



**July 12, 2019**

## **Policy Memorandum OCCRS 101-FY 2019 – Child Care Complaint Policy**

**Issuing Authority:** *Michal Rhymer-Browne*  
**Assistant Commissioner**

**Purpose:** The Lead Agency ensures that parents/legal guardians or other community individuals can submit verbal or written complaints regarding licensed/registered Child Care Providers.

- Childcare provider complaints may be submitted anonymously. The process does not require the complainant to identify their relationship to the child/children. Complaints may be submitted directly to the Lead Agency Office of Child Care and Regulatory Services (OCCRS) by mail, email, telephone, or in person.
  - The direct phone number for the St. Thomas/St. John District OCCRS is (340) 774-0930 ext. 4181. Lead Agency Licensing Specialists are assigned to review and investigate complaints.
  - The direct phone number for the St. Croix District OCCRS is (340) 772-7147. Lead Agency Licensing Specialists are assigned to review and investigate complaints.
  - The Virgin Islands does not have a 24 hour hotline number, however, parents and the wider public may also call (340) 774-0930 Ext. 4109 which is the direct contact number for our Community Affairs Coordinator. They can also visit the Office of the Department of Human Service Coordinator to submit complaints in person at 1303 Hospital Ground, STE 1 St. Thomas USVI 00802. Parents and the wider public can also submit their complaints via email to [consumeraffairs@dhs.vi.gov](mailto:consumeraffairs@dhs.vi.gov). This email is reviewed by the DHS Community Affairs Coordinator or other designated staff and complaints about child care providers is given immediate attention and is officially reported to the OCCRS Administrator.
  
- Upon receiving complaints regarding CCDF Providers directly or via the Lead Agency's Community Affairs Coordinator, Child Care Licensing staff begins their investigative process within three business days. The complaints are investigated when it is alleged that there is (1) non-compliance with licensing requirements; or (2) operation of an

unlicensed facility in violation of the Act or (3) abuse and/or neglect of a child/children in care; or 4) allegations of financial exploitation or fraudulent activity. If other types of complaints are received about CCDF Providers, the Lead Agency's Licensing Specialists will also investigate. If there is a complaint alleging abuse and/or neglect to a child, the Community Affairs Coordinator and the Licensing Specialists will make an immediate report to the Department of Human Services Intake and Emergency Services. The Office of Intake and Emergency Services social workers must investigate allegations of abuse and neglect within twenty-four hours of receiving the complaint. The Intake and Emergency Social Workers take the lead with child abuse and neglect allegations and will coordinate efforts with the Lead Agency's Licensing Specialists.

- The V.I. Child Rules and Regulations for Child Care Facilities mandates the V.I. Department of Human Services (VIDHS) to conduct full investigations of complaints alleging violations against the Act or any licensing requirement within three business days. Licensing staff obtains as much relevant information as possible from the complainants.
- Upon completion of the investigation, licensing staff: (1) documents the findings; (2) notifies the provider of the complaint allegations and findings by sending a complaint findings cover letter, Licensing Complaint Report Summary, and if applicable, Office of Intake and Emergency Services Summary Notification to Child Care Licensing Services; (3) enters the complaint information on the licensing database using complaint key words; and (4) tracks findings in the database. Licensing complaint findings are maintained in VIDHS internal tracking files as a rolling numbering system e.g. (OCCRS-CY19-0000).

#### **Lead Agency Policy Regarding Making Substantiated Complaints Available to the Public**

- Childcare facilities are required to maintain accessible files of monitoring reports, notices to comply, licensing complaints and confirmed Intake and Emergency Investigative Summaries for up to seven (7) years. These files can also be viewed at our DHS offices.
- Information obtained concerning reports of violations of licensing requirements is confidential with the exception, of summaries of allegations, and findings of violations. The reports will be filed with other Department of Human Services Office of Intake and Emergency Services and Children and Family Services Division, if it includes child abuse. However, the names of children and parents will be redacted from public viewing.
- Parents/guardians or the wider public wishing to view the substantiated complaints about the Child Care Provider can currently request scheduled appointments to view the reports at the Office of Child Care and Regulatory Services (OCCRS), or the information can be mailed or emailed. Upon completion of the Office of Child Care and Regulatory new Website, the substantiated claims will be posted. Estimated date for completion of the Lead Agency's consumer education website is by or before April 1, 2020. Substantiated Complaints will then be available on this new website.