Licensing on-site inspection, the CCLS will within two (2) business days:

1. Ensure all screens in the Integrated Child Care Information System (ICIS) are updated;

2. Ensure the facility's licensing binder contains all application and inspection documentation, and correspondence regarding the licensing process;
3. Notify their supervisor/lead by email that the facility has completed the biennial child care licensing process and is in full regulatory compliance, and include any changes or additions to the license and/or any updates or deletions to Conditions, Variances, and Specializations on the license, and attach a copy of the *Report of Inspection*; and
4. Correct any issues identified by the supervisor/lead during their review.

## **6060-9 B. DETERMINING THE APPLICATION PROCESS FOR BIENNIAL CHILD CARE LICENSE IS COMPLETE – LICENSING SUPERVISOR/LEAD**

When the Licensing Supervisor/Lead receives notification by email the facility has completed the biennial child care licensing process and is in full regulatory compliance, they will within two (2) business days complete the following:

1. Ensure all screens in ICCIS are updated, including alerts set for actions needed and case notes have been entered for all actions taken;
2. Send an email to the CCLS for any corrections needed in ICCIS, the *Report of Inspection*, or for any additional actions necessary, if applicable; and/or approve the *Biennial Child Care License*.

## **6060-10 ISSUING A BIENNIAL CHILD CARE LICENSE**

Once the facility has met the requirements for licensure, a Biennial Child Care License will be issued with an effective date of the first (1st) day of the following month after the current license expires. A *Biennial Child Care License* is issued for a period of two (2) years, during which time the facility will be monitored through announced and unannounced inspections and investigations (as applicable), to ensure compliance with child care licensing regulations and requirements.

## **6060-10 A. ISSUING A BIENNIAL CHILD CARE LICENSE - LICENSING SUPERVISOR/LEAD**

If the screens in the Integrated Child Care Information System (ICCIS) have been updated and are correct, and the Licensing Supervisor/Lead has approved the facility's Biennial License, the Licensing Supervisor/Lead will:

1. Create, print, sign, and apply the State of Alaska or Municipality of Anchorage seal, as applicable, to the *Biennial Child Care License* for the Facility;
2. Create the *License Issuance Cover Letter*;
3. Update the application screen in ICCIS to reflect the effective and expiration dates of the new license, and update the status date;
4. Update any applicable spreadsheets;
5. Scan a copy of the *License Issuance Cover Letter* and *Biennial Child Care License* to the assigned Child Care Licensing Specialist (CCLS);
6. Mail the original *Biennial Child Care License*, *License Issuance Cover Letter*, *Report of Inspection*, and if applicable the *Plan of Correction Approved Letter* to the facility; and
7. Enter a case note into ICCIS using subject heading: Biennial License Issued. Include in the body of the case note ICCIS screens updated, effective date of new license issued, and the date the *Biennial Child Care License*, *License Issuance Cover Letter*, and inspection checklist was mailed to the facility.

## **6060-10 B. ISSUING A BIENNIAL CHILD CARE LICENSE – CHILD CARE LICENSING SPECIALIST**

After the Licensing Supervisor/Lead creates and signs a Biennial Child Care License, the CCLS will within two (2) business days:

1. Print the scanned copy of the *License Issuance Cover Letter* and *Biennial Child Care License* and place it in the facility's licensing binder;

2. Scan and attach a copy of the *Biennial Child Care License* to an email that is sent to all regional partner agencies stating a new *Biennial Child Care License* has been issued for that facility; and
3. Update the caseload, end of month spreadsheet, and/or any other applicable spreadsheets.

## 6060-11

### **DETERMINING AN APPLICATION FOR BIENNIAL CHILD CARE LICENSE PROCESS IS INCOMPLETE**

If all of the information requested in the *Incomplete Biennial Application Letter* is not received or violations were found during the Biennial Child Care Licensing on-site inspection, which haven't been corrected by the requested due date, the Child Care Licensing Specialist (CCLS) will:

1. Call the facility to notify them the due date has passed and review the items still needed in order for the facility to receive a biennial license;
2. Send a second (2<sup>nd</sup>) *Incomplete Biennial Application Letter* to the applicant notifying them of the missing items from their application, and new due date of ten (10) days using the Adverse Action Calendar;
3. Enter into the Integrated Child Care Information System (ICCIS) a case note using subject heading: Incomplete Biennial App. Include in the body of the case note the date the second (2<sup>nd</sup>) *Incomplete Biennial Application Letter* was sent, the new date the information is due back, and any other relevant facility information; and
4. Set an Alert in ICCIS for the date the incomplete information is due back.
5. Place a copy of the second (2<sup>nd</sup>) letter, and any submitted documentation under each applicable tab in the facility's licensing binder.

If the information requested in the second (2<sup>nd</sup>) *Incomplete Biennial Application Letter* is not received by the requested due date or the applicant has not contacted the CCLS to request an extension of the due date, the application is deemed incomplete. The CCLS will:



1. Issue and mail a *Facility Closure - Biennial Application Process Incomplete* letter to the facility notifying them their facility license will expire on its current licensing expiration date, because the Biennial Application Process was not completed.
2. Place a copy of the *Facility Closure - Biennial Application Process Incomplete* letter in the facility's licensing binder;
3. Set an Alert in ICCIS to close the facility on the expiration date of the license; and
4. Scan and attach a copy of the *Facility Closure - Biennial Application Process Incomplete* letter to an email that is sent to all regional partner agencies to notify them a new *Biennial Child Care License* will not be issued for the facility.

When the Alert in ICCIS notifies the CCLS to close the facility, the CCLS will:

1. Delete the Alert and update the applicable ICCIS screens including the Application Screen closing out the facility, update the status date, and enter a case note stating the facility was closed for an incomplete Biennial Application Process;
2. Update their caseload report, their end of month spreadsheet, and the Monthly Partner Agency EOM report; and
3. File the facility's licensing binder away with the closed files; and
4. Verify the facility has terminated their New Alaska Background Check System (NABCS) account, and if not send the *Background Check Program NABCS: CCPO Provider/Facility Account Form* with notification of closure to the Background Check Program (BCP);

## 6070

## VARIANCE REQUEST APPLICATIONS

Providers must meet all of the requirements in regulation in order to participate in the Child Care Licensing (CCL) Program.

When a barring crime and/or condition is identified for the provider, a caregiver, or a household member, the provider, household member, or individual may apply for a background check variance. The background variance process may take up to ninety (90) days to receive a determination.

If the provider is unable to meet a regulation requirement pertaining to any other regulation they may apply for a general variance.

Variance applications for a licensed provider are processed by the CCL Staff and forwarded with a recommendation of approval or denial to their Licensing Supervisor/Lead. Upon receiving a request for a variance, the Child Care Licensing Program Manager and Supervisor is notified.

The Child Care Program Office (CCPO) or Municipality of Anchorage (MOA) Child Care Licensing Office approves or denies requests for a general variance and makes a recommendation to approve or deny regarding a background check variance.

Each variance application packet is reviewed at face value by the Licensing Supervisor/Lead so it is important to have a complete application. If a worker has additional information to be considered it is to be included in the applicable worksheet and recommendation form.

## **6070-1**

### **BACKGROUND CHECK VARIANCE REQUEST APPLICATIONS**

The identification of a barring crime and/or condition for a provider, caregiver, or household member may occur at the time of application for a child care license or after the license has been approved and the facility is in operation.

When a barring crime and/or condition is identified for the provider, the provider may request a variance. If the barrier is identified during the application process, the provider may request a background check variance, and if granted would still be eligible for licensure.

When a barring crime and/or condition is identified for a household member or caregiver, the individual identified as having the barring crime and/or condition may request a variance or the provider may request a variance on behalf of the individual.

When a barring crime and/or condition is identified after the license has been approved and the facility is in operation, the facility must within twenty-four (24) hours, stop providing child care services or remove the household member or caregiver from direct contact with children in care.

To request a variance, the provider must submit a *Background Check Variance Request Application* to their Child Care Program Office (CCPO) within ninety (90) calendar days of the provider receiving notification a barrier crime and/or condition exists.

The Child Care Licensing (CCL) Staff will document in an Integrated Child Care Information System (ICCIS) case note the receipt of a *Background Check Variance Request Application* using subject heading: Background Variance Req App Rcvd. The body of the case note will include:

1. The date the *Background Check Variance Request Application* was due;
2. The date the *Background Check Variance Request Application* was received;
3. Results of the review of the documentation received; and
4. A determination of complete or incomplete.

If the *Background Check Variance Request Application* is not received within ninety (90) days of the provider receiving notification a barrier crime and/or condition exists, the facility will be closed in ICCIS, if the barrier crime and/or condition is for the provider or a household member who still resides in the facility. If the barrier crime and/or condition is for a caregiver, the CCL Staff will ensure the caregiver is no longer associated with the facility and will document the background findings in ICCIS under that individual in the Staff/Household Screen, add their end date of employment, and case note their actions.

## **6070-1 A. BACKGROUND CHECK VARIANCE REQUEST APPLICATION REVIEW**

The CCL Staff will review the *Background Check Variance Request Application* and all supporting documents to determine if the application received is complete.

When the barrier condition is a substantiation of Child In Need of Assistance (CINA) the CCL Staff will notify the CCPO Licensing Program Manager of the receipt of a *Background Check Variance Request Application* for CINA and the individual's name. The CCPO Program Licensing Manager will contact the Office of Children's

Services (OCS) to obtain the CINA record to be included with the *Background Check Variance Request Application* when reviewed by the Licensing Supervisor/Lead.

Information needed to complete a *Background Check Variance Request Application* depends on the barring crime and/or condition and will include the following items as applicable:

1. *Background Check Variance Request Application*;
2. Copies of all known and available information relevant to determining whether the health, safety, and welfare of recipients of services will be adequately protected or an explanation why information is not available and the steps taken to obtain the records. Records include, as applicable, copies of:
  - a. All protective orders the individual has been a part of;
  - b. All charging documents including any charges where the individual was not convicted. This information should cover the individual's entire history, not limited to the barrier crime or condition;
  - c. All conviction or judgment documents, to include all convictions regarding the applicant's criminal history;
  - d. All copies of releases from incarceration, dates of release from incarceration, and any terms and conditions of parole, if the individual was incarcerated;
  - e. If the individual was sentenced and, as part of that sentence, the individual was placed on supervised or unsupervised probation, a copy of the terms and conditions of probation, including, as applicable, any Release of Probation documentation;
3. Information regarding the extent, nature and seriousness of a behavioral health problem. A behavior health problem is defined as a mental disorder, substance use disorder or co-occurring disorder;
4. Information regarding the extent, nature, and seriousness of a domestic violence problem. A domestic violence problem means the individual has been charged and/or convicted of a crime

involving domestic violence or is or has been subject to a protective order;

5. The individual's detailed statement of any and all mitigating circumstances that were involved at the time of the offense. This should include information regarding what happened prior to, during and after the barrier crime or condition;
6. The individual's statement describing all actions the individual has taken to reduce the risk of reoffending. Include copies of any rehabilitation, prevention, or treatment efforts, if applicable;
7. At least two (2) letters of recommendation from credible persons who are aware of the individual's criminal and/or civil history, behavioral health problem, or domestic violence problem, and who would, despite that knowledge, recommend a variance be granted. Letters must be:
  - a. From persons who are unrelated to the individual for whom the variance is requested; and
  - b. Who are not associated with any provider who may associate/hire the individual;
8. Information relating to the current or potential job duties and responsibilities, including hours and days of service, whether the individual would be in direct contact with recipients of services and plans for supervision, including whether the individual would be subject to direct supervision;
9. A description of the individual's education and employment history;
10. A copy of professional licenses and/or certification such as a Registered Nurse license, Physician's license, Certified Nurse Aid certification, etc;
11. A copy of the Barrier determination or Revocation notice issued to the individual by the Alaska Background Check Program (BCP) or department identifying the barring crime and/or condition;
12. An explanation of how the individual and/or provider intend to ensure the health, safety, and welfare of recipients of services will be adequately protected. This may include plans for supervision, prohibition of certain duties within the entity, etc; and

13. A comprehensive rationale for why the department should grant the variance. This may include an additional applicant's statement, explanation why the provider believes the applicant should be placed in or continue in their position, etc.

## **6070-1 B. ACTIONS ON A BACKGROUND CHECK VARIANCE REQUEST APPLICATION**

All complete *Background Check Variance Request Applications* are reviewed by the Licensing Supervisor/Lead and sent to the Department of Health and Social Services (DHSS) Variance Review Committee, with a recommendation of approval or denial, for their consideration. A determination of complete or incomplete must be made within thirty (30) calendar days of the date the Background Check Variance Request Application is date stamped received.

### **1. Incomplete Background Check Variance Request Application**

Within two (2) business days of receipt, the CCL Staff will review the *Background Check Variance Application* for completeness. When information is missing, an *Incomplete Background Check Variance Application* letter, identifying all missing information, is issued to the person initiating the request, either the individual or provider, and sent by regular mail. The individual must be given at least thirty (30) calendar days to provide the needed information. The CCL Staff must assist the individual and/or provider with understanding the process, timeframes, or required documentation needed.

The CCL Staff will contact the applicant by telephone if no contact has been received from the individual/provider or documentation is not received ten (10) days prior to the due date in the notice.

If the barring condition is a Child In Need of Aid (CINA) substantiation, the applicant is advised the CCPO is requesting the CINA records for their application. If the CINA documentation is the last needed information, the *Background Check Variance Request Application* is submitted to the Licensing Supervisor/Lead. See 2. Complete *Background Check Variance Request Application* below.

If the individual/provider states they do not wish to complete the process, the CCL Staff documents the contact in an ICCIS case note

and issues the provider a *Withdraw Variance Request* notice. The incomplete *Background Check Variance Request Application* is denied. The CCL staff will issue the *Background Check Variance Request Application – Denied Notice*, and file the incomplete *Background Check Variance Request Application*, a copy of the *Withdraw Variance Request* notice, and the *Background Check Variance Request Application – Denied Notice*, in the facility's licensing binder with the provider application documentation, or in the variance tab, if outside of the application process.

If the CCL Staff was unsuccessful in reaching the individual/provider, a case note is entered in ICCIS documenting the attempted contact and the incomplete *Background Check Variance Request Application* is denied. The CCL Staff will issue the *Background Check Variance Request Application – Denied Notice* and file the incomplete *Background Check Variance Request Application*, a copy of the *Withdraw Variance Request* notice, and the *Background Check Variance Request Application – Denied Notice*, in the facility's licensing binder with the provider application documentation, or in the variance tab, if outside of the application process.

## **2. Complete Background Check Variance Request Application**

Within two (2) business days of determining a *Background Check Variance Application* to be complete the CCL Staff completes the *CCPO Background Variance Request Worksheet and Recommendation*.

The CCL Staff will submit the completed *CCPO Background Check Variance Worksheet and Recommendation* and the *Background Check Variance Request Application* to their Licensing Supervisor/Lead to be reviewed and a recommendation of approval or denial made. The CCL Staff will enter a case note in the provider's case in the Integrated Child Care Information System (ICCIS) of their recommendation and forwarding to the Licensing Supervisor/Lead.

The Licensing Supervisor will save the completed *Background Check Variance Request Application* packet with the *CCPO Background Check Variance Worksheet and Recommendation* received in the CCPO shared drive when received and enter the variance information in the Variance Tracking Spreadsheet.

Application packets will be reviewed by the Licensing Supervisor/Lead and a recommendation made within five (5) business days of receipt.

When the *Background Check Variance Request Application* involves a CINA finding, the Licensing Supervisor/lead will scan and save the information received from OCS to the applicant's variance folder to be forwarded to the Department of Health and Social Services (DHSS) Variance Committee only.

Application packets must be in the meeting date folder by close of business on Friday to be part of the CCPO Variance Committee meeting the following Thursday. If an application packet is complete after the Friday deadline, it is saved in the folder for the following week.

## 6070-2

### GENERAL VARIANCE APPLICATIONS

A provider must meet the regulations governing the Child Care Licensing (CCL) program. The identification of a statute or regulation the provider is unable to meet may occur at the time of application or during an inspection or investigation after the License has been issued and the facility is operating. The provider may request a general variance describing their alternative proposed method of meeting the intent of the statute or regulation. A separate *General Variance Application CC25* must be submitted for each regulation requirement that cannot be met.

The *General Variance Application CC25* must contain information describing:

1. Why they are unable to comply with the requirement;
2. How they are not in compliance;
3. The extent to which compliance with the requirement will impose any substantial economic, technological, programmatic, legal, or medical hardship on the provider or children in care;
4. The period of time the variance is requested;
5. Their alternative proposed method of meeting the intent of the statute or regulation;



6. A statement of how the health, safety, and welfare of children in care will be protected during the period of the variance;
7. Their plan for achieving compliance before the variance expires;
8. Assurance that the conditions at the provider's facility do not present an imminent danger to the health, safety, or welfare of children in care;
9. If the request for a variance involves fire safety or another state or municipal requirement, evidence that the request has been reviewed by the appropriate authority; and
10. Any additional information requested by the department to determine the effect of a variance on the health, safety, and welfare of children in care.

However, not all situations will require a provider to apply for a general variance when it is identified a regulation requirement cannot be met. The need for the provider to apply for a general variance is dependent on the regulation they cannot meet and the timing in which it is identified.

## **6070-2 A. IDENTIFICATION OF REGULATION NOT MET**

When it is identified by the provider or during an inspection a regulation is not met, a general variance may be required. When the provider can easily correct the condition to meet the regulation a general variance is not needed. If the condition is on-going, more time and or additional resources are needed in order for the provider to meet the regulation, a general variance is needed. An example of a more common item a provider may be requesting a general variance for would be to allow a prohibited animal, such as a lizard, to remain in the provider's home.

When it is identified during the application process the provider does not meet a regulation requirement, the provider may request a general variance by submitting a *General Variance Application CC25* to the Child Care Program Office (CCPO) or Municipality of Anchorage Child Care Licensing Office and if granted would still be eligible for licensure.

When it is determined during an inspection or investigation after the License has been issued and the facility is operating, that the provider

is unable to meet a requirement for which a variance is necessary, they will be issued a *Plan of Correction* for the violation noted.

If a prohibited animal such as a lizard is discovered during an inspection or an investigation, the lizard must be removed from the provider's home until a *General Variance Application CC25* is submitted and approved, allowing the lizard to return and reside in the provider's home.

If a variance is necessary to be in compliance or was submitted as a resolution to the violations identified in the *Plan of Correction*, the provider must submit a *General Variance Application CC25* within fifteen (15) calendar days of receiving notification of the regulation with which they are not meeting.

## **6070-2 B. ACTIONS ON A GENERAL VARIANCE APPLICATION**

Within two (2) business days of receiving the *General Variance Application CC25* the Child Care Licensing (CCL) Staff will communicate with the provider as to the completeness of the application.

The CCL Staff will review the *General Variance Application CC25* and supporting documents to determine if the application is complete. The provider must include a clear explanation of why they cannot meet compliance with a regulation as written and how the plan submitted within their *General Variance Application CC25* is attainable and meets the intent of the regulation. The supporting documentation needed will vary depending on the regulation for which the provider is requesting the variance.

The CCL Staff will document in an Integrated Child Care Information System (ICIS) case note the receipt of a *General Variance Application CC25* using subject heading: General Variance App Rcvd. The body of the case note will include the date the *General Variance Application CC25* was received; the regulation not met; results of the review of the documentation received; and a determination of complete or incomplete.

### **1. Incomplete General Variance Application**

The Incomplete *General Variance Application letter* is issued to the provider and sent by regular mail identifying all information missing from the application. The provider must be given at least ten (10) days, based on the Adverse Action Calendar, to provide

the needed information. The CCL Staff must assist the provider with understanding the process, timeframes, and/or required documentation needed. Additional time for the provider to submit the needed information is allowable when the provider makes contact with the CCL Staff within the timeframe indicated in the notice and identifies the need for more time. The CCL Staff will allow for reasonable additional time based on the circumstances and documentation needed. An *Incomplete General Variance Application letter* is issued with the new due date. The contact and additional time allowed must be documented in a case note in the provider's ICCIS case.

The CCL Staff will contact the provider by telephone if no contact or documentation has been received by the due date in the *Incomplete General Variance Application letter*. If the provider states they do not wish to complete the process, the CCL Staff documents the contact in an ICCIS case note and issues the provider a *Withdraw Variance Request* notice. The incomplete *General Variance Application* CC25 and a copy of the *Withdraw Variance Request* is filed with the provider's application documentation in the facility's licensing binder.

If the applicant requests additional time an *Incomplete General Variance Application letter* with the new due date is issued. The contact and additional time allowed must be documented in a case note in the provider's ICCIS case.

If the CCL Staff was unsuccessful in reaching the provider a case note is entered in ICCIS documenting the attempted contact and the *General Variance Application* CC25 is submitted to the Licensing Supervisor/Lead. See 2. Complete General Variance Application below.

Within two (2) business days following the due date to submit any needed information and there is no contact from the provider, the *General Variance Application* CC25 is denied as incomplete.

## **2. Complete General Variance Application**

Within two (2) business days of determining a *General Variance Application* CC25 to be complete the CCL Staff completes the *General Variance Worksheet and Recommendation*.

The CCL Staff will submit the completed *General Variance Worksheet and Recommendation* along with the *General Variance Application* CC25 to the Licensing Supervisor/Lead.

The Licensing Supervisor/Lead will save the completed General Variance Worksheet and Recommendation along with the General Variance Application received in the CCPO/MOA shared drive by application complete date and enter the variance information in the Variance Tracking Spreadsheet

Variance application packets will be reviewed by the Licensing Supervisor/Lead and a recommendation made within five (5) business days of receipt.

## **6070-3 B. CHILD CARE LICENSING VARIANCE DECISIONS OR RECOMMENDATIONS**

Variances can only be granted when they do not compromise the supervision, or the health, safety, and welfare of children in care. A provider's poor compliance history relevant to the request or variances specifically for the provider's convenience should not be granted.

Each variance application packet is reviewed with consideration to the identified need.

For variances regarding background barriers and/or conditions, the Licensing Supervisor/Lead provides the rationale for their recommendation, completes the *Oversight Agency Recommendation* form, and submits the complete packet to the CCPO's Department of Health and Social Services (DHSS) Background Variance Committee representative to submit to the Background Variance Committee Chair.

The Licensing Supervisor/Lead's recommendation may be different than the CCL staff member's recommendation.

When recommending variance approval, the Licensing Supervisor/Lead may add additional conditions for the provider. The approval timeframe for a general variance will begin upon approval of the variance and end with the date identified by the provider, the regulation can be met without a variance, or the license expiration, whichever is first. The approval timeframe for a background variance is the barring timeframe for the barrier crime or condition ends or five (5) years from the date of the individual's background eligibility determination date, whichever is first.

Application packets will be reviewed by the Licensing Supervisor/Lead and a recommendation made within five (5) business days of receipt. The Licensing Supervisor will complete the *Child Care Program Office Variance Decision* for general variance or the *Oversight Agency Recommendation* form for background check variances with their decision or recommendation.

**1. Child Care Licensing Variance Decision**

The form is completed based on the Licensing Supervisor/Lead's decision to approve or deny the application. The Licensing Supervisor will check the approved, approved with conditions, or denied box and remove the others. Conditions, if any, are added to the form based on the Licensing Supervisor/Lead's as are the reason(s) for denial.

**2. Oversight Agency Recommendation form**

The form is completed by the Licensing Supervisor/Lead based on their recommendation.

The Licensing Supervisor/Lead scans and emails the completed Oversight Agency Recommendation form along with the Background Variance Request Application packet to the CCPO's DHSS Background Variance Committee's representative to submit to the Background Variance Committee Chair and enters a case note in the provider's case in the Integrated Child Care Information System (ICCIS).

**6070-4**

**DEPARTMENT OF HEALTH AND SOCIAL SERVICES BACKGROUND VARIANCE COMMITTEE**

The Department of Health and Social Services (DHSS) Background Variance Committee processes all background check variance requests from providers subject to the background check process for all divisions within the DHSS.

The DHSS Background Variance Committee consists of representatives from all of the DHSS divisions covered under Alaska Administrative Code (AAC) for Licensing, Certification, and Approvals (Barrier Crimes, Criminal History Checks, and Centralized Registry) 7 AAC 10.

The DHSS Background Variance Committee meets on a weekly basis, as needed, to review applications and make a recommendation to the DHSS Commissioner. The DHSS Background Variance Committee's

recommendation and special conditions can be different than the Licensing Supervisor/Lead's recommendation.

When a barring crime and/or condition is a permanent barrier, the Child Care Program Office (CCPO)'s representative will forward the DHSS Background Committee's recommendation to the Division Director for their recommendation and signature. Upon receiving the Director's recommendation and signature, the variance is forwarded to the DHSS Background Committee Chair for submission to the DHSS Commissioner or Designee for the final determination and signature.

When the timeframe for the barrier is less than permanent and the CCPO's recommendation is to approve or approve with conditions, the DHSS Background Variance Committee Chair submits their recommendation directly to the DHSS Commissioner or Designee for signature without review by the Background Variance Review Committee.

The DHSS Commissioner or Designee makes the final determination which may be different than the DHSS Background Variance Committee's or Licensing Supervisor/Lead's recommendation and conditions. A variance becomes approved once the DHSS Commissioner or their Designee signs the variance determination.

The DHSS Background Variance Committee Chair sends the provider the *Variance Decision* signed by the DHSS Commissioner or Designee and copies the CCPO's DHSS Background Variance Committee's representative.

The CCPO's DHSS Background Variance Committee representative will send the *Variance Decision* signed by the DHSS Commissioner or Designee to the Licensing Supervisor/Lead. The Licensing Supervisor/Lead will enter a case note in the provider's case in the Integrated Child Care Information System (ICCIS) of the decision once received update the information in the Variance Tracking Spreadsheet, forward a copy to the assigned CCL Staff and retain an electronic copy in the CCPO/MOA shared drive.

When the variance is granted, within one (1) business day of receiving the determination from the Licensing Supervisor/Lead, the CCL Staff will update the individual's background result information in the Staff/HH screen of the Integrated Child Care Information System (ICCIS) to reflect PASS W/VARIANCE.

## 6070-5

### VARIANCE DECISION NOTIFICATION AND POSTING

The Department of Health and Social Services (DHSS) Background Variance Committee Chair sends the provider the official notification for all variances pertaining to background barriers.

No later than the business day following the determination on the Variance, the Licensing Supervisor/Lead mails the signed *Child Care Program Office Variance Decision* form and cover letter to the provider regarding all general variances, forwards a copy to the assigned Child Care Licensing (CCL) Staff, and retains an electronic copy in the CCPO shared drive.

The CCL staff, within one (1) business day of receiving the determination from the Licensing Supervisor/Lead, will update Integrated Child Care Information System (ICCIS), if necessary and will document the Variance determination in a case note, and place a copy of the signed *Child Care Program Office Variance Decision* form and cover letter in variance tab of the facility's licensing binder.

Upon receipt of an approved variance the provider must post the Child Care Program Office *Variance Decision* or Department of Health and Social Services (DHSS) Background *Variance Decision* in a conspicuous place, notify parents of children in care, and make it available to any person who wishes to review it. Providers must maintain the document in their records when it is no longer required to be posted.

## 6070-6

### VARIANCE RENEWAL

Variances are issued for a specified period of time not to exceed the provider's license date for general variances and not to exceed five (5) years from the date of the individual's background check eligibility determination for background check variances.

When the need for a variance still exists in order for the provider to continue to be eligible for licensure, they must apply to renew their variance.

#### 1. Background Check Variances

When the barring timeframe continues more than five (5) years from the date of the individual's background check eligibility

determination, a new application to the Alaska Background Check Program (BCP) must be submitted for an eligibility determination.

Notification to the provider is made at the same time the provider is notified they need to renew their license. The process is outlined in 6060 – Biennial CCL Application.

As long as the individual with the variance remains with the same provider or in a similar job class, there are no conditions placed on the variance making it non-transferable, and nothing has changed in their criminal and/or civil history, the individual will not need to apply for a new variance. The BCP will issue a new variance approval based on their new background check eligibility determination.

## **2. General Variances**

When the need for a variance still exists in order for the provider to continue to be eligible for licensure, they must apply to renew their variance.

Notification to the provider is made at the same time the provider is notified they need to renew their license. The process is outlined in 6060 – Biennial Child Care License Application.

The process outlined in section 6070-2 General Variance Applications is followed.

## **6080**

### **LICENSED CHILD CARE FACILITY COMPLIANCE MONITORING AND INSPECTIONS**

Licensed child care facilities are responsible to follow all program rules, report changes, and cooperate with the Child Care Program Office (CCPO) or Municipality of Anchorage (MOA) Child Care Licensing (CCL) for the purpose of ongoing monitoring, inspections, or investigations to determine compliance with licensing requirement and program rules. This cooperation includes allowing access to all areas of the child care premises, to relevant records, and to children in care.

When it has been determined a child care facility is not in compliance with program requirements, they are notified of the area(s) of non-



compliance, remedy required, and consequence for not remaining in-compliance.

If a child care facility fails to cooperate with an inspection or investigation, it may result in enforcement actions taken, up to and including revocation or non-renewal of the facility's child care license.

## **6080-1**

### **MONITORING FILE REVIEWS**

On-site monitoring of licensed child care facilities will be completed by the Child Care Program Office (CCPO) or Municipality of Anchorage (MOA) Child Care Licensing Specialists (CCLS) as part of their announced and unannounced on-site inspections.

CCLS are required to ensure the facility's licensing binders and the Integrated Child Care Information System (ICCIS) are up to date at all times, including when new information is received and acted upon.

The Licensing Supervisor/Lead will conduct random reviews of five percent (5%) of all Child Care Licensed (CCL) facilities within their regional caseload, facility's licensing binders and ICCIS on a monthly basis. A targeted review will occur if a concern is discovered with repeated mistakes, such as but not limited to: ICCIS not being updated; actions not taken when new information is received; and/or on-site inspections are not completed or not completed timely.

Each review completed by the Licensing Supervisor/Lead will be documented using the *Licensing File Review Form*, case noted in ICCIS using subject heading: Lic File Review Completed. Include in the body of the case note the date of the file review was completed and the results were shared with the CCLS.

## **6080-2**

### **TYPES OF LICENSED CHILD CARE FACILITY INSPECTIONS**

There are two (2) types of Child Care Licensing Inspections: announced and unannounced. Child Care Licensing Specialists (CCLS) are required to conduct at least one (1) announced and one (1) unannounced inspection each year, for each licensed child care facility on their caseload. Licensed child care facilities will receive at least two (2) inspections each year, including: an unannounced health and

safety monitoring inspection, and an announced annual or biennial monitoring inspection.

## **6080-2 A. UNANNOUNCED HEALTH AND SAFETY MONITORING INSPECTIONS**

The CCLS conducts, annually during each licensing period, an unannounced health and safety inspection of the child care facility for the purposes of monitoring compliance. The CCLS uses the *Monitoring Inspection Checklist* during the monitoring inspection to document their on-site inspection results.

The CCLS will add the inspection into their outlook calendar for the day they are going to complete the unannounced on-site inspection.

On the day of the on-site inspection the CCLS will use the *Monitoring Inspection Checklist* during the unannounced health and safety inspection to document their on-site inspection results. See 6080-3 Conducting a Licensed Child Care Facility Inspection.

At the conclusion of the child care facility's on-site inspection, the CCLS will inform the facility's Administrator of any areas of non-compliance identified and have the Administrator sign the *Monitoring Inspection Checklist* acknowledging a review was completed, answer any questions the Administrator may have, and advise them they will receive a *Report of Inspection* documenting compliance or a *Report of Inspection/Notice of Violation* requiring corrective action from the facility. See 6080-6 Report Of Inspections.

## **6080-2 B. ANNOUNCED ANNUAL MONITORING INSPECTIONS**

The CCLS conducts an announced annual licensing inspection for the purposes of monitoring compliance, typically during the anniversary month of the license expiration date, however, the CCLS may schedule the inspection outside of the anniversary month if necessary, as long as the inspection is completed no earlier than sixty (60) days before and no later than sixty (60) days after the license anniversary date.

The CCLS will:

1. Call the facility's Administrator and make an appointment for an announced inspection;
2. Complete and send an *Annual Inspection Letter* and an *Annual Invoice* (MOA only) to the facility with the time and date of the inspection indicated in the letter;
3. Add the scheduled inspection into their outlook calendar; and
4. Document the actions taken in an Integrated Child Care Information System (ICCIS) case note using subject heading: Annual Inspection Scheduled. Include in the body of the case note the date and time of the inspection scheduled and the date the *Annual Inspection Letter*, and an *Annual Invoice* (MOA only) was sent to the facility.

On the day of the on-site inspection the CCLS will use the *Inspection Checklist – Home* or the *Inspection Checklist – GH and Center* during the annual inspection to document their on-site inspection results. See 6080-3 Conducting a Licensed Child Care Facility Inspection.

During the child care facility's on-site inspection, the CCLS will request any documentation required to ensure the facility's licensing binders and the Integrated Child Care Information System (ICCIS) are up to date.

At the conclusion of the child care facility's on-site inspection, the CCLS will inform the facility's administrator of any areas of non-compliance identified and have the administrator sign the *Inspection Checklist* acknowledging a review was completed, answer any questions the administrator may have, and advise them they will receive a *Report of Inspection* documenting compliance or a *Report of Inspection/Notice of Violation* requiring corrective action from the facility. See 6080-6 Report Of Inspections.

## **6080-2 C. BIENNIAL INSPECTIONS FOR LICENSE RENEWAL**

The CCLS conducts an announced biennial licensing inspection for the purposes of determining compliance for the renewal of the current license. The biennial inspection is conducted within thirty (30) days of the date an *Application for Biennial Child Care License* packet is determined to be complete, or no later than sixty (60) days prior to the facility's current license expiration date. See 6060-Biennial Child Care License Application.

The CCLS will:

1. Call the facility's Administrator and make an appointment for an announced inspection;
2. Complete and send an *Application Received Complete* letter to the facility with the time and date of the inspection indicated in the letter;
3. Add the scheduled inspection into their outlook calendar; and
4. Document the actions taken in an ICCIS Case note using subject heading: Biennial Inspection Scheduled. Include in the body of the case note the date and time of the scheduled inspection and the date the *Application Received Complete* letter was sent to the facility.

On the day of the on-site inspection the CCLS will use *the Inspection Checklist – Home* or *the Inspection Checklist – GH and Center* during the annual inspection to document their on-site inspection results. See 6080-3 Conducting a Licensed Child Care Facility Inspection.

During the child care facility's on-site inspection, the CCLS will request any documentation required to ensure the facility's licensing binders and the Integrated Child Care Information System (ICCIS) are up to date.

At the conclusion of the child care facility's on-site inspection, the CCLS will inform the facility of any areas of non-compliance identified and have the Administrator sign the Inspection Checklist acknowledging a review was completed, answer any questions the Administrator may have, and advise them they will receive a *Report of Inspection* documenting compliance or a *Report of Inspection/Notice of Violation* requiring corrective action from the facility. See 6080-6 Report Of Inspections.

## **6080-2 D. APPROVED PROVIDER HEALTH AND SAFETY INSPECTIONS**

The CCLS conducts an approved provider health and safety inspection when requested by CCPO Child Care Assistance Program (CCAP) or CCA Designee. These inspections are conducted for the purposes of determining compliance for the CCAP regulations for continued program participation. The inspection is conducted within ninety (90)

days of the receipt of an *Inspection Request*. The CCLS uses either the *Approved Relative Provider Health and Safety Inspection Checklist CC81* or the *In-home Child Care Health and Safety Inspection Checklist CC88* to document their on-site inspection results. See *Child Care Assistance Program Policies and Procedures Manual* section 4240-3 Health and Safety Inspections.

## 6080-3

### CONDUCTING A LICENSED CHILD CARE FACILITY INSPECTION

To be eligible for a child care license, a child care facility must meet the health and safety requirements of Alaska Statute (AS) 47.32, Alaska Administrative Code (AAC) 7 AAC 10, 7 AAC 41, 7 AAC 57, and Anchorage Municipal Code (AMC) 16.55 specific to the type of child care facility the applicant would like to become.

The health and safety requirements include but are not limited to: general health, medication, and nutrition; environmental health and safety; life and fire safety; diapering; first aid kit; and animals, toxic substances and poisonous plants.

The Child Care Licensing Specialist (CCLS) completes the on-site inspection by using the inspection checklist appropriate to the type of inspection, based on facility type, being conducted: *Monitoring Inspection Checklist*, *Inspection Checklist – Home*, or *Inspection Checklist – GH and Center*. This checklist assists the CCLS in ensuring the facility is in compliance with all of the regulatory licensing and environmental health and safety requirements for a licensed child care facility.

The CCLS will review the facility's child and personnel records to ensure licensing compliance during all announced on-site inspections, and when necessary during an unannounced monitoring on-site inspection to follow-up on plan of correction compliance.

For a child care home or group home, the CCLS will review all of the facility's child and personnel records and document the results on the inspection tools: *Children's Record Review* and *Personnel Records Worksheet*.

For a child care center, the CCLS will review either ten percent (10%) of the total number of children and personnel at the facility, or at least ten (10) children and ten (10) personnel files, whichever is greater

and document the results on the inspection tools: *Children's Record Review* and *Personnel Records Worksheet*.

## **6080-3 A. GENERAL HEALTH, MEDICATION, AND NUTRITION REQUIREMENTS**

A licensed child care facility must meet the general health, administration and storage of medication, and nutrition requirements as described in 7 AAC 10, including the requirements summarized below.

### **1. General Health**

The facility must:

- a. Ensure each person in contact with children washes their hands for at least ten (10) seconds with soap and water and rinses them with water:
  - Before food handling, preparation, serving, eating, or table setting;
  - After toileting or assisting a child with toileting or diapering;
  - After handling an animal, animal waste, or an animal cage;
  - Before and after giving medication;
  - Before and after participating in moist play, including painting, cooking, or molding clay; and
  - If hands are contaminated with body fluid, including from nose wiping;
- b. Encourage children to wash their hands at similar times as described in 1.a. above;
- c. Ensure children have been immunized as required by 7 AAC 57.550(a)-(e). A facility may enroll children for up to thirty (30) days, who are homeless, in protective services or in foster care without a valid immunization record. A valid immunization record includes an Electronic Health Record (EHR) such as a printout from: Alaska's State Immunization Information System –VAC TRAK, the physician's office or clinic with a signature from a medical professional such as a Medical Doctor (M.D.), Physician Assistant (P.A.), Adult Nurse Practitioner (A.N.P) or a Registered Nurse, (R.N.), the child's school immunization record with an R.N. signature or that states "transcribed by a R.N.", or an immunization card with a

signature from a medical professional such as a M.D., P.A., A.N.P or R.N.

- d. Ensure care of other children is not compromised by admitting or allowing a mildly ill child to be in attendance. If a mildly ill child is in care, arrange a plan of care with the parent and provide a place where, under supervision, the child may rest or play quietly, apart from other children, if warranted;
- e. Ensure a child who shows definite signs of a serious illness or of a highly communicable disease is not admitted or allowed to remain in attendance unless a medical note approves the child's attendance; and
- f. Ensure an opportunity for a supervised rest or sleep period is provided for each child younger than five (5) years of age who is in care more than five (5) hours, and for any other child, if desired by the child. Provide supervised time and space for quiet play for a child who is unable to sleep. Only an infant, a nonclimbing toddler, or a child identified as having special needs, if appropriate, may be placed in a crib.

Additionally, a child care facility must follow the universal precautions described in 7 AAC 10.1045, including obtaining and following current medical and sanitation advice on communicable, contagious, or infectious diseases and adopting universal precautions, including the use of gloves, to handle potential exposure to blood, blood-contaminating body fluids, and injury discharges.

## **2. Administration and Storage of Medication**

A child care facility must meet the requirements for the administration and storage of medication:

- a. **Administration of Medication**  
A child care facility may administer medication only with written permission for the administration of prescription medication from the parent of a child upon admission or when a new medication is prescribed. Prescription medication and special medical procedures are to be administered only in the dosage, at the intervals, or in the manner prescribed by a physician or other person legally authorized to prescribe medication or medical procedures. The date and time each dose is given must be documented in a medication log and initialed by the caregiver.

A child care facility may administer commonly used nonprescription medication or medication contained in the first aid kit with written permission from the parent of a child. If written permission is not obtained, the child care facility must document telephone permission to administer that medication. The date and time each dose is given must be documented in a medication log and initialed by the caregiver.

**b. Storage of Medication**

Prescription medication must be kept in the original container showing the date filled, expiration date, instructions, and the physician's name affixed to or stored with each medicine set.

Medications are stored in a manner that prevents access by unauthorized persons and medication requiring refrigeration is grouped together, stored in a manner to prevent contamination of food, and labeled.

Medications including controlled substances are stored according to the manufacturer's recommendations.

All unused medication is returned to the parent of the child when the medication is no longer needed.

**3. Nutrition**

The child care facility or the child's parent must provide the applicable numbers of meal(s) and/or snacks for children while in care. If the parent supplies the food, it is the facility's responsibility to ensure the nutrition requirements are met.

**a. Meals and Snacks**

The child care facility must ensure:

- Snacks and meals must meet the child care food program requirements of the Code of Federal Regulation (C.F.R.) 7 C.F.R.226.20;
- Food provided by the child's parent is labeled with the child's name and the date;
- Maintain sanitary facilities for the proper care, storage, refrigeration, and preparation of food;
- Food served is not altered to contain harmful substances; and
- Fruits and vegetables are thoroughly washed with potable water before use.

**b. Bottle Feedings**



The child care facility must observe the following requirements for bottle feedings if caring for infants:

- Bottle feedings prepared by the facility must be consistent with bottle feedings given at home;
- An infant must be fed on demand;
- A child on bottle feedings must either be held or fed sitting up. If the child is unable to sit up they must be held during the feeding; and
- A bottle may not be propped for a child
- A child is not permitted to carry their bottle around at any time
- A child is not allowed to hold their bottle unless they are being held or sitting on their own and feeding.

The child care facility must obtain information concerning any food allergies or special dietary needs of each child and plan that child's meals accordingly.

Except for medical reasons, a child care facility may not deny a meal or snack to a child, force feed a child, or otherwise coerce a child to eat against the child's will for any reason.

## **6080-3 B. ENVIRONMENTAL HEALTH AND SAFETY REQUIREMENTS**

A licensed child care facility must meet the basic environment health and safety of children in care by meeting the requirements of 7 AAC 10, including the requirements summarized below:

1. There is a functional telephone or other identified means of communication available at all times;
2. An ample supply of potable water;
3. Clean and sanitary toilet facilities;
4. The child care and surrounding grounds are kept clean, sanitary, safe, and in good repair;
5. The child care is free of hazards, including splintered surfaces, sharp edges, protruding corners, broken or hazardous toys or play equipment, steep stairways, ice on walkways, unsecured play equipment, and unsafe play areas;

6. Insects, rodents, and other pests are controlled and that the child care is kept free of conditions that are likely to attract or harbor pests; any pesticide use is subject to the notice and other applicable requirements of 7 AAC 10.1093;
7. Outdoor areas are well drained and free from deep depressions that may collect standing water;
8. Ventilation by natural or mechanical means is provided to keep air fresh and prevent the accumulation of heat, steam, condensation, vapors, smoke or fumes;
9. Walls and ceilings have smooth, durable, nonabsorbent, easily cleanable surfaces, except that rough-textured and acoustical tile ceilings are permitted in bedrooms and living rooms;
10. Lead-based paint is not used and any painted surface is free from flaking;
11. Stairways and steps have handrails and nonslip treads or covering;
12. Any faucet that is accessible to children, hot water temperature is no less than one hundred (100) degrees Fahrenheit, and not more than one hundred and twenty (120) degrees Fahrenheit;
13. An artificial light source is sufficient and appropriate for the activities performed in each area by children in care;
14. Cleaners, medicines, and other harmful substances are stored in a place that is inaccessible to children;
15. Furniture and equipment is durable, safe, easily cleanable, and is kept clean and in good repair;
16. Smoking is prohibited in the child care while children are in care and marijuana, tobacco, cigarettes or other smoking products, ashtrays, lighters, or other smoking accessories are not visible or accessible to children. The home may not smell of smoke from cigarettes or other smoking products and any vehicle used to transport children is smoke free;
17. Alcohol, marijuana, legal controlled substances, and illegal controlled substances are not accessible to children or used during the hours that children are in care;

18. Children are transported in safe vehicles and appropriate child restraints are used;
19. Firearms are unloaded and stored in a locked gun safe or other locked place that is not visible or accessible to children. Ammunition must be stored separately from the firearms in a place that is inaccessible to children. The child care facility must inform each parent that firearms are present, and turn into the child care licensing office a *Firearms and Ammunition Storage* CC103 form;
20. Safety gates are installed and used to prevent access to stairs if infants or toddlers are in care;
21. Outlet covers are installed in all electrical outlets that are not in use and that are accessible to children younger than five (5) years of age;
22. Items brought by a parent for a child's personal use are stored separately to prevent contamination;
23. Toys used by children are kept clean and sanitary and if a toy has been mouthed or is otherwise contaminated, that toy is cleaned and sanitized before use by another child;
24. Each crib, crib mattress, cot, mat, and playpen is cleaned and sanitized at least weekly, or before assigned to another child in care, or whenever soiled; and
25. Children are not allowed to participate in a high-risk activity including playing near or jumping on any type of trampoline.

## **6080-3 C. LIFE AND FIRE SAFETY REQUIREMENTS**

A licensed child care facility must meet the life and fire safety requirements of 7 AAC 10 as described in sections 6080-3 D. Disaster Preparedness and Emergency Evacuation and 6080-3 E. Means of Escape and Other Requirements.

If an emergency affects the child care facility, the Administrator must notify their licensing office by telephone, fax, or electronic mail no later than the following working day and must, within five (5) of the facility's working days submit a detailed written report.

## 6080-3 D.

### DISASTER PREPAREDNESS AND EMERGENCY EVACUATION

A licensed child care facility must complete and submit a *Get out Alive! Evacuation Plan* CC67, or their own plan which meets the requirements of 7AAC 10.1010. This form provides a floor plan and written procedures for the full evacuation of the child care, including children with limited mobility, within one hundred and fifty (150) seconds or two and one half (2½) minutes, in the case of an emergency affecting the child care premises including: fire, tsunami, flooding, and earthquake. The facility's *Get out Alive! Evacuation Plan* CC67 or their own plan must include procedures for reunifying the child and family when the child care is inaccessible.

#### 1. Emergency at the Child Care

When an emergency occurs at a child care facility, the administrator must notify their licensing office no later than the following business day. Within five (5) business days of the emergency the facility must submit a written report to licensing office that includes:

- a. The date and time of the emergency;
- b. A description of the nature of the emergency;
- c. A description of the action taken or if applicable how the evacuation was achieved, including the amount of time used to achieve evacuation; and
- d. A critique of the evacuation, if occurred as a result of the emergency, that includes the information required in 2.d. below.

#### 2. Monthly Evacuation Drills

Child care facilities must conduct and document evacuation drills at least once per month unless postponed due to severe weather. The reason for postponement must be documented. A record of each evacuation drill must be made and retained by the facility and made available during inspections and upon request. This record must include:

- a. The date and time of the drill;
- b. The name of each child in care who was present at the time of the drill including those who did not participate in the drill, and the reason for nonparticipation;
- c. The amount of time used to complete the drill; and
- d. A critique of the drill including a brief evaluation of the evacuation. The critique of the drill must include:

- A review of actions taken by the facility;
- A review of responses by children in care during the drill;
- An evaluation of whether existing policies were followed and, if not, an explanation of why a policy was not followed;
- An evaluation of whether the policies followed were effective and, if not, a description of how any policy will be revised for future drills;
- An identification of factors contributing to an ineffective drill for any critique that indicates a drill was ineffective in any way; and
- Any suggestions for improving future drills.

## **6080-3 E. MEANS OF ESCAPE AND OTHER REQUIREMENTS**

A licensed child care facility must have at least two (2) means of emergency escape that are remote from each other and provide unobstructed access to the outside of the building. At least one (1) of the means of emergency escape must be an exterior door. If children occupy a basement for any part of the day, there must be at least one (1) means of escape from the basement directly to the outside at or near ground level.

### **1. Window as a Means of Escape**

When a window is identified as one (1) of the means of emergency escape, unless prohibited by the state fire marshal for a window twenty (20) feet or more above ground level, each bedroom must have at least one (1) fully-opening window that provides escape directly to the outside and meets the following:

- a. The finished window sill height may not exceed forty-four (44) inches above the floor; or
- b. The net clear openable window area must be a minimum of five point seven (5.7) square feet; and
- c. A window screen is not used if it permanently prevents exit or if it cannot be easily removed for exit.

### **2. Smoke Detection Device and Fire Extinguisher Requirements**

- a. A child care facility must have at least one (1) alternating current (AC) primary powered smoke detection device with battery backup or at least one (1) monitored battery powered smoke detection device, located in each bedroom. If the child care is in a multi-level home, there must be at least one (1) smoke detection device installed on each level. Each device must be less than ten (10) years old, or newer if necessary to

comply with the manufacturer's recommended replacement date.

- b. The child care facility must also have at least one (1) fully charged 2A:10BC dry chemical fire extinguisher strategically located on each level of the child care. The fire extinguisher must be installed, inspected, tested, and serviced according to the requirements of 13 AAC 50.025(47).

### 3. Other Requirements

A child care facility shall ensure:

- a. The facility is free of any accumulation of combustible waste material and other fire hazards in or around the premise;
- b. Flammable or combustible liquids are stored in a container with a tight-fitting lid specifically designed for holding flammable or combustible liquids, and ensure these liquids are kept out of the reach of children;
- c. Each heating device meets the applicable requirements of 7 AAC 10.1015; and
- d. If the child care uses oil, wood, natural gas, or propane as a heating or cooking fuel; that an operating carbon monoxide detector is installed in each hallway outside of or within each sleeping area, and ensure that each device is regularly inspected, tested, and serviced. If the home is multi-level, there must be at least one (1) operating carbon monoxide detector installed on each level.

## **6080-3 F. FIRST AID KIT REQUIREMENTS**

A licensed child care facility must post emergency telephone numbers, including the number for the poison control center, near the telephone. The facility must maintain first aid kits in accordance with 7 AAC 10.1075 which requires at least one (1) first aid kit that is kept at the child care; one (1) additional first aid kit for field trips or outings away from the child care, if applicable; and an abbreviated first aid kit for neighborhood walk outings of thirty (30) minutes or less. The facility must restock each first aid kit after use and ensure any expiration date is not exceeded.

### **1. First Aid Kit Must Contain**

A facility must have a container that will hold all the following items:

- a. Disposable nonporous, non-latex gloves;
- b. Sealed packages of alcohol wipes or antiseptic for thermometer cleaning only;

- c. Scissors;
- d. Tweezers;
- e. A thermometer;
- f. Adhesive bandages;
- g. Bandage tape;
- h. Sterile gauze pads;
- i. Flexible roller gauze;
- j. Triangular bandages;
- k. Safety pins;
- l. An eye dressing;
- m. A note pad with an operable pen or pencil;
- n. A cold pack;
- o. A current American Academy of Pediatrics or American Red Cross standard first aid text or equivalent first aid guide;
- p. A cardiopulmonary resuscitation (CPR) barrier device or mask;
- q. The telephone number for the poison control center;
- r. Potable water;
- s. Splints, including small child-size splints;
- t. Soap;
- u. A working flashlight; and
- v. For a field trip or outing away from the child care; for each child participating in the trip or outing:
  - Emergency child record information; and
  - Parent's written permission for use of medication.

Note: only medication that is or may be needed during a field trip or outing may be included in the first aid kit, and only for the length of the field trip or outing.

## **2. Abbreviated First Aid Kit**

An abbreviated first aid kit may be used for an outing of thirty (30) minutes or less. An abbreviated first aid kit must contain:

- a. Disposable nonporous, non-latex gloves;
- b. Tweezers;
- c. Adhesive bandages;
- d. Bandage tape;
- e. Sterile gauze pads;
- f. A cold pack;
- g. A CPR barrier device or mask;
- h. Potable water;
- i. The emergency child record; and
- j. Medication that may be needed on the walk.

A licensed child care facility must use safe and sanitary equipment and supplies for diapering, that minimizes the risk of disease and the risk of contamination to hands and surfaces. The facility must wash their hands each time after changing a diaper.

A child care facility must follow the requirements of 7 AAC 10.1060(d) and 7 AAC 10.1060 (e) as summarized below to ensure:

1. Each caregiver follows the facility's written diaper changing procedures;
2. The diaper changing area is not located in a food preparation area and is not used for temporary placement or service of food; and has one (1) accessible hand sink located in, or immediately adjacent to that area;
3. Each surface used for changing diapers is smooth, durable, nonabsorbent, and easily cleanable;
4. Sufficient quantities of clean diapers are available and are neatly stored;
5. Non-latex gloves and handwashing supplies are available to prevent contamination, and are used in accordance with universal precautions;
6. For soiled clothing or cloth diapers, solid waste contents are disposed of by dumping the contents into a toilet and placing the diapers, without rinsing, in an impervious bag or easily cleanable container with a firmly fitted cover and lined with plastic, to be given to the parent for laundering;
7. Each diaper changing surface is cleaned and sanitized after each use; if a single-use disposable cover is placed on the diapering surface before diapering, the cover is disposed of immediately after diapering;
8. After a soiled disposable diaper is removed, it is folded inward and resealed before disposal into a plastic lined container with a firmly fitted cover;
9. If single-use, disposable wipes are used during diapering, the disposable wipes are discarded after use; if a non-disposable cloth is used, that cloth must be placed immediately, without rinsing, in an impervious bag or container with a firmly fitted cover;



10. Diaper changing supplies, including containers of cream and lotion, are kept clean and sanitary; and
11. Children are not allowed and do not handle diaper changing supplies.

## **6080-3 H.        ANIMALS, TOXIC SUBSTANCES, AND POISONOUS PLANT SAFETY REQUIREMENTS**

A licensed child care facility must meet the requirements of 7 AAC 10.1090 with regard to animals in their child care. They must also meet the requirements of 7 AAC 10.1095 with regard to toxic substances and poisonous plants in their child care. The requirements of these regulations are summarized below.

### **1. Animals**

A child care facility must inform parents of children in care if any animal is present in the child care, including the type of animal and whether the children in care will have access to the animal, and submit to their child care licensing office an *Animal on Child Care facility Premises* CC105. Any animal in the child care must be free of communicable disease, internal and external parasites, and have the immunizations required under state and federal law.

The child care facility must disclose to their licensing office if an animal in the child care has been the subject of a past contact with an animal control official because of aggressive behavior or biting; or has a history of aggressive behavior or biting, regardless of whether there has been contact with an animal control official. The facility must notify their licensing office within twenty-four (24) hours of any occurrence of aggressive behavior or biting by an animal in the child care, including whether the occurrence resulted in a contact with an animal control official.

The child care facility must immediately remove from the child care an animal with a history of aggressive behavior or biting or that has been the subject of a past contact with an animal control official because of aggressive behavior or biting. If their licensing office determines the animal is a threat to the life or safety of children in care, the animal must be permanently removed.

#### **a. Birds**

A parakeet, pigeon, or other small-sized psittacine bird may be kept in the child care facility only if the bird receives

prophylactic antibiotics before introduction into the child care and is isolated at least forty-five (45) days in a room separate from a room occupied by any other birds.

Ducklings and chicks may not be incubated or hatched in the room where infants or toddlers are present. Children may not handle the ducklings or chicks. The ducklings and chicks are removed from the child care when hatched.

b. Prohibited Animals

Amphibians, ferrets, reptiles, and wild, poisonous, or predatory animals may not be kept in the child care.

c. Cages and Cleaning

A child care facility must ensure:

- Any birds, fish, and other animals allowed are kept in appropriately designed cages or aquariums. Domestic dogs and domestic cats are not required to be caged;
- The area around a cage or aquarium is smooth, nonabsorbent, impervious to water, and easily cleanable, and is cleaned and sanitized at a frequency to keep the area clean and sanitary;
- Animal waste is removed daily, or at a frequency to prevent odor or contact with children in care;
- Each cage is lined with an impervious material and is cleaned at a frequency necessary to prevent a health risk to children in care;
- Bowls used for providing food and water for animals are cleaned at a frequency necessary to prevent a health risk to children in care; and
- Cleaning of animal waste is conducted when children in care are not present and is not conducted in an area used for food preparation or service.

**2. Toxic Substances and Poisonous Plants**

A child care facility must meet the requirements of 7 AAC 10.1095 regarding toxic substances and poisonous plants.

a. Toxic Substances

Only nontoxic arts and crafts materials may be used in the child care and by children in care.

The facility must ensure each cleaning material, detergent, aerosol can, pesticide, poison, and other toxic material is stored in the original labeled container. This does not apply to a spray bottle that contains a commercial sanitizing solution or

a bleach-water solution used to sanitize toys, tables, counters, and other surfaces throughout the day, if the bottle is appropriately labeled and is stored so that it is:

- Inaccessible to children and stored separately from medication and food;
- Used according to the manufacturer's instruction for the intended purpose, and in a manner that it will not contaminate a play surface, food service or food preparation area and in a manner that is not a hazard to children.

b. **Poisonous Plants**

A facility must submit to their licensing office a list of all poisonous plants maintained in the child care on a *Plant Safety Plan* CC93, including: flower garden, house, trees and shrubs, vegetable garden and wild plants and a description of how they will protect children from being harmed by the plants.

Some common poisonous household plants include but are not limited to: poinsettia, dieffenbachia, English ivy, mother-in-law, and philodendron.

The facility must inform each parent of children in care of the poisonous plant(s) present and how the facility will protect the children from harm.

## 6080-4

## COMMON FINDINGS DURING AN INSPECTION

There are many ways a child care facility can be out of compliance with child care licensing requirements. This section describes some examples of the most common areas of non-compliance found during an on-site inspection.

### 1. **Attendance Records:**

The most common finding is attendance records not being completed or maintained, including but not limited to: the facility not documenting or maintaining daily attendance with

### 2. **Background Check Clearance:**

The most common findings include but are not limited to: individuals in the child care facility without a background check clearance or the facility's New Alaska Background Check System (NABCS) account not being updated. These violations are typically discovered during the on-site inspection walk-through or file

review, some examples are: the facility failed to accurately list all of the individuals residing in their home on their application or report an individual moving into or out of their facility; and/or the facility failed to report they hired a new caregiver, or that a caregiver no longer is working at the facility.

**3. Child-to-Caregiver Ratios:**

The most common findings include, but are not limited to: the facility caring for more children than the capacity of children on their *Child Care License*, the facility not meeting child-to-caregiver ratios based on the number of caregivers working during the time children are in care, and attendance records not indicating the time caregivers are present and children are actually in care.

**4. Health and Safety Requirements:**

The most common findings include but are not limited to: the facility's hot water temperature not measuring between 100-120 degrees Fahrenheit, hazards accessible to children in care; and the facility not meeting fire safety standards.

**5. Personnel Records Requirements:**

The most common findings include but are not limited to the facility missing or not updating documentation required in the caregiver's personnel file, for example Pediatric first Aid and Pediatric cardiopulmonary resuscitation (CPR) certifications have expired, missing employment references, annual training hours are not documented, or there was not an annual evaluation completed for the caregiver.

**6. Children's Record Requirements:**

The most common findings include but are not limited to the facility missing or not updating documentation required in the child's file, for example child emergency records not updated semi-annually, and child immunizations records missing or not updated.

## 6080-5

## INSPECTION RESULTS

At the conclusion of the child care facility's on-site inspection, the Licensing Specialist will inform the Administrator of any areas of non-compliance identified and have the Administrator sign the *Inspection Checklist* acknowledging a review was completed, answer any questions the Administrator may have, and advise them they will receive a *Report of Inspection* documenting compliance or a *Report of*

*Inspection/Notice of Violation* requiring corrective action from the facility.

## **6080-6**

### **REPORT OF INSPECTIONS**

There are two types of inspection reports Child Care Licensing issues: a *Report of Inspection* (ROI) and a *Report of Inspection/Notice of Violation* (ROIInspection/NOV).

A ROI is issued to the child care facility after an inspection when no areas of non-compliance were found during the inspection.

A *ROIInspection/NOV* is issued to the child care facility after an inspection when there were areas of non-compliance found during the inspection.

## **6080-6 A.**

### **REPORT OF INSPECTION - IN COMPLIANCE**

When it is determined a licensed child care facility is in compliance with the health and safety requirements it is documented in a case note in the facility's case in the Integrated Child Care Information System (ICCIS).

A *Report of Inspection* is to be issued within ten (10) business days following a health and safety inspection documenting the facility is in compliance with the Child Care Licensing (CCL) regulations.

#### **1. Licensing Staff will:**

- a. Within two (2) business days of completing the on-site inspection or returning to the office from travel status to complete the inspection, the Child Care Licensing Specialist (CCLS) will enter a case note in ICCIS documenting the completion of the inspection, and update the Compliance Screen documenting the facility was in regulatory compliance; update the facility's licensing history, complete the *Report of Inspection* documenting the on-site inspection, and forward it to their supervisor for review and approval.
- b. Within one (1) business day of receiving the *Report of Inspection* the Licensing Supervisor/Lead will approve the report or return it to the CCLS for corrections.
- c. Upon receiving supervisory approval of the *Report of Inspection*, the document is finalized and mailed with a cover

letter to the facility, maintaining a copy in the facility's licensing binder; and

- d. Document the action in an ICCIS case note using subject heading: Report of Inspection Issued, and in the body of the case note explain actions taken including the date the inspection occurred, and the date the report was mailed.

## **6080-6 B. REPORT OF INSPECTION/NOTICE OF VIOLATION – OUT OF COMPLIANCE**

When a non-compliance is identified during an on-site inspection, the CCLS will discuss the non-compliance with the Administrator while on-site, answer any questions they may have, and advise them they will be receiving a *Report of Inspection/Notice of Violation* (ROInspection/NOV). The child care facility must submit a *Plan of Correction* (POC) describing how they will correct the non-compliance and ensure it doesn't recur.

1. Licensing Staff will:
  - a. Within five (5) business days of completing the on-site inspection or returning to the office from travel status to complete the inspection, the CCLS will complete all areas of the *ROInspection/NOV* documenting the on-site inspection and areas of non-compliance, and forward it to their supervisor for review and approval.
  - b. Within two (2) business days of receiving the draft *ROInspection/NOV* the supervisor either approves the report as written or returns it to the CCLS for additional corrections. The CCLS will make any necessary corrections needed within one (1) business day and return it to the supervisor/lead for final review.
2. Non-compliances – no enforcement action  
If the facility has non-compliances but no enforcement actions will be taken, the CCLS will:
  - a. Upon receiving supervisory approval of the *Report of Inspection*, the document is finalized and mailed with a cover letter to the facility, maintaining a copy in the facility's licensing binder; and

- b. Contact the facility's Administrator and notify them of the findings of the inspection and report being issued;
  - c. Mail the *ROInspection/NOV, POC, Request to Implement Administrative Remedies* and cover letter to the facility, maintaining a copy in the facility's hard copy file;
  - d. Add the inspection date and violations into the Compliance Screen in ICCIS;
  - e. Set an alert in the facility's case in ICCIS to follow-up on the POC;
  - f. Document in an ICCIS case note using subject heading: *ROInspect/NOV/POC Issued* and in the body document the actions taken including updating the Compliance Screen in ICCIS; and
  - g. Follow-up with the facility regarding their POC, as needed to ensure the items are received by their due date. See 6080-7 Plan of Correction.
3. Non-compliances – enforcement action
- If the facility has non-compliances and enforcement actions will be taken, the CCLS will:
- a. Upon receiving Licensing Supervisor/Lead approval, and within one (1) business day, complete the *ROInspection/NOV* cover letter and applicable portions of the POC. See section 6080-7 Plan of Correction;
  - b. Contact the facility's Administrator and notify them of the findings of the inspection and report being issued;
  - c. Mail the *ROInspection/NOV, POC, Request to Implement Administrative Remedies* and cover letter to the facility, maintaining a copy in the facility's hard copy file;
  - d. Add the inspection date and violations into the Compliance Screen in ICCIS;
  - e. Set an alert in the facility's case in ICCIS to follow-up on the *POC*;

- f. Document in an ICCIS case note using subject heading: ROInspect/NOV/POC Issued and in the body document the actions taken including updating the Compliance Screen in ICCIS;
- g. Follow-up with the facility regarding their *POC*, as needed to ensure the items are received by their due date. See 6080-7 Plan of Correction; and
- h. Enter the inspection and compliance dates and information into the End of the Month Spreadsheet.

## **6080-7 PLAN OF CORRECTION**

When a licensed child care facility is determined to be out of compliance with a Child Care Licensing (CCL) regulation they are required to submit a *Plan of Correction* (POC). The *POC* is the facility's written plan describing how they have corrected or will correct the area(s) of areas of non-compliance noted during their inspection or investigation and how they will ensure they do not reoccur.

### **6080-7 A. ISSUING A PLAN OF CORRECTION**

Upon finalizing a *Report of Inspection/Notice of Violation* (ROInspect/NOV), or *Report of Investigation/Notice of Violation* (ROInvestigation/NOV) the Child Care Licensing Specialist (CCLS) will issue a *POC* to be sent with the report.

The CCLS will complete the following portions of the *POC*:

#### **1. Top/header section**

The CCLS will enter:

- a. The facility's name;
- b. The date the *POC* is being issued;
- c. The name of the report being issued with the *POC*;
- d. The due date listed in the report being issued with the *POC*;  
and
- e. The date the report in "c" above was issued.

#### **2. Section I**

The CCLS will enter:



- a. The report type, *Report of Inspection/NOV* or *Report of Investigation/NOV* being issued with the *POC*;
- b. The date the report in “a” above was issued; and
- c. The specific regulations listed in the report from “a” above found to have been violated.

### **3. Section VIII**

The CCLS will enter their position title and their supervisor’s position title.

The CCLS will maintain a copy of the *POC* in either the facility’s licensing binder or in the investigation Red file, if issued as the result of an investigation.

The CCLS will enter a case note in the facility’s case in the Integrated Child Care Information System (ICCIS) using subject heading: ROI Completed. The body of the case note includes the actions taken, including reviewing the findings with the facility and the date the applicable report and *POC* was sent out or delivered; and set an alert in ICCIS with the date the facility is required to submit the *POC*.

## **6080-7 B. FOLLOW-UP ON A PLAN OF CORRECTION**

When a *POC* was required for a licensed child care facility, it must be submitted within the timeframe identified in the *POC* unless the CCLS has approved additional time. If additional time was granted, it must be documented in a case note in the facility’s case in ICCIS.

The facility completes the *POC* Sections II through VII describing how they have corrected or will correct the areas of non-compliance and how they will ensure they remain compliant.

Upon receipt of the approved facility’s *POC* the CCLS will meet with their supervisor, review and discuss the facility’s plan to ensure all areas are completed and acceptable.

### **1. No POC Submitted**

If the child care facility fails to submit a *POC* by the due date identified and additional time has not been requested, the CCLS will attempt to make contact with the facility. If contact is made and the facility indicates they need additional time to complete the *POC*, it should be granted, unless there is not more time available for the facility to be in full regulatory compliance before the

expiration date of their license. If the CCLS feels the amount of time requested is unreasonable, they are to forward the information to their supervisor for guidance.

If no contact is made a message is to be left requesting a return call. If after two (2) business days the facility has not returned the call or they indicate they no longer want to be licensed, the CCLS Staff will discuss with their supervisor which plan of action to take: send out another notice allowing for additional time, if available before their expiration date; take an additional enforcement action for failure to show compliance; or close the facility for failing to achieve or maintain compliance with program regulations or because of voluntary request to close.

For voluntary closure or closure for failing to maintain compliance, the CCLS will:

- a. Issue the *Child Care Licensing Closure Notice* citing failing to maintain program compliance. The end date included in the notice is the date the facility notified the CCLS they no longer want to be licensed;
- b. Update ICCIS, including the application and compliance screens with violation compliance dates;
- c. Document the actions taken in a case note in the facility's ICCIS case;
- d. Submit the *NABCS: CCPO/Facility Account Form* to the Background Check Program (BCP) requesting the facility's case to be disabled in NABCS; and
- e. Notify all regional partner agencies of facility closure.
- f. Upon entering the completed status (closed) of the ROI, send an email to the Licensing Supervisor, with the scanned copy of the completed ROI and/or ROI/NOV/Approved POC. This alerts the Supervisor they can take the steps listed below.

If the child care facility closes without submitting a POC addressing how they will correct the violations and they apply for licensure at a later date, the outstanding violations must be addressed with the facility prior to another license being issued.

## **2. Unacceptable POC**

The CCLS will meet with their supervisor to review and discuss the facility's *POC*. When the facility's plan needs more information, is unclear, or the action described does not meet the requirement, the CCLS must attempt to contact the facility and explain what is needed. For example, if the *POC* cites seven (7) regulation violations, the facility must address each violation in the applicable sections, even if the way they will address some of the violations is the same.

Whether or not contact is made, the CCLS will within two (2) business days issue a *Plan of Correction – Incomplete* letter requesting the additional information or clarification. The facility must be given ten (10) days based on the Adverse Action Calendar to submit an acceptable *POC*. The notice is mailed to the facility with the originally submitted *POC*. A copy of the *POC* submitted by the facility and *Plan of Correction – Incomplete* letter are maintained in the facility's licensing binder. The action is documented in an ICCIS case note using subject heading: POC Returned Incomplete, and in the body of the case note document a Plan of Correction – Incomplete letter dated XX-XX-XXXX was sent and date the items needing to be corrected in the letter are due.

If the *POC* resulted from an investigation the copy of the *POC* submitted and the *Plan of Correction – Incomplete* notice are maintained in the Investigation Red File.

### **3. Acceptable POC**

When it is determined the facility's *POC* is complete and acceptable, the CCLS will:

- a. Complete and sign Section VIII;
- b. Forward to their supervisor for signature in Section VIII;
- c. Update the ICCIS Compliance Screen with the compliance dates from the approved POC; and
- d. Enter a case note in ICCIS using subject heading: POC rcvd MMDDYY, and document in the body of the case note the actions the facility has or will take to correct the violation(s) has been determined acceptable, and the POC has been signed, see licensing binder.

## 6090

### **COMPLAINTS REGARDING A LICENSED CHILD CARE FACILITY**

Licensed child care facilities must cooperate with the department for purposes of investigations into reports of concerns regarding violating licensing regulations and health and safety concerns, by allowing access to the premises, to relevant records, and to children in care, for purposes of conducting investigations.

Complaints received regarding a licensed child care facility are to be transferred to the Child Care Program Office (CCPO) or Municipality of Anchorage (MOA) licensing office responsible for the oversight of the child care facility. Complaints received regarding a child care facility that is not found in the Integrated Child Care Information System (ICIS) are to be referred to the CCPO or MOA Licensing office.

The individual receiving the complaint is to connect the complainant directly to a Child Care Licensing Specialist (CCLS), Licensing Lead or Licensing Supervisor to take the intake and not to a voicemail. If a complaint is received on a day the CCPO or MOA licensing office is closed or not available, the individual receiving the complaint is to complete an intake and immediately forward it to the appropriate licensing office CCLS, Licensing Lead or Licensing Supervisor responsible for the licensing oversight.

All complaint intakes received by licensing, on a licensed or unlicensed facility not found in ICIS, will be reviewed by the Licensing Supervisor/Lead, and assigned for investigation, as applicable.

## 6090-1

### **RECEIVING A COMPLAINT REGARDING A CHILD CARE FACILITY**

When a complaint is received regarding a child care facility, the complaint is to be treated as the top priority. Whenever possible complaints are to be received and documented by the individual responsible for completing the *Complaint Intake Form*.

When an individual is contacted by phone regarding a complaint involving a licensed child care facility or unlicensed (illegally or legally operating) facility, the individual assisting the complainant is to immediately connect the complainant to a Child Care Program Office (CCPO) or Municipality of Anchorage (MOA) Child Care

Licensing Specialist (CCLS), Licensing Lead or Licensing Supervisor, as applicable. If the CCLS assigned to the provider's case in the Integrated Child Care Information System (ICCIS) is not available, the individual assisting the complainant is to contact the CCPO or MOA main number, as applicable, for a CCLS, Licensing Lead, or Licensing Supervisor, or member of the CCPO or MOA Management Team to be made available to receive the call.

When a complaint is received in person regarding a licensed child care facility or unlicensed (illegally or legally operating) facility, the individual assisting the complainant is to assist the complainant in contacting the appropriate licensing office for the complainant to make the complaint directly to the CCLS, Licensing Lead, or Licensing Supervisor. If the CCLS assigned to the provider's case in ICCIS is not available, the individual assisting the complainant is to contact the CCPO or MOA main number, as applicable, for a CCLS, Licensing Lead, Licensing Supervisor, or member of the CCPO or MOA Management Team to be made available to assist the complainant.

When a complaint is received in writing regarding a licensed child care facility or unlicensed (illegally or legally operating) facility, the individual assisting the complainant is to forward the complaint the same day to the CCLS assigned to the facility's case. If the CCLS is not available, the complaint is forwarded to the Licensing Lead, or Licensing Supervisor. If the complaint needs to be sent to the CCPO or MOA licensing office, it must be sent by fax. The fax must be addressed to the CCLS, Licensing Lead, or Licensing Supervisor, and a case note is to be entered in ICCIS using subject heading: Complaint Received MM/DD/YYYY. The body of the case note will document a complaint was received and the action taken, but the details of the complaint are not to be included. The individual assisting the complainant will contact the CCPO or MOA main telephone number to confirm the faxed complaint was received and is legible. Upon confirmation all documents were received and are legible, the individual assisting the complainant will shred their copy of the documents.

## **6090-1 A. RECEIVING A COMPLAINT REGARDING A CHILD CARE FACILITY - LICENSING SPECIALIST**

The Complaint Intake Process begins when a complaint is received by a CCPO or MOA licensing staff via email, phone, or fax from an outside agency or from a facility self-reporting an incident. When the complaint is received by phone and is about a licensed or unlicensed

(illegally or legally operating) facility, the call is transferred to a CCLS, as applicable for the State of Alaska (SOA) or MOA.

When a complaint is received the CCLS will immediately or no later than one (1) business day:

1. Notify their Licensing Lead/Supervisor(s) and the Licensing Program Manager of the complaint received. The email includes the subject line: Complaint received “with the name of facility or name of individual if they do not have a facility name” and in the body of email includes the name of the facility or name of individual if they do not have a facility name; nature of the complaint, the name of the complainant, if known, or agency who initiated the complaint, and concerns being reported; and the priority level of the complaint.
2. Add a case note in the ICCIS Facility Services Module using subject heading: Complaint Received “insert date XX-XX-XXXX”, and documents the following in the comment section: Complaint Received – see Red File
3. Complete the *Complaint Intake Form* by filling out all sections of the form, and include only information given by the complainant in the narrative portion. When the CCLS has additional information to be reviewed or considered as part of the investigation, it is included in the Recommended Plan of Action section of the *Complaint Intake Form*; and
4. Assign a Priority Level;
5. Complete the top portion of the *Investigation Process Checklist* with the steps completed thus far; and
6. Send the *Investigation Process Checklist* and completed *Complaint Intake Form* along with any correspondence or additional information received during the intake to their supervisor for review, feedback, and guidance; and
7. Be prepared to answer questions, or make any corrections necessary to the *Complaint Intake Form*.

If the complaint received is a Priority Level 1, the CCLS will immediately find their supervisor or if their supervisor is not available a member of the management team to notify them of the Priority 1 intake received.

## 6090-1 B.

### RECEIVING A COMPLAINT REGARDING A CHILD CARE FACILITY - LICENSING SUPERVISOR/LEAD

When a *Complaint Intake Form* is received the Licensing Supervisor/Lead will immediately or no later than one (1) business day:

1. Review the *Complaint Intake Form*, to determine if it is complete or needs additional information;
2. Meet with the CCLS to discuss any concerns or questions the supervisor/lead may have regarding the *Complaint Intake Form* until it is ready to be approved; and
  - a. If upon review of the *Complaint Intake Form*, it is determined that an investigation is not needed, the Licensing Supervisor / Lead enters an ICCIS case note stating “complaint received on xx/xx/xxxx and Licensing determined a follow-up on site or inspection would be completed and no investigation was necessary”
3. Approve the *Complaint Intake Form* and priority level of the intake;
4. Assign a CCLS to the investigation based on which CCLS I is next in their Region’s rotation list, based on current workload and investigation assignments of each CCLS I. Whenever possible the CCLS assigned to an investigation, is not the CCLS who has the facility on their assigned caseload. The CCLS who completes the *Complaint Intake Form*, may or may not be the CCLS who gets assigned to the investigation;
5. Create an electronic folder named by Facility Name or name of individual (if they do not have a facility name) and Date in the shared drive at: S:\CCL\CCL Complaints - Investigations\Complaint Intakes and Reports;
6. Place the approved *Complaint Intake Form*, along with any correspondence or additional information received during the intake and review process into the folder. Once the *Complaint Intake Form* is placed in the folder, it cannot be modified or changed in any way;

7. Place the folder (from Step #4) into the appropriate Region's "#1 Complaint intakes to be heard folder", located in the shared drive at: S:\CCL\CCL Complaints - Investigations\Complaint Intakes and Reports;
8. Enter the complaint information into the appropriate fiscal year Complaint Tracking Spreadsheet (Complaint Spreadsheet) located in the LDR folder in the shared drive at: S:\LDR\Complaint Tracking System.
9. Reply all to the email sent by the CCLS, notifying them the *Complaint Intake Form* is ready for review in their region's complaint folder- #1 Complaint intakes to be heard folder;
10. Notify the CCLS of the investigation assignment to them and location of the *Complaint Intake Form* and all correspondence or additional information received during the intake and review process.

If the complaint received is a Priority Level 1, the Licensing Supervisor/Lead will immediately meet with the CCLS to review the complaint received to ensure it is a Priority 1 intake; and assign the investigation to the next CCLS I on their Region's rotation list.

## 6090-2

### ASSIGNING A COMPLAINT PRIORITY LEVEL

All complaints are assigned a priority level based on the severity and immediacy of alleged harm to children in care. When multiple allegations are reported, the allegation representing the greatest risk to children determines the priority level assigned.

The timeframes indicated for completion and notification are the maximum time allowed and may only be exceeded with approval of a Child Care Program Office (CCPO) or Municipality of Anchorage (MOA) management team member.

Each complaint received requires immediate notification to the CCPO or MOA licensing office and completion of a *Complaint Intake Form* no later than one (1) business day from receipt of the complaint.

When a Priority Level 1 complaint is received it requires immediate review from the Licensing Supervisor/Program Manager.



When a Priority Level 2 or 3 complaint is received it is reviewed by the Licensing Supervisor/Lead.

The priority level can be changed by the Licensing Supervisor/Program Manager if it is determined the severity and immediacy of alleged harm to children in care is different than the originally assigned priority level. The Licensing Supervisor/Program Manager will document the reason for the change in the priority level when applicable.

## **6090-2 A. PRIORITY LEVEL 1**

A Priority Level 1 is assigned to any complaint about a licensed or unlicensed (illegally or legally operating) facility alleging:

1. A child's death;
2. Sexual abuse: including molestation, incest, or sexual exploitation;
3. Physical abuse or injury: that harms or threatens a child's life, health, or welfare;
4. Neglect: including not providing the necessary physical (food, clothing, shelter, or medical attention), emotional, mental, and social needs;
5. Mental abuse or injury: an injury to the emotional well-being, or intellectual or psychological capacity of a child, as evidenced by an observable and substantial impairment in the child's ability to function in a developmentally appropriate manner;
6. Serious injury, emergency, or incident that could leave permanent damage or mental injury to a child;
7. Immediate danger or threat of 1-6 above;
8. A violation of statute, regulation, condition, or variance, for a provider that poses an immediate risk to children; and/or
9. A violation of a statute or regulation that poses an immediate risk to children, at an unlicensed (legally or illegally operating) facility.

When a complaint is determined to be a Priority Level 1 it will be investigated immediately but no later than one (1) business day from receipt of the complaint.

An investigation on a Priority Level 1 complaint resulting in an immediate suspension or revocation of the provider's license or approval must be the Licensing Staff's first priority and completed within ten (10) business days and an *Report of Investigation/Notice of Violation (ROInvestigation/NOV)* issued to the facility within fourteen (14) business days of the date the complaint was received.

An investigation on a Priority Level 1 complaint not resulting in an immediate suspension or revocation must be completed within twenty (20) business days and the *ROInvestigation/NOV* submitted to the supervisor within twenty-five (25) business days of the date the complaint was received.

The *ROInvestigation/NOV* must be submitted to the Licensing Supervisor/Lead within thirty (30) business days of the date the complaint was received.

## **6090-2 B. REPORT OF ABUSE, HARM, OR SERIOUS RISK OF HARM TO CHILDREN IN CARE**

All child care facilities, CCPO and MOA Staff are mandatory reporters for abuse, harm, or serious risk of harm to a child or children in care. Reports of abuse, harm, or serious risk of harm are to be made immediately to the local police and Office of Children's Services (OCS).

Licensed child care facilities must also immediately report any circumstance involving abuse, harm, or serious risk of harm, to a child or children in their care to their Child Care Licensing Specialist (CCLS).

Details of the contact with the child care facility or complainant is not to be documented in an Integrated Child Care Information System (ICCIS) case note at this time and is to be documented in a confidential file until a determination is made regarding any actions needed to be taken by the child care facility or the Department.

Reports involving abuse, harm, or serious risk of harm will be treated as a Priority Level 1 complaint following the complaint process outlined in section 6090-3 A. Priority Level 1.

## **6090-2 C. PRIORITY LEVEL 2**

A Priority Level 2 is assigned to any complaint about a licensed or unlicensed (illegally or legally operating) facility that does not indicate an immediate danger to the children in care and alleges:

1. An accident or other injury to a child requiring medical attention;
2. Harmful Treatment: the act or omission of an act that could or does cause or allow harm to a child, that is less serious than abuse or neglect;
3. Inappropriate discipline or behavior guidance including corporal punishment;
4. Concerns involving supervision;
5. Concerns involving child to caregiver ratios not being met;
6. Concerns of health and safety hazards in the facility;
7. Exposure of children to high risk situations including exposure to physical hazards and encounters with individuals or animals posing a possible danger;
8. A violation of a statute, regulation, condition or variance for a facility that poses a significant risk to children; and/or
9. A violation of a statute or regulation that poses a significant risk to children, at an unlicensed (legally or illegally operating) facility.

An investigation on a Priority 2 complaint must be initiated by the Licensing Staff as soon as possible, but no later than seven (7) business days from receipt of the complaint.

An investigation on a Priority Level 2 complaint must be completed within thirty (30) business days and the *ROInvestigation* or *ROInvestigation/NOV* submitted to the supervisor within forty (40) business days of the date the complaint was received.

The *ROInvestigation* or *ROInvestigation/NOV* must be approved by the Licensing Supervisor/Lead within forty-five (45) business days of the date the complaint was received.

## **6090-2 D. PRIORITY LEVEL 3**

A Priority Level 3 is assigned to any complaint about a licensed or unlicensed (illegally or legally operating) facility that does not indicate an immediate danger to the children in care and alleges:

1. A less significant violation of statute, regulation, condition, or variance for a licensed or approved facility; or
2. A less significant violation of the statute or regulation at an unlicensed facility.

An investigation on a Priority 3 complaint must be initiated by the Licensing Staff as soon as possible, but no later than twenty-one (21) business days from receipt of the complaint.

An investigation on a Priority Level 2 complaint must be completed within forty (40) business days and the *ROInvestigation* or *ROInvestigation/NOV* submitted to the supervisor within fifty (50) business days of the date the complaint was received.

The *ROInvestigation* or *ROInvestigation/NOV* must be submitted to the Licensing Supervisor/Lead within sixty (60) business days of the date the complaint was received.

## **6090-3 PREPARING FOR THE INVESTIGATION**

The Child Care Licensing Specialist (CCLS) assigned to the investigation creates an investigation Red File. The CCLS will:

1. Ensure their Red File contains the required tab cover sheets;
2. Print out a copy of the *Investigation Process Checklist* to be attached to the Red File and completed throughout the investigation process;
3. Document on the *Investigation Process Checklist* each step completed thus far;
4. Print all of the documents from “#1 Complaint intakes to be heard folder” for the facility under investigation;

5. Place the *Complaint Intake Form* inside the Red File under Tab # 1 - Flag # 1; and
6. Place all handwritten notes from the complaint intake under Tab # 1 - Flag # 2.

The CCLS assigned to the investigation reviews the approved *Complaint Intake Form* and uses the Licensing Specialist Recommended Plan of Action section of the form to develop an Investigation Implementation Packet.

## **6090-3 A. INVESTIGATION IMPLEMENTATION PACKET**

1. An Investigation Implementation Packet includes:
  - a. Investigation Implementation Coversheet;
  - b. Investigation Plan of Action;
  - c. Investigation Overview (for the Administrator);
  - d. Interview questions;
  - e. Current Licensing and Report of Investigation (ROI) History;
  - f. Integrated Child Care Information System (ICCIS) Staff Household printout;
  - g. New Alaska Background Check System (NABCS) Facility Roster Report;
  - h. Facility floor plan from licensing file; and
  - i. *Travel Request* (if Applicable).
2. The CCLS will complete the Investigation Implementation Packet by:
  - a. Creating a draft *Travel Request* (if Applicable);
  - b. Reviewing and printing the Licensing and ROI History;
  - c. Printing a screen shot of the ICCIS Staff/Household screen for the facility;

- d. Printing the *Facility Roster Report* out of NABCS;
  - e. Developing the *Investigation Plan of Action*;
  - f. Developing the on-site Investigation Overview (for the Administrator);
  - g. Developing the interview questions for: Administrator, caregivers, parents, children, and etc., as applicable to complaint allegations;
  - h. Making a copy of the facility's floor plan from the licensing or approved provider file; and
  - i. Completing the Investigation Implementation Coversheet.
3. The *Investigation Process Checklist* is updated and submitted with the Implementation Packet and the Red File to their supervisor for review, assistance if needed, and approval.

The Licensing Supervisor/Lead will:

- a. Review the submitted Investigation Implementation Packet;
- b. Schedule a meeting with the CCLS to review and address any concerns or edits needed, when applicable; and
- c. Sign the Investigation Implementation Coversheet approving the CCLS plan for investigation and all attachments.

## 6090-5

## CONDUCTING AN INVESTIGATION

When it has been determined an investigation is warranted, the investigation will be conducted by either the Child Care Program Office (CCPO) or Municipality of Anchorage (MOA) Licensing Staff depending on the location of the child care facility.

The Child Care Licensing Specialist (CCLS) assigned to conduct the investigation will prepare an *Investigation Plan of Action*, complete the investigation unannounced on-site visit, and interview Administrators, caregivers, and parents of children in the child care facility's care.

1. Inspection Bag

The CCLS will bring their Inspection Bag which includes:

- a. Identification (ID) Badge;
- b. Business cards for CCLS I, CCLS II, CCLS III, and Eligibility Technician (ET) I, Public Assistance Analyst (PAA) II, and Program Coordinator II for Approved Providers;
- c. Cell phone programmed with all necessary phone numbers;
- d. Camera – charged with a clean Secure Digital (SD) card;
- e. Water thermometer;
- f. Flashlight;
- g. Tape measure or laser measuring tool to check square footage, if necessary;
- h. Investigation checklists, plans and review forms;
- i. Statutes and regulations;
- j. Extra facility forms: *Child Emergency Information, Training Record, Emergency Evacuation Drill Report, Immunization Packet, Injury Illness Incident Report, Staffing Plan, and Child Attendance with Parents initials*, and etc.;
- k. Notebook (paper) and pen; and
- l. Map or directions to the facilities (as applicable)

Upon arrival at the child care facility, the CCLS will introduce themselves and provide the *Investigation Overview* to the Administrator/Administrator Designee or Child Care Associate (CCA), whomever is in charge.

2. On-site Investigation

The CCLS will conduct the on-site investigation by completing a walk-through of the facility looking for health and safety concerns, documenting all areas of non-compliance, and ensuring they complete all of the items on their *Investigation Plan of Action*, including but not limited to the following:

- a. Checking to ensure ratios are being met;

- b. Collecting evidence;
- c. Conducting observations;
- d. Taking notes;
- e. Reviewing facility documents;
- f. Taking photographs, or recording video and audio; and
- g. Interviewing the Administrator, caregivers and parents of children in care.

## **6090-5 A. COLLECTING EVIDENCE**

Results of the investigation and additional findings must be supported by evidence and contained in the Red File, including but not limited to: observations, photographs, and notes taken during the investigation. The CCLS will collect evidence during their investigation by:

1. Obtaining evidence such as copies of facility records, to be able to substantiate or un-substantiate the allegation(s);
2. Documenting what was witnessed or noted while on-site during observations;
3. Documenting questions, responses, and any additional notes taken during an interview; and
4. Recording evidence by taking photographs, or recording video and audio recordings, as applicable.

## **6090-5 B. CONDUCTING OBSERVATIONS**

Observations, when documented in writing or by taking pictures or recording video or audio, can constitute as qualifying evidence if completed correctly. The details of what was observed are extremely important and must be documented at the time it occurs, including the date and time of recording, while on-site and in the investigation notes by the CCLS. The CCLS conduct observations during their investigation by:



1. Observing and documenting or recording the interactions between: caregivers and children; the Administrator, CCA and caregivers; and children;
2. Recording and documenting information gained through the physical senses:
  - a. Sight – what was seen;
  - b. Smell – any concern of odors;
  - c. Hearing – what was heard;
  - d. Touch – touching or moving something; and/or
  - e. Taste – as applicable, not typical.

## **6090-5 C. TAKING NOTES**

The most important part of an investigation is the information the CCLS documents. During the investigation and while on-site at the facility the CCLS needs to document in their notes at the time they are on-site and in each area of the facility, their observations, interview notes taken, and any other relevant information collected. The CCLS will take notes during the investigation by documenting any contact made with anyone regarding the investigation, and ensuring the information is factual, including what was observed, witnessed, or said during an interview. The CCLS will document during the by using the five “w” questions, including:

1. Who was involved?;
2. What happened?;
3. When did it happen?;
4. Where did it happen?; and
5. Why/How did it happen?

The CCLS will make sure everything documented and collected is saved and becomes a permanent part of the investigation Red File.

## **6090-5 D. REVIEWING DOCUMENTS**

Any documents collected during the investigation become a permanent part of the Red File and can be used as evidence to find the allegations substantiated or unsubstantiated. During the investigation

the CCLS will review and collect all relevant documents for the investigation including but not limited to:

1. Facility policies;
2. Parent policies;
3. Children's files; and
4. Personnel records.

## **6090-5 E. TAKING PHOTOGRAPHS**

Photographs need to be taken during an investigation to establish evidence. It's important at the time the photographs are taken to document when and where the photographs are taken, what the photographs are of, and why they were taken. The CCLS will take photographs during the investigation by:

1. Ensuring the camera is ready to take pictures: has charged batteries, is set to the appropriate setting, has the correct time/date stamp, and is equipped with a blank Secure Digital (SD) Card, prior to starting the on-site investigation;
2. Checking the photo taken at the time taken, to make sure it captures what is intended to be used as evidence; and
3. Using objects such as a pen, ruler, coin, etc. to show the scale of size when necessary.

## **6090-5 F. CONDUCTING INTERVIEWS**

Documenting what is asked and reported during an interview is extremely important. If possible, the CCLS will set up the interview in an area where there will be no interruptions. Interviews can be conducted telephonically or in person, at the facility, in the licensing office, or at a mutually agreed upon location. The CCLS will conduct interviews during the investigation by:

1. Introducing themselves and explaining the purpose of the interview;

2. Making sure the individual they are interviewing is comfortable, by not coming across demeaning, intimidating, uncaring and/or rude;
3. Being prepared with questions prior to starting the interview to ensure all of their questions get answered;
4. Being prepared to ask additional questions, requesting additional details, or seeking verification as needed to obtain as much information as possible for the investigation;
5. Asking open ended questions during the interview, avoiding leading questions, and whenever possible not asking yes/no or fill in the blank questions, to allow the individual being interviewed to be able to speak freely;
6. Asking the five “w” questions, including:
  - a. Who was involved?;
  - b. What happened?;
  - c. When did it happen?;
  - d. Where did it happen?; and
  - e. Why/How did it happen?;
7. Asking if there are any other witnesses; and
8. Providing contact information (business card) in case the individual being interviewed has additional information to share after the interview is concluded.

Prior to leaving the on-site investigation, the CCLS will communicate with the Administrator/Administrator Designee or CCA (whomever is in charge) and address any areas of concern, noncompliance or allegations substantiated during the investigation on-site visit, up to this point, and explain the next steps of the investigation.

## **6090-5 G. INVESTIGATION REVIEW**

The CCLS communicates with their supervisor when they return to the office after an on-site investigation and throughout the course of the investigation regarding: information obtained during the on-site, findings from the on-site and interviews conducted, or to seek guidance and directions for any additional information needed to be obtained or action steps necessary to complete the investigation including but not limited to:

1. Conducting any remaining interviews;
2. Reviewing documents collected during the investigation;
3. Updating their *Investigation Process Checklist*;
4. Documenting information into the *Investigation Timeline* throughout the course of the investigation; and
5. Filing information into the investigation Red File, under the correct tabs and flags.

## 6090-6

### INVESTIGATION RESULTS

When it has been determined an investigation is complete, a *Report of Investigation* needs to be written up by the Child Care Licensing Specialist (CCLS).

1. Unlicensed Child Care Facility

When an investigation is completed on an unlicensed (illegally or legally operating) child care facility there are two (2) courses of action that can be taken, depending on the outcome of the investigation:

- a. Report of Investigation

When the investigation determines there is or is not a violation of child care licensing regulations pertaining to operating legally or not, a *Report of Investigation (ROI)* or *Report of Investigation/Notice of Violation (ROI/NOV)*, *Approved Provider Report of Investigation*, or *Approved Provider investigation/Notice of Violation* is written up explaining the actions taken during the investigation and whether or not there are any enforcement actions being taken; or

- b. Immediate Suspension or Closure

If it is determined during the investigation the unlicensed (illegally or legally operating) child care facility's continued operation will result in an imminent threat to the health, safety, or welfare of a child in care or that the facility has repeatedly violated operating illegally, an emergency suspension or closure can be issued.

When an investigation has been conducted at a Child Care Assistance Program (CCAP) Approved Relative or In-home child

care, the CCLS will follow the guidance outlined in the CCAP Policies and Procedures section 4310-4 Approved Provider Complaint Investigation Findings.

2. Licensed Child Care Facility

When a complaint is received pertaining to a licensed child care facility there are three (3) courses of action that can be taken, depending on the outcome of the investigation:

a. Report of Investigation

When the investigation determines there is or is not a violation of child care licensing regulations, regardless if allegations have been substantiated or not, a *Report of Investigation* is required to be written up explaining the actions taken during the investigation, if there are any violations, and whether or not there are any enforcement actions being taken; and/or

b. Plan of Correction

When the complaint is substantiated and/or a non-compliance with regulation is identified a *Plan of Correction* (POC) is required; and /or

c. Enforcement Action

If it is determined during the investigation the child care facility has violated child care licensing statutes or regulations, and depending on the child care facilities history of violating child care licensing regulations, and if those violations have been repeated, an enforcement action can be taken.

## 6090-7

## REPORT OF INVESTIGATIONS

There are two (2) types of investigation reports Child Care Licensing issues: a *Report of Investigation (ROIInvestigation)* and a *Report of Investigation/Notice of Violation (ROIInvestigation/NOV)*.

A *ROI* is issued to the child care facility after an investigation where no areas of non-compliance were found during the investigation.

A *ROIInvestigation/NOV* is issued to the child care facility after an investigation where there were areas of non-compliance found during the investigation.

## **6090-7 A. REPORT OF INVESTIGATION - NO VIOLATIONS**

When there are no violations identified, the Child Care Licensing Specialist (CCLS) completes a *Report of Investigation (ROInvestigation)*. The CCLS will complete a draft *ROInvestigation*, and forward it to their supervisor/lead for review, approval, and signature within five (5) business days of completing the investigation.

Once approved, the CCLS will:

1. Contact the Administrator of the child care facility and notify them of the findings of the investigation and report to be issued;
2. Make a copy of the *ROInvestigation* for the Investigation Red File and Facility's Licensing Binder;
3. Issue the *ROInvestigation* to the child care facility, by mail; and
4. Document the actions taken in an Integrated Child Care Information System (ICCIS) case note.

When the investigation is complete and Licensing Supervisor/Lead has reviewed, approved, and signed the *ROInvestigation*, the Licensing Supervisor/Lead will immediately close the investigation by:

5. Saving a copy of the signed *ROInvestigation* in the folder in the Child Care Program Office (CCPO) shared drive;
6. Updating the Complaint Tracking Spreadsheet; and
7. Updating the Supervisor Meeting Agenda for the next week's meeting.

## **6090-7 B. REPORT OF INVESTIGATION - WITH VIOLATIONS**

When there are violations identified during the investigation, the CCLS completes a draft *Report of Investigation/Notice of Violation (ROInvestigation/NOV)*, sends it through the peer review process to finalize the draft, and gets approval from the their Licensing Supervisor/Lead for finalization.

1. Within five (5) business days of completing the investigation, the CCLS will:

- a. Create a draft *ROIInvestigation/NOV*, by completing all sections of the report, ensuring the summary clearly supports any unsubstantiated allegations and all of the violations noted;
  - b. Update the appropriate sections of the *Investigation Process Checklist*;
  - c. Provide a copy of their completed *ROIInvestigation/NOV* draft to a CCLS Peer Reviewer/MOA Lead from their assigned review team;
  - d. Make any necessary corrections to the *ROIInvestigation/NOV* draft to finalize it within one (1) day of receiving it back from the CCLS Peer Reviewer/MOA Lead; and
  - e. Give the *ROIInvestigation/NOV* draft, the completed *Peer Review Checklists* attached to each draft of the *ROIInvestigation/NOV*, and the Red File to their supervisor/lead for review.
2. The CCLS Peer Reviewer/MOA Lead will within two (2) business days:
- a. Conduct a detailed content and grammatical review of the *ROIInvestigation/NOV* draft;
  - b. Document with handwritten notes any suggestions for correction, items needing addressed or questions regarding any section of the *ROIInvestigation/NOV* draft;
  - c. Complete the *Peer Review Checklist*; and
  - d. Return the *ROIInvestigation/NOV* draft with their handwritten notes and the completed *Peer Review Checklist* with any additional notes to the CCLS investigator to make any necessary corrections.
3. The Licensing Supervisor/Lead will within two (2) business days:
- a. Review and approve the *ROIInvestigation/NOV* draft by reviewing the report for detailed content and any grammatical errors;
  - b. Ensure all necessary edits were incorporated into the *ROIInvestigation/NOV* draft through the Peer Review process by reviewing the completed *Peer Review Checklist*;

- c. Ensure the history is correct on the *ROIInvestigation/NOV* draft by reviewing the ICCIS Compliance Screen;
  - d. Ensure the Red File contains all of the required documents, pictures, notes and etc.;
  - e. Complete the supervisor section of the *Investigation Process Checklist*;
  - f. Return the *ROIInvestigation/NOV* draft to the CCLS for any necessary additions or corrections;
  - g. Ensure all of the corrections to the *ROIInvestigation/NOV* draft have been made by the CCLS; and h Updates the Complaint Spreadsheet and if applicable, enters information into the Enforcement Action Fine Repayment spreadsheet, in the shared drive at: S:\ADMIN\Appeals and Hearings\Enforcement Action Fines.
4. The CCLS will within one (1) day of the *ROIInvestigation/NOV* being approved and finalized by the Licensing Supervisor/Lead:
- a. Call the Administrator of the child care facility to notify them the investigation is complete by reviewing the findings, violations, enforcement actions (as applicable), and explaining the due process rights and timeframes, and letting the administrator know the *ROIInvestigation/NOV* is being mailed to them by certified return receipt or hand delivered;
  - b. Send out a cover letter, with the *ROI/NOV*, *Plan of Correction (POC)* and *Request to Implement Administrative Remedies*, as applicable;
  - c. Place copies of all documents sent or delivered to the child care facility into the Red File;
  - d. Enter a case note in ICCIS using subject heading: ROI or ROI/NOV (as applicable) Completed, and documents in the body of the case note actions taken, including reviewing the findings, violations, and enforcement actions contained in the *ROIInvestigation/NOV* with the facility Administrator, and date it was sent out or delivered;
  - e. Set an alert in ICCIS and a reminder in their Outlook Calendar, for a ROI/NOV with the date the facility is required to submit the *Plan of Correction (POC)*.



5. Once the POC has been determined complete and any applicable enforcement actions have been addressed and/or satisfied, the Licensing Supervisor/Lead will immediately close the investigation by:
  - a. Saving a copy of the *signed ROInvestigation/NOV* in the folder in the CCPO shared drive;
  - b. Updating the Complaint Tracking Spreadsheet; and
  - c. Updating the Supervisor Meeting Agenda for the next week's meeting.

## 6090-8

### EMERGENCY SUSPENSION

When a Child Care Licensing Specialist (CCLS) determines while on-site conducting an investigation a licensed child care facility's continued operation will result in an imminent threat to the health, safety, or welfare of a child in care, they will immediately contact their supervisor to describe the situation and receive confirmation of the need for immediate suspension, and coordination of action to be taken. The Licensing Supervisor/Lead will contact the Licensing Program Manager to notify them of the concern and actions taken.

If the investigation is at a Child Care Assistance Program (CCAP) Approved Relative or In-home provider, the CCLS will contact the CCAP Program Coordinator II who will coordinate actions with the Designee or Child Care Program Office Eligibility Staff.

The CCLS will verbally provide notice of an emergency suspension to the child care facility, and request the administrator call the parents of the children in care, to notify them of the emergency suspension and that alternative care for their children will be needed until the suspension is removed.

The Licensing Supervisor/Lead will create the written *Emergency Suspension* notice advising the licensed child care facility may not operate effective the date of the verbal notification, and until such time as the suspension is removed.

The CCAP Designee will create the written *Emergency Suspension* notice advising the provider they may not bill the CCAP for any care provided from the date of the verbal notification until such time as the suspension is removed.

The *Emergency Suspension* notice is to be issued to the child care facility no later than the following day. The Licensing Supervisor, CCAP Designee or CCPO Eligibility Staff will coordinate with the CCLS to issue the *Emergency Suspension* notice in person, whenever possible.

The emergency suspension is effective immediately, for a period of time necessary to complete a thorough investigation and issue a final determination.

The CCLS will complete their investigation and issue a report of their findings no later than fourteen (14) business days of the verbal suspension. The final outcome of the investigation will be documented in a *Report of Investigation/NOV* which will list the details of the investigation, violations noted during the investigation, and any enforcement action taken, and any action needed by the child care facility.

## 6100

### CHILD CARE FACILITY INCIDENT REPORTS

Licensed child care facility's must ensure they maintain compliance with all Child Care Licensing (CCL) regulations including reporting incidents that occur involving an injury to a child in care or an emergency situation involving the facility.

The following incidents require immediate notification to the licensing office:

1. The death of a child while in care;
2. A serious injury or illness of a child while in care that requires attention by medical personnel outside of the facility;
3. Knowledge of an Administrator, employee, volunteer, or household member being charged or convicted of a barrier crime or condition;
4. Knowledge of any allegation or suspicion of abuse, neglect, or misappropriation of money or other property of a child or parent receiving child care services from the facility;
5. A fire or other emergency situation that affects the facility; or

6. An unplanned change in the operation of the facility.

## **6100-1**

### **CHILD CARE FACILITY REPORT OF CHILD INJURY**

A child care facility is required to notify their licensing office immediately when an emergency incident occurs at the facility involving a child in care, including: the death of a child in care, a child being injured and requiring medical treatment, or a child being abused or neglected while in care.

A child care facility is also required to immediately notify the child's parent of incidents involving the death of a child while in care; an injury or illness of a child in care that requires attention by medical personnel outside of the facility; and/or the exposure of a child to a contagious condition such as lice or scabies or to a communicable disease other than a cold.

When a child care facility notifies the licensing office of an emergency involving a child in care, the information must be reported immediately by submitting a *Child Injury/Illness/Incident Report* CC91 to the department.

When the *Child Injury/Illness/Incident Report* CC91 is submitted, the Child Care Licensing Specialist (CCLS) must:

1. Ensure the *Child Injury/Illness/Incident Report* CC91 is date stamped with the date received;
2. Document the date and summary of the incident that occurred in an Integrated Child Care Information System (ICIS) case note; and
3. Notify their supervisor/lead to discuss the report received and determine next actions steps to take, if necessary, based on what was reported by the facility.

## **6100-2**

### **CHILD CARE FACILITY REPORT OF FACILITY EMERGENCY**

A child care facility is required to notify their licensing office immediately when an emergency occurs affecting the facility,

including: a fire or other emergency situation that affects the facility; or an unplanned change in the operation of the facility.

When a child care facility is notifying the licensing office of an emergency involving the facility, the information must be reported immediately by submitting a *Notification of a Facility Emergency* CC65 to the department.

When the *Notification of a Facility Emergency* CC65 is submitted, the Child Care Licensing Specialist (CCLS) must:

1. Ensure *Notification of a Facility Emergency* CC65 is date stamped with the date received;
2. Document the date and summary of the incident that occurred in an ICCIS case note; and
3. Notify their supervisor/lead to discuss the report received and determine next actions steps to take, if necessary, based on what was reported by the facility.

## **6100-3**

### **CHILD CARE FACILITY EMERGENCY AFFECTING THE LICENSE**

If a child care facility is affected by an unforeseen emergency situation and needs to relocate the facility, due to damage to the building that makes it temporarily unsuitable for child care a license may be issued for a specific period of time, the facility must notify their licensing office immediately. The facility must complete a *Notification of a Facility Emergency* CC65 notifying their licensing office of the emergency and the plan to begin operation in a new location. The Licensing Staff will assess the suitability of the temporary location. Licensing staff may inspect the temporary location prior to the relocation to ensure that no risk to children in care exists.

When the temporary location appears suitable, the facility will complete a new licensing application for the new location. A licensed facility subject to fire and sanitation inspections shall obtain the inspections of the temporary location prior to the relocation and before children are allowed in care.

The child care facility may submit a *General Variance Application* CC25 in order to meet the intent of regulations and to show how children in care will be safe at the temporary location until a more permanent location can be made. The physical plant (space, restrooms, and playground) should comply with regulations.

## **6110**

### **CHILD CARE FACILITY REPORTS OF CHANGE**

Licensed child care facilities must ensure they maintain compliance with all program rules including reporting changes to their facility that may or may not result in a change to their child care license, in order to be in compliance with the Child Care Licensing (CCL) regulations.

The following changes would require a license to be modified and re-issued:

1. A condition shown on the facility's license;
2. Changes imposed by the department as a remedy due to an enforcement action issued by the department;
3. The name of the owner (business or corporation or person) operating the facility;
4. The name of the facility;
5. Age of children served;
6. Capacity;
6. Physical or mailing address of the facility;

When there is a change in the owner or location of a licensed facility, the license is invalid under Alaska Statutes which states a license may not be transferred to another person or relocated to a different location.

When a facility makes changes that are required by statute and regulation to report, and fail to notify the department, the Child Care Licensing Specialist (CCLS) will review the change as soon as possible, and notify the facility if they are found out of compliance with licensing regulations.

## **6110-1**

### **CHANGES REPORTED BY A CHILD CARE FACILITY**

When there are changes to the information submitted with the child care facility's application it may impact the facility's *Child Care License*. Changes in the information provided on an application for licensure must be reported on a *Report of Change* CC95 form, within specific timeframes, as specified on the form and in the Child Care Licensing Regulations.

Changes reported and submitted to the Licensing Office must within one (1) business day be date stamped received, and documented in a case note in the facility's case in the Integrated Child Care Information System (ICCIS). The body of the case note is to include the date the change was reported, the change requested, and the effective date of the change.

Notify the CCAP Designees if the requested change impacts the provider's CCAP eligibility or participation, or has an impact on families participating in the Child Care Assistance Program. Examples of those change include, but are not limited to:

1. Changes in hours of operation;
2. Changes in facility's annual vacation/holiday schedule;
3. Changes that effect the capacity and/or age of the children; and
4. Changes in demographic information, such as: physical or mailing address, phone numbers, fax numbers, or email addresses; and/or
5. Temporary or Permanent closures;

All changes reported on the *Report of Change* CC95 form and all supporting documentation must be reviewed and acted upon by sending the appropriate cover letter: *Report of Change* or *Report of Change Incomplete* letter within ten (10) days of receipt based on the Adverse Action Calendar. Additional actions may be required based on the type of change that is reported.

All correspondence with the child care facility regarding changes reported on the *Report of Change* CC95 form and supporting documentation submitted and responses on the *Report of Change* or *Report of Change Incomplete* letter need to be documented in an ICCIS case note within one (1) business day. The body of the case note includes, as applicable: subject discussed/clarified; whether or not contact was made; the phone number called; and if a message was left.

The Licensing Supervisor/Lead will issue an updated license within twenty (20) days after receiving and approving a *Report of Change* CC95 form and all supporting documentation, if it is determined an updated license is required. The time specified in regulations may be extended, if the Child Care Licensing Specialist (CCLS) or Supervisor/Lead determines a longer period of time is needed to obtain additional information or evaluate the effect of change.

## **6110-1 A. CHANGE IN DAYS AND HOURS OF OPERATION**

When a child care facility is changing their hours of operation or scheduled closure days, the information must be reported by submitting a *Report of Change* CC95 form and *Facility Schedule Reporting Form* CC92 to the Child Care Licensing (CCL) Office.

If the CCLS assigned in the Integrated Child Care Information System (ICCIS) to the facility, is contacted by a Child Care Assistance Program (CCAP) worker advising a family is reporting a licensed facility's days and hours or Holidays and closures are different than documented in ICCIS, the CCLS will contact the provider to discuss the differences. If changes are needed in ICCIS the CCLS will request the provider submit a *Facility Schedule Reporting Form* CC92.

When the *Report of Change* CC95 form and *Facility Schedule Reporting Form* CC92 is submitted, the Child Care Licensing Specialist (CCLS) must:

1. Ensure forms are date stamped with the date received;
2. Document the date received, change received, and the effective date of change in an ICCIS case note; and
3. Update the ICCIS Schedule screen with the facility's updated information, including the day(s) and year(s), as applicable.

The Licensing Specialist must also, within one (1) business day, check ICCIS to see if the facility is participating in CCAP or the Child Care Grant Program (CCG) and if so notify the CCAP Designee responsible for the service delivery area and the CCPO Eligibility and Benefits Team at [dpaccp@alaska.gov](mailto:dpaccp@alaska.gov), of the changes to the facility's hours of operation.

## **6110-1 B. CHANGE IN HOUSEHOLD MEMBERS**

All individuals residing in a licensed child care facility need to be entered into the Staff/HH screen of the facility's case in ICCIS.

The age(s) of the household member(s) being added or removed from the child care facility may affect the number of children the facility may be licensed for.

When a child care facility is adding or deleting a household member, the information must be reported by submitting a *Report of Change* CC95 form to the CCL Office.

CCLS are responsible for ensuring individuals residing in a licensed facility are included and correct in ICCIS. Licensing Specialists must also ensure the licensed facility understands they may not request payment from the CCAP for any children residing in their facility.

If a change is reported to the Licensing office regarding a new family or child moving into the facility, the CCLS must ask if the child moving into the facility will receive care by the facility and if the child is participating in CCAP, and verify this information in ICCIS. If the child moving into the facility is participating in CCAP, the facility needs to be notified they will not be eligible for child care assistance benefits for that child while the child resides in their facility.

When the household member moving into the facility is a child participating in CCAP, the CCLS will enter in all of the new household members into the Staff/HH screen in ICCIS, document the reported change in an ICCIS case note, and send an email notification to the CCAP Designee responsible for family eligibility in the facility's CCAP service delivery area.

When the household member moving into the facility is not a child participating in CCAP, the CCLS will enter in all of the new household members into the Staff/HH screen in ICCIS, and document the reported change in an ICCIS case note. The CCLS will also ensure the facility has entered the individual as a household member in their facility's New Alaska Background Check System (NABCS) case and that the individual has received a provisional or final background check clearance.

If a change is reported to the Licensing office regarding a household member moving out of the facility, the CCLS will enter an end date for the individual in the Staff/HH screen of ICCIS and enter a case note



documenting the change. If the change is for an individual sixteen (16) years of age or older, the CCLS will notify the facility of their responsibility to terminate the individual from the facility's NABCS case, and set an Alert in ICCIS for ten (10) business days from the date of the report to check NABCS to ensure the individual has been removed from the facility in NABCS.

## **6110-1 C. MAILING ADDRESS CHANGE**

When a child care facility is changing their mailing address, the information must be reported by submitting a *Report of Change* CC95 form to the CCL Office.

When a child care facility changes their mailing address, a new license is issued.

The CCLS will make necessary changes in the demographic tab in the facility module of ICCIS, request a new license from the Licensing Supervisor/Lead, send a copy to the facility, the CCAP Designee responsible for the service delivery area, the CCPO Eligibility and Benefits Team at [dpaccp@alaska.gov](mailto:dpaccp@alaska.gov), and regional partner agencies notifying them of the facility's change of mailing address.

## **6110-1 D. PHYSICAL LOCATION CHANGE**

Child care facilities are licensed at their specific physical address/location, and the license cannot be moved or transferred to another address/location. When a facility is changing their physical location, the information must be reported by submitting a *Report of Change* CC95 form to the CCL Office.

When a child care facility relocates a new license is required.

Licensed facilities must report their intent to relocate their child care business to their assigned Licensing Specialist thirty (30) calendar days prior to the facility's planned closure at its current location.

When a *Report of Change* CC95 form is received for a physical location change, the Licensing Specialist will identify the anticipated end date at the current location and work with the facility to ensure they submit a new *Application for Provisional Child Care License* and any other required paperwork for their new facility; and complete an inspection to ensure the new location is in regulatory compliance

prior to the anticipated start date of the new license at the new location.

Within two (2) business days of receiving *Report of Change* CC95 form and/or new *Application for Provisional Child Care License* for a facility planning to relocate, the CCLS will check ICCIS to see if the facility is participating in the CCAP and CCG and if so, notify the CCAP Designee responsible for the service delivery area and the CCPO Eligibility and Benefits Team at [dpaccp@alaska.gov](mailto:dpaccp@alaska.gov) of the facility's plan to relocate.

## **6110-1 E. FACILITY'S ADMINISTRATOR CHANGE**

Child care facilities are licensed with an approved Administrator that is in charge of the day to day operations of the facility. An Administrator must meet specific regulatory requirements for education and experience, prior to being approved as an Administrator.

When a facility is changing their Administrator, the information must be reported by submitting a *Report of Change* CC95 form and *Administrator Designation and Qualification Form* CC56 to the CCL Office.

The CCLS will review the submitted *Report of Change* CC95 form and *Administrator Designation and Qualification Form* CC56 for the new Administrator and ensure the Administrator meets the qualifications.

Once approved, the CCLS will schedule an in-person licensing orientation with the new Administrator, within ten (10) days of the approval if the facility is accessible by driving. If the facility is not within driving distance from the local licensing office and travel is not scheduled to visit the community in which the facility is located within the next thirty (30) days, the CCLS will seek approval from their supervisor to schedule a telephonic orientation with the new Administrator, to be conducted within ten (10) days of the approval.

Within two (2) business days of approving the new Administrator, the CCLS will check ICCIS to see if the facility is participating in CCAP or CCG and if so, notify by email the regional CCAP Designee responsible for the service delivery area, and CCPO Eligibility and Benefits Team at [dpaccp@alaska.gov](mailto:dpaccp@alaska.gov) to ensure action is taken, if applicable, for signatory authority for the CCAP and CCG Programs.

## **6110-1 F. FACILITY'S CHILD CARE ASSOCIATE CHANGE**

Child care centers are required to have one (1) Child Care Associate (CCA) for every thirty (30) children in care. A CCA must meet specific regulatory requirements for education and experience, prior to being approved as a CCA.

When a facility is changing their CCA, the information must be reported by submitting a *Report of Change* CC95 form and *Child Care Associate Designation and Qualification Form* CC58 to the CCL Office.

The CCLS will review the submitted *Report of Change* CC95 form and *Child Care Associate Designation and Qualification Form* CC58 for the new CCA, and update the staff/household screen in ICCIS.

The responsibility to ensure the staff, including the CCA meets the qualifications for their position, is the Administrator of the facility.

The CCLS will review and ensure all of the required documents for the new CCA are in their personnel file at the facility during their next inspection.

## **6110-1 G. FACILITY NAME CHANGE**

When a child care facility is changing their name, the information must be reported by submitting a *Report of Change* CC95 form and new State of Alaska business license reflecting the new business name to the CCL Office.

When a child care facility changes their name, a new license is issued.

When a child care facility reports their child care business name has changed the CCLS will verify the information received on the State of Alaska business license is valid, change the Facility Name in the Application screen of ICCIS, case note in ICCIS actions taken, request an updated license from the Licensing Supervisor/Lead and mail it to the provider, notify by email the CCAP Designee responsible for the service delivery area and CCPO Eligibility and Benefits Team at [dpaccp@alaska.gov](mailto:dpaccp@alaska.gov) to ensure action is taken, if applicable, for the CCAP and CCG, and regional partner agencies.

## **6110-1 H. FACILITY BUSINESS TYPE CHANGE**

A child care facility is required to follow all state and federal laws for the type of business they are operating. A child care facility could run their business in many different ways, including: Sole Proprietorship, Partnership, Limited Liability Company (LLC) and/or Corporation.

When a child care facility is changing their business type from one type to another, the information must be reported by submitting a *Report of Change* CC95 form and new State of Alaska business license reflecting the new business type to the Child Care Licensing (CCL) Office.

When a child care facility reports their child care facility business type has changed the CCLS will verify the information received on the State of Alaska business license is valid, change the information in Application screen of ICCIS, case note in ICCIS actions taken, send an email notification of the child care facility's name change to all regional partner agencies, including the CCAP Designee responsible for the service delivery area, the CCPO Eligibility and Benefits Team at [dpaccp@alaska.gov](mailto:dpaccp@alaska.gov), to ensure action is taken, if applicable, for the CCAP and CCG.

## **6110-1 I. FACILITY OWNERSHIP CHANGE**

A child care facility is required to notify their licensing office at least ninety (90) days prior to a change in ownership. When a child care facility plans to change ownership, the information must be reported by submitting a *Report of Change* CC95 form to the CCL Office.

The new child care facility owner must submit an *Application for Provisional Child Care License* CC52. See 6040-1 Application Process for a Provisional Child Care License.

Changes reported in the ownership of a child care facility require a facility to be created in ICCIS, and a new license to be issued, even if the facility name does not change.

When a child care facility reports their child care facility ownership is changing, the CCLS will contact the facility and verify the facility's plan for transition, including the existing child care facility's closure date and the new child care facility's anticipated start date, document the plan in an ICCIS case note for the existing facility and notify all regional partner agencies, including the regional CCAP Designee responsible for the service delivery area and the Eligibility and Benefits Team at: [dpaccp@alaska.gov](mailto:dpaccp@alaska.gov)

to ensure action is taken, if applicable, for the CCAP and CCG.

## **6110-1 J. FACILITY CAPACITY CHANGE**

When a child care facility is changing their capacity, the information must be reported by submitting a *Report of Change* CC95 form and a *Child Care Facility Staffing Plan* CC71, to the CCL Office.

When a child care facility is changing their capacity to a number of children above the maximum capacity on the facility's current licensing capacity range, the facility must apply for the new facility type. See 6110-K Child Care Facility Type.

When a child care facility changes their capacity, a new license is issued.

When a child care facility reports their capacity is changing and a new *Application for Provisional Child Care License* CC52 is not required, the CCLS will review the *Report of Change* CC95 form and a *Child Care Facility Staffing Plan* CC71 to ensure the facility's plan meets child-to-caregiver ratio requirements for the new requested capacity; review the facility floor plan measurements for the facility; and determine if a licensing inspection and/or a new fire marshal approval is required, prior to a new license being issued.

Once the CCLS has determined the child care facility is in regulatory compliance with the new capacity, they will request an updated license be issued by the Licensing Supervisor/Lead, and send an email notification of the facility's change capacity to the CCAP Designee responsible for the service delivery area, the Eligibility and Benefits Team at [dpaccp@alaska.gov](mailto:dpaccp@alaska.gov) and the regional partner agencies, and case note actions taken in ICCIS.

## **6110-1 K. CHANGE OF AGE RANGE ON LICENSE**

When a child care facility is changing the age range on their license, the information must be reported by submitting a *Report of Change* CC95 form and a *Child Care Facility Staffing Plan* CC71, to the CCL Office.

When a child care facility changes their age range on their license, a new license is issued.

When a child care facility reports the age range is changing, the CCLS will review the *Report of Change* CC95 form and a *Child Care Facility Staffing Plan* CC71 to ensure the facility's plan meets child-to-caregiver ratio requirements for the new age range; review the facility floor plan measurements for the facility; and determine if a licensing inspection and/or a new fire marshal approval is required prior to a new license being issued.

Once the CCLS has determined the child care facility is in regulatory compliance with the new age range on their license, they will issue an updated license to the facility; send an email notification of the facility's change in age range to the CCAP Designee responsible for the service delivery area, the Eligibility and Benefits Team at [dpaccp@alaska.gov](mailto:dpaccp@alaska.gov), and regional partner agencies, and case note actions taken in ICCIS.

## **6110-1 L. CHILD CARE FACILITY TYPE CHANGE**

A child care facility can only be licensed as one (1) type of child care facility at a time.

When a child care facility is changing the type of child care they are operating, the information must be reported by submitting a new *Application for a Provisional Child Care Application* CC52. See 6040-1 Application Process for a Provisional Child Care License.

## **6110-1 M. CHANGE, ADD OR DELETE A SPECIALIZATION ON THE CHILD CARE LICENSE**

There are two types of Specializations that can be on a Child Care License: a Specialized Activity or a Nighttime Care.

When a child care facility is changing, adding or deleting a Specialization on their license, information must be reported by submitting a *Report of Change* CC95 form and the appropriate Specialization form, depending on the type of specialization and if it is for a change or addition, to the Child Care Licensing (CCL) Office.

### **1. Specialized Activity Plans**

Specialized Activity plans are required when a child care facility is seeking to offer a moderate-risk activity, as identified in the child

care licensing regulations. A separate *Request for Specialized Program Activity* CC54 and supporting documentation are required for each activity to be reviewed and approved by the CCL Office.

When the *Report of Change* CC95 form and *Request for Specialized Program Activity* CC54 is submitted, the Child Care Licensing Specialist (CCLS) must within ten (10) business days:

- a. Ensure forms are date stamped with the date received;
- b. Document the date received and change received in an ICCIS case note;
- c. Review the *Request for Specialized Program Activity* CC54 and all supporting documentation to ensure it is complete and contains all of the required information to make a determination;
- d. Send a *Report of Change – Incomplete Letter* if additional information is needed, for a determination to be made on the requested specialized activity or complete the *Child Care Licensure Determination* form and send it to the supervisor for signature;
- e. Send the signed *Child Care Licensure Determination* form and case note actions taken in ICCIS; and
- f. Place the *Request for Specialized Program Activity* CC54 form submitted to the Department with the signed *Child Care Licensure Determination* form and all supporting documentation under Tab 1 in the licensing binder.

## **2. Nighttime Care Specializations**

When the *Report of Change* CC95 form and *Request for Nighttime Care Specialization* CC53 is submitted, the Child Care Licensing Specialist (CCLS) must within ten (10) business days:

- a. Ensure forms are date stamped with the date received;
- b. Document the change and the date received in an ICCIS case note;

- c. Review the *Request for Request for Nighttime Care Specialization* CC53 and all supporting documentation to ensure it is complete and contains all of the required information to make a determination;
- d. Send a *Report of Change – Incomplete Letter* if additional information is needed, for a determination to be made on the requested for the nighttime care specialization or complete the *Child Care Licensure Determination* form and send it to the supervisor for signature;
- e. Send the signed *Child Care Licensure Determination* form and case note actions taken in ICCIS ; and
- f. Place the *Request for Nighttime Care Specialization* CC53 form submitted to the Department with signed *Child Care Licensure Determination* form and all supporting documentation submitted under Tab 1 in the licensing binder.

The child care facility is required to post the *Child Care Licensure Determination* with the approval for the specialization next to their license, if received outside of the license issuance period. During the next licensing renewal period, if the specialization is still needed, it will be added to the new license issued.

## 6120

### **FACILITY LICENSING BINDER AND INVESTIGATION FILE DOCUMENTATION**

Documentation includes the hard copy child care facility licensing binder and investigation file contents, and information received either verbally or in writing entered in the Integrated Child Care Information System (ICCIS) to support the hardcopy documentation. ICCIS case notes must be entered clearly describing how information was received or verified, the date it was received, actions taken and date taken if the case note is not entered the same day as the action, and why decisions were made that led to the licensing determination. Sources of verification include documentary evidence, collateral contacts, and verbal or written statements made by the applicant or caregivers at the child care facility.

Hard copy child care facility licensing binders must be maintained for each licensed child care facility. Hard copy licensing investigation files must be maintained for each investigation conducted on a licensed child care facility. Child care facility licensing binders and



investigation files are maintained in a consistent manner within the regional licensing offices, as applicable, with the most current forms on top with flags to label any permanent forms stored within.

## **6120-1**

### **FACILITY LICENSING BINDERS**

Facility licensing binders are hard back three (3) ring binders with a labeled Facility Notebook Coversheet and Binder Spine Label. The hard copy child care facility licensing binders are separated into fifteen sections, and divided by labelled number tabs. The tabs are the same regardless of which type of licensed facility the licensing binder is for. Each facility's licensing binder will also contain a Licensing Binder Table of Contents, based on facility type: Home, Group Home or Center, explaining which items are maintained behind each tab.

Forms and documentation maintained in the facility's licensing binder identified in the following sections is for the facility's current licensing period. All other documentation, forms and information is maintained according to the retention requirements. See section 6150-4 Child Care Licensing File Retention Requirements.

## **6120-1 A.**

### **TAB 1 - LICENSES AND SPECIALIZATIONS**

Under Tab 1 of the hard copy child care facility licensing binder the following information will be contained:

#### **1. Licenses**

The first thing under Tab 1 will be a copy of the most current license followed by any copies of additional license(s) issued during that licensing period placed behind the most current license. The current license needs to: match the information reported on the Application or Information Summary; contain any conditions that have been placed on the license; list variances approved with the renewal; and list approved specializations.

#### **2. Specialized Activity Plans**

The next thing after licenses under Tab 1 will be any *Request for Specialized Program Activity* CC54 form submitted to the Department with the decision from Department documented on it and all supporting documentation submitted with it.

#### **3. Nighttime Care Specializations**

The next thing after license(s), and *Specialized Activity Plan* CC54 forms, when applicable; under Tab 1 will be *Request for Nighttime*

*Care Specialization* CC53 form submitted to the Department with the decision from Department documented on it, and all supporting documentation submitted with it.

## **6120-1 B.      TAB 2 – FACILITY INFORMATION**

Under Tab 2 of the hard copy child care facility licensing binder the following information will be contained:

### **1. Application**

The first thing under Tab 2 will be the *Application for Provisional Child Care License* CC52 or the *Application for Biennial Child Care license* for the current licensing period.

### **2. Governing Body/Board Information**

The next thing after applications under Tab 2 will be *Governing Body Information* CC55 form and all supporting documentation submitted with it.

### **3. Business License & Other Approvals**

The next thing after applications and *Governing Body Information* CC55 form, when applicable; under Tab 2 will be a copy of the Facility's State of Alaska Business License, and any applicable municipal or city business license, or other permits or approvals which are required for the city based on where the child care facility is located in.

### **4. Property Owner Approval**

The next thing after applications, *Governing Body Information* CC55 form, and State of Alaska Business Licenses and other permits, under Tab 2 will be the *Permission to Operate a Child Care Business* CC72 form and all supporting documentation submitted with it.

### **5. Photos of Facility**

The next thing after applications, *Governing Body Information* CC55 form, and State of Alaska Business Licenses and other permits, and the *Permission to Operate a Child Care Business* CC72 under Tab 2 will be the photos of child care facility.

### **6. Driving Directions and Map**

The next thing after applications, *Governing Body Information* CC55 form, and State of Alaska Business Licenses and other permits, and the *Permission to Operate a Child Care Business* CC72,

and the photo of the facility under Tab 2 will a Google Map with direction to the facility.

The map and directions will assist a Child Care Licensing Specialist (CCLS) with determining the location of the facility with major cross streets indicated for easy driving navigation for proper time preparation and scheduling.

The map will have the directions from the local licensing office to the facility, if within driving distant, or the distance from the local airport to the facility, if travel is necessary to get to the facility.

## **6120-1 C.            TAB 3 – ADMINISTRATOR DOCUMENTATION**

Under Tab 3 of the hard copy child care facility licensing binder the following information will be contained:

### **1. Administrator Designation Form & Qualifications**

The first thing under Tab 3 will be the *Administrator Designation and Qualification Form* CC56 and any attachments received, for example but not limited to: a resume, college transcripts, photo id, and pediatric first aid/cardiopulmonary resuscitation (CPR) certifications.

### **2. References**

The next thing after the *Administrator Designation and Qualification Form* CC56 under Tab 3 will be at least 4 *Child Care Facility - Administrator References* CC57 forms and all supporting documentation submitted with it.

The references in this tab are good for five (5) years, and need to remain in this section until they are no longer valid and new references are obtained, or the Administrator changes. If a Child Care Licensing Specialist (CCLS) finds references that are older than five (5) years old, they are to request that the Administrator submit four (4) new *Child Care Facility- Administrator References* CC57 forms during their next inspection process.

## **6120-1 D.            TAB 4 – CHILD CARE ASSOCIATE DOCUMENTATION**

Under Tab 4 of the hard copy child care facility licensing binder the following information will be contained:

**1. Child Care Associate Designation Form & Qualifications**

The first thing under Tab 4 will be the *Child Care Associate Designation and Qualification Form* CC58 and any attachments received, for example but not limited to: a resume, college transcripts, photo id, and pediatric first aid/CPR certifications.

**2. References**

The next thing after the *Child Care Associate Designation and Qualification Form* CC58 under Tab 4 will be at least three (3) *Child Care Facility – Child Care Associate Reference* CC59 forms and all supporting documentation submitted with it. If the Child Care Associate will also act as the Administrator Designee in the absence of the Administrator, there will need to be a total of four (4) *Child Care Facility – Child Care Associate Reference* CC59 forms and all supporting documentation submitted with it.

The references in this tab are good for five (5) years, and need to remain in this section until they are no longer valid and new references are obtained, or the Child Care Associate changes. If a CCLS finds references that are older than five (5) years old, they are to request that the Administrator submit four (4) new *Child Care Facility – Child Care Associate Reference* CC59 forms for the Child Care Associate, during their next inspection process.

## **6120-1 E. TAB 5 – CHILD CARE FACILITY PARENT POLICIES**

Under Tab 5 of the hard copy child care facility licensing binder the following information will be contained:

**1. Child Care Facility Parent Policies Checklist form**

Under Tab 5 will be the *Child Care Facility Parent Policy Checklist* CC77 and a copy of the child care facility's parent policies forms and all supporting documentation submitted with it.

When a child care facility submits large amount of policies that do not fit into the facility's licensing binder, the CCLS will create a second (2<sup>nd</sup>) facility's licensing binder labeled with the child care facility's name and Facility Policy Manual on the front and spine of the facility's licensing binder. The CCLS will under Tab 5 and behind the *Child Care Facility Parent Policy Checklist* CC77, add a

page with a note stating: See Licensing Binder #2 for the facility's policy manual.

## **6120-1 F. TAB 6 – PLAN OF OPERATIONS**

Under Tab 6 of the hard copy child care facility licensing binder the following information will be contained:

### **1. Policies & Procedures Manual (Plan of Operation)**

Under Tab 6 will be the child care facility's plan of operation and other supporting documents such as the facility's organization chart, program descriptions, other forms and material as applicable based on the facility type and whether or not the facility has employees.

When a child care facility submits large amount of policies that do not fit into the child care facility licensing binder, the CCLS will create a second (2<sup>nd</sup>) child care facility licensing binder labeled with the child care facility's name and Facility Policy Manual on the front and spine of the child care facility licensing binder. The CCLS will under Tab 6 add a page with a note stating: "See Licensing Binder #2 for the facility's plan of operation manual".

### **2. Alternative Outdoor Recreation Space**

The next thing after the facility's plan of operations manual under Tab 6 will be the *Plan for Alternate Outdoor Recreation Space CC74* and all supporting documentation submitted with it.

### **3. Plan For Shared Use**

The next thing after the facility's plan of operations manual and the *Plan for Alternate Outdoor Recreation Space CC74* under Tab 6 will be the *Plan for Shared Use of a Child Care Facility CC73* and all supporting documentation submitted with it.

### **4. Plant Safety Plan CC93**

The next thing after the facility's plan of operations manual, the *Plan for Alternate Outdoor Recreation Space CC74*, the *Plan for Shared Use of a Child Care Facility CC73* and all supporting documentation submitted with it, in Tab 6 will be the *Plant Safety Plan CC93*, if the facility has indicated they have plants in the facility.

### **5. Firearms and Ammunition Storage CC103**

The next thing after the *Plant Safety Plan* CC93 will be the *Firearms and Ammunition Storage* CC103, if the facility has indicated they have firearms in the facility.

**6. *Animals on the Child Care Premises* CC105**

The next thing after the *Firearms and Ammunition Storage* CC103 will be the *Animals on the Child Care Premises* CC105, if the facility has indicated they have animals on the premises.

**7. *Square Footage Worksheet***

The next thing after the *Animals on the Child Care Premises* CC105 will be the *Square Footage Worksheet* showing the indoor and outdoor space measurements for capacity determination.

**6120-1 G.**

**TAB 7 – PERSONNEL INFORMATION AND POLICIES**

Under Tab 7 of the hard copy child care facility licensing binder the following information will be contained:

**1. *Personnel Policies Checklist***

Under Tab 7 will be the child care facility's *Child Care Facility Personnel Policies Checklist* CC60 and a copy of the facility's personnel policies.

When a child care facility submits large amount of policies that do not fit into the child care facility licensing binder, the CCLS will create a second (2<sup>nd</sup>) child care facility licensing binder labeled with the child care facility's name and Facility Policy Manual on the front and spine of the child care facility licensing binder. The CCLS will under Tab 7 add a page with a note stating: "See Licensing Binder #2 for the facility's personnel policies".

**2. *Staffing Plan***

The next thing after the facility's *Child Care Facility Personnel Policies Checklist* CC60 and a copy of the facility's personnel policies under Tab 7 will be the *Child Care Facility Staffing Plan* CC71 and any other staffing plans submitted during the current licensing period.

**3. *Staff Evaluations of Facility***

The next thing after the facility's *Child Care Facility Personnel Policies Checklist* CC60, the facility's personnel policies and the *Child Care Facility Staffing Plan* CC71 under Tab 7 will be the *Staff*

*Evaluations of Facility CC101 forms collected or documented during the facility's annual inspection process.*

## **6120-1 H. TAB 8 – HEALTH AND SAFETY**

Under Tab 8 of the hard copy child care facility licensing binder the following information will be contained:

### **1. Fire Safety Inspection Report**

Under Tab 8 will be the current copy of the facility's fire inspection completed by the State or Municipal fire authority, and any other inspections or inspection requests submitted or received during the current licensing period.

### **2. Written Disaster Preparedness and Evacuation Plan**

The next thing after the facility's fire inspection under Tab 8 will be a copy of the facility's *Get Out Alive! Disaster Preparedness and Emergency Evacuation Plan* CC67 including the facility's evacuation diagram and/or the facility's own disaster preparedness and evacuation plan containing the regulatory requirements.

When a child care facility submits large amount of policies that do not fit into the child care facility licensing binder, the CCLS will create a second (2<sup>nd</sup>) child care facility licensing binder labeled with the child care facility's name and Facility Policy Manual on the front and spine of the child care facility licensing binder. The CCLS will under Tab 7 add a page with a note stating: "See Licensing Binder #2 for the facility's Disaster Preparedness and Evacuation Plan".

### **3. Department of Environmental Conservation Sanitation Inspection**

The next thing after the facility's fire inspection and *Get Out Alive! Disaster Preparedness and Emergency Evacuation Plan* CC67 under Tab 8 will be a copy of the facility's Department of Environmental Conservation (DEC) inspection and approval, if applicable, based on the facility type and if the facility has a capacity of thirteen (13) or more children and serves meals.

### **4. Waste Water Disposal System**

The next thing after the facility's fire inspection, *Get Out Alive! Disaster Preparedness and Emergency Evacuation Plan* CC67, and the facility's DEC inspection and approval under Tab 8 will be a

copy of the facility's waste water system or septic system approval, if the facility is not on city waste.

#### **5. Well Water Test Results**

The next thing after the facility's fire inspection, *Get Out Alive! Disaster Preparedness and Emergency Evacuation Plan CC67*, the facility's DEC inspection and approval, and the facility's waste water system or septic system approval under Tab 8 will be a copy of the facility's water system approval, if the facility is not on city water. And if the facility has a Class C well, this section will contain copies of the facility's required annual well water samples received during the current licensing period.

### **6120-1 I.**

## **TAB 9 – PARENT LIST AND EVALUATIONS**

Under Tab 9 of the hard copy child care facility licensing binder the following information will be contained:

#### **1. Parent Information List**

Under Tab 8 will be a copy of the facility's parent information list or facility printout of current parent and past parents of children in care during the current licensing period.

#### **2. Parent Evaluations of Facility**

The next thing after the parent information list or facility printout of current parent and past parents under Tab 9 will be the *Parent Evaluation of Facility CC99* forms documented from parent evaluation calls during the facility's annual inspection process.

### **6120-1 J.**

## **TAB 10 – INVESTIGATION REPORTS**

Under Tab 10 of the hard copy child care facility licensing binder the following information will be contained:

#### **1. Report of Investigation**

Under Tab 10 will be the copies of any *signed ROInvestigations and ROInvestigations/NOV's* and packets sent out to the provider during the current licensing period.

If a *Plan of Correction* was submitted and approved (if a *ROInvestigation/NOV* was issued during this licensing period), it will be attached to the *Administrative Remedies Form* submitted to



the department with and any other attachments received during the current licensing period.

All other documents involving a complaint and or investigation will be stored in the Red File for that investigation. See 6120 -2 Licensing Investigation Files

## **6120-1 K.      TAB 11 – INSPECTION REPORTS AND DOCUMENTATION**

Under Tab 11 of the hard copy child care facility licensing binder the following information will be contained:

### **1. Report of Inspection**

Under Tab 11 will be copies of signed *ROInspection* and *ROInspection/NOV*'s and packets sent out to the provider during the current licensing period.

If a *Plan of Correction* was submitted and approved (if a *ROInspection/NOV* was issued during this licensing period), it will be attached to the *Administrative Remedies Form* submitted to the department with and any other attachments received during the current licensing period.

### **2. Inspection Checklists**

The next thing after the signed *ROInspection* and *ROInspection/NOV*'s under Tab 11 will be copies of the applicable *Licensing Inspection Checklist* based on facility type, or *Monitoring Checklist* and any other checklists used during the inspection (ex: *Children's Record Review*, *First Aid and Disaster Kit Checklist CC62*, and *Personnel Records Worksheet*, and etc.) used during the current licensing period.

### **3. Evidence of Inspection Collected**

The next thing after the signed *ROInspection* and *ROInspection/NOV*'s and copies of the applicable *Licensing Inspection Checklist* or *Monitoring Checklist* under Tab 11 will be copies of photographs taken and received, documentation collected, and notes taken as part of an inspection during the current licensing period.

Will contain any facility documents collected or received as part of an inspection during the current licensing period.

## **6120-1 L.            TAB 12 – FILE REVIEW**

Under Tab 12 of the hard copy child care facility licensing binder the following information will be contained:

### **1. File Review Form**

Under Tab 12 will be copies of any file review updated by the CCLS during the current licensing period.

## **6120-1 M.            TAB 13 – REPORTS**

Under Tab 13 of the hard copy child care facility licensing binder the following information will be contained:

### **1. Report of Change**

Under Tab 13 will be copies of any *Report of Change* CC95 forms and any other supporting documentation received from the facility during the current licensing period.

### **2. Child Injury/Illness/Incident Report**

The next thing after the *Report of Change* CC95 forms and supporting documentation under Tab 13 will be any *Child Injury/Illness/Incident Report* CC91 forms and any supporting documentation received from the facility during the current licensing period.

### **3. Notification of a Facility Emergency**

The next thing after the *Report of Change* CC95 forms and *Child Injury/Illness/Incident Report* CC91 forms in Tab 13 will be any *Notification of a Facility Emergency* CC65 forms and any supporting documentation received from the facility during the current licensing period.

## **6120-1 N.            TAB 14 – CORRESPONDENCE**

Under Tab 14 of the hard copy child care facility licensing binder the following information will be contained:

### **1. Facility Correspondence**

Under Tab 14 will be any correspondence received by or sent to the facility including but not limited to: notices, e-mails, and etc.

## **6120-1 O.      TAB 15 – VARIANCES**

Under Tab 15 of the hard copy child care facility licensing binder the following information will be contained:

### **1. Background Check Variances**

Under Tab 15 will be any current Background Check (BCP) Variance Decision Letter(s), of approval or denials, applications, and associated documentation for a BCP Variance.

### **2. General Variances**

Under Tab 15 will be any current *General Variance Decision* Letter(s), of approval or denials, applications, and associated documentation for a General Variance.

## **6120-2      LICENSING INVESTIGATION FILES**

Hard copy licensing investigation files, referred to by licensing as Red Files are separated into six (6) labeled tabs with numbered flags.

The tabs are the same regardless of which type of licensed facility the licensing investigation Red File is for. Each Red File will also contain a face sheet explaining the contents of the items maintained behind each tab.

## **6120-2 A.      TAB 1 - COMPLAINT INTAKE INFORMATION**

Under Tab 1 of the investigation Red File will be all of the information received during the complaint intake process, including the completed *Complaint Intake Form* and any handwritten notes. Tab 1 of the investigation Red File is divided into two (2) sections by flags:

Flag #1- Complaint Intake Form; and

Flag #2- Handwritten Notes

## **6120-2 B.           TAB 2 – INVESTIGATION TIMELINE/FACILITY HISTORY**

Under Tab 2 of the investigation Red File will be the *Investigation Timeline* and the *Facility History*. Tab 2 of the investigation Red File is divided into two (2) sections by flags:

Flag #1- Investigation Timeline; and

Flag#2- Facility History

## **6120-2 C.           TAB 3 – INVESTIGATION NOTES**

Under Tab 3 of the investigation Red File will be the handwritten notes, information gathered, and photographs taken during the investigation. Tab 3 of the investigation Red File is divided into three (3) sections by flags:

Flag #1- Handwritten Notes;

Flag #2- Information Gathered during Investigation; and

Flag #3- Photographs

## **6120-2 D.           TAB 4 – COLLABORATION/PARENT INTERVIEWS**

Under Tab 4 of the investigation Red File will be the documented collaboration received or send regarding the investigation, and parent interview notes. Tab 4 of the investigation Red File is divided into two (2) sections by flags:

Flag #1- Collaboration; and

Flag #2- Parent Interviews

## **6120-2 E.           TAB 5 – REPORT OF INVESTIGATION**

Under Tab 5 of the investigation Red File will be the documented collaboration received or sent during the investigation, and parent

interview notes. Tab 5 of the investigation Red File is divided into two (2) sections by flags:

Flag #1- Final Report of Investigation; and

Flag #2- Certified Mail Receipt

## **6120-2 F.**

### **TAB 6 – INVESTIGATION CLOSEOUT PAPERWORK**

Under Tab 6 of the investigation Red File will be the final investigation closeout paperwork submitted by the facility including the *Plan of Correction*, written response, and enforcement action compliance. Tab 6 of the investigation Red File is divided into three (3) sections by flags:

Flag #1- *Plan of Correction*;

Flag #2- Written Response to ROI; and

Flag #3- Enforcement Action Compliance

## **6130**

### **CHILD CARE LICENSING ORIENTATION AND ANNUAL TRAINING REQUIREMENTS**

Prior to a child care facility being licensed by their local Child Care Licensing (CCL) office, they must complete a Child Care Licensing Orientation.

The Child Care Licensing Orientation is completed by the Child Care Licensing Specialist (CCLS) in person, one-on-one with the child care facility Administrator for the State of Alaska, Department of Health and Social Services (DHSS) CCL office.

The Child Care Licensing Orientation is completed by the Child Care Licensing Specialist (CCLS) as group training, by the Municipality of Anchorage (MOA), Department of Health and Human Services (DHHS) CCL office.

The child care facility Administrator, Child Care Associate, and caregivers will have additional facility orientation training, specific health and safety training, and annual professional development

training requirements based on their position, education qualifications and facility type. The orientation training must be completed as part of the facility orientation requirement, within three (3) months from their date of hire. And the annual professional development training must be obtained each year based on their date of hire.

## **6130-1**

### **CHILD CARE LICENSING ORIENTATION**

Child Care Licensing Orientations are conducted with the Administrator of the child care facility prior to a new license being issued, or when the child care facility Administrator changes. See 6110-1 E. Facility Administrator Change.

After an application is deemed complete by the Child Care Licensing Specialist (CCLS), they will call the Administrator to schedule the facility's Child Care Licensing Orientation and on-site inspection, and send the applicant a *Complete Application Letter* noting the date and time scheduled.

During the Child Care Licensing Orientation, the CCLS will use the *Child Care Licensing Inspection Checklist* for the facility type, to review all of the licensing statutes and regulation requirements for the child care facility, and answer any questions the Administrator may have.

## **6130-2**

### **CHILD CARE FACILITY ORIENTATION TRAINING REQUIREMENTS**

The child care facility is required to ensure all of their caregivers receive an orientation of the facility, the facility policies, and specific training, dependent on the type of care they **provider**. The orientation training must be completed as part of the facility orientation requirement, within three (3) months from the caregiver's date of hire.

Facility Orientation requirements include the:

1. Facility's policies and procedures;
2. Caregivers duties and responsibilities;
3. Individual needs of children in care;

4. Facility's emergency procedures and health and safety measures;
8. Child care licensing regulation requirements for their facility; and
9. Required health and safety trainings, as appropriate to the facility type, and age of the children served, which must be obtained from a training program listed on the *Alaska's Approved Health and Safety Training List*:
  - (a) prevention and control of infectious diseases, including immunizations;
  - (b) prevention of sudden infant death syndrome and use of safe sleeping practices for children of all ages;
  - (c) administration of medication, consistent with standards for parental consent;
  - (d) prevention of and response to emergencies due to food and allergic reactions;
  - (e) building and physical premises safety, including identification of and protection from hazards, bodies of water, and vehicular traffic;
  - (f) prevention of shaken baby syndrome, abusive head trauma, and child maltreatment;
  - (g) emergency preparedness and response planning for emergencies resulting from a natural disaster, or a human-caused event (such as violence at a child care facility) including procedures for evacuation, relocation, shelter-in-place; and lock down; staff and volunteer emergency preparedness training and practice drills; communication and reunification with families; continuity of operations; and accommodation of infants and toddlers, children with disabilities, and children with chronic medical conditions.

In this subparagraph "natural disaster" means a hurricane, tornado, storm, flood, high water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, drought, fire, or other catastrophe in any part of the United States which causes, or which may cause, substantial damage or injury to civilian property or persons:

- (h) handling and storage of hazardous materials and the appropriate disposal of bio contaminants;
- (i) appropriate precautions in transporting children, if applicable;
- (j) pediatric first aid and pediatric cardiopulmonary resuscitation (CPR); and
- (k) Recognition and reporting of child abuse and neglect under state and local law.

The child care facility is required to maintain personnel records for each of their caregivers that include the individuals start date and records the completion dates of each of their orientation and health and safety training requirements. The Child Care Licensing Specialist (CCLS) will check the facility's personnel records during on-site inspections to ensure the facility is in compliance with the regulatory orientation and health and safety training requirements for each of their caregivers.

## 6130-3

### CHILD CARE FACILITY ANNUAL TRAINING REQUIREMENTS

The child care facility is required to ensure all of their caregivers complete annual professional development training based on their position, education qualifications and facility type. The annual professional development training requirement is twenty-four (24) clock hours for a full time caregiver, and twelve (12) clock hours for a part time caregiver who works less than fifteen (15) clock hours a week; or at least one (1) college credit hour in early childhood development, child development, or child psychology, and must be obtained each year based on their date of hire.

The training hours must be recorded by clock hours, be documented, and include the date, subject, method of training, duration, and the name of the individual who conducted the training. The training must be relevant to the caregiver's responsibilities, and include at least one hour of approved health and safety training from the *Alaska's Approved Health and Safety Training List* on the CCPO Website. The remaining training hours can include other health and safety, child growth and development, planning learning activities, guidance and discipline techniques, linkages with community services, communication and relations with families, and detecting and reporting child abuse and neglect.



The child care facility is required to maintain personnel records for each of their caregivers that include the individuals start date and records the completion dates of each of their annual training hour requirements. The Child Care Licensing Specialist (CCLS) will check the facility's personnel records during on-site inspections to ensure the facility is in compliance with the regulatory annual training hour requirements for each of their caregivers.

## **6130-4**

### **FIRST AID AND CARDIOPULMONARY RESUSCITATION (CPR) TRAINING**

All caregivers on duty must have a valid certification for pediatric first aid and pediatric cardiopulmonary resuscitation (CPR). Pediatric first aid and CPR courses must be in-person training with a certified instructor, and are in addition to the required annual training hours, each year.

Certification must be obtained by attending course(s) provided in a classroom type setting unless courses are not available within sixty (60) miles by road of the child care location. In these situations, the caregiver may receive instruction in pediatric first aid and pediatric CPR procedures through distance learning training videos and/or other materials approved by the department. For department approval of distance learning training, the caregiver must contact their local licensing office. If the distance course is approved, the caregiver will still have to complete and pass the first available pediatric first aid and pediatric CPR certification course offered within sixty (60) miles by road of the child care location.

Applicants applying to become licensed must provide their caregivers certifications for pediatric first aid and pediatric CPR prior to approval for licensure.

Pediatric first aid and pediatric CPR certifications must be maintained throughout the child care facility's licensing period. The child care facility must review and post pediatric first aid and pediatric CPR instructions in an area where child care is conducted or make them readily available.

The Child Care Licensing Specialist (CCLS) will check the facility's personnel records during on-site inspections to ensure each caregiver is in compliance with pediatric first aid and pediatric CPR certification

training requirements, and will document the certification dates of each caregiver on their inspection checklist documents.

After the inspection is completed, the CCLS will enter the caregiver's pediatric first aid and pediatric CPR information into the Integrated Child Care Information System (ICCIS), and will set an alert for the caregiver's current certification expiration date, to contact the facility and ask for the updated pediatric first aid and CPR certification(s).

## **6140**

### **LICENSED CHILD CARE FACILITY CLOSURES**

When a child care facility permanently closes due to facility initiated request or a licensing initiated closure, action must be taken to ensure the facility is closed in the Integrated Child Care Information System (ICCIS) and New Alaska Background Check System (NABCS), and notification of the closure is sent to the regional, licensing partner agency agencies, such as the Child Care Assistance Program (CCAP) Designee and the CCPO Eligibility and Benefits Team, Child Care Grant Program (CCG), the local Fire Marshal office, Department of Environmental Conservation, and the local resource and referral office. Additional actions may be needed depending on whether the closure is initiated by the facility or initiated by Child Care Licensing.

## **6140-1**

### **FACILITY INITIATED CLOSURES**

A licensed child care facility is required to notify their Licensing office and the parents of children in care at least (30) days before they are planning to voluntarily close their facility. When a Child Care Licensing Specialist (CCLS) receives a notification of closure from a facility they will request the *Report of Change* CC95 and a copy of their written notification of closure, and will close the facility by following the steps in 6140-3. Permanent Closure.

## **6140-2**

### **LICENSING INITIATED CLOSURES**

When the Child Care Program Office (CCPO) or Municipality of Anchorage (MOA) Child Care Licensing Specialist (CCLS) determines a child care facility's continued operation would result in imminent threat to the health, safety, or welfare of a child in care, the Licensing office issues a suspension or revocation to the child care facility either orally and/or in writing. The action is effective immediately and

extends for a period of time necessary to allow the CCLS to investigate the concern and reach a final decision. The licensing office will send an email notification of the suspension or revocation to the CCAP Designee, CCPO Eligibility and Benefits Unit at [dpaccp@alaska.gov](mailto:dpaccp@alaska.gov), and regional partner agencies.

If a licensed child care facility's *Child Care License* is reinstated as a result of the inspection, investigation or through the appeal process, the CCLS will send an email notification update to the CCAP Designee, CCPO Eligibility and Benefits Unit at [dpaccp@alaska.gov](mailto:dpaccp@alaska.gov), and regional partner agencies.

If the Licensing office's final determination as a result of an enforcement action issued as part of an inspection or investigation is to revoke or close the facility permanently, the CCLS will close the facility by following the steps in 6140-3. Permanent Closure.

## **6140-3. PERMANENT CLOSURES**

When a child care facility's license is revoked, the facility chooses to not renew, or they notify Licensing of their intent to stop providing care prior to their *Child Care License* expiration date, the Child Care Licensing (CCL) Staff sends the child care facility a *Child Care Licensing Closure* letter confirming the effective day of the closure.

When a child care facility closes their facility voluntarily or is closed by Licensing, the Child Care Licensing Specialist (CCLS) will complete and follow the *Facility Closure Checklist* including ensuring the following steps have been completed:

1. Create a case note in the Integrated Child Care Information System (ICCIS) explaining the reason for closure, effective date, and if there are any outstanding investigations, inspections, *Plan of Correction*, fines, etc.;
2. Change the facility status to "closed", and the status date to the date of closure;
3. Create and send the *Child Care Licensing Closure* letter by mail to the facility, and place a copy of the letter into the facility's licensing binder;
4. Add the closure to their end of month report;

5. Send an email notification of the facility's closure to the CCAP Designee, CCPO Eligibility and Benefits Unit at [dpaccp@alaska.gov](mailto:dpaccp@alaska.gov), and regional partner agencies and add the closure to the end of the month partner agency report;
6. Verify the facility has terminated their New Alaska Background Check System (NABCS) provider account, and if not send *Background Check Program NABCS: CCPO Provider/Facility Account Form* with notification of closure to the Background Check Program (BCP);
7. Remove the contents of the facility licensing binder and place in a plain folder labeled with the name of the facility, ICCIS number, and date of closure; and
7. File the folder in the closed files.

## **6140-4**

### **NEW ALASKA BACKGROUND CHECK SYSTEM CLOSURE NOTIFICATION**

The Child Care Licensing Specialist (CCLS) is responsible for ensuring child care facilities licensed by the CCPO or MOA maintain their facility case in the New Alaska Background Check System (NABCS). When a closure is needed the CCLS will coordinate actions with the Alaska Background Check Program (BCP).

The CCLS will forward the *Background Check Program NABCS: CCPO Provider/Facility Account Form* for all licensed child care facilities to the BCP at [BCPUnit@alaska.gov](mailto:BCPUnit@alaska.gov) requesting the child care facility's case in the NABCS to be closed.

A case note is entered the same day in the child care facility's case in the Integrated Child Care Information System (ICCIS) using subject heading: NABCS Closure Sent and the body of the case note includes the date the form was sent to the BCP requesting closure.

## **6150**

### **CHILD CARE LICENSING DOCUMENTATION DISTRIBUTION AND RETENTION REQUIREMENTS**

The Child Care Licensing Specialist (CCLS) must document interactions with a child care facility, track information needed and received, and document all actions taken on the child care facility

licensing case in an Integrated Child Care Information System (ICCIS) case note.

ICCIS case notes are to be clearly written in a neutral voice without judgment. Actions taken are to be documented in ICCIS case notes at the time they are completed or no later than the end of the following business day. If the case note is not entered the same day, the date of the contact or action taken is to be included in the body of the case note.

The CCLS and Licensing Supervisor/Lead are to use standardized case note entries for specific actions, when specified in policy. When documenting a specific action including the issuance of a letter or notice in ICCIS, the letter or notice information may be included in the standardized case note. The body of the case note must include the letter or notice title, requirements of the child care facility, and any due date specified in the letter or notice.

If not included in a standardized case note in policy, letters and notices issued must be documented in an ICCIS case note using the name of the letter or notice as the subject heading, and the body of the case note should include a brief description of what is being required of the child care facility, when the information is due, and/or the action being taken.

The CCLS or Licensing Supervisor/Lead will document actions taken on the provider's case and contact with the child care facility in ICCIS case notes including but not limited to the following:

1. Receipt of correspondence with a general description of the purpose of the correspondence;
2. Receipt of documentation identifying the date received and the specific documentation received;
3. Contact, phone or in-person, with the child care facility or any of its caregivers and the purpose of the contact, including when a voicemail message is left and/or received;
4. Changes reported by the child care facility;
5. Answers to the applicant's questions about the Child Care Licensing (CCL) process and;
6. Discrepancies between what the child care facility submitted in their application or changes which is different from the

information already listed in ICCIS or identified during the on-site inspection.

## **6150-1**

### **GENERAL CHILD CARE FACILITY LETTERS, NOTICES AND FORMS REQUIREMENTS**

Letters, notices, and forms are created to meet specific needs based on whether the child care facility is in the application process or already licensed, and some of the letters, notices, and forms are specific to the facility type.

The Child Care Licensing Specialist (CCLS) must only use letters, notices and forms approved by the Child Care Program Office (CCPO) Management Team. These letters, notices and forms will be provided on official letterhead and must not be altered. If a circumstance arises that does not fit any of the approved letters, notices, or forms, the CCLS will contact their supervisor for guidance.

Letters, notices and forms have date blocks, free form space, or a combination of both. The CCLS are to use this space to inform the provider specifically what is required using a message and tone that are professional and appropriate. Information provided in the date blocks and free form spaces is not to be in all capitalized letters or in bold. Acronyms are not to be used in notices and dates are to be spelled out.

Letter, notices and forms must include:

1. Requirement(s) of the child care facility or action taken or to be taken by licensing;
2. The date the information is due, if any, or action that was or will be taken;
3. The consequences for not providing the identified required information;
4. The appropriate regulation citation, when applicable; and
5. *A Request to Implement Administrative Remedies* as the last page when an enforcement action is being issued, or negative action is being taken against the child care facility's license.

The regulations, not policies and procedures, governing child care licensing are the enforceable laws and what needs to be cited in all notices describing what an applicant or licensed child care facility must do or the action to be taken by the Licensing office. The appropriate regulation citation referenced on each notice is specific to the action or requirement(s). Many letters, notices, or forms have the specific regulation citation embedded in the body of the letter or notice, or in the instructions of the forms, however; others have a fill in the blank or drop down menu to select the applicable regulation citation, when applicable.

## **6150-2                      NOTIFICATION OF ACTION FOR CHILD CARE FACILITIES**

Letters and notices issued regarding actions taken by the Licensing office, or requirements of the child care facility to continue to be eligible for licensure, must be sent timely within their required timeframes.

The Child Care Licensing Specialist (CCLS) must refer to the Adverse Action Calendar to ensure the appropriate timeframes and deadlines are used in situations requiring an action and notice to the child care facility.

Exceptions to Adverse Action Calendar timeframes include the following:

1. The child care facility indicates in writing they no longer want to be licensed;
2. A licensed child care home or group home Administrator's whereabouts are unknown and mail directly to the facility or their last known mailing address was returned by the post office with no known forwarding address; or
3. Factual evidence exists of the death of the Administrator of a licensed child care home or group home.

## **6150-3                      DOCUMENTATION OF CHILD CARE FACILITY LETTER OR NOTICE SENT**

Actions requiring a letter or notice to be issued must also be documented in an Integrated Child Care Information System (ICCIS) case note and a copy of the letter or notice retained in the child care facility's licensing binder or investigation red file.

1. Letter and Notice Documentation Requirements for ICCIS Case note:

When documenting a letter or notice was issued for specific action in ICCIS, the information included in the letter or notice is entered in the body of the case note. This will allow any ICCIS user to know what is being required of the child care facility and follow the action taken.

a. Letter or Notice for a Stand Alone Action

When the letter or notice issued is for a stand-alone action the ICCIS subject heading is the letter or notice title and the body contains the action taken or needed with any applicable due date and/or consequence.

b. Letter or Notice as Part of a Multiple Action

When the letter or notice issued is part of multiple actions being documented in a case note. The letter or notice title and contents including the action taken or needed with any applicable due date and/or consequence must be included in the body of the case note. If the notice issued is not included in the larger case note it must be documented as a stand-alone action.

2. Notice Documentation Requirements for Child Care Facility Licensing Binder or Investigation Red File

A copy of all pages of each notice issued, including the *Request to Implement Administrative Remedies* form, as applicable, must be contained in the child care facility's licensing binder or investigation red file.

## 6150-4

## CHILD CARE LICENSING FILE RETENTION REQUIREMENTS

Child care facility licensing binders and investigation Red Files must be retained according to the local child care licensing office's retention schedule.



Child care facility licensing binders and investigation Red Files are maintained for the duration of the child care facility's licensed timeframe. When a facility renews their license, the outdated contents of the facility's licensing binder are removed and placed into another file folder or binder and labeled with the facility name, Integrated Child Care Information System (ICCIS) number and the date of the licensing year(s) the contents are for.

When a current child care facility licensing binder gets too large or full, a second facility licensing binder can be made for the facility and labeled accordingly.

When a child care facility closes, the contents of their facility's licensing binder(s) are retained on-site in the closed file section of the local licensing office. After one (1) year, closed files are archived according to the local licensing office's process. Archived files are destroyed after six (6) years.

#### **6150-4 A.           PENDING CHILD CARE FACILITY**

A child care facility licensing binder for a facility whose license is pending must be closed and placed in the closed files after three (3) months of no activity, such as no contact from applicant and no evidence the applicant is progressing.

After three (3) months the pending child care facility will be notified by letter and the original application mailed back to the last known address. A copy of the application is maintained with the closed files for one (1) year from the date of the application being returned. After one (1) year the application is sent to archive and destroyed after six (6) years.

#### **6150-4 B.           LEGALLY EXEMPT AND UNLICENSED CHILD CARE FACILITY**

For legally exempt child care facilities which have never been licensed, files including complaint files will be placed in the closed files and then archived, only after the local child care licensing office has received evidence that the program has closed.

**6150-4 C.                    CLOSED CHILD CARE FACILITIES WITH NO  
PENDING ENFORCEMENT ACTIONS**

At closure, a *Child Care Licensing Closure* letter confirming the effective day of the closure is sent by the local child care licensing office to the child care facility confirming the closure. The *Child Care Licensing Closure* letter is placed in the child care facility licensing binder. The closure process is followed, see 6140 Permanent Closure. The file is maintained with the closed files for one (1) year from the date of the closure. After one (1) year the closure date the file is sent to archive and destroyed after six (6) years.

**6150-4 D.                    CLOSED CHILD CARE FACILITIES WITH PENDING  
OR ACTUAL ENFORCEMENT ACTIONS,  
SUSPENSIONS OR NON-RENEWAL**

At closure, a *Child Care Licensing Closure* letter confirming the effective day of the closure is sent by the local child care licensing office to the child care facility confirming the closure. The *Child Care Licensing Closure* letter is placed in the child care facility licensing binder. The closure process is followed, see 6140 Permanent Closure. The file will be maintained in a “Do Not Destroy” section of the closed files for ten (10) years from the date of the closure. After ten (10) years of the closure date the file is sent to archive and destroyed after six (6) years.

**6150-4 E.                    CURRENT FACILITY WITH A NEW OWNER - FILE  
RETENTION SCHEDULE**

A child care facilities who sells their or has a new owner is opened as a new child care facility, is considered a new child care facility. All documents which apply to the new child care facility, pertaining to the building or property, are to be kept in the child care facility licensing binder for the current facility, i.e. septic approvals, building and site plans, conditional use documents, or special or unique history of the building or property.

The child care facility licensing binder for the previous facility owner is to be retained according to the procedures for closed facilities. See 6150-4 C Child Care Facilities With No Pending Enforcement Actions.

## **6150-4 F. CURRENT FACILITY AFTER RELOCATION – FILE RETENTION SCHEDULE**

Child Care facility licensing binders will remain intact for new license with the exception of building specific documentation such as architectural drawings, square footage worksheets, septic approvals, building and site plans, conditional use documents, or special or unique history of the building or property, and etc., which will be removed and placed in the facility's open archive file.

## **6160 CHILD CARE FACILITY ENFORCEMENT ACTIONS**

When violations are identified during an inspection or investigation at a licensed child care facility, the Child Care Licensing Specialist (CCLS) works with their supervisor/lead to determine the level of enforcement for the overall violations found during the inspection or investigation.

There is not a rubric for enforcement actions; the determination of which enforcement action to issue is based on the severity of the violation(s), whether the violation(s) have been repeated, and the facility's overall compliance history.

### **6160-1 TYPES OF ENFORCEMENT ACTIONS**

When a CCLS determines after a child care facility's inspection or investigation the facility has violations that have not been cured or have been repeated, the child care licensing office will issue one (1) or more of the following enforcement actions:

1. *Plan of Correction* (POC);
2. *Warning Notice*;
3. Modification of the child care facility's existing license;
4. Suspension of the child care facility's operations for a period of time set by the licensing office;

5. Suspension of or a ban on the child care facility's provision of services to individuals not already receiving services from the child care facility for a period of time set by the licensing office;
6. Nonrenewal of the child care facility's license;
7. Revocation of the child care facility's license;
8. Issuance of an order requiring closure, immediate or otherwise, of the child care facility;
9. Denial of payments to the child care facility for child care services of a child not already receiving child care from the child care facility;
10. Assumption of either temporary or permanent management of the child care facility or pursuit of a court-ordered receiver for the child care facility;
11. Reduction of the number of children receiving child care services from the facility under their license;
12. Imposition of a penalty authorized under law;
13. Inclusion of the child care facility on barred registry established under the background check regulations;
14. Requirement that the child care facility prepare and submit a Plan of Correction as directed by the licensing agency; and/or
15. Assess a civil enforcement fine.

## **6160-2**

### **PROGRESSIVE ENFORCEMENT ACTIONS**

Progressive enforcement is used when determining which enforcement action will be issued to the licensed child care facility. Progressive enforcement for a licensed child care facility is typically as follows:

1. *Plan of Correction* (POC);
2. *Warning Notice*;
3. Enforcement fine;

4. Extending a Provisional License or Reissuing a Provisional License during the biennial period;
5. Suspension; and
6. Non-renewal or revocation of license.

Any enforcement action issued to a licensed child care facility outside of a *POC* needs to be reviewed and approved by the Licensing Supervisor/Program Manager.

## 6160-3

### ENFORCEMENT ACTION - FINES

Enforcement fines are based on the severity of the violation and whether the violation has been repeated. Typically for a minor violation such as a paperwork violation, for example: not updating a *Child's Emergency Information* CC47, the fine is \$50.00, and for a health and safety violation, the fine starts at \$100.00, depending on the severity of the violation, for example: a hot water temperature violation.

The following are other examples of minimum fines established by the Child Care Program Office (CCPO) and issued by licensing:

1. Background Check Violations: \$100.00 per violation, for example if a facility is found to have two (2) caregivers working without a Background Check clearance, the fine would be \$100.00 per person equaling \$200.00 total.
2. Repeated fines: minimum increase of the enforcement fine amount is double the amount of the first issued enforcement fine for example if a facility is found to have repeated a previous violation where the fine was \$100.00, the new doubled fine would be \$200.00 for the repeated violation.

Child care licensing takes into consideration the type and size of the child care facility and the severity of the violation, and whether or not the violation has been repeated when determining the amount of an enforcement fine to issue.

The maximum fine amount that child care licensing can issue against a child care facility, for a violation of an applicable child care licensing

statute or regulation, is \$2,500 a day for each day the violation continues or \$25,000 total for a single violation.

When the inspection or investigation results in an enforcement action fine, the CCPO Child Care Licensing Specialist (CCLS) will:

1. Work with their supervisor/lead to determine the amount of the enforcement action fine, based on the overall violations found during the inspection or investigation, taking into consideration the type and size of the child care facility and the severity of the violation, and whether or not the violation has been repeated;
2. Call the Administrator of the licensed child care facility, and discuss the violations and enforcement actions being issued in the *Report of Inspection/Notice of Violation (ROInspection/NOV)* or the *Report of Investigation/Notice of Violation (ROInvestigation/NOV)*;
3. Issue the *Report of Inspection/Notice of Violation (ROInspection/NOV)* or the *Report of Investigation/Notice of Violation (ROInvestigation/NOV)*, and *Cover Letter ROInspection-Notice of Violation with Fine* or the *Cover Letter ROInvestigation-Notice of Violation with Fine* identifying the fine amount and how to make a payment, to the licensed child care facility;
4. Update the Compliance Screen in the Integrated Child Care Information System (ICCIS);
5. Follow-up with the licensed child care facility to ensure receipt of an acceptable *Plan of Correction*; and
6. Casenote actions taken.

When the inspection or investigation results in an enforcement action fine, the CCPO Child Care Licensing Supervisor (Supervisor) will:

1. Complete a *Child Care Licensing Claim Form* and send it to the Division of Public Assistance (DPA) Benefit Issuance and Recovery Unit (BIRU), along with a copy of the *Report of Inspection/Notice of Violation (ROInspection/NOV)* or the *Report of Investigation/Notice of Violation (ROInvestigation/NOV)* issued to the licensed child care facility;
2. Print a copy of the completed *Child Care Licensing Claim Form* and place it in the facility's licensing inspection binder or investigation file;

3. Follow-up with the BIRU to ensure full payment of the enforcement action fine is received; and

4. Casenote actions taken.

The DPA BIRU is responsible for collection actions regarding all enforcement action fines for CCPO Child Care Licensing and overpayments for Child Care Assistance Program. Collection actions include issuing notice of the overpayment to the family or child care facility, entering into a payment or repayment plan for enforcement action fines and overpayments, processing enforcement action fine payments and payments towards overpayments made, updating the spreadsheet, and notifying the CCPO when an enforcement action fine or overpayment has been paid in full.

When the DPA BIRU receives a *Child Care Claim Form* and a copy of the *Report of Inspection/Notice of Violation (ROIInspection/NOV)* or the *Report of Investigation/Notice of Violation (ROIInvestigation/NOV)* issued to the licensed child care facility, the will:

1. Create an electronic folder for each licensed child care facility;
2. Enter the facility's information on to the Child Care Licensing Payment Spreadsheet;
3. Document all payments received in the spreadsheet, and send a *Licensing Fine Payment Received* notice to the child care facility; and
4. Issue a *Licensing Fine Payment Paid in Full* notice when the enforcement action fine payment has been satisfied, and send a copy to the licensing supervisor listed on the *Child Care Licensing Claim Form*.

When a child care facility has come into compliance, and the *Licensing Fine Payment Paid in Full* notice has been received from the BIRU, the CCPO Supervisor will:

1. Update the Compliance Screen in the Integrated Child Care Information System (ICCIS), and casenote actions taken; and
2. Forward copies of all notices issued to the child care facility by the CCPO and BIRU to the CCLS to place and maintain in the facility's licensing inspection binder or investigation file.

If a licensed child care facility has requested additional time to pay their enforcement action fine, the CCPO CCLS will:

1. Discuss the request with their supervisor to get an approval for the extended due date of the enforcement action fine;
2. Send a *Licensing Fine Payment Due Date Extension* notice to the licensed child care facility;
3. Send a copy of the *Licensing Fine Payment Due Date Extension* to their supervisor to forward on to the BIRU; and
4. Casenote actions taken.

## 6160-4

### **ENFORCEMENT ACTION – IMMEDIATE SUSPENSION OR REVOCATION**

When the inspection or investigation concludes that the Child Care Licensing Specialist (CCLS) has reasonable cause to believe that a violation has occurred that presents an immediate danger to the health, safety, or welfare of children in care at the child care facility, the licensing office, without an administrative hearing and without providing an opportunity to cure or correct the violation, may immediately revoke or suspend the entity's license or, if the entity is not licensed, may revoke the entity's ability to become licensed or to provide services as an entity exempted from licensure.

A suspension or revocation takes effective immediately upon initial notice to the child care facility from the licensing office, and continues until a final determination regarding the license can be made.

If an immediate suspension or revocation is determined as the enforcement action, as a result of the violations cited during an inspection or investigation, the CCLS will provide initial notice to the child care facility's Administrator or Administrator Designee at the time of the determination that an immediate suspension or revocation is issued. The initial notice may be oral, except that, if a child care facility Administrator or their designee is not present at the entity, the CCLS will post a written *Notice of Immediate Suspension* on the front door of the child care facility. The *Notice of Immediate Suspension* will provide information to the facility regarding the suspension or revocation and appeal rights of the child care facility.

When a *Notice of Immediate Suspension* is issued, the CCLS will complete their inspection or investigation and complete the



appropriate report within fourteen (14) working days, from the date the *Notice of Immediate Suspension* was issued.

## **6160-5                    ENFORCEMENT ACTION – IMPOSITION OF A PENALTY AUTHORIZED UNDER LAW**

Child care licensing can issue an enforcement action of imposition of a penalty authorized under law. An example of this type of an enforcement action is requiring the child care facility to obtain specific training for their caregivers or to requiring the child care facility to participate and complete an Environmental Rating Scale evaluation of a specific classroom(s).

## **6160-6                    ENFORCEMENT ACTION – LICENSE APPLICATION OR RENEWAL**

A licensed child care facility who has a pending enforcement action may not apply for a license or license renewal until after the time period set by the child care licensing office in its final administrative order. If a time period has not been set, a final administrative order against the child care facility has the effect of a permanent revocation, and the child care facility may not apply for a license or license renewal. If the ownership, control, or management of the child care facility changes, the child care licensing office may allow the child care facility to apply for licensure if documentation is submitted showing this change.

## **6170                        CHILD CARE LICENSING APPEAL PROCEDURES**

When a licensed child care facility receives an enforcement action, the facility has the right to appeal the decision within fifteen (15) days from the receipt of the enforcement action. An appeal for an enforcement action, issued by the Child Care Licensing (CCL) Program, is requested by the child care facility on a *Request to Implement Administrative Remedies* form, and includes a Violation Conference and/or an Administrative Hearing.

If the child care facility requests a Violation Conference or Administrative Hearing within fifteen (15) days from the receipt of an enforcement action, the enforcement action is not enforced until a

final decision is made in the Violation Conference or the Administrative Hearing.

If the child care facility does not request a Violation Conference or Administrative Hearing within fifteen (15) days from the receipt of an enforcement action, the enforcement action becomes a final administrative order.

## **6170-1**

### **REQUEST FOR ADMINISTRATIVE REMEDIES**

A *Request to Implement Administrative Remedies* form is provided to a child care facility anytime there is an enforcement action issued as a result of a violation identified during an inspection or investigation. The *Request to Implement Administrative Remedies* is sent to the child care facility with the *Report of Inspection/Notice of Violation (ROInspection/NOV)* or the *Report of Investigation/Notice of Violation (ROInvestigation/NOV)*.

The *Request to Implement Administrative Remedies* form allows the child care facility to mark one (1) or all four (4) options, which include:

1. Submit their *Plan of Correction (POC)*;
2. Submit a written response to the *ROInspection/NOV* or *ROInvestigation/NOV*;
3. Request a violations conference;
4. Request an Administrative Hearing.

## **6170-2**

### **WRITTEN RESPONSE SUBMITTED**

A child care facility that receives a *ROInspection/NOV* or *ROInvestigation/NOV* can submit a written response to the report to their Child Care Licensing Specialist (CCLS). The CCLS will attach the written response received from the child care facility to the final copy of the *ROInspection/NOV* or *ROInvestigation/NOV* in the child care facility licensing binder or investigation Red File, and will become part of that permanent record, which will be released as part of that record if a public information request is received.

## 6170-3

### **VIOLATION CONFERENCE REQUEST**

A child care facility may submit a *Request to Implement Administrative Remedies* form indicating they would like to schedule a Violation Conference.

1. The Child Care Licensing Specialist (CCLS) will:
  - a. Immediately notify their supervisor/lead;
  - b. Provide the supervisor/lead with the submitted *Request to Implement Administrative Remedies*; and
  - c.. Provide their supervisor with a copy of the *ROIInspection/NOV* or *ROIInvestigation/NOV* and the investigation Red File.
2. The Licensing Supervisor/Lead will:
  - a. Immediately notify their supervisor, the Licensing Program Manager;
  - b.. Coordinate times both the Licensing Supervisor/Lead and Licensing Program Manager are available to meet with the child care facility for the Violations conference;
  - c. Contact the child care facility to schedule the Violations Conference;
  - d. Send an outlook calendar invite to the Licensing Program Manager;
  - e. Send a copy of the *Request to Implement Administrative Remedies*, and a copy of the *ROIInspection/NOV* or *ROIInvestigation/NOV* to the Licensing Program Manager.
3. During the Violation Conference, the following will occur:
  - a. A review of the child care facility's right to still request an Administrative Hearing if not satisfied with the outcome of the Violations Conference;

- b. A review of the violations listed in *the ROInspection/NOV* or *ROInvestigation/NOV*;
  - c. An opportunity for the facility to provide any additional information regarding the inspection or investigation and/or evidence related to the violations listed in the *ROInspection/NOV* or *ROInvestigation/NOV*;
  - d. A review of the enforcement actions issued on the *ROInspection/NOV* or *ROInvestigation/NOV*; and
  - e. A determination of whether or not any changes are necessary to be made to revise the *ROInspection/NOV* or *ROInvestigation/NOV*, or it will remain as the finalized document.
4. After the Violation Conference, the Licensing Supervisor/Lead will complete the following:
- a. Notify the CCLS of the outcome and determination of whether or not any changes are necessary to revise the *ROInspection/NOV* or *ROInvestigation/NOV*, or if it will remain as the finalized;
  - b. Make any necessary revision to the *ROInspection/NOV* or *ROInvestigation/NOV*, if applicable;
  - c. Mail out the Revised *ROInspection/NOV* or *ROInvestigation/NOV*, if applicable; and
  - d. Document in a case note in the Integrated Child Care Information System (ICCIS), the Violation Conference occurrence, determinations made, and any actions taken.

## 6170-4

## ADMINISTRATIVE HEARING REQUEST

A child care facility, or legal representative acting on their behalf, must request a hearing in writing, within fifteen (15) days from the receipt of the *ROInspection/NOV* or *ROInvestigation/NOV* with an enforcement action. A *Request to Implement Administrative Remedies* may be used, but is not required.

When a request for a hearing is received it is to be given a top priority by the CCLS and their supervisor. If a request for a hearing is received

by the licensing office, it must be date stamped the same day it is received, documented in an Integrated Child Care Information System (ICCIS) case note for the facility, and forwarded to the assigned Child Care Licensing Specialist (CCLS) within one (1) business day of receipt.

If the facility has legal representation, the State of Alaska (SOA) or Municipality of Anchorage (MOA) child care licensing program will seek assistance from their legal representative to continue with the Administrative Hearing process.

Typically when an Administrative Hearing is requested by a child care facility, the SOA or MOA licensing program's legal representative will conduct pre-hearing conference to review the case, plan for the hearing or try and settle the case without a hearing.

## **6170-5 PRE-HEARING CONFERENCE**

The purpose of a pre-hearing conference is to clearly identify and understand the issue(s) in dispute and resolve if possible, without having to proceed to a hearing.

A pre-hearing conference is not required and the child care facility may choose to not participate and proceed directly to the hearing.

The assigned Child Care Licensing Specialist (CCLS) will review the request for hearing to ensure it was received or postmarked within fifteen (15) calendar days of the date the notice of determination was issued, and forward it to their supervisor.

During the pre-hearing conference the requestor is provided the opportunity to speak freely regarding the issue under dispute and provide any corroborating information to support their request.

The Licensing program's legal representative will ask open ended questions to obtain the requestor's information and perspective on the issue, and determine if: a hearing is for a non-allowable reason or outside of the allowable timeframe; if the issues can be resolved without going to a hearing; or proceeding with the hearing is necessary.

If during the pre-hearing conference the child care facility states they wish to withdraw their request for hearing, they will be advised they must submit the request in writing. The verbal request to withdraw

their request for hearing is documented in an Integrated Child Care Information System (ICCIS) case note. If the Child Care Program Office (CCPO) receives the written request to withdraw the hearing request it is documented in an ICCIS case note and immediately forwarded to their supervisor.

## **6170-6 ADMINISTRATIVE HEARING**

An Administrative Hearing for a licensed child care facility will be conducted on the record, in front an Administrative Law Judge appointed by the Department of Health and Social Service's Commissioner. The appointed Administrative Law Judge may be a (SOA) or (MOA) employee.

A hearing shall take place within one hundred and twenty (120) days after the licensing office's receipt of the request for hearing. A hearing may be held on an expedited basis upon a showing of good cause. An expedited hearing shall be held within sixty (60) days after the department's receipt of the request for a hearing.

The decision following an Administrative Hearing constitutes a final agency administrative order.

Additional information regarding the hearing process may be found in the Alaska Administrative Procedures Manual, section 117.

## **6170-7 HEARING DECISION**

There are two (2) hearing decisions rendered upon the completion of an Administrative Hearing:

### **1. Proposed Decision**

The proposed decision is written by the Administrative Law Judge assigned to the case, outlining the initial findings based on documentary evidence and verbal testimony. Upon receipt of the proposed decision, both the child care facility and the licensing agency have ten (10) calendar days to submit written opposition if they disagree with the proposed decision. Once the ten (10) calendar days have expired, the proposed decision will move forward from the Office of Administrative Hearings to the Department of Health and Social Services (DHSS) Commissioner's office.

## 2. Final Decision

The final decision is rendered by the DHSS Office of the Commissioner. The Commissioner or their designee will review the proposed decision, any written opposition(s), and hearing record to issue the final decision. Once the Commissioner's Office renders the final decision, it is binding upon the licensing agency. The licensing agency has no appeal rights. However, the child care facility can appeal the decision to Superior Court.

Upon receiving the final decision, the Child Care Licensing Specialist (CCLS) will:

- a. Enter a case note in the child care facility's Integrated Child Care Information System (ICCIS) case using subject heading: Administrative Hearing Decision and the outcome of the decision (Dismissed, Licensing Agency Favor, or Child care Facility Favor). The body of the case note identifies the date the decision was received and if the decision dismisses the hearing, is in favor of the Licensing Agency or in favor of the Child Care Facility, and any additional actions taken;
- b. Place a copy of the decision in the child care facility licensing binder or investigation Red File with the *ROI* *Inspection/NOV* or *ROI* *Investigation/NOV*.

When the final Administrative Hearing decision has implications for policy or regulation revisions, the CCLS will document the suggested revision to address the issue and forward to their supervisor for review and forwarding on to the Child Care Program Office (CCPO) Management Team.

## 6180

## CHILD CARE LICENSING FEES

### 6180-1

## STATE OF ALASKA DEPARTMENT OF HEALTH AND SOCIAL SERVICES LICENSING FEES

The State of Alaska (SOA) Department of Health and Social Services (DHSS), Child Care Program Office (CCPO) does not charge a fee for a child care license, even though the powers granted to the department under the licensing statute allow for fees to be established by regulation.

The CCPO is currently paying the initial cost of fingerprint based state and federal background checks for each individual working in a child care facility. When an individual departs from working at a child care facility and there is a break in services of more than one hundred (100) days, a new fingerprint based background check is required if they return to a child care facility. The costs of the background check following the break in service will be at the expense of the individual or facility. The fees associated with fingerprint rolling, and processing a fingerprint based background check through the New Alaska Background Check System (NABCS) is at the expense of the individual or facility.

Child Care Licensing (CCL) Staff will inform individuals or facilities when additional requirements for licensing are needed. The expenses of those additional services are at the expense of the individual or facility.

## **6180-2**

### **MUNICIPALITY OF ANCHORAGE DEPARTMENT OF HEALTH AND HUMAN SERVICES LICENSING FEES**

The Municipality of Anchorage (MOA), Department of Health and Human Services (DHHS), Licensing Program under the powers granted to the department, established by regulation, annual fees for licenses for a Child Care Home or a Child Care Center.

The Child Care Program Office (CCPO) is currently paying the initial cost of fingerprint based state and federal background checks for each individual working in a child care facility, including the individuals working within the MOA. When an individual departs from a child care facility and there is a break in service for more than one hundred (100) days, a new fingerprint based background check is required if they return to a child care facility. The costs of the background check following the break in service will be at the expense of the individual or facility. The fees associated with fingerprint rolling, and processing a fingerprint based background check through the New Alaska Background Check System (NABCS) is at the expense of the individual or facility.

The Child Care Licensing (CCL) Staff will inform individuals or facilities when additional requirements for licensing are needed. The expenses of those additional services are at the expense of the individual or facility.





## **APPENDIX -A**

## **ACRONYMS AND ABBREVIATIONS WITHIN THE CHILD CARE LICENSING PROGRAM**

The following acronyms and abbreviations are approved to be used by the Child Care Licensing Program and may be used when documenting in Integrated Child Care Information System case notes.

A.N.P	Adult Nurse Practitioner
AAC	Alaska Administrative Code
AMC	Anchorage Municipal Code
AS	Alaska Statute
BIRU	Benefit Issuance and Recovery Unit
BCP	Alaska Background Check Program
C.F.R.	Code of Federal Regulation
CCA	Child Care Associate
CCAP	Child Care Assistance Program
CCG	Child Care Grant Program
CCL	Child Care Licensing
CCLS	Child Care Licensing Specialist
CCPO	Child Care Program Office
CCR&R	Child Care Resource and Referral
CINA	Child in Need of Aid
CPR	Cardiopulmonary Resuscitation
DEC	Department of Environmental Conservation
DEED	Department of Education and Early Development
DHHS	Department of Health and Human Services
DHSS	Department of Health and Social Services
DPA	Division of Public Assistance

EHR	Electronic Health Record
EIS	Eligibility Information System (used by Public Assistance)
ET	Eligibility Technician
HSS	Health & Social Services
ICCIS	Integrated Child Care Information System
ID	Identification
LLC	Limited Liability Company
M.D	Medical Doctor
MOA	Municipality of Anchorage
NABCS	New Alaska Background Check System
NAICS	Northern America Classification System
NOV	Notice of Violation
OCS	Office of Children's Services
P.A.	Physician Assistant
PAA	Public Assistance Analyst
POC	Plan of Correction
R.N	Registered Nurse
ROI	Report (Report of Inspection or Report of Investigation)
ROInspection	Report of Inspection
ROInspection/NOV	Report of Inspection/ Notice of Violation
ROInvestigation	Report of Investigation
ROInvestigation/NOV	Report of Investigation / Notice of Violation
SD	Secure Digital (card)
SOA	State of Alaska
U.S.C	United States Code
US	United States

USPS

United States Postal Service

## APPENDIX -B            INTEGRATED CHILD CARE INFORMATION SYSTEM (ICCIS) CASE NOTE EXPECTATIONS

Policy #	Subject Line	Body of Case Note	Reason for using this template
<b>6000 – 7.</b>	Incorrect Address	The corrected information noted and mailed to facility	When mail is returned for an incorrect address.
<b>6040 -3 A.</b>	CCL (type) APP Rcvd	The date stamped received date and any additional documents received with application	When a provisional home or center application is received.
<b>6040 – 4 A.</b>	Incomplete Application Letter	Date the incomplete application letter was sent, the date the information is due back and any other relevant facility information.	Send letter when an application is received incomplete.
<b>6040 – 4 B.</b>	Complete Application letter	Date complete application letter was mailed to facility.	When an application is received complete.
<b>6040 – 5</b>	Prov. Lic. Orient. & On-site Insp. Scheduled	Application complete; Provisional licensing orientation and on-site inspection scheduled for mm/dd/yyyy; letter mailed	To document application is complete, applicant contacted to schedule provisional orientation and inspection
<b>6040 – 5</b>	Prov. Lic. Orient. & On-site Insp. Conducted	Provisional licensing orientation and on-site inspection conducted on mm/dd/yyyy.	To document provisional orientation and inspection were conducted

<b>6040 – 5</b>	Inspection Checklist Enclosed Cover Letter	Inspection Checklist and cover letter mailed to facility on mm/dd/yyyy.	To document inspection checklist was mailed to the facility
<b>6050 -3.</b>	BCP Clearance Rcvd	Name of individual, date and type of clearance granted by BCP and whether or not the facility has hired the individual.	When an individual has been “hired” provisionally.
<b>6050 – 3.</b>	BCP Clearance Rcvd	The name of the individual, and date and type of clearance granted by the BCP.	Once the individual has received a determination for permanent hire.
<b>6050 – 5.</b>	BCP Clearance Rcvd	Name of individual, the date and type of clearance granted by the BCP and whether or not the facility has hired the individual. Enter “permanently hired” date when updating the individual’s information in the staff screen of ICCIS.	Once the individual has received a determination for permanent hire.
<b>6050 – 6.</b>	BCP Incomplete	The BCP application date and information missing for individual.	When a BCP application is incomplete.
<b>6050 -6.</b>	Incomplete BCP Application	Name of individual, date BCP application is noted incomplete, <i>Incomplete Application – Application Returned letter</i> mailed to facility.	When a BCP application is incomplete or if applicant did not provide BCP all information within 30 days of starting application.

<b>6060 – 3.</b>	Biennial Application Mailed	Date the biennial application, report of change, invoice and any other renewal documents was mailed to facility (120 days) and date the application is due.	Send renewal application 120 days prior to renewal date for a Biennial license.
<b>6060 – 5 A.</b>	Incomplete Biennial App	Date the Incomplete <i>Biennial Application Letter</i> was mailed to facility, what information is missing and date the information is due back.	When a biennial application is received incomplete or with missing items.
<b>6060 – 5 B.</b>	Complete Biennial App	Date the complete <i>Biennial Application Letter</i> was mailed to facility.	When a biennial application is received complete.
<b>6060 – 6</b>	Renewal/Annual Inspection Scheduled	Date the renewal/annual inspection is scheduled.	When you schedule a renewal/annual inspection prior to issuing a new biennial license.
<b>6060 –10 A.7.</b>	Biennial License Issued	Date Biennial License, cover letter and <b><i>inspection checklist</i></b> has been mailed to the facility.	When a biennial license is issued and mailed to facility.

<b>6060 – 11</b>	2 <sup>nd</sup> Incomplete Biennial App	Date the second incomplete Biennial Application letter was mailed, the new date information is due.	When the information requested in the first Incomplete Biennial Application letter or violations were found during the on –site inspection that haven’t been corrected by the requested due date.
<b>6070- 1 B. 1.</b>	Contact w/ (provider or individual)	Details of contact	<p>**Use this when the individual or provider states they do not wish to complete the <i>Background Variance</i> process; when the provider contacts CCL within the timeframe indicated in the notice and needs more time to gather information.</p> <p>**Regarding General Variances. Contact and any additional time allowed for a General Variance must be case noted.</p>
<b>6070- 1 B. 1.</b>	Attempted Contact w/(provider or individual)	Document dates and method of attempted contact, and that the <i>BCP Variance App</i> is <i>denied</i> .	Use when you are unsuccessful in reaching the provider/individual regarding background variance request.



<b>6070- 2 B.</b>	General Variance App Rcvd	The date General Variance App received; regulation not met; results of review of documentation received; and determination of complete or incomplete.	When a general variance application is received.
<b>6070 -2 B. 1.</b>	General Variance App Incomplete	Incomplete <i>Variance Application letter mailed</i> , additional information needed, new due date when information is due, and all contact with provider regarding variance.	When a general variance application is received or information is missing.
<b>6070 -4</b>	BCP Variance Determination (CCPO)	Determination of individual's BCP Variance request.	Once the decision is received by variance committee.
<b>6070 - 5</b>	BCP Variance Determination (CCL)	Determination of individual's BCP Variance request.	Once the decision is received by CCL specialist.
<b>6080 - 1.</b>	Licensing File Review Complete	Date licensing file reviewed and results shared with CCLS.	When the supervisor reviews a licensing file.
<b>6080-6 A. 1.a.</b>	Biennial Renewal Inspection Conducted	An Announced Inspection was conducted on (insert date)	Add this case note once the inspection is conducted
<b>6080-6 A. 1.a.</b>	Annual Review Inspection Complete	An Announced Inspection was conducted on (insert date)	Add this case note once the inspection is conducted
<b>6080-6 A. 1.a.</b>	Monitoring Inspection Complete	An Unannounced Inspection was conducted on (insert date)	Add this case note once the inspection is conducted

<b>6080 – 6 A.</b> <b>1. d.</b> <i>(says “b” should be d)</i>	Report of Inspection Issued	Original Report of Inspection, and cover letter mailed to facility on (insert date and any additional items you are mailing).	Add this case note after the ROI is approved by lead or supervisor and all copies have been made and mailed.  (ROI w/ NO violations)
<b>6080-6 B.</b> <b>2.f.</b>	ROIInspect/NOV/POC Issued	Original Report of Inspection/Notice of Violation, Plan of Correction form, Request to Implement Administrative Remedies, and cover letter mailed to facility on (insert date and any additional items you are mailing).  Plan of Correction is due by (insert date).	Add this case note after the ROI/ NOV has been approved by lead or supervisor and all copies have been made and mailed.  (ROI w/violations)
<b>6080 – 7</b> <b>A.3.</b>	ROI Completed	Actions taken, review of findings and date the POC was sent	Use when issuing a POC (Why twice? Already documented when ROI/NOV was completed)
<b>6080-7 B.</b>	POC Due Date Extended	Date facility is required to return POC	Use if facility asks for additional time to complete POC

<b>6080-7 B.2.</b>	POC Returned Incomplete	<p>The Plan of Correction for inspection dated (insert date) was received on (insert date) and determined incomplete on (insert date). The POC with cover letter was returned to (insert name of Administrator) on (insert date).</p> <p>The completed POC is due by (insert date).</p>	Add this case note when the POC is received, reviewed, and determined incomplete.
<b>6080-7 B.3.</b>	POC rcvd MMDDYY	The actions the facility has taken or will take to correct the violations with the determination it is acceptable. Date mailed to facility.	Add this case note when the POC is received, reviewed, and determined incomplete.
<b>6090 -1.</b>	Complaint Received MM/DD/YYYY (CCPO or Supervisor)	Date complaint received and actions taken (do not include details of complaint).	Use if assigned specialist is not available to take the complaint and complaint is forwarded to supervisor.
<b>6090-1 A. 2.</b>	Complaint Received MM/DD/YYYY	Complaint Received. See Red File.	When Specialist receives a complaint.
<b>6090-7 A.</b>	ROInvestigation Issued (CCLS)	Documents ROInvestigation and cover letter mailed to facility.	For when no violations are noted for a complaint.

<b>6090-7 A.</b>	ROI or ROI/NOV Complete  (Why is this being documented twice, and why a choice of ROI or ROI/NOV if it's for non-compliances or substantiated violations only?)	Actions taken, findings, violations and enforcement actions and date it was sent.	For substantiated complaints/violations.
<b>6100 – 1.</b>	Child injury/illness/incident	Date and summary of incident that occurred.	When the Child injury/Illness/Incident report CC91 form is submitted, document the date and summary of incident that occurred.
<b>6100 – 2.2.</b>	Report of Facility Emergency	Date and summary of incident that occurred.	When the Facility Emergency form CC65 report CC91 form is submitted, document the date and summary of emergency that occurred.
<b>6110-1</b>	Report of Change Rcvd	Document reported change and date change form was received. All correspondence regarding changes. Indicate changes reported on Report of Change form CC95. The subjects discussed/clarified; if contact was made; phone number called; and if message was left.	ALL CHANGES need to be documented with actions taken