

Washoe County Human Services Agency

Regulations for Child Care Facilities

Violation of Regulations

SECTION 13 VIOLATION OF REGULATIONS

- *13.1 Unlicensed care. If the Agency has reason to believe that a person, state or local government unit or agency thereof is operating a child care facility without a license or with a suspended license, the Agency may issue a notice of violation or an order to cease and desist the operation of the facility. The notice of violation or order must be served upon the person, state or local government unit or agency thereof by personal delivery or by certified or registered mail, return receipt requested. The notice of violation or order is effective upon service.
- A. A notice of violation will be issued if it was confirmed that the person was providing unlicensed care.
 - B. A citation may be issued by law enforcement if:
 - 1. The health or safety of any of the children appears to be in danger; or
 - 2. The caregiver was given a prior opportunity to be licensed and did not follow through.
 - C. A civil penalty fine may be imposed and is outlined in Section 15.
- 13.2 Licensed facilities. If the Agency has reason to believe that a licensed facility is not complying with the conditions of the license, Chapter 45 of the Washoe County Code, or these Regulations, the Agency will investigate to determine the facts. The Agency staff may enter and inspect the premises which are believed to be in non-compliance and may conduct such other investigations as it deems necessary.
- 13.3 Denial, suspension, revocation, or limitation of license. The Agency may deny an application for a child care license or may suspend, revoke, or limit a child care license for the following acts by the applicant, members of the household, licensee, staff, or volunteers:
- A. Violation of any standard contained in Chapter 45 of the Washoe County Code or these Regulations;
 - B. Conviction of violation of any law;
 - C. Aiding, abetting, or permitting the commission of any such violation;
 - D. Conduct which is inimical to the public health, morals, welfare or safety of the people of the State of Nevada in the maintenance or operation of the facility for which a license is issued;
 - E. Conduct which is detrimental to the health or safety of the occupants or employees of the facility;

Washoe County Human Services Agency

Regulations for Child Care Facilities

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- F. Failure or refusal to permit any investigation or inspection by the Agency or to admit authorized representatives of the Agency at any reasonable time to investigate or inspect the facility;
 - G. Failure or refusal to submit any required report to the Agency or refusal to make available to the Agency any records required by it in investigating the facility for licensing purposes;
 - H. Findings by the Agency that the licensee, staff, or members of the household no longer meet the standards outlined in Chapter 45 of the Washoe County Code or these Regulations; or
 - I. Failure to maintain compliance with standards for safety from fire and other emergencies or standards for health and sanitation as determined by the Agency after an inspection of any building or premises of the facility conducted by Agency or other agency staff.
- *13.4 Immediate revocation/suspension. Notwithstanding any of the notice and appeal provisions specified in these Regulations, if the Director of the Agency finds that the health and safety of the children so requires, the Agency Director may order the immediate revocation/suspension of the license and shall give to the licensee a written notice of the order by personal service. The order shall become effective as indicated in the notice. The notice will contain a statement of the reasons for revocation/suspension and will inform the licensee of his right of appeal.
- *13.5 Notice of Violations. If an inspection of a facility reveals that the person who operates the facility is in violation of any standard contained in the Regulations, the Agency may issue a notice of violation. The notice of violation must:
- A. Be in writing and describe the nature of the violation;
 - B. Include the time permitted to correct the violation; and
 - C. Inform the person who operates the facility that the Agency may impose an administrative fine; and
 - D. Be sent to the person who operates the facility by electronic mail or by United States mail to the last known address of the person who operates the facility.

Washoe County Human Services Agency

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- *13.6 Administrative Fines. The Agency may impose an administrative fine which is outlined in Section 15.
- *13.7 Grading System. All licensed facilities shall be given a letter grade of A, B, C, D or F. The letter grade will be based on inspections done by the Agency, Washoe County District Health Department and the Fire Department based on compliance with applicable laws and regulations and the severity of any violations. Any suspected violations will be discussed with the facility prior to it being disclosed to the public.
- A. However, not later than 60 days after an inspection of a child care facility, the Agency shall:
1. Make public the inspection report to the County's website:
<http://childcareinspections.washoecounty.us/>
 2. Include the letter grade assigned on the inspection report.
 3. Note any unresolved violations and proposed actions to correct the violation and a date by which the child care facility is expected to correct the violation in the inspection report.
- B. The child care facility will post the letter grade assigned to the facility in a conspicuous place near each entrance to the facility that is regularly used by the public and inform any person of the letter grade upon request.
- C. A child care facility that is assigned a letter grade of C, D, or F may request a follow-up inspection.
- D. A facility that receives a grade of D or lower may have action taken against their license up to and including limitation or revocation.