

The Department of Early Learning (DEL) offers a way for licensed child care providers to challenge certain situations. This challenge is called supervisory review. It serves to provide due process where no formal appeal right to an administrative hearing exists in law or rule. Supervisory review is available for:

- **Valid licensing complaint findings:** A DEL licensor found that a licensing rule was violated. (A valid complaint finding is not subject to a formal appeal process. Only actions taken against a license are subject to the appeals process, such as summary suspension, revocation or denial.)
- **Compliance agreements:** A plan of action that a licensed provider and a DEL licensor develop when the provider is not in compliance with rules. They are usually developed at the time of a monitoring visit or in response to a valid complaint.

### Supervisory review for valid complaint findings

Licensed providers can request a supervisory review by contacting their licensor within 10 business days after the complaint finding is issued. Requests for supervisory review will be declined if DEL has taken legal action against the licensee.

If health and safety issues are noted during a complaint inspection, the licensor may develop an immediate safety plan that must be followed during the supervisory review process. (A licensor is required to “staff” his or her closing complaints, so it is not unusual for the licensing supervisor to uphold such complaints, given that the supervisor has detailed knowledge of the complaint at the time of closure.)

### Supervisory review for compliance agreements

DEL licensors and child care providers work together to agree on a plan of action. However, if the provider does not agree with the compliance agreement, they may request a supervisory review by checking the box on the compliance agreement to request a review, or calling the licensor’s supervisor.

Providers have 10 business days from the date the agreement is signed to request supervisory review. The supervisor has 15 business days to conduct a formal review and let the provider know of the decision in writing. The supervisor will review all available

### *Fast Facts:*

In State Fiscal  
Year 2014:

- 117 requests for supervisory review, covering 199 specific issues
- Supervisory reviews by child care facility type:
  - Centers: 95
  - Family homes: 118
  - School-age: 2

information and determine if the facts support the issue. If the provider disagrees with the outcome of the supervisory review, he/she may ask for a second review with the Licensing Regional Administrator (RA). If the provider disagrees with the RA review, he/she may request a final review by DEL's Statewide Licensing Administrator. This is the final step in the review process.

