

Utah Department of Health  
Child Care Licensing Program Operations Manual  
**Section 2.30 DWS Child Care Inspections**

“provider” means an approved provider or an applicant for approval

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## **EXPLANATIONS AND TIME FRAMES**

### **Licensing Specialists**

#### **INITIAL APPROVAL INSPECTIONS**

1. These inspections are to explain regulations and assess compliance with regulations before initial approvals are issued.
2. No later than 10 working days after receiving "Schedule Initial Approval Inspection" alerts, contact providers with dates and times of inspections. If an Initial Approval Inspection was completed in the last 60 calendar days (an application was denied and the provider submitted another application), do not complete another Initial Approval Inspection.
3. Conduct inspections the next time you can or will be in the area but no more than 15 working days after contacting providers.

#### **UNANNOUNCED INSPECTIONS**

1. These inspections are to ensure providers are providing child care and to assess compliance with regulations.
2. Conduct Initial Unannounced Inspections 60 to 180 calendar days after start dates of approvals and on days and at times providers reported they are caring for child(ren) of DWS customer(s). Create "To Self, Initial Unannounced Inspection Needed" Action Log Alerts to track these inspections on your home page.
3. Conduct Annual Unannounced Inspections 5 to 8 months after Announced Inspections and on days and at times providers reported they are caring for child(ren) of DWS customer(s) and not during the same month as the previous Annual Unannounced Inspection. The database will create these alerts on your home page.

#### **ANNOUNCED INSPECTIONS**

1. These inspections are to assess compliance with all regulations before renewal approvals are issued.
2. Conduct inspections 120 to 60 calendar days before approvals expire and on days and at times providers reported they are caring for child(ren) of DWS customer(s). The database will create these alerts on your home page.

## **INITIAL APPROVAL FOLLOW-UP INSPECTIONS**

1. These inspections are to assess compliance of noncompliance items found during Initial Approval Inspections.
2. Create Non On-Site Follow-Up Inspections no later than ten working days (but before the Expiration Dates of In-Process Approvals) after receiving copies of documents and/or photos sent by text, fax, e-mail, and/or mail.
3. Conduct On-site Follow-Up Inspections before Expiration Dates of In-Process Approvals.
  - A. When providers are in compliance with all child care regulations, tell them they are in compliance with the regulations and will receive their approval when they submit New Provider Orientation tests (if not already received), and all Covered Individuals have approved background screenings.
  - B. When providers are not in compliance with all child care regulations, tell them their application will be denied for not being in compliance.

## **ANNOUNCED AND UNANNOUNCED FOLLOW-UP INSPECTIONS**

1. These inspections are to assess corrections of Statements of Findings.
2. Unless otherwise approved by the DWS Child Care Manager, conduct on-site inspections no more than 30 calendar days after Correction Dates but, after Announced Inspections, at least seven calendar days before Expiration Dates of approvals. The database will create these alerts on your home page.
3. Conduct Announced or Unannounced On-site Follow-Up Inspections at the home.
  - A. Assess only the room(s) where the noncompliance was found.
  - B. When the noncompliance item was accessible toxic substances, the finding is not corrected when you find the same and/or different accessible toxic substances than were found on the previous inspection.
4. Conduct Non On-Site Follow-Up Inspections (except those for background screening findings) with copies of documents and/or photos sent by text, fax, e-mail, and/or mail. (Allow at least seven calendar days for mailing.)
5. Conduct Non On-Site Follow-Up Inspections for background screening findings by checking the database for the submission of background screening information.

## **BEFORE INSPECTIONS**

### **Licensing Specialists**

#### **INITIAL APPROVAL INSPECTIONS**

1. No later than 10 working days after receiving "Schedule Initial Approval Inspection" alerts, contact providers. Tell them or leave messages with the following:
  - A. the date and time of the inspection
  - B. they must be there for the inspection
  - C. they need to be sure:
    - i. there are working fire extinguishers at the homes
    - ii. there are working smoke detectors on each floor of the homes
    - iii. firearms are in a locked cabinet, case, or area
    - iv. swing sets are anchored
  - D. they will receive e-mails with appointment letters
2. Create, save, and archive DWS Child Care Initial Approval Inspection letters.
3. E-mail DWS Child Care Initial Approval Inspection letters to providers.
  - A. Enter "Home Inspection for your DWS Child Care Approval" as the subject.
  - B. Enter the provider's name and "Attached is the appointment letter for your home inspection. It includes the date and time and information about the inspection." as the text.
  - C. Attach the letter.
4. When you have to change the date and/or time of inspections, create facility notes with that information and send providers an e-mail with the new date and/or time of the inspection.
5. No more than three working working days before leaving for inspections:
  - A. Go to [www.communitynotification.com](http://www.communitynotification.com) and create a report of the registered sex offenders within a 1/2 mile radius of the address where care will provided and save the report as a PDF document.
  - B. E-mail the report to the provider.
    - i. Enter "Additional Information for Your Inspection" as the subject.
    - ii. Enter the provider's name and "Attached is a list of registered sex offenders close to the home. Be sure none of these individuals have unsupervised access to children in care."

## UNANNOUNCED INSPECTIONS

One to two weeks before you plan to do inspections, contact providers to confirm they are still providing child care and for any updated information.

1. When providers don't answer the phone:
  - A. Leave messages (or send e-mails when you can't leave messages) with the following:
    - i. your name and that you are calling to confirm they are still providing child care for the DWS customer(s)
    - ii. if they are still providing child care, they must contact you with the days and times they are providing child care for the DWS customer(s)
    - iii. if they don't contact you in the next 48 hours, you will assume they are no longer providing child care and deactivate the approval, which will make them ineligible to receive DWS child care payments
    - iv. your phone number (when you left a message)
  - B. Create facility notes documenting that you left messages or sent e-mails requesting the days and times child care is provided.
2. When providers don't contact you within 48 hours of leaving the above message, create the Action Log Alert "DWS Child Care Deactivate Facility" and document in the Comments box that the provider did not contact you with the days and times of child care. When they contact you after you created the alert, create a facility note with that information.
3. When providers answer the phone or when they contact you after your message, ask if they are still providing child care for the DWS customer(s). When they are still providing care, ask for the days and times of care. When the days and times vary, ask for the days and times for the next two weeks (or as many days as they know).
  - A. When they are no longer providing child care, create the Action Log Alert "DWS Child Care Deactivate Facility" and document the details in the Comment box.
  - B. When they are still providing child care:
    - i. Let them know you will be there soon for the Unannounced Inspection and, in addition to checking the home for safety hazards, you will need to see their:
      - a. current First Aid and CPR certifications,
      - b. record of the dates and times each child was in care, and
      - c. parent/guardian attestation statements of current immunization records.
    - ii. Make any needed updates on the facility page.
    - iii. Create facility notes and document that providers confirmed they are still providing child care.

## **ANNOUNCED INSPECTIONS**

1. Contact providers. Tell them or leave a message with the following:
  - A. the date and time of the inspection
  - B. they must be there for the inspection
  - C. they will receive e-mails with appointment letters
2. Create, save, and archive DWS Announced Inspection letters.
3. E-mail DWS Announced Inspections letters to providers.
  - A. Enter “Announced Inspection for your DWS Child Care Approval” as the subject.
  - B. Enter the provider's name and “Attached is the appointment letter for your Announced Inspection.” as the text.
4. Review the archived documents from the previous year’s Announced Inspection. When documents were not accurately archived, create the Action Log alert “DAS Correction Needed” and document what correction is needed in the Comments box.
5. No more than three working days before leaving for inspections:
  - A. Go to [www.communitynotification.com](http://www.communitynotification.com) and create a report of the registered sex offenders within a 1/2 mile radius of the address where care is provided and create a PDF document of that report.
  - B. E-mail the report to the provider.
    - i. Enter "Additional Information for Your Inspection" as the subject.
    - ii. Enter the provider's name and "Attached is a list of registered sex offenders close to the home. Be sure none of these individuals have unsupervised access to children in care."

## ALL INSPECTIONS

1. Prepare checklists.
  - A. Enter the required information from the database. This includes:
    - i. the facility ID number
    - ii. the provider's name and phone number
    - iii. the location address
    - iv. the provider's e-mail address
    - v. when care is/will be provided
    - vi. if care is/will be done in the provider's home or the child(ren)'s home
    - vii. the DWS customer(s) name(s) and number of children
    - viii. the provider's relationship with the children (Initial Approval Inspections only)
    - ix. whether or not the New Provider Orientation Test was submitted (Initial Approval Inspections only)
    - x. the Expiration Date of the In Process Approval (Initial Approval Inspections only)
    - xi. the Start Date of the Approval or the date of the last Announced Inspection (Unannounced Inspections only)
    - xii. the Expiration Date of the Approval (Announced Inspections only)
    - xiii. the names of Covered Individuals and the expiration date of their background screenings (This may not be in the database before Initial Approval Inspections.)
  - B. Save the checklist in your iPad.
2. Be sure you have the required items to take with you.
  - A. For all inspections:
    - i. the prepared checklist
    - ii. a measuring tape/collapsible ruler
    - iii. a flashlight
    - iv. the current protocol
    - v. the current Interpretation Manual
    - vi. Inspection Feedback Forms
    - vii. evaluations with self-addressed envelopes, and
    - viii. the DWS Child Care Manager's business cards.
  - B. For Initial Approval Inspections all of the above plus:
    - i. copies of the Child Attendance Form (from the web page)
    - ii. copies of the Immunization Attestation Statement Form (from the web page)

## **WHEN NO ONE ANSWERS THE DOOR**

### **Licensing Specialists**

When you can see or hear children in the home or in the outdoor area, look in the outdoor areas and see if providers are there. Do this without entering the homes.

1. When providers are in the outdoor area, tell them you are there to complete an inspection and then complete the inspection.
2. When providers are not in the outdoor area or you can't determine if they are in the outdoor area, call and let them know you are at the door and they are to answer the door.
  - A. After they answer the door, complete the inspection.
  - B. When no one answers the phone or when the person who answered the phone refuses to answer the door, contact the DWS Child Care Manager for instructions.

## **WHEN PROVIDERS ARE NOT AT THE HOME**

### **Licensing Specialists**

#### **INITIAL APPROVAL INSPECTIONS**

Leave your business card with a label that has “Since you were not here for the home inspection, your application for a DWS Child Care Approval will be denied” on the back.

#### **UNANNOUNCED INSPECTIONS**

1. The first time providers are not at the home:
  - A. Leave your business card.
  - B. Create an “Attempted Inspection” and an Inspection Note with the details of the attempt.
  - C. When needed, call and request days and times of care for the next two weeks (or as many days as he/she knows).
2. The second time providers are not at the home:
  - A. Leave your business card with a label that has “This is the second time you were not here for an Unannounced Inspection. If you are not here the next time, your approval will be deactivated.” on the back.
  - B. Create an “Attempted Inspection” and an Inspection Note with the details of the attempt.
  - C. When needed, call and request days and times of care for the next two weeks (or as many days as he/she knows).
3. The third time providers are not at the home:
  - A. Leave your business card with a label that has “This is the third time you were not here for an Unannounced Inspection. Your approval will be deactivated.” on the back.
  - B. Create an “Attempted Inspection” and an Inspection Note with the details of the attempt.
  - C. Create the Action Log Alert “DWS Child Care Deactivate Facility” and document the dates and times of the attempted inspections in the Comments box.

#### **ANNOUNCED INSPECTIONS**

Leave your business card with a label that has “Since you were not here for the home inspection, your DWS Child Care Approval will be deactivated” on the back.

## **AT THE BEGINNING OF INSPECTIONS**

### **Licensing Specialists**

#### **ALL INSPECTIONS**

1. Be sure you are wearing your DOH ID badge.
2. Put your cell phone on “silent” or “vibrate,” and do not use it except to call the DWS Child Care Manager with questions related to the inspection and/or to respond to emergencies.
3. Introduce yourself and/or anyone with you.
4. See if the information from the database is correct. Make a note of any corrections needed in the database.
5. Before the walk-through of the home, wash or sanitize your hands.

#### **INITIAL APPROVAL INSPECTIONS AND ANNOUNCED INSPECTIONS**

1. Show providers the photos of the registered sex offenders who are within a 1/2 mile radius of the home.
2. Remind them that these individuals are not to have unsupervised access to children in care.

## **DURING INSPECTIONS**

### **Licensing Specialists**

#### **INITIAL APPROVAL INSPECTIONS**

1. When providers state rooms, garages, and/or out buildings will be inaccessible but have not made them inaccessible and cannot make them inaccessible during the inspection, give providers the choice or
  - A. having the area(s) assessed as accessible or
  - B. having you return and complete the inspection when the area(s) is/are inaccessible. When this is the choice, do not assess the area(s), document on the Inspection Feedback form that the inspection was not completed, and schedule a date and time to complete the inspection.
2. Give providers copies of the Child Attendance Form and the Immunization Attestation Statement Form. Explain they don't have to use these forms and they don't have to submit completed forms but they must have the following available at future inspections:
  - A. current First Aid and CPR certifications
  - B. records of the dates and times each child was in care
  - C. parent or guardian statement that each child has current immunization records

#### **ALL INSPECTIONS**

1. Allow providers to care for children needing their attention.
2. Complete the checklist:
  - A. Follow the instructions on the checklist as to when to ask, (visually) observe, or explain.
  - B. Mark all items in compliance with a "✓".
  - C. Mark all items out of compliance with an "O".
  - D. Mark all items that don't apply with a "N/A".
  - E. Create any needed notes, such as locations and measurements.
3. Take photos of items, rooms/areas, etc. to clarify questions you have about compliance.
4. When there are items that don't apply during the inspection (such as items regarding infants in care and there are no infants in care), remind providers they will need to be in compliance with those items if changes make them applicable.

**WHEN DETERMINING THE ACCESSIBILITY OF  
ROOMS/AREAS, CLOSETS, GARAGES, AND OUT BUILDINGS**

**Licensing Specialists**

**ALL INSPECTIONS**

1. When determining the accessibility of rooms/areas in the home:
  - A. Consider rooms/areas **accessible** when they are not behind locked doors, not behind doors with child safety devices on the doorknobs, or not behind child safety gates. When doors are locked to make rooms/areas **inaccessible**, ensure the locks are engaged and working.
    - i. To make rooms/areas **inaccessible**, locks that can be unlocked without a separate key or tool [meaning they can be unlocked by using only fingers, (for example, hooks and eyes, or doorknob locks that twist open)] must be at least 60 inches from floors.
    - ii. To make rooms/areas **inaccessible**, locks requiring keys or combinations to unlock them can be less than 60 inches from floors.
    - iii. Chairs in doorways of rooms/areas do not make those rooms/areas **inaccessible**.
    - iv. To make laundry rooms/areas **inaccessible**, the openings of laundry chutes must be locked or at least 60 inches from floors.
    - v. To make rooms/areas **inaccessible**, safety gates must be secure in doorways (meaning they must remain in the doorways when shaken).
  - B. When rooms/areas are **inaccessible**, ask if the room/area is ever used by children in care.
    - i. When it is ever used by children in care, consider the room/area **accessible**, except when the only thing that takes place in the room/area is the napping of non-mobile infants (children in care less than 12 months old who can't get out of cribs or playpens on their own, and who are not within arms' reach of items when they stand in the cribs or playpens).
    - ii. When it is never used by children in care, consider the room/area **inaccessible**.
  - C. Consider rooms/areas **inaccessible** when providers use safety gates when children in care are sleeping (unless there are firearms stored in the rooms/areas) and those gates are down and all children in care in the rooms/areas are sleeping and/or are awake non-mobile infants in playpens or cribs.
  - D. Consider hallways blocked off with safety gates **inaccessible** when children in care use those hallways, under the supervision of providers, to go in bathrooms off those hallways. Consider bathrooms off those hallways **accessible**.
  - E. When children for care pass through rooms/areas, such as garages or front yards, with parents or guardians on their way to the areas of the home used for child care and the rooms/areas are **inaccessible** once the children are in care, consider the rooms/areas **inaccessible**.

- F. When furniture that is at least as wide as closet doors is placed in front of closet doors and the closet doors opens towards the furniture, consider the closets **inaccessible**.
  - G. Consider attached garages **accessible** when the doors to the attached garages are locked on the garage sides but unlocked (this includes locks that can be opened by twisting door handles) on the house sides.
2. When determining the accessibility of rooms/areas rented by providers or rented out by providers:
- A. When providers are not the home owners and rent rooms/areas of homes, consider the other rooms/areas (those not rented by providers) of homes **inaccessible** when:
    - i. There are signed rental agreements between the home owners and the providers. Verify this by seeing the rental agreement. and
    - ii. The providers have different mailing addresses and mailboxes than the home owners. When there is not a clear separation of mailboxes, verify this by seeing mail addressed to providers and mail addressed to home owners. A Post Office Box is not considered a different address.
  - B. When providers are the home owners and rent out rooms/areas of their homes, consider those rooms/areas **inaccessible** when:
    - i. There are signed rental agreements between the providers and the renters. Verify this by seeing the rental agreement. and
    - ii. The rented rooms/areas of the home have separate mailing addresses and mailboxes from the rest of the home. When there is not a clear separation of mailboxes, verify this by seeing mail addressed to providers and mail addressed to home owners. A Post Office Box is not considered a different address.
3. When determining the outdoor area used by children in care:
- A. Ask the provider if there is an outdoor area used by children in care and, if there is one, ask the provider to show you its boundaries.
  - B. Do not consider common areas in multi-home complexes as outdoor areas used by children in care.
4. When determining the accessibility of rooms/areas in the home that can be accessed from the outdoor area:
- A. When there are children in care in the outdoor area:
    - i. Consider the rooms/areas **inaccessible** when they have sliding glass doors with bars or pieces of wood in their tracks.
    - ii. Consider the rooms/areas **inaccessible** when their doors are locked.
    - iii. Consider the rooms/areas **accessible** when their doors are unlocked.

- B. When there are no children in care in the outdoor area:
    - i. Consider the rooms/areas **inaccessible** when providers say their doors are locked when children in care are outside and you can see how the doors can be locked.
    - ii. When providers say the doors are locked when children in care are outside, and you can't see how the doors can be locked, ask providers to lock them.
      - a. Consider the rooms/areas **inaccessible** when providers can lock the doors.
      - b. Consider the rooms/areas **accessible** when providers can't lock the doors.
5. When determining the accessibility of garages and out buildings in outdoor areas:
- A. Consider attached (meaning structurally attached, such as with shared walls, breeze ways, or roofs) and detached garages, sheds, trailers, and other out buildings **inaccessible** when their doors are locked during inspections or when they are unlocked during inspections but are locked when children in care are outside. To determine if the doors are locked when children in care are outside, ask providers if they lock the door when children in care are outside.
    - i. Consider the building **inaccessible** when they say the door to the building is locked when children in care are outside and you can see how the door can be locked.
    - ii. When they say the door to the building is locked when children in care are outside, and you can't see how the door can be locked, ask them to lock it.
      - a. Consider the building **inaccessible** when they can lock the door.
      - b. Consider the building **accessible** when they can't lock the door.
  - B. Consider attached (meaning structurally attached, such with a shared walls, breeze ways, or roofs) and detached garages, sheds, trailers, and other out buildings **accessible** when their doors are unlocked during inspections. When the door to the building is unlocked, ask providers if it is locked when children in care are outside.
    - i. When they say the door is not locked when children in care are outside, consider the building **accessible**.
    - ii. When they say the door is locked when children in care are outside, and you can't see how the door can be locked, ask them to lock it.
      - a. Consider the building **accessible** when they can't lock the door.
      - b. Consider the building **inaccessible** when they can lock the door.
  - C. When there is not a driveway leading to it, consider a building in the outdoor area an out building.
  - D. When there is a driveway leading to it and it is large enough to hold a vehicle, consider a building in the outdoor area a garage.

**WHEN ASSESSING ROOMS/AREAS, GARAGES,  
AND OUT BUILDINGS**

**Licensing Specialists**

**ALL INSPECTIONS**

1. When children are not in care during inspections and providers state **accessible** rooms/areas, closets, garages, and/or out buildings are **inaccessible** when children are in care, give providers the opportunity to make them **inaccessible**
2. When rooms/areas are **accessible**, assess the entire room/area. Assess crawl spaces by looking into them and using your flashlight when necessary. (You don't have to physically crawl into the spaces.)
3. When rooms/areas are **inaccessible**, stand in their doorways and look in the room/area for children in care and illegal items. When rooms/areas are behind locked doors, have the provider open the doors. When there are children in care in those rooms/areas, make notes to document the instance of "hiding" children in care. When there are illegal items in those rooms/areas, report it to the police.
  - A. When you can't see into **inaccessible** rooms/areas from doorways (for example, when rooms/areas are L-shaped or T-shaped), step into the room/area as far as needed to be able to see into the room/area.
  - B. Open doors (or have the provider open the doors) and stand in doorways of rooms/areas adjoining **inaccessible** rooms/areas (such as rooms/areas in inaccessible basements).
  - C. Do not look in bathrooms or closets of **inaccessible** rooms/areas.

## WHEN DETERMINING THE ACCESSIBILITY OF ITEMS

### Licensing Specialists

#### **ALL INSPECTIONS**

1. Consider items **inaccessible** when they are in cupboards, containers, or drawers that are locked or have working child safety devices on them.
2. Consider items **inaccessible** when they are more than 36 inches from:
  - A. the floor, the floor of an open closet, or the ground
  - B. any surface on which a child in care sleeps
  - C. any surface in a bathroom on which a child could climb (such as counters, sinks, surfaces or borders of tubs, toilet lids, and toilet tanks).
    - i. When there are cabinets or shelves above the toilet and the cabinets or shelves are not flush with the tank, measure from the toilet tank to determine the accessibility of safety hazards.
    - ii. When there are cabinets or shelves above the toilet and the cabinets or shelves are flush with the tank, measure from the toilet seat to determine the accessibility of safety hazards.
3. Consider items **inaccessible** when they are on the backs of counters that are 36 inches high and at least 24 inches deep.
4. Consider items **accessible** when they are on the floor, the floor of an open closet, or the ground and when they are 36 inches or less from:
  - A. any surface on which a child in care sleeps
  - B. any surface in a bathroom on which a child could climb (such as counters, sinks, the surface or border of tubs, toilet lids, and toilet tanks).
    - i. When there are cabinets or shelves above the toilet and the cabinets or shelves are not flush with the tank, measure from the toilet tank to determine the accessibility of safety hazards.
    - ii. When there are cabinets or shelves above the toilet and the cabinets or shelves are flush with the tank, measure from the toilet seat to determine the accessibility of safety hazards.

5. Consider items **accessible** when they are in containers that are 36 inches or less from the floor. This includes the floor of an open closet.
  - A. When the containers are clear containers (one you can see inside of without touching anything, such as clear plastic boxes and zip lock bags), assess their contents by looking into the container.
  - B. When the containers have other containers stacked on top of them, do not open the containers to assess their contents. Assess their contents by asking providers what is inside of them.

## **WHEN ASSESSING ITEMS**

### **Licensing Specialists**

#### **ALL INSPECTIONS**

1. Do not touch items in drawers, cupboards, or closets. When you feel you need to see items closer to assess compliance, ask providers to show them to you.
2. When the contents of drawers or cabinets are concealed (for example, covered with paper towels, towels, or blankets), ask providers to remove the paper towel, towel, or blanket so you can assess the contents.
3. When you cannot open unlocked drawers, assess their contents by asking providers what is inside of them.
4. Do not open drawers, boxes, or other containers in closets with closed doors (unless the closet is being used as a room). Assess their contents by asking providers what is inside of them.
5. When there are heavy items, such as televisions, on pieces of furniture such as cedar chests or trunks, do not open the furniture. Assess the contents by asking providers what is inside of them.
6. When there is something heavy, such as a piece of furniture, in front of something with cabinets or drawers, do not ask providers to move the heavy item. Assess the contents by asking providers what is inside of them.
7. Ask providers if equipment in the outdoor area is moved before used by children in care. When it is, instruct providers to move it to that location before you assess it.
8. When providers state a piece of outdoor equipment is not used by children in care, do not assess that equipment.

## **WHEN DETERMINING WHO IS A COVERED INDIVIDUAL**

### **Licensing Specialists**

#### **ALL INSPECTIONS**

Living in the home where care is provided means the person:

1. daily shares a bathroom and/or kitchen with others in the home; or
2. does not have a signed rental/lease agreement with the person who owns the home; or
3. does not have a separate mailing address and mailbox from the rest of the home (A Post Office Box is not considered a separate mailing address); or
4. does not live in an area with a separate outside entrance and there is not an interior doorway (inside the home) between the living areas; or
5. could have unsupervised access to the children in care.

## **WHEN THERE ARE NO CHILDREN OF DWS CUSTOMERS IN CARE**

### **Licensing Specialists**

#### **ALL INSPECTIONS**

Ask providers if their child care schedule has changed. When their child care schedule changed, make a note with the accurate schedule.

## **WHEN THERE IS A DISCREPANCY BETWEEN THE CHILDREN OF DWS CUSTOMERS IN CARE AND THE INFORMATION IN THE DATABASE**

### **Licensing Specialists**

#### **ALL INSPECTIONS**

Make a note with the accurate information.

**WHEN THERE IS NO ACCESS TO ROOMS/AREAS  
AND/OR REQUIRED DOCUMENTS**

**Licensing Specialists**

**INITIAL APPROVAL INSPECTIONS**

When rooms/areas are locked and providers do not have keys or combinations to unlock those rooms/areas:

1. Write on the Inspection Feedback Form that the inspection could not be completed.
2. Schedule a date and time to complete the inspection, return at that time, and complete the inspection.

**ANNOUNCED, UNANNOUNCED, AND ON-SITE FOLLOW-UP INSPECTIONS**

1. When providers cannot access rooms/areas in the home and/or when they cannot access required documents (for example, they cannot unlock a door, cabinet, or drawer):
  - A. Document those details on the Inspection Feedback form. Get a date when they will be able to access the rooms/areas and/or the required documents and document that date as the Correction Date.
  - B. Inform them that failure to allow access to complete any inspection may result in their approval being deactivated.
  - C. After the Correction Date, go back and assess those rooms/areas and/or required documentation you previously couldn't assess (You can combine this with an on-site Follow-Up Inspection). When you have access to those rooms/areas and/or required documentation, assess them and complete a new Inspection Feedback form when there are noncompliance items.
2. When providers refuse to allow you access to the home, any room/area in the home, and/or any needed documents:
  - A. Document those details on the Inspection Feedback form.
  - B. Inform them that failure to allow access to complete any inspection may result in their approval being deactivated.

## WHEN COMPLETING INSPECTION FEEDBACK FORMS

### Licensing Specialists

#### UNANNOUNCED AND ANNOUNCED INSPECTIONS

1. After each inspection, write, in ink, all items you found out of compliance during the inspection. If you don't write it after the inspection, you can't include it in the Statement of Findings.
  - A. **Item # Column:** Write the regulation numbers of items that were out of compliance.
  - B. **Noncompliance Column:** Write phrases or sentences describing items that were out of compliance. Be sure your handwriting is legible and do not use abbreviations.
    - i. Include all details needed for Statement of Findings, specifically:
      - a. what was observed and where it was observed
      - b. measurements of anything that was measured (this does not include measurements to determine accessibility)
      - c. names of any documents that were missing
      - d. names of any incomplete documents and what was missing
      - e. what was incorrect or incomplete in answers to questions
      - f. names of individuals who did not submit background screening forms or did not submit them within the required time frame
      - g. names of individuals who had arrests or convictions that were not reported
    - ii. Only refer to what is in regulation, not what is in the Interpretation Manual or protocol.
    - iii. When needed, use multiple boxes to describe noncompliance items.
    - iv. Write each regulation number only once. When you observe multiple instances of noncompliance, include their descriptions in the box(es) for that item.
    - v. When you are not sure if a regulation is out of compliance, write the phrase or sentence describing the possible noncompliance and check the Interpretation Manual and protocol. When you still can't determine if the regulation is out of compliance, ask the DWS Child Care Manager for clarification.
      - a. When the item was in compliance, call providers and tell them the item was in compliance.
      - b. When the item was out of compliance, include it in the Statement of Findings.

- C. ***Correction Date Column.*** Write the date each noncompliance item was or will be in compliance.
- i. When the item was brought into compliance during the inspection, check the “CDI” box. This includes noncompliance with:
    - a. any notification regulation
    - b. the regulation for submitting background screening forms within the required time frames (the form was submitted but not within the required time frames)
  - ii. When the item was not brought into compliance during the inspection:
    - a. Write the date that is one day after the inspection for noncompliance with any regulation whose Statement of Finding will have a Level 1 Noncompliance, except when:
      - I. The correction requires the services of a repairman. When this is the case, write the date of a day that is up to 30 calendar days after the date of the inspection.
      - II. The correction requires the submission of a background screening form and the provider won’t see the Covered Individual by the first day of care after the inspection. When this is the case, write the date of the day that is seven calendar days after the date of the inspection.
    - b. Write the date of a day that is the soonest the item can be in compliance but no more than 30 calendar days after the date of the inspection for noncompliance with any regulation whose Statement of Finding will have a Level 2 or a Level 3 Noncompliance.
- D. ***Date Corrected Column.*** Write the date each noncompliance item was in compliance, “not a finding”, “rescinded”, “not corrected” or “NC”.
- i. When the item was brought into compliance during the inspection, write the date of the inspection.
  - ii. When the item was in compliance at the Follow-Up Inspection, write the date of the Follow-Up Inspection.
  - iii. When the item was brought into compliance by submitting documentation, write the date the documentation was received.
  - iv. When, after clarification from the DWS Child Care Manager or after review by the DWS Child Care Manager, the item was determined to be in compliance, write “not a finding”.
  - v. When a finding was rescinded after an appeal, write “*rescinded*”.
  - vi. When the item was out of compliance at the Follow-Up Inspection or documentation was not submitted by the Correction Date, write “not corrected” or “NC”.
- E. When there will be no on-site Follow-Up Inspection and there were noncompliance items to any of the documentation regulations, write at the bottom of the yellow copy:  
*“Text to [cell phone number] or  
 Fax to [fax number] or  
 E-mail to [e-mail address]  
 before the Correction Date.”*

2. You can create mailing labels with required language and, when needed, attach the labels to the yellow copies of the Inspection Feedback form. Place labels in a horizontal orientation and not over any writing.

### **INITIAL APPROVAL INSPECTIONS**

1. All of the above but:
  - A. Don't write the items brought into compliance during the inspection.
  - B. Don't write the regulation number.
  - C. The Correction Date is the Expiration Date of the In Process Approval.
2. All of the above, plus:
  - A. When they were not submitted, write “*Submit Background Screening Forms*” and the Expiration Date of the In Process Approval as the Correction Date.
  - B. When it was not submitted, write “*Submit New Provider Orientation Test*” and the Expiration Date of the In Process Approval as the Correction Date.

## **AT THE END OF INSPECTIONS**

### **Licensing Specialists**

#### **ALL INSPECTIONS**

When there were noncompliance items:

1. Review each noncompliance item on Feedback Forms with providers. When providers were not with you when you assessed the item, show them the item that was out of compliance.
2. Give providers the opportunity to provide feedback for or dispute any noncompliance item.
3. When providers disagree with any noncompliance item, give them the DWS Child Care Approvals Manager's business card and explain the appeal process.
4. Sign Inspection Feedback forms and ask providers to sign them. Leave yellow copies with them.

#### **INITIAL APPROVAL INSPECTIONS**

All of the above plus tell providers they will receive their approval when:

1. They are in compliance with all regulations.
2. They submit a New Provider Orientation test (if not already submitted).
3. All Covered Individuals have approved background screenings.

#### **ANNOUNCED AND UNANNOUNCED INSPECTIONS**

When there were noncompliance items that were not brought into compliance during inspections:

1. When the noncompliance items were to the documentation regulations, tell providers their approval will be deactivated if you don't receive copies of the required documents by the Correction Date(s).
2. When noncompliance items require on-site Follow-Up Inspections, schedule the Follow-Up Inspections or tell providers you will be back after the Correction Date(s) and, if they are not in compliance at the Follow-Up Inspection, their approval will be deactivated.

## DATABASE ENTRY

### Licensing Specialists

#### **INITIAL APPROVAL INSPECTIONS AND FOLLOW-UP INSPECTIONS**

1. No later than ten working days after completing inspections, enter information from inspections and document when waiting for an answer from the DWS Child Care Manager puts you past this time.
  - A. When information in the database needs updated and/or corrected, create the “DWS Child Care Facility Page Needs Updated/Corrected” and document in the Comments box what needs to be updated and/or corrected.
  - B. Enter information from Initial Approval Inspections and Initial Approval Follow-Up Inspections:
    - i. Click “New Inspection.”
    - ii. After “Date”: Enter the date of the inspection.
    - iii. After “Primary Type”: Highlight “DWS Child Care Initial Approval” or “DWS Child Care Initial Approval Follow-Up.”
    - iv. After “Primary Specialist”: Highlight your name.
    - v. After “Additional Specialist(s)”: When applicable, highlight the name(s) of additional Licensing Specialists. Consider anyone observing the inspection an additional Licensing Specialist.
    - vi. After “Arrival Time”: Highlight the time that is the closest to your arrival time.
    - vii. After “Departure Time”: Highlight the time that is the closest to your departure time.
    - viii. When there were noncompliance items found during the inspection, do not create Statements of Findings. Document the noncompliance items in the Inspection Notes box.
    - ix. When there were not approved background screenings for all Covered Individuals, document this (with the names) in the Inspection Notes box.
    - x. Click “Save” and “Finalize.”
  - C. Create "Sticky Notes" with information needed for future inspections, such as specific directions to the home, which door to use, or the names of any individuals who should not be in the home due to background screening denials.
2. When you could not complete an inspection because the provider wasn't there, create an “Attempted Inspection” and an Inspection Note with the details of the attempt.
3. Create the Action Log Alert “DWS Child Care Licensor Consent for Initial Approval” after providers are in compliance with all regulations, including approved background screenings for all Covered Individuals.

## ANNOUNCED AND UNANNOUNCED INSPECTIONS

1. Enter information from inspections no later than ten working days after completing inspections. Create Inspection Notes and document when waiting for an answer from the DWS Child Care Manager puts you past this time.
  - A. When information in the database needs updated and/or corrected, create the “DWS Child Care Facility Page Needs Updated/Corrected” and document in the Comments box what needs to be updated and/or corrected.
  - B. Enter information from the inspection:
    - i. Click “New Inspection.”
    - ii. After “Date”: Enter the date of the inspection.
    - iii. After “Primary Type”: Highlight the primary type of the inspection/investigation. Use the following order when determining the primary type of inspection:
      - a. Announced
      - b. Initial Unannounced or Unannounced
      - c. Follow-Up First or Follow-Up, Non On-Site
      - d. Focus or Focus, Non On-Site
    - iv. After “Additional Type(s)”: When applicable, highlight the additional type(s) of inspection.
    - v. After “Primary Specialist”: Highlight your name.
    - vi. After “Additional Specialist(s)”: When applicable, highlight the name(s) of additional Licensing Specialists or anyone observing you.
    - vii. After “Arrival Time”: Highlight the time that is the closest to your arrival time.
    - viii. After “Departure Time”: Highlight the time that is the closest to your departure time.
    - ix. When there were noncompliance items found during inspections, create Statements of Findings by clicking the “New Finding” box and:
      - a. After “Rule”: Enter the Regulation Number, starting with 30-, of each noncompliance item on the Inspection Feedback Form. As you enter the Regulation Number, a drop-down menu will appear. Highlight the correct regulation from that list.
        - I. If a noncompliance item is not on the Inspection Feedback Form, it can’t be included in the Statement of Findings.
        - II. When one situation resulted in noncompliance to multiple regulations, do not create findings to each regulation. Highlight the regulation with the highest Noncompliance Level and create a finding to that regulation.
      - b. Enter the text of findings. The text is to be simple, accurate, and grammatically correct.
        - I. In the “Finding” text box.
          - Begin with a declarative statement. This is a sentence stating the provider was out of compliance. It is to be accurate and contain the language of the regulation that pertains to the noncompliance.
          - Then add the details of the finding. This can be a separate sentence or sentences or, for clarity and to reduce

redundancy, can be part of the declarative statement.

- Include what was observed and where it was observed.
- When there were too many children in care, include the number of children.
- When there were unsupervised children in care, include the number of unsupervised children and where they were.
- When a question was answered incorrectly or incompletely, include the incorrect or incomplete answer.
- When there was missing or incomplete documentation, include which document was missing or incomplete.
- Do not include names, dates of birth, measurements that are not part of the regulation, or any identifying information of children.

II. When needed, enter in the “Additional Information” text box:

- names (first names and last initials)
- ages
- dates of birth
- identifying information of children
- when background screening forms were not submitted:
  - the name of the Covered Individual
  - the date the Covered Individual moved into the home, the first date the Covered Individual came to the home to stay (when he/she stayed for more than 10 working days), or the date the Covered Individual turned 12-years-old
- when a raised deck or balcony or an open stairwell had gaps that were too big:
  - the height of the deck, balcony, or open stairwell
  - the measurements of the gap
- when documentation was missing or incomplete - the name(s) of the children with missing or incomplete documents
- language from the Enforcement Section of the Interpretation Manual needed to show that a finding was to be issued
- language from the Enforcement Section of the Interpretation Manual needed to show the Noncompliance Level of the finding

III. In the “Findings” text box and in the “Additional Information” text box:

- Include enough detail so anyone not present during inspections can understand and conduct Follow-Up Inspections.

- Only refer to what is required in the regulation, not information in protocol or the Interpretation Manual, unless that information is needed to show a finding was to be issued or to show the Noncompliance Level of the finding.
  - Be sure all words are spelled correctly.
  - Be sure all sentences are complete and grammatically correct.
  - Even when requested by providers, do not include extraneous information, such as why they were not in compliance.
  - Do not include measurements showing rooms/areas or items were accessible.
- c. Go to the “Findings Category” box. From the drop-down menu, highlight the correct Findings Category. The database will show when the finding is a Repeat Finding.
- I. For a finding with a Level 1 Noncompliance that was corrected on-site and was not a repeat finding - Highlight “Technical Assistance”, except when the finding was for:
    - lack of supervision,
    - too many children in care,
    - required background screening information not submitted,
    - a firearm not in a locked cabinet or area,
    - the provider being intoxicated or impaired, and/or
    - inappropriate discipline.
  - II. For a finding with a Level 1 Noncompliance - Highlight “Cited” when:
    - The finding was not corrected on-site,
    - The finding was corrected on site but is a repeat finding, and/or
    - The finding was corrected on-site but is one of the exceptions listed above.
  - III. For a finding with a Level 2 Noncompliance Level:
    - When it is not a repeat finding - Highlight “Technical Assistance.”
    - When it is a repeat finding - Highlight “Cited.”.
  - IV. For a finding with a Level 3 Noncompliance Level:
    - When it is not a repeat finding - Highlight “Technical Assistance.”
    - When it is a repeat finding for the first time - Highlight “Technical Assistance.”
    - When it is a repeat finding for the second time - Highlight “Cited.”
  - V. When a finding with any Noncompliance Level is a repeat finding and the previous finding had a Cited category - Highlight “Repeat Cited.”

- d. Click the “NC Level” box. From the drop-down menu highlight the correct Noncompliance Level.
    - I. When there is more than one possible noncompliance level, review the Rule Enforcement to determine the correct noncompliance level.
    - II. When multiple instances of noncompliance of the same regulation were observed, highlight the most serious noncompliance level.
  - e. When the noncompliance item was corrected on-site, check the box before “Corrected On Site”.
  - f. When the noncompliance item was not corrected on-site, enter the Correction Date in the “Correction Date” box.
  - g. Click “Save”.
  - x. When there were noncompliance items found during the inspection/investigation and you created Statements of Findings:
    - a. Click “Entry Complete”.
    - b. Under “Approver” highlight the name of the DWS Child Care Manager. In the Notes box enter any information the manager needs to know about the inspection.
    - c. Click “Save”.
  - xii. When no noncompliance items were found during the inspection/investigation and you did not create Statements of Findings:
    - a. Do not click “Entry Complete”.
    - b. Click “Save” and “Finalize”.
- C. Create "Sticky Notes" with information needed for future inspections, such as specific directions to the home, which door to use, or the names of any individuals who should not be in the home due to background screening denials.
2. When you could not complete the inspection because the provider wasn't there, create an “Attempted Inspection” and an Inspection Note with the details of the attempt.
3. Create the Action Log Alert “DWS Child Care Deactivate Facility” and document the details in the Comments box when:
- A. Providers were not at the home for the third attempt to conduct Unannounced Inspections.
  - B. Providers were not at the home for an Announced Inspection.
  - C. Providers refused to allow you access to the home, any room/area in the home, and/or any needed documentation.
  - D. After a Correction Date, providers could not access rooms/areas and/or required documentation.

## **ANNOUNCED AND UNANNOUNCED FOLLOW-UP INSPECTIONS**

1. Enter information from inspections no later than ten working days after completing inspections. Create Inspection Notes and document when waiting for an answer from the DWS Child Care Manager puts you past this time.
  - A. When information in the database needs updated and/or corrected, create the “DWS Child Care Facility Page Needs Updated/Corrected” and document in the Comments box what needs to be updated and/or corrected.
  - B. Enter information from the inspection:
    - i. Click “New Inspection.”
    - ii. After “Date”: Enter the date of the inspection.
    - iii. After “Primary Type”: Highlight the primary type of the inspection/investigation. Use the following order when determining the primary type of inspection:
      - a. Announced
      - b. Initial Unannounced or Unannounced
      - c. Follow-Up First or Follow-Up, Non On-Site
      - d. Focus or Focus, Non On-Site
    - iv. After “Additional Type(s)”: When applicable, highlight the additional type(s) of inspection.
    - v. After “Primary Specialist”: Highlight your name.
    - vi. After “Additional Specialist(s)”: When applicable, highlight the name(s) of additional Licensing Specialists or anyone observing you.
    - vii. After “Arrival Time”: Highlight the time that is the closest to your arrival time.
    - viii. After “Departure Time”: Highlight the time that is the closest to your departure time.
    - ix. Go into the “Follow Ups and Corrections” box. Under the dates of inspections with findings that need follow ups:
      - a. Under the “Followed Up On” column, check the boxes of the findings you followed up on during the inspection.
      - b. When findings were corrected, check the box under the “Corrected ?” column.
      - c. Click “Save.”
  - C. Create "Sticky Notes" with information needed for future inspections, such as specific directions to the home, which door to use, or the names of any individuals who should not be in the home due to background screening denials.
2. When you could not complete the inspection because the provider was not there, create an “Attempted Inspection” and an Inspection Note with the details of the attempt.

3. Create the Action Log Alert “DWS Child Care Deactivate Facility” and document the details in the Comments box when:
  - A. All findings were not corrected at Follow-Up Inspections or by Correction Dates
  - B. Providers refused to allow you access to the home, any room/area in the home, and/or any needed documentation.
  - C. After Correction Dates, providers could not access rooms/areas and/or required documentation.

### **DWS Child Care Manager**

1. Review Statements of Findings.
  - A. When findings need corrections, click “Correction Required” and enter in the Notes text box which findings need corrections and the specific corrections that are needed.
  - B. When all findings are correct:
    - i. Click “Finalize.”
    - ii. Create the Action Log Alert “DWS Child Care Statements of Findings Approved” and document in the Comments box the date and type of inspection.
2. After receiving the “Create and mail deactivation letter. Change status or track appeal period.” alert:
  - A. Prepare, archive, and e-mail the DWS Child Care Approval Deactivated letter.
  - B. Create the DWS Child Care Approval Deactivated Letter Sent with a due date that is 30 calendar days after the the date the letter was sent. After receiving the “When the deactivation was not rescinded, deactivate the facility.” alert"
    - i. Take no action when the deactivation was rescinded.
    - ii. When the deactivation was not rescinded: change the Status to Inactive and choose “Facility Deactivated: Closed by CCL” as the Deactivation Reason.