



# Early Childhood Services

## Roles and Responsibilities

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The Department of Human Services (DHS) and authorized agents (county social services) share the responsibility for licensing and monitoring regulated child care providers.

### County Social Services Child Care Licensors (authorized agents)

- Acts as the first point of contact for initial child care licensing
- Conducts licensing studies (includes an on-site visit, complete compliance checklist form, and review documentation and required forms)
- Gathers all appropriate supporting documents, and makes a recommendation and submits supporting documents and forms to the regional supervisor
- Conducts at least one unannounced on-site review per year per licensed program
- Collects and maintains ongoing documentation (ex: new employee documentation, new household member information, correction order verifications, new pet vaccination records) and submits the required documentation to regional supervisors
- Conducts required investigations on all child care concerns; consults with regional supervisors about the concern; and reviews the final outcome with the regional supervisor
- Works with regional supervisors and DHS Criminal Background Check Unit (CBCU) on completion of finger-print based background checks
- Works in cooperation with DHS and other agencies (child protective services, adoption, foster care, law enforcement, fire department, etc.)
  - There are 59 county licensors (some also do child protective services work)

### Regional Supervisors (DHS staff located at regional human service centers)

- Acts as a checks and balance mechanism
- Reviews recommendation on licensing applications and all submitted documentations from the county licensors
- Reviews child care concerns with county licensors, and when necessary, the Early Childhood Services Administrator
- Prepares and issues revocations, denials, suspension notices, and sends appropriate parent notification letters
- Provides ongoing quality assurance visits (documentation review/participates in on-site required visits with county licensors)
- Meets quarterly with county licensors to discuss early childhood services matters
- Provides orientation for new county licensors
- Works with the Attorney General's office on all appeal hearings
- Works with county licensors and the DHS CBCU on completion of finger-print based background checks
- Works in cooperation with DHS and other agencies (child protective services, adoption, foster care, law enforcement, fire departments, etc.)

### DHS Early Childhood Services Administrator

- Establishes policy and standards regulating early childhood services
- Provides assistance and support to county licensors and regional supervisors
- Reviews all revocations, denials, and suspension notices
- Conducts annual statewide county licensor training and meets quarterly with regional supervisors
- Plans, facilitates, and attends meetings with partners relating to early childhood services

During the 2011 legislative session, **House Bill 1085** was introduced at the request of the North Dakota Department of Human Services with the intention of strengthening the department's authority to suspend and extend suspensions of an early childhood license in instances involving child protection investigations or direct bearing offenses when continued operation could jeopardize the health and safety of children present.

The **House** expressed a desire to amend the bill to provide due process for individuals following a report of suspected abuse or neglect. Lawmakers also wanted to continue to assure both the safety of children and access to child care – especially in rural areas – by allowing the department to prohibit individuals subject to a child protection services (CPS) investigation from being present during child care hours. Notification of all parents with children at an early childhood program would occur after the completion of a CPS investigation.

The **Senate** discussion focused on ensuring the department retained the authority to suspend licenses when child safety was at risk and to prevent continued operation during an appeal. The amendment adopted by the Senate included a provision that the Department shall notify the parent of any child receiving early childhood services when an owner, operator, holder of a self-declaration, in-home provider, adult staff member, or adult household member of the program providing care to the child is under a child protection services investigation.

Conference committee discussion included department discretion. The final version of the bill, which became law, changed the required notification requirement to parents from “shall” to “may,” broadened the department's ability to suspend, and added authority to prohibit the presence of an accused individual at an early childhood program if that person's presence was likely to jeopardize child safety.