

.44 INTERMEDIATE SANCTIONS

- A. Upon determining that a provider has violated or a home fails to meet any of the regulations of this chapter, the Office may:
- (1) Restrict the age or number of children accepted for care;
 - (2) Reduce the number of children in care;
 - (3) Require the provider to receive remedial instruction in a specified content area;
 - (4) Increase the frequency of monitoring of the home during a specified period of time;
 - (5) Enter into an agreement with the provider detailing requirements in addition to those above, including time limits for compliance; and
 - (6) Notify, or require the provider to notify, a parent of a child who may be affected by the situation for which a sanction has been imposed.

INTENT: As an alternative to suspending or revoking your registration, the Office may pursue an intermediate sanction which places certain limits or conditions on the operation of your child care program. An intermediate sanction may be voluntary on your part (for example, a compliance agreement) or involuntary (for example, the Regional Office imposes a reduction in your child care capacity or a limitation on the number or ages of children you may admit to care). Involuntary sanctions carry appeal rights, but voluntary sanctions do not. An intermediate sanction (voluntary or involuntary) should be seen as an opportunity for the Regional Office to work closely with you to help bring your child care program into full compliance.

Notes:

- The following are examples of intermediate sanctions and situations where they may be used:
 - A provider who has difficulty remaining in general compliance may enter into a compliance agreement that requires her to obtain additional training and undergo periodic monitoring visits by her Licensing Specialist.
 - A provider who has demonstrated poor ability to handle infants may have admissions to her program restricted to children over two years of age.
 - A provider who has been having problems dealing with difficult children may have her capacity reduced.
- With the prior approval of the CCA Office of Program Standards, a limitation on admission of children or a reduction in capacity may be imposed immediately on an emergency basis if deemed necessary to protect children from imminent harm.
- A voluntary compliance agreement must be in writing, signed by the provider and the CCA representative, and include a statement of:
 - Facts about the noncompliant situation that resulted in the agreement,
 - The respective responsibilities of the provider and the Regional Office under the agreement, and
 - The consequences to the provider of failing to observe the terms of the agreement.

- B. If the Office determines that the provider has violated a condition or requirement of the intermediate sanction, the Office may suspend or revoke the registration.

INTENT: You are expected to abide by all the terms of the agreement. Failure to do so may result in suspension or revocation of your registration.