

## DECAL CHILD CARE RULE VIOLATION ENFORCEMENT CHART

V I O L A T I O N  C L A S S	Incident results in or could result in:	VIOLATION HISTORY LEVEL			
		I 0 Points	II 1-3 Points	III 4-9 Points	IV 10 + Points
	D • Extreme Harm • Imminent Danger	I3-C			
	C • High Harm	CI I1-I2	CII I1-I3	CIII I2-C	CIV I3-C
	B • Medium Harm	BI N/A**	BII P2-P3	BIII I1-I2	BIV I2-C
	A • Low Harm	AI P1-P2	AII P1-P3	AIII P2-P3	AIV I1-I2

If there are no rule violations cited on the current visit, and no technical assistance provided, no Violation Class or Violation History Level is applicable, and no enforcement action will result.

### DETERMINING VIOLATION CLASS, VIOLATION HISTORY LEVEL POINTS, AND ENFORCEMENT ACTION

#### (1) VIOLATION CLASS

##### How to select violation class:

- Select Class A (Low) if there is at least one rule violation on the current visit, but there are **NO** Repeat Rule violations, **OR** there are only NON-CORE Repeat Rule violations, **AND** there are **NO** Class C (High) or Class D (Extreme) violations on the current visit
- Select Class A (Low) or Class B (Medium) based on the highest severity on the current visit within any REPEAT rule violation(s) if there are **NO** Class C (High) or Class D (Extreme) violations on the current visit, **OR** within the REPEAT rule violation(s) during prior 12 months
- Select Class C (High) or Class D (Extreme) if there is a Class C (High) or Class D (Extreme) violation on the current visit, **AND/OR** within any REPEAT rule violation(s) during the prior 12 months

\* Repeat Rule Violation(s) = rule(s) cited on the current visit AND cited on visit(s) during prior 12 months

\*\*Based on Rules for assigning Violation Class, it is not possible to have zero points and be at Violation Class B

#### (2) REPEAT VIOLATION POINTS

##### How to assign repeat violation points:

**Assign Repeat Violation Points for any core and non-core rule(s) cited on the current visit AND cited on visit(s) during prior 12 months:**  
 1<sup>st</sup> Violation of a Rule within 12 Months = 0  
 2<sup>nd</sup> Violation of Same Rule within 12 Months = 1  
 3<sup>rd</sup> Violation of Same Rule within 12 Months = 2  
 4<sup>th</sup> Violation of Same Rule within 12 Months = 3  
 For each subsequent Violation of Same Rule within 12 Months, one additional point is accrued

**For each Repeat Violation, assign points based on the highest severity level assigned for that rule during prior 12 months:**

Non-Core Rule Violation = 0  
 Level A Low Core Rule Violation = 1  
 Level B Medium Core Rule Violation = 2  
 Level C High Core Rule Violation = 3  
 Level D Extreme Core Rule Violation = 4

#### **ADDITIONAL POINTS FOR SERIOUS INCIDENT/INJURY VIOLATION**

**Assign points for each PRIOR visit when there are any Class C (High) or Class D (Extreme) violations on the current visit AND any Class C (High) or Class D (Extreme) violations cited on visit(s) during prior 12 months regardless of whether or not there are any repeat violations during the current visit:**  
 Each Prior Visit with Class C/Class D Rule Violation = 2

**(3) ENFORCEMENT ACTION**

**How to select enforcement action:**

- Select the appropriate enforcement action cell (A1 through D), based on the intersection of Violation Class and Violation History Level
- Considering any individual case circumstances (aggravating or mitigating factors), and using DECAL policy and professional judgement to ensure fairness and consistency, select the appropriate enforcement action within the range of enforcement categories and levels given within the selected cell

<b>ENFORCEMENT CATEGORIES, LEVELS, AND ACTIONS</b>		
<b>PREVENTION CATEGORY (P)</b>	<b>INTERMEDIATE CATEGORY (I) (Includes Prevention Actions)</b>	<b>CLOSURE CATEGORY (C) (Includes Prevention Actions)</b>
<b>Prevention Level 1 (P1)</b>	<b>Intermediate Level 1 (I1)</b>	Suspension of License (More than 1 week)
Technical Assistance	Fine	Revocation of License
<b>Prevention Level 2 (P2)</b>	<b>Intermediate Level 2 (I2)</b>	Emergency Closure (Imminent Harm)
Citation	Per Rule Fine	
<b>Prevention Level 3 (P3)</b>	Per Day Fine	
Formal Notice Letter	<b>Intermediate Level 3 (I3)</b>	
Office Conference	Fine and Restriction	
	Restricted License	
	Restricted License & Per Rule/Per Day Fine	
	Emergency Monitor & Per Rule/Per Day Fine	
	Short-term Suspension (Less than 1 week)	