

**DELAWARE RULE GUIDANCE AND TECHNICAL ASSISTANCE BULLETIN LFCCH 2012-1**

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**DELAWARE RULE 104**, "The Licensee shall notify the Office of Child Care Licensing within five (5) business days by direct voice contact and follow-up in writing to his/her assigned Child Care Licensing Specialist when there is a change in the: ...

- C. Composition of household;...
  - D. Staff member
  - E. Substitute."
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**Intent:**

The intent of this Rule is to ensure that persons living in the home do not present a danger to the health, safety and well-being of children in care. The Rule supports the requirements placed on OCCL under Delaware Code, Title 31, Chapter 3, Subchapter III, The Delaware Child Care Act. This requires that no license shall be issued until the Office of Child Care Licensing has made a thorough investigation and has determined in accordance with reasonable standards:

- (1) The good character and intention of the applicant or applicants;
  - (2) That the individual home or facility meets the physical, social, moral, mental and educational needs of the average child;
  - (3) That the rules and requirements of the Office of Child Care Licensing are properly met;
- and
- (4) That the required criminal background checks are completed and approved.

**Related Delaware Rules:**

Rules 80, 88, 89, 103 and 111. Rule 80 requires the Applicant to sign a statement certifying he/she "...has provided information that is true to the best of his/her knowledge...". Rule 88 sets forth requirements for the Applicant ensure that household members are fingerprinted, as well as providing other information, to determine that the health, safety or welfare of any child in child care would not be at risk. Rule 89 requires the Applicant to provide evidence of health appraisals that attest to his/her health; and the health of any adult household member. TB tests are required to be updated every five years. Rule 103 sets forth the reason that Applicants shall notify OCCL within one day including any subsequent charges, arrests, or convictions of the Applicant, the Substitute or household and staff member; any involvement with the Department due to child abuse or neglect of the Applicant, the Substitute or a household or staff member. Rule 111 sets forth the reasons that OCCL would seek to deny, suspend or revoke a child care license.

**Documentation:**

- Listing all household members on the Large Family Child Care Home Application.
- Notification of a change in the composition of a household to the assigned OCCL Licensing Specialist by direct voice contact within five (5) business days and followed up in writing.
- Authorization or provision of proof of fingerprinting for all household member(s) eighteen (18) years of age or older.
- Provision of written evidence of health appraisals for all adult household members, children preschool-age or younger and not yet attending kindergarten, including school-age children who are not attending a public or private school and are household members; TB test for all adults to be updated every five years.

**HIGH IMPORTANCE**

Dear Large Family Child Care Home Provider:

The Office of Child Care Licensing (OCCL) is requesting that you carefully review the enclosed *Guidance and Technical Assistance Bulletin*. This bulletin applies to Large Family Child Care Homes where care is provided at the residence of the Licensed Provider. It is being issued because OCCL continues to receive notices ~~of~~ and complaints that there are household members of Large Family Child Care Homes (LFCCH) whose names have not been provided to OCCL as required by Delacare Rules.

The protection, health, safety and well-being of children in out-of-home care are the factors behind the intent of Delacare Rules. The cooperation of persons to whom a license is issued is extremely important to ensure that children in care are protected. Providing OCCL with notification of persons moving in or out your home and ensuring that anyone 18 years or older is fingerprinted demonstrates your cooperation and dedication to the children in your care. If you have questions about someone moving into your home and how that person's presence in your home might affect your continued licensure, contact your Licensing Specialist.

One such way we receive a notice of a previously undisclosed person living in a Large Family Child Care Home is from a Subsequent Arrest Report. It is especially disturbing when we find that someone is living in a LFCCH, has been arrested for a crime, has never been fingerprinted as an adult member of a LFCC household, and his/her presence in that home has never been reported to OCCL. This situation frequently leads to the suspension of a LFCCH license so carefully consider whom you allow to live in your home.

If you have not advised OCCL of a new member of your household, you should contact your Licensing Specialist immediately. OCCL looks forward to your cooperation in this matter.

Sincerely,

Patricia Quinn, Administrator

