

Qualifications Determination Review

Introduction

The Office of Child Care Licensing has been granted authority under the Delaware Child Care Act to “prescribe, by regulation or otherwise, any reasonable standards for the conduct of such child care facilities, institutions, agencies, associations or organizations...” By the authority granted to OCCL qualifications have been established for persons working in licensed care. Staff qualifications have been established for each type of care regulated. The responsibility for determining who meets the qualifications rests with the OCCL. OCCL may directly review and approve that an individual has met the qualification standards or delegate the task of reviewing an application for approval of qualifications to another entity. In all cases standards set by OCCL shall be used in the determination.

Any person who is denied approval shall be advised in writing of that decision. A person shall have the opportunity to request a Qualifications Determination Review of a decision rendered. The written decision shall advise the individual of their opportunity to request a Qualifications Determination Review of that decision. This process for such appeal is set forth below.

Qualifications Determination Review Process

All decisions on qualifications are rendered based on information submitted by the individual seeking approval for a particular position specified in Delaware Regulations. All Qualifications Determination Reviews shall be made in writing in a format designated by OCCL by the individual who made application for approval of qualifications. It shall be the responsibility of that individual to provide all documentation required and necessary to verify that all eligibility requirements for a position have been fulfilled.

I. Responsibilities

A. Applicant Responsibilities:

Complete the Qualifications Determination Review Request (available on OCCL website. Those who do not have computer access may request the form from OCCL)

Attach the denial letter.

Attach all materials that demonstrate how the individual meets the specific qualification. It is only necessary to submit supporting materials for the element of eligibility (age, education/training or experience) that was not met and was the basis for the denial. You may attach a narrative to explain the basis upon which you feel you meet the qualifications

Provide any supporting documentation requested by OCCL.

B. Reviewing Organization Responsibilities (if other than OCCL):

Provide OCCL with the rationale for the denial, including the specifics for denial, e.g. verification of DOB not provided, classes not accepted, degree/certificates not accepted, lack of experience, etc. Provide additional documents/information requested by OCCL.

C. OCCL Responsibilities

Date stamp all Qualifications Determination Review Requests.

Review the Request and all documentation supporting the request.

Provide the Applicant with a written decision on the Request.

1. Process

- a. The Resource and Development Manager shall be responsible for coordinating Qualifications Determination Review Requests.
- b. All Qualifications Determination Review Requests shall be reviewed by a Qualifications Determination Review Request panel consisting of a minimum of two individuals who were not involved in the original qualification determination. The panel shall include the Resource and Development Manager and one Licensing Supervisor.
- c. The Qualifications Determination Review Requests Panel may interview or otherwise request information from anyone involved in the initial decision or the Applicant.
- d. All materials submitted for the appeal shall be provided to the members of the Qualifications Determination Review Requests Panel.
- e. The qualification requirements set forth in *Delacare* shall be the standard against which approval of qualifications for all positions will be based.
- f. The Panel shall make a recommendation concerning the Request within 10 business days of the receipt of all required and requested documentation and submit it to the Administrator of OCCL.
- g. The OCCL Administration shall issue a decision on the Request within 5 business days of receiving the Panel's recommendation.
- h. The Request decision shall be provided to the Applicant in writing.

Failure on the part of the Applicant to provide documentation shall result in a denial of the Request.

A denial of the Request does not prohibit the filing of another Request when additional documentation is provided to support the claim that the individual is qualified.

QUALIFICATION APPEAL APPLICATION

Name: _____ Date of Birth: _____
Address: _____ City/State _____ Zip _____
Telephone # Home: () _____ Cell# () _____ Email Address: _____

Position for Which Qualification Approval was denied:

- | | | |
|--|---|---|
| <u>Early Care and Education Center</u> | <u>School-Age Center</u> | <u>Large Family Child Care Home</u> |
| <input type="checkbox"/> <i>Early Childhood Administrator</i> | <input type="checkbox"/> <i>School Age Administrator</i> | <input type="checkbox"/> <i>Large Family Child Care Provider</i> |
| <input type="checkbox"/> <i>Early Childhood Curriculum Coordinator</i> | <input type="checkbox"/> <i>School Age Site Coordinator</i> | <input type="checkbox"/> <i>Large Family Child Care Assistant</i> |
| <input type="checkbox"/> <i>Early Childhood Teacher</i> | <input type="checkbox"/> <i>School Age Site Assistant</i> | <input type="checkbox"/> <i>Substitute</i> |
| <input type="checkbox"/> <i>Early Childhood Assistant Teacher</i> | <input type="checkbox"/> <i>School Age Intern</i> | |
| <input type="checkbox"/> <i>Early Childhood Caregiver</i> | | |
| <input type="checkbox"/> <i>Early Childhood Intern</i> | | |
| | | |
| <u>Family Child Care Home</u> | <u>Child Placing Agency</u> | <u>Residential Facility & Day Treatment</u> |
| <input type="checkbox"/> <i>Level II Family Child Care Provider</i> | <input type="checkbox"/> <i>Chief Administrator</i> | <input type="checkbox"/> <i>Chief Administrator</i> |
| <input type="checkbox"/> <i>Substitute</i> | <input type="checkbox"/> <i>Social Work Supervisor</i> | <input type="checkbox"/> <i>Direct Care Supervisor</i> |
| | <input type="checkbox"/> <i>Social Worker</i> | <input type="checkbox"/> <i>Service Supervisor</i> |
| | | <input type="checkbox"/> <i>Direct Care Worker</i> |
| | | <input type="checkbox"/> <i>Service Worker</i> |
- Attach letter of denial. (Early Care and Education and School-Age positions only)

Basis of the denial (check all that apply):

- | | |
|--|---|
| <input type="checkbox"/> Lack of training/education – Specify Reason <u>below</u> by ✓ box | <input type="checkbox"/> Lack of experience |
| <input type="checkbox"/> College Credits | <input type="checkbox"/> Age |
| <input type="checkbox"/> Training Hours | |
| <input type="checkbox"/> Specific Courses | |
| <input type="checkbox"/> High School Diploma/GED | |

Attach all materials that demonstrate how the specific qualification requirement is met. You may include a narrative to explain the basis upon which you feel you meet the qualifications. Submit materials which relate to the specific eligibility criteria (age, education/training or experience) that was not met AND was the reason for denial.

OFFICE OF CHILD CARE LICENSING USE ONLY

Appeal Determination

- Approved as _____
- The Appeal has been denied for the following reason(s):

OCCL Administrator Name:

Patricia B. Quinn

Date:

OCCL Administrator Signature: