

# Licensing Division (LD) Non-CPS Complaint Inspection

## FAQ for Child Care Owners & Directors



**Q: What is a Licensing Division (LD) Non-CPS licensing complaint inspection?**

**A:** When the Department of Children, Youth & Families (DCYF) receives a complaint in a licensed child care facility that does not have an allegation of child abuse or neglect but may be a violation of the Washington Administrative Code (WAC), that information is screened as a Non-CPS intake.

**Q: Do all Non-CPS intakes result in a complaint inspection?**

**A:** No, it depends on what is reported. If the complaint alleges a violation of the WAC, it may be inspected to determine whether there was a violation.

**Q: Who completes the complaint inspection?**

**A:** DCYF will notify the local licensing team of the intake. The local supervisor will assign the complaint to a licenser for inspection.

**Q: How long does the complaint process take?**

**A:** Every effort is made to complete inspections within 45 days; however, some inspections may take longer.

**Q: What information should I have prepared?**

**A:** Access to staff, records, and current policies upon request.

**Q: What will I be told about the complaint?**

**A:** You will be informed of the allegations or concerns reported. Your licenser will share with you as much information as possible without jeopardizing the integrity of the complaint inspection. Information about the referent, or the person making the complaint, will not be shared.

**Q: What are my responsibilities during a complaint inspection?**

**A:** Be open to sharing information through interviews, observations, and review of records.

**Q: If licensing staff requests a full contact list of enrolled families, even when an incident only involves specific children, do providers have to provide that information?**

**A:** Yes, per [WAC 110-300-0035 \(2\)\(c\)](https://app.leg.wa.gov/WAC/default.aspx?cite=110-300-0035) (<https://app.leg.wa.gov/WAC/default.aspx?cite=110-300-0035>), [110-301-0035 \(2\)\(c\)](https://apps.leg.wa.gov/wac/default.aspx?cite=110-301-0035) (<https://apps.leg.wa.gov/wac/default.aspx?cite=110-301-0035>), and [110-302-0035 \(2\)\(c\)](https://apps.leg.wa.gov/wac/default.aspx?cite=110-302-0035) (<https://apps.leg.wa.gov/wac/default.aspx?cite=110-302-0035>), the department may deny, suspend, revoke, or not continue a license when licensees refuse to allow the department's authorized staff access to any of the following: Child, staff, or program records or files.

**Q: Who will be interviewed during a complaint inspection?**

**A:** During the course of the complaint inspection, the licensee, director, and applicable staff and witnesses, may be interviewed. The referent in the complaint is also interviewed. Collateral contacts with relevant information may be interviewed as well.

**Q: Who can be present when an employee is being interviewed?**

**A:** Information obtained during a complaint inspection is confidential. It is the choice for the interviewee if they want a 3rd party present as long as the 3rd party is not seen as potentially jeopardizing the inspection of the complaint.

**Q: Can a written statement be provided?**

**A:** Yes, you may provide a written statement. If it is received prior to the completion of the complaint inspection, it will be considered as part of the inspection.



**Q: Can child care staff refuse to answer questions?**

**A:** Staff can choose to not be interviewed. A finding will still be made without their input and based on the information gathered during the course of the complaint inspection. The omission of information may impact the outcome of the complaint finding.

**Q: What are the rules about contacting child care employees on their personal cell phones?**

**A:** When at all possible, child care staff are interviewed on site. There may be times when child care staff are contacted on personal cell phones when not able to interview on site.

**Q: In what circumstance is an employee not allowed on-site during a complaint?**

**A:** DCYF must address the risk of an employee remaining on site during a LD/CPS complaint investigation, when the staff person is listed as a subject. Outcomes of risk analysis may result in a safety plan where the staff person can remain on site, fully supervised by another staff person, on site performing duties without having access to the children, or an agreed plan, with the childcare, to place the employee on administrative leave. An employee is not allowed on site when their background clearance is disqualified. In addition to this, child care providers can determine if an employee is off site per their program's policies.

**Q: What are the possible outcomes or findings of an inspection and how will I be notified?**

**A:** Licensing complaint inspection outcomes or findings are either "Valid" or "Not Valid." You will receive written notification when the inspection is complete.

**"Valid"** licensing finding means that there is reasonable cause to believe a violation of the WAC occurred.

**"Not Valid"** means that there is reasonable cause to believe a violation of the WAC did not occur or that it cannot be determined if a violation occurred. All valid licensing findings are subject to compliance agreements, training, and/or coaching to gain adherence to the WAC.

**Q: What if I disagree with the finding?**

**A:** If you disagree with the finding, you can request a supervisory review through the WA Compass Provider Portal. (<https://dcyf.wa.gov/services/early-learning-providers/licensed-provider/wa-compass>)

For issues accessing the WA Compass Provider Portal, email the Provider Portal Support Team at [dcyf.providerportal@dcyf.wa.gov](mailto:dcyf.providerportal@dcyf.wa.gov) or call (866) 627-8929.

**Q: Who do I contact if I have questions or concerns about the complaint process?**

**A:** Please contact the licensor assigned to the complaint as well as the licensing supervisor when applicable.

You may contact the Office of Constituent Relations at 1-800-723-4831 for assistance at any time.

**Q: Where can I find a copy of the WAC requirements?**

**A:** You can find a copy of the Washington Administrative Code (WAC), here. (<https://app.leg.wa.gov/wac/default.aspx?cite=110>)

**Q: As a licensed child care provider, where can I get more information?**

**A:** You can find additional information about Child Care Licensing Complaints, here. (<https://dcyf.wa.gov/safety/child-care-complaints>)

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