

Licensed child care providers must comply with licensing rules, which are meant to help ensure basic health and safety for children in care. Providers must work with their DEL licensor to develop a plan when rule violations are noted.

Varying degrees of DEL monitoring occur, including unannounced and announced visits and technical assistance in order to document that a child care provider is in compliance with licensing requirements. When DEL licensors find health and/or safety issues, they are required by DEL policy to return to the site to verify that the agreed-upon plan is successfully implemented.

The great majority of all DEL actions involve a compliance agreement. When there is a more serious event or issue, or the provider demonstrates a pattern of inability or unwillingness to comply with licensing standards, DEL may use a variety of enforcement actions:

Civil penalties

State law authorizes DEL to assess monetary fines if a licensed child care provider has failed or refused to comply with licensing rules. This includes providing illegal, unlicensed care. DEL may assess up to \$150 per day per violation for family homes and \$250 per day per violation for centers.

During state fiscal year 2014, the rate of civil penalties was **0.9 percent of the total number of licenses at the end of the fiscal year**. DEL issued 57 civil penalties, including 45 family home providers, 11 centers, and one unlicensed provider. The average amount of a civil penalty was \$1,058.

Suspension of child care license

A summary suspension is a legal action that temporarily closes a child care facility. State law authorizes DEL to suspend a license when there are immediate health and safety risks to children in care.

During state fiscal year 2014, the rate of suspension was **1 percent of the total number of licenses at the end of the fiscal year**. DEL issued 64 suspensions, which included 62 family home providers and two child care centers. (Note that many suspensions are later lifted after a licensed provider achieves compliance with licensing rules.)

In state fiscal year 2014, DEL issued:

- 57 civil penalties
- 64 suspensions
- 17 denials
- 31 revocations

Denial of child care license

A denial is a legal action in which DEL does not grant a child care provider a full license. DEL can issue up to four initial licenses of six months each while working with a provider to meet licensing requirements.

During state fiscal year 2014, the rate of denial was **0.2 percent of the total number of licenses at the end of the fiscal year**. DEL denied 17 licenses; 10 were denied upon initial application, and seven were denied when moving from an initial license to a full license.

Revocation of child care license

A revocation is a legal action that formally and permanently closes a child care license, which means the facility may not reopen. State law authorizes DEL to revoke a license when a provider fails to or refuses to comply with laws and regulations. A revocation generally involves, but is not limited to, repeated violations of child care licensing rules. This occurs when no other action will remedy the concerns.

During state fiscal year 2014, the rate of revocation was **0.5 percent of the total number of licenses at the end of the fiscal year**. There were 31 licenses that required revocations, which included 30 family home providers and one child care center.

