DELACARE RULE GUIDANCE AND TECHNICAL ASSISTANCE BULLETIN ECESAC 2012-1

DELACARE RULE 150, A licensee shall ensure that each staff member at a Center submits written documentation to the Office of Child Care Licensing that shows how a staff member is fully qualified for a particular position. The documentation shall consist of copies of training certificates, transcripts, diploma(s), or staff training records. Upon approval from the Office of Child Care Licensing, the licensee shall ensure that the letter of approval for each qualified staff member is filed in that staff member's personnel file.

DELACARE RULE 436, A licensee shall ensure that each School-Age Center staff member submits written documentation to the Office of Child Care Licensing that shows how a staff member is fully qualified for a particular position. The documentation shall consist of copies of training certificates, transcripts, diploma(s), or staff training records. Upon approval from the Office of Child Care Licensing, the licensee shall ensure that the letter of approval for each qualified staff member is filed in that staff member's personnel file.

Intent:

Research has determined that the qualifications of persons working in early care and education are the strongest predictor of quality care. The intent of this Rule is to set a means by which OCCL can validate that the Center has hired qualified employees.

Related Delacare Rules:

Rules 80, 151, 158-165, 437 and 439-444. These Rules set forth the specific requirements for Staff positions within Early Care and Education and School-Age Centers.

Documentation:

Documentation of qualifications shall be maintained in the Staff personnel file and shall be one of the following:

- a certificate issued by the Office of Child Care Licensing and a letter from OCCL which was sent with the qualification certificate;
- a certificate issued by the Delaware Department of Education as authorized by OCC and a letter from DDOE which was sent with the qualification certificate;

Provisionally accepted:

- Verified photo ID, proof a age, proof of experience, copies of training certificates, transcripts, diploma(s), or staff training records and high school degree/GED.**

  ** This information must be forwarded with an application for approval of qualifications to the Delaware First Delaware Department of Education. A copy of the application for approval of qualifications shall be obtained from the Staff member and placed and retained in his/her Personnel File until a certificate of approval is received from the DDOE.

OCCL shall review the Staff list in **EARLY CARE AND EDUCATION AND SCHOOL AGE CENTER LICENSE APPLICATION** submitted. OCCL shall review qualification databases to verify the job title for which each person on the list has been issued a certificate of approval prior to a review of personnel files during the annual Compliance Review.

If a qualification certificate is found in a personnel file and the database and records of OCCL and Delaware First – DOE do not indicate that a certificate has been issued by either of those organizations OCCL will commence an investigation into the origin of the certificate. This investigation will include interviews with the Licensee and Staff assigned to maintain personnel files, the Staff member whose name appears on the qualification certificate. Potentially requests for additional documentation from the Licensee and/or Staff could be made.

If the investigation reveals that the qualification certificate was not issued by OCCL or Delaware First – DOE, or the certificate was altered in any way the matter will be referred to the Office of the Attorney General.

Dear Owner and/or Administrator:

The Office of Child Care Licensing is requesting that you carefully review the enclosed Guidance and Technical Assistance Bulleting. This is being issued because of some recent findings that have been made during Compliance Review and Standards Complaint Investigations.

During the past five years since the revised Delacare Rules for Early Care and Education and School-Age Center were issued the vast majority of Providers have worked diligently to ensure that their Centers were staffed by persons who met no less than the minimum requirements set forth in those Rules. There have been over eight thousand (8,000) qualification certificates issued since January 2007 and more are issued each month. To all of those who have ensured that only persons qualified under Delacare Rules we offer our appreciation for your efforts and cooperation.

This letter is to alert you to carefully inspect qualification certificates being alter to the dates of issue (no certificates were issued prior to January 1, 2007), fonts used, signatures and anything that "just doesn't look right". It is suggested that you request to see the "original" certificate and the letter sent by the issuing organization which contained the qualification certificate. OCCL will now be looking for the letter issued by OCCL or Delaware First with the certificate when reviewing personnel files.

Unfortunately, OCCL finds it necessary to issue this letter because Licensing Specialists have found qualification certificates which are not valid in personnel files. The certificates have been altered or produced by someone other than the Office of Child Care Licensing or Delaware First – DOE on behalf of OCCL. Altering or forging a government document is an extremely serious matter. OCCL is working with DOE and the Delaware Department of Justice to address these cases.

These cases have also revealed that staff to child ratios have not been maintained as well as Early Childhood Teacher to direct child care staff ratios. In some cases this has resulted in children being alone with no qualified Staff. This is not only a violation of Delacare Rules but places children in care in a vulnerable and potentially dangerous situation.

We also caution against any Provider initiating or participating in the creation or alteration of qualification certificates. If any personnel records contain forged or altered qualification certificates you should have Staff apply for and obtain a valid certificate immediately. Should Staff not meet the qualifications you should carefully review your staffing to ensure that a sufficient number of qualified individuals are on Staff to maintain required staff to child ratios, ensure that children are not left alone at any time without at least one qualified Staff member providing care and that the Early Childhood Teacher to direct child care staff ratio is maintained. If necessary, steps should be taken to hire qualified Staff to meet the requirements of Delacare Rules.

If anyone has engaged in this practice should cease doing so immediately. Such a practice is a basis for Denial of an Application or Revocation of a license as specified in Delacare Rule #107, C.

We look forward to your cooperation and vigilance in this matter. Please contact your Licensing Specialist if you have any questions about this.

Sincerely,

Patricia Quinn, Administrator