

February 2, 2009

Dear Colleague:



Greetings and Happy New Year!

As we move into this new and challenging year, it is an opportune time for the Division of Child Care Services to both share some exciting news and to clarify a number of issues we know are important to you as providers of child care services. Please read this letter carefully and contact the Division of Child Care services at the numbers provided below with any questions you may have.



Have you heard? New York State is working on a quality rating and improvement system- **QUALITYstarsNY**- for all early childhood settings that are regulated by a state or other governmental agency. We have written draft standards for center-based and family based settings. What does quality look like? How can programs improve? Check the standards out at: www.earlychildhood.org/qsny. Fill out a survey to give us feedback... sign up to receive future e-newsletters and other updates about our progress. The next step will be to field test the standards...stay tuned!



The Division of Child Care Services is in the process of updating its website. We hope that the changes will make the website more user-friendly and we will continue to post the information and links you have come to depend on for child care information resources and updates. If you haven't visited the website, please give it a try. The website lists the regulations, policies, family and group family day care handbooks, day care forms, contact numbers, and much more. Revisions to the site should be completed by the end of February. Please stop by and visit us at: <http://www.ocfs.state.ny.us/main/beccs/>.



The Office of Children and Family Services (OCFS) would like to take this opportunity to remind you that there are legal restrictions on who may be fingerprinted and who may receive the resulting criminal histories.

Recently, it has come to our attention that a number of day care center and school age child care programs have been fingerprinting staff who are not employees or prospective employees of their child care programs. In most cases, these employees work for other areas of the organization that are not directly related to the child care program. An example is where an umbrella agency operates a variety of human service programs that are totally separate from the child day care program. Such organizations may, with all good intentions, think it is acceptable to fingerprint the employees associated with those program areas that are not day care. However, this practice is not acceptable nor is it legal. **Programs engaged in this practice must immediately cease the practice.**

Please be advised, that fingerprinting staff members or prospective employees who are not direct employees of your day care center and/or school age child care program is not permitted under Social Services Law 390-b and Child Care Regulations 413.4.

OCFS currently pays for all costs associated with the fingerprinting of child day care program employees. It is fraudulent to fingerprint employees under your license/registration that are not direct employees of your child day care program. This practice also violates confidentiality laws and agreements because you are receiving confidential information that you are not legally entitled to receive.

Child day care program audits may be conducted to determine if appropriate persons are being fingerprinted under your license/registration. Please note that you could be held financially responsible for reimbursement, as well as criminally liable, for conducting this practice. Enforcement action may also be taken against your license/registration as well. Please see policy #06-7 to aid in your interpretation of this requirement. This policy is also available on the OCFS website at <http://www.ocfs.state.ny.us/main/beccs/policy/>. If you do not have access to the website or have any questions, please contact your licensing/registration representative at the phone numbers provided at the bottom of this letter.



In addition, the Office of Children and Family Services researched whether or not student interns working in day care centers and school age day care programs must be fingerprinted. **Under the following conditions, fingerprinting will not be required.** If the college, where the student intern is studying, has a contract with the day care center or school age program to place student interns, those students will be exempt from fingerprinting requirements. However, as contract staff, they may not be left unsupervised with day care children and may not be counted in ratio. State Central Register data-base checks remain a requirement for all who have routine and substantial contact with children.

TRAINING CHANGES FOR 2009



Given the budget problems at both the state and federal level, we've made some tough decisions about the training we provide. In an effort to stretch our scarce resources, and in response to requests from providers, a **new web-based training program** is being developed and will be available later in '09. You'll be able to access it from any computer, anytime.

In addition, the following changes in the training plan may affect you:

- There will be fewer and smaller **EIP scholarships** available; and priority will be given to scholarship requests that lead to college credit or a Child Development Accreditation.
- We've reduced the number of **Videoconferences** to ten sessions
- **CPR and First Aid** training funds have been reduced
- Fewer people have been taking the **Medication Administration Training**. Reductions were made there as well.

For more information, go to www.ocfs.state.ny.us and www.tsg.suny.edu.

Reductions in our budget were unavoidable; we made them with great care while doing our best to safeguard the interests of New York’s young children. I understand that cuts to training funds will not come as good news to day care providers who are already on a tight budget, but I can promise that the Division of Child Care Services is doing all we can do to make sure we make the best use of the funds we have.



If you have questions about information in this letter, please call your regional office at:

Albany Regional Office	(518)-402-3038
Buffalo Regional Office	(716)-847-3828
Long Island Regional Office	(631)-342-7100
New York City Regional Office	(212)-383-1415
Rochester Regional Office	(585)-238-1202
Spring Valley Regional Office	(845)-708-2400
Syracuse Regional Office	(315)-423-1202

The Division of Child Care Services will continue to work on the child care issues that support the children and families of New York and the providers of child care who make it possible for families to go to work everyday knowing that their children are safe. The State of New York is in very difficult economic times, but I assure you that the Division’s core mission in promoting the safety and well-being of our children, families and communities will continue as our focus in the year to come. I am hopeful that our combined efforts will help support the families that rely on us everyday to care for their most valuable treasures—their children.

Sincerely,

A handwritten signature in black ink, appearing to read "Janice Molnar".

Janice Molnar, Ph.D.
Deputy Commissioner
Division of Child Care Services