

ABC Quality



ABC Quality Head Start Program Participation Manual
July 2026

Table of Contents

TABLE OF CONTENTS.....	2
CHAPTER 1 ABOUT ABC QUALITY	3
CHAPTER 2 ELIGIBILITY CRITERIA TO PARTICIPATE	5
CHAPTER 3 HISTORY OF COMPLIANCE:.....	5
CHAPTER 4 PROVIDER AGREEMENT	6
CHAPTER 5 ABC QUALITY FRAMEWORK	7
CHAPTER 6 COMPLAINTS	10
CHAPTER 7 VOLUNTARY WITHDRAWAL FROM ABC QUALITY.....	10
CHAPTER 8 ADVERSE ACTIONS BY ABC QUALITY	11
CHAPTER 9 WAIT PERIOD FOR RE-APPLYING.....	15
CHAPTER 10 ENROLLMENT/RE-ENROLLMENT EXCEPTIONS.....	15
CHAPTER 11 APPEALS PROCESS.....	16
CHAPTER 12 PROGRAM INTEGRITY AND ACCOUNTABILITY.....	17
CHAPTER 13 GRANTS.....	18

Chapter 1 About ABC Quality

1.1 Overview

South Carolina is committed to an early care and education system that focuses on building high quality, comprehensive programs that provide integrated services. This commitment reflects a vision that every child in South Carolina will have equal opportunity for success in school, based on equitable access to a high-quality early care and education system.

ABC Quality, South Carolina's statewide Quality Rating and Improvement System (QRIS), has been in existence since 1992. It provides the foundation for an early care and education system through a framework to assess, improve, promote, and communicate the quality of early learning and development.

1.2 Benefits

- Connects families with an easy-to-understand [ABC Quality](#) website to find quality child care programs in their zip code.
- Offers coaching, professional development, criteria, tools, and resources to early care and education programs to improve the environment, teaching practices and supports for children's learning and development.
- Enables early childhood programs to participate in the [Child Care Scholarship Program](#), that pays tuition to ABC Quality programs for children whose families qualify for an income-based scholarship.
- Offers grants, awards, scholarships and other supports
- Represents standardized criteria for continuous quality improvement.
- Aligns with [SC Endeavors](#), SC's Professional Development and Credentialing System.

1.3 Contact Information

There are two offices of ABC Quality geographically. Each office is responsible for programs in designated counties. Find the county that your program is located using the charts below to contact the office that serves your area. The map located [here](#) shows the assigned ABC Quality Assessor for your county.

Toll Free: **1-800-763-2223** or email us at abcquality@dss.sc.gov

ABC Quality Columbia		
SC Department of Social Services ABC Quality 3150 Harden Street Extension Columbia, SC 29203	Program Manager: Cathy A. Kovacs	Phone: 803-898-2772

Columbia Office Counties Served							
Aiken	Beaufort	Chesterfield	Dillon	Georgetown	Kershaw	Marlboro	Williamsburg
Allendale	Berkeley	Clarendon	Dorchester	Hampton	Lee	Orangeburg	
Bamberg	Calhoun	Colleton	Fairfield	Horry	Lexington	Richland	
Barnwell	Charleston	Darlington	Florence	Jasper	Marion	Sumter	

ABC Quality Greenville					
Greenville Technical College ABC Quality P.O. Box 5616, Station B MS 6001 Greenville, SC 29606-1947		Program Director: Beverly B. Hunter		Phone: 864-250-8468	
Greenville Office Counties Served					
Abbeville	Chester	Greenwood	McCormick	Pickens	Union
Anderson	Edgefield	Lancaster	Newberry	Saluda	York
Cherokee	Greenville	Laurens	Oconee	Spartanburg	

Contact **ABC Quality** if any of the following occurs.

- Change in facility address
- Change in phone number
- Change in financial status
- Change in Director
- Closing of facility temporarily or permanently
- Change in regulatory status
- Ownership
- Damage to facility (i.e., storm damage, flooding)
- Significant event/harm/abuse/injury of child(ren)

1.4 Head Start Participation

Head Start programs are vital to SC's early care and education system. Successful promotion of Head Start involvement in ABC Quality is conducted through an expedited pathway. This expedited pathway ensures a swift process to enroll and includes all the benefits of ABC Quality participation.

The Head Start Program Performance Standards (HSPPS) final rule (45 CFR §1302.53(b)(2) 2016) spelled out conditions for Head Start participation in state QRIS systems to include, "state QRIS accept monitoring Head Start data to document quality indicators included in the state's tiered system and does not require Head Start programs to duplicate existing reporting requirements." Therefore, in order to comply with this rule, avoid duplication efforts, and eliminate undue burden; Head Start programs in SC are qualified to enroll in ABC Quality through an expedited pathway if they are compliant with HSPPS, have a regular/approved SC Child Care License, meet history of compliance, and sign an ABC Quality Provider Agreement. Head Start programs that meet all the ABC Quality requirements will earn an A+ and receive benefits of ABC Quality participation.

1.5 Enrollment

Overview of Enrollment Process

- Learn about [ABC Quality](#)
- Take the [free online orientation training](#)
- Interested in ABC Quality participation
 - Contact ABC Quality at 800-763-2223 or abcquality@dss.sc.gov
- Meet eligibility – [ABC Quality Manuals](#)

- e. Receive A+ Quality Level
 - Submit evidence of compliance to Head Start Program Performance Standards
 - Verification of current regular approval/license from Child Care Licensing
 - Verification of History of Compliance to Child Care Licensing Regulations
 - Signed and dated ABC Quality Provider Agreement
 - Program marketed on website

Chapter 2 Eligibility Criteria to Participate

Eligibility criteria for enrollment/participation as a Head Start Program in ABC Quality include meeting all the following.

2.1 Program Operations:

- Operational for at least six months at the time application is made for enrollment.
- Offers regular consistent hours that meet the need of working parents. Drop-in, weekend only care, and only opening 1 – 3 days per week do not meet that criteria.
- Must have at least one unrelated fee-paying child enrolled.

2.2 Program Eligibility Criteria:

- The program is a Head Start/Early Head Start program, and not a program participating in the Early Head Start Child Care Partnership.
- The program has a current, regular approval/license from Child Care Licensing.
- The program has a clear history of compliance with child care licensing regulations six months prior to the application for enrollment **and maintained during participation.**
- The program is not currently on a Corrective Action Plan (CAP) with Child Care Licensing.
- The program has no history of having operated illegally pursuant to SC Child Care Licensing Laws.
- The program does not have an active Out of Home Abuse and Neglect (OHAN) investigation.
- The program is in compliance with Head Start Program Performance Standards.

2.3 Corrective Action

Participating programs will need to re-apply for renewal annually. Head Start programs will need to meet all program eligibility requirements at renewal. When the annual renewal is conducted, and the Head Start program does not meet all the requirements, ABC Quality will follow its corrective action process.

- 1st Notice: The first notification occurs at re-applying for annual renewal. Head Start programs will be given 15 days from the date of reapplying for annual renewal to submit corrective action.
- 2nd Notice: If the program does not submit corrective action by the deadline of the 1st Notice the program will be given another 15 days to submit corrective action.
- 3rd Notice: If corrective is not submitted by the deadline of the 2nd notice, a letter is mailed to the program giving a final 15 days to submit all remaining corrective action.
- If corrective action is not received by deadline of 3rd notice, the program is staffed for termination or non-renewal of the provider agreement.

Chapter 3 History of Compliance

Maintaining a clear history with regulatory requirements ensures that children are being cared for in safe environments. This is a major component of participation in the ABC Quality Rating & Improvement System.

3.1 Definition of History of Compliance:

3.1.1 No violations for the six months prior to submitting an application for enrollment or during the enrollment process.

3.1.2 No frequent or multiple deficiencies or a significant event *posing substantial threat to the health or safety of the children that involve supervision, compliance with ratios, or health and safety violations.*

- Frequent is defined as having 3 or more violations that pose a substantial threat to children's health and safety within a six- month period of time
- Multiple is defined as having 3 or more different violations that pose a substantial threat to children's health and safety within a six- month period of time
- Any significant event which poses substantial threat is defined as, but not limited to any environment, situation, or occurrence that poses a substantial threat to the health and safety of children
- Substantial threat to the health and safety of children is any action, condition, or event that results in children being placed in impending danger or harm

Conditions that could pose a substantial threat include, but are not limited to:

- Children left alone in the facility
- Sewer backed up in facility with children present
- No water in the facility exceeding 4 hours with children present with children present
- No heat or air conditioning in the facility in extreme weather conditions with children present
- Fire Alarm disconnected (if applicable)
- Lack of supervision resulting in a child leaving the facility unnoticed
- Lack of supervision resulting in child left at another location such as restaurant, park, zoo, etc.
- Children removed due to abuse or neglect by Licensing, OHAN, or Child Protective Services
- Smoking in the facility by staff
- Substantially exceeding the facility capacity
- Withholding food from a child(ren)
- Maltreatment of a child(ren)

Chapter 4 Provider Agreement

4.1 Issuance of Provider Agreement

- Provider agreements are signed agreements between the Head Start program and SCDSS for participation in ABC Quality.
- The provider agreement must be signed before the program will be issued a quality level.
- The provider's agreement is effective for a period of 3 years and renewed annually.
- Provider agreements are program/owner and address specific.

4.2 Expiration of the Provider Agreement

The provider's enrollment in ABC Quality expires on the expiration date of the Provider Agreement, which is 3-years from the date the program is assigned their quality level.

4.3 When an Agreement Becomes Null and Avoid

Provider agreements are address-specific, when a program moves, the provider agreement becomes null, and void and ABC Quality have the right to close the program file.

- ABC Quality is under no obligation to allow the program to enroll at the new location (regardless of whether they have obtained the appropriate regulatory document/exemption)
- If Child Care Scholarship clients are connected, a two-week notice will be given to families to relocate.
- **This action is not appealable.**

4.4 Non-Renewal of The Provider Agreement

The following are reasons a Head Start Provider Agreement will not be renewed:

- The program does not reapply for enrollment prior to the expiration of the Provider Agreement
Important Note: Non-application indicates consent that the provider no longer wishes to participate in ABC Quality
- The program is not compliant with Head Start Program Performance Standards.
- The program does not meet History of Compliance.
- The program does not meet Child Care Licensing Regulations for licensure/approval.
- The program has an open Out of Home Abuse and Neglect (OHAN) investigation.
- If the Provider agreement cannot be renewed, a letter will be sent by certified mail giving a 2 week notice that the agreement will not be renewed and an end date. This will be the last date the provider may expect to receive payment for any clients served through SC Scholarship
- **Non-Renewal of the Provider Agreement is not appealable.**

Chapter 5 ABC Quality Framework

5.1 Enrollment and Renewal

The program must apply for participation in ABC Quality and **re-apply for renewal each year** prior to the expiration of the Provider Agreement (Quality Level).

- For existing programs, reminder notices will be sent prior to the expiration of the Provider Agreement/Quality Level
- Programs who do not re-apply for renewal risk their participation status in ABC Quality and could be cause for termination.

5.2 Health and Safety Training Requirements

Child Care Development Fund (CCDF) Health and Safety Topics Preservice/Orientation for Providers (98.44(b)(1)(i) and Pediatric First Aid and CPR (98.41(a)(1)(vii) are aligned with the HSPPS (1302.47 Safety Practices, 4. Safety Training) to minimize duplication of effort. These health and safety provisions apply to all programs participating in ABC Quality whose staff are responsible for the care of children, new employees must meet these requirements within 90 days of hire.

As a participant of ABC Quality, support is offered to programs to ensure the health and safety of children in their care. These supports consist of the following and are offered free of charge to programs enrolled in ABC Quality.

SC Health and Safety Pre-Service Certificate

All staff that are responsible for the care of children are required to meet the Health and Safety Topics Preservice Orientation for Providers. The [SC Health and Safety Certificate](#) is available online through Prosolutions. This certificate consists of 15 hours of on-line training and count towards a person's annual training requirement for Child Care Licensing.

The following topics are covered in the training:

- Child Development: Milestones from Birth to Age 12 (1 Hour)
- Keeping Children Safe: Building and Classroom Safety (1 Hour)
- Essentials of Outdoor Safety in South Carolina (2 Hours)
- Emergency Preparedness: Better Safe Than Sorry! (1 Hour)
- Responding to Medical Emergencies (1 Hour)
- Recognizing and Reporting Suspected Child Abuse in South Carolina (2 Hours)
- Transportation Safety Basics in South Carolina (1 Hour)
- My Plate: Helping Children Make Healthy Food Choices (1 Hour)
- Infectious Disease Control, Immunizations and Bloodborne Pathogens: Kick Those Germs to the Curb! (1 Hour)
- Sudden Infant Death Syndrome (SIDS) (1 Hour)
- Prevention of Shaken Baby Syndrome and Abusive Head Trauma (1 Hour)
- Administering Medication in Child Care Settings (1 Hour)
- Prevention of and Response to Different Types of Allergies (1 Hour)



Pediatric First Aid and Infant/Child Cardiopulmonary Resuscitation (CPR)

All staff that are responsible for the care of children are required to be certified in Pediatric First Aid and Infant/Child CPR. As a benefit to ABC Quality participants free training is offered through the National Safety Council Southeastern Chapter (SCNSC). They provide training at their facility or

instructors will come to you if you have ten or more students registered for the courses. They are located at 121 Ministry Drive, Irmo, SC 29063, phone number 803-732-6778. You can also contact them [online](#).

5.3 Child Care Scholarships

The **Child Care Scholarship Program** makes child care more affordable for families by making all or a portion of provider payments directly to child care providers so parents can work or attend school or training. Head Start programs that provide wrap-around/extended day and/or summer child care services qualify to serve clients receiving a scholarship. Explore resources at [Child Care Scholarship Program Resources](#) related to payment portal, prospective payment, client services, policies and procedures.

Contact **Child Care Scholarship Program**:

Child Care Operations Center

Client Number: (800) 476-0199

Provider Number: (800) 262-4416

Compliant Line (800) 763-2223

scchildcare@dss.sc.gov

5.4 Workforce Supports

SC Endeavors workforce registry is SC's system for tracking professional development and education of the early care and education workforce. SC Endeavors supports the continuous growth and improvement of early education programs and professionals. All child care programs participating in ABC Quality should create an organizational profile and personnel should create a professional profile within the [SC Endeavors](#) workforce registry.

5.5 ABC Quality Partner Agencies

SCDSS partners through contracts with the following agencies in an effort to assist and support child care programs in providing quality child care. You may contact these partners about the services they offer, if you feel you need assistance. There is no charge to programs for these services.



SC Child Care Resource & Referral Network

SC Child Care Resource & Referral (SC CCR&R) is a team of dedicated, experienced ECE professionals (Quality Coach) working to promote high-quality early care and education (ECE) in South Carolina. SC-CCRR provides free, statewide services to South Carolina's families, early childhood programs, and communities in its efforts to connect, support, and engage ECE stakeholders across the state.

www.sc-ccrr.org

sccrr@mailbox.sc.edu

1-888-335-1002



SC Program For Infant Toddler Care

SCPITC promotes a responsive, relationship-based approach to infant/toddler care. The positions advocated by the South Carolina PITC are based in sound child development and family support research, theory and practice. The SCPITC is adapted from the Program for Infant/Toddler Care in California at the WestEd Center for Child and Family Studies which is recognized nationally and internationally for their effective training strategies emphasizing an approach that encourages self-reflection and builds on the strengths of individual programs and teachers. SCPITC also offers “Be Well Care Well”, “SC Beginnings”, and SCIMHA” consultation.

www.scpitc.org

info@scpitc.org



SC Child Care Inclusion Collaborative

The South Carolina Child Care Inclusion Collaborative is committed to connecting child care providers, partners, and families with high quality resources to support the inclusion of children with disabilities in child care settings.

www.scinclusion.org

803-777-8483

scic@mailbox.sc.edu

5.6 Other Resources

Look in [Statewide Child Care Resources](#) on our website (www.scchildcare.org), for additional resources.

Chapter 6 Complaints

6.1 Complaints

Complaints are a natural part of operating a child care program. The program and staff must cooperate with any investigation by Child Care Licensing, ABC Quality and OHAN staff to review documents and view any video footage. Failure to do so could result in termination from ABC Quality.

- If ABC Quality receives a complaint on a Head Start program that is regulatory in nature, the complaint will be forwarded to the appropriate Child Care Licensing region
- Complaints received by ABC Quality that involves an injury to a child will be referred to the Office of Out of Home Abuse and Neglect (OHAN) (if the complainant hasn't already reported it)
- Complaints received by ABC Quality related to a violation of the policies of ABC Quality or about payment or fraud, will be investigated within 3 business days following the complaint. A visit may be conducted, complaints may be handled by contacting the provider by phone and obtaining documents, or referring to another area of the agency
- Any findings by ABC Quality will be documented in a letter sent to the program
- ABC Quality will follow-up to verify correction of deficiencies
- All complaints received, and subsequent correspondence will be kept on file with ABC Quality and are public record

Chapter 7 Voluntary Withdrawal from ABC Quality

ABC Quality is a voluntary program. Programs can voluntarily withdraw their participation at any time by the following ways: in writing, via letter or email or by not re-applying for enrollment in ABC Quality upon

expiration of their quality level. Programs should notify ABC Quality directly if they wish to withdraw from ABC Quality participation. If Child Care Scholarship clients are connected, we request at least a two-week notice so clients may find another program. Programs who have received a grant must stay in the program for the period required by the grant, or the grant funds will be recouped.

If the program requests to voluntarily end their enrollment agreement, and then later requests to rescind the termination of their agreement, ABC Quality is under no obligation to do so, particularly if the program's file has been closed in Child Care Scholarship. Programs must wait 6 months from withdrawal date before they are eligible to re-enroll.

Any program that fails to apply for renewal of their ABC Quality level by the expiration date of their current quality level will be withdrawn from participation in ABC Quality as a "voluntary withdrawal." Programs must wait 6 months from withdrawal date before they are eligible to re-enroll.

Voluntary termination of a provider's enrollment agreement is not appealable.

Chapter 8 **Adverse Actions by ABC Quality**

There are times when ABC Quality finds it necessary to initiate termination of a program's enrollment.

8.1 Termination of the Provider's Enrollment by ABC Quality

ABC Quality will initiate termination of a program's enrollment agreement during any enrollment period if the program fails to comply with the requirements of ABC Quality to maintain enrollment. Termination is not immediate; in some instances programs have the right to appeal the termination.

IMPORTANT: Because ABC Quality is a federally funded program, if the program's enrollment is terminated, it is possible that other federally funded programs in which the provider also participates, such as the Child and Adult Care Food Program (CACFP), may cause disqualification from the program.

Depending on the seriousness of the termination initiated, the Director of Early Care and Education reserve the right to remove all ABC children from the facility during the termination/appeals process.

The following list includes (but not limited to) reasons that ABC Quality will initiate termination of a provider's enrollment during the time the Provider Agreement is in effect. These terminations **are appealable**.

- a. Failure to Maintain History of Compliance to Regulations
 1. The program is not in compliance with History of Compliance.
- b. Use of Corporal Punishment or Maltreatment of Children:
 1. The use of corporal punishment or maltreatment of a child(ren) by the operator of the facility or,
 2. The use of corporal punishment or maltreatment of a child(ren) by staff in the facility, and appropriate action was not taken.
 3. Additional instances of corporal punishment or maltreatment occur at the facility within any 12- month period, termination of enrollment will occur.

- c. Staff Name Placed on the Central Registry of Abuse and Neglect: Staff whose name has been placed on the Central Registry and still present at the facility in any capacity.
- d. Failure to meet participation requirements: The provider does not have a current compliance with Head Start Program Performance Standards, current regular approval/license from SC Child Care licensing, and/or meets history of compliance.
- e. Owner, Director, and/or Operator Guilty of Fraud in A State-Funded or Federally Funded Program: 1) found guilty of committing fraud in another state-funded or federally funded-program., or 2) guilty of committing fraud in another state-funded or federally funded program and retained in the capacity as director of the facility.
- f. Verbal or Physical Abuse by Provider Towards SCDSS Staff: 1) The provider has a second offense of cursing or yelling at SCDSS staff employed with the Division of Early Care and Education. The provider was sent a certified letter after the 1st offense describing the incident and informing the provider that another such incident would result in termination being initiated or 2) The provider threatened, or physically assaulted staff during the course of conducting ABC Quality business.
- g. Refusal to Allow SCDSS Representatives Access to the Facility: The provider refused to allow any representative with SCDSS access to the premises or in the building of an enrolled child care facility while on official business during operating hours of the facility and the provider is open for business.
- h. Refusal to Cooperate With Any Investigation by ABC Quality/OHAN: The provider refused to cooperate with an investigation to include allowing access to video footage or refusal to allow the interview of employees/parents.
- i. Smoking/Consumption of Alcoholic Beverages/ Use of Non-Prescription Narcotic or Illegal Substances on the Premises (to include in vehicles when children are transported): The program has been cited for the use of the above during the hours the children are present.
- j. Owner is Cited for Operating Illegally at Another Location: The program has been found to be operating a program at another location that is deemed an illegal operation. This was found by either Child Care Licensing, DSS staff or staff from a SCDSS partner agency.

8.2 Exceptions to Termination of a Provider's Enrollment

The following terminations **are not appealable**. The following list includes (but not limited to) reasons that ABC Quality will close a provider's file. In the following situations, even though ABC Quality considers this a closing of the provider's file, SC Scholarship terminates the provider's enrollment in the SC Scholarship System and sends the provider a termination letter. The following are reasons a provider would be terminated:

- a. Program has closed: If the provider notifies ABC Quality they are no longer operating, then ABC Quality will close the provider's file. If ABC Quality is notified by parents that the program is/had closed, then ABC Quality will attempt to contact the provider to verify and the file will be closed.
- b. Child Care Licensing has closed the program's file: If Child Care Licensing closes the provider's file, then ABC Quality will also close the provider's file with ABC Quality/SC Scholarship.
- c. Facility is vacant: The facility where the enrolled program is housed is vacant and no one is there. This can be verified either by an on-site visit or by another method. The ABC Quality Assessor will attempt to contact the provider to determine the status of the program. This renders the Provider Agreement for this location null and void and the file will be closed. If SC Scholarship clients are connected, SC Scholarship will contact the parents immediately. If the

provider has moved, ABC Quality is under no obligation to enroll the new location, as moving children is also a violation of the Provider Agreement.

- d. ABC Quality cannot reach anyone either at the facility (on-site) or by phone during the normal hours of operation: ABC Quality will send a letter notifying the provider they must contact ABC Quality within five working days of receipt of the letter or their file will be closed. If there is no response by the provider, the file will be closed. If SC Scholarship clients are connected, SC Scholarship will contact the parents immediately.
- e. The provider has not responded to attempts to contact them: If ABC Quality staff attempts to contact the provider via phone messages, emails, or leaving a “Record of Visit Form” at the facility and the provider does not respond, a letter will be sent notifying the provider they must contact ABC Quality within five working days of receipt of the letter or their file will be closed. If there is no response by the provider, the file will be closed. If SC Scholarship clients are connected, SC Scholarship will contact the parents immediately.
- f. Facility Moves: When the program moves to another location, this renders the Provider Agreement null and void as it is address specific. The provider’s file will be closed. The provider may request to enroll the new location as long as all eligibility requirements are met; however, ABC Quality is under no obligation to enroll the new location.
- g. Provider does not apply for renewal of annual review: When providers do not re-apply for renewal of their annual review, an assessment cannot be conducted. Failure to re-apply is cause for termination.

8.3 Reconsideration of Termination

This section outlines the process for the reconsideration of adverse decisions to terminate a provider who fails to meet History of Compliance requirements. This does not apply to other reasons for termination.

ABC Quality will issue a termination letter to any enrolled provider who fails to maintain a history of compliance. History of Compliance is defined in Chapter 6 of this manual. Upon receipt of the letter, if the provider disagrees with the decision to terminate, they may do the following:

- a. Request a fair hearing in writing from the Office of Administrative Hearings within 30 days from receipt of the letter. Failure to do so, renders the decision final. Requests for a hearing can be sent via ABC Quality below:
Program Manager
ABC Quality
3150 Harden Street Extension
Columbia, SC 29203
- b. In the request for a fair hearing, the provider may also send any information the provider believes would mitigate the findings and conclusions that led to the decision to terminate and/or which might alter the decision to terminate. The provider may send information as identified below:
 - Any contributing factors that led to the provider’s non-compliance and any efforts to correct the issues prior to receiving the termination letter;
 - A statement of any corrective action, along with any accompanying documentation/evidence the provider would like to submit in support of their request;
 - Accompanying documentation can be pictures, invoices paid for services to have something repaired, etc. (may come from owner or upper management or the provider staff);

- A plan, if any, for future corrections or improvements that will be implemented (may come from owner or upper management or provider staff);
- Evidence of owner or upper management involvement to support the corrections. This can be communicated via a conversation or a meeting with ABC Quality initiated by the owner or upper management;
- c. Upon ABC Quality's receipt of the request for a fair hearing, ABC Quality will forward the provider's request to the Office of Administrative Hearings within one business day.
- d. ABC Quality staff which includes the Program Manager, Compliance Coordinator, ABC Quality Anchor and ABC Quality Assessor, will review any documents/evidence submitted by the provider and within 15 days of receiving the request for a fair hearing will notify the provider in writing of the reconsideration decision. Provider will be notified by mail, or email. The following factors will be considered:
 - The provider's history of compliance with meeting regulations related to ratios, supervision, and serious health and safety regulations to include the frequency of violations, Corrective Action Plans (CAP) or Quality Improvement Plans (QIP) the program has been on and the reasons, and if the program has received any warning letters from ABC Quality notifying the provider they were in jeopardy of not meeting history of compliance;
 - The provider's licensing status, e.g. does the program have a Regular License or Registration or a Provisional. If Provisional, then the length of time operating under a Provisional License/Registration and the reason.
- e. The decision rendered by ABC Quality can be one of the following:
 - **Upheld** – ABC Quality upholds the decision to terminate and the provider must proceed with an administrative fair hearing for a final agency decision
 - **Rescinded with conditions** – the termination is rescinded based upon the provider's agreement to complete corrective action and be placed in an Interim Status (see below)
 - **Rescinded without conditions** – the termination is rescinded with no further action necessary for the provider
- f. If termination is **Rescinded with conditions**:
 - Child Care Licensing will place the program on a Corrective Action Plan (CAP) or
 - ABC Quality will place the program on a Quality Improvement Plan (QIP)
 - The provider must submit a written plan to ABC Quality outlining any additional corrective actions that have been implemented and/or planned in the future within two weeks from the decision to rescind with conditions
 - ABC Quality will place the provider in an **"Interim Status"**. Interim Status is defined as a temporary status of no more than six months. The purpose is to allow the provider time to work through issues that caused initiation of termination and to focus on quality improvements to avoid termination. The six-month period of time will be as follows: the CAP or QIP will be for a three-month period of time to allow correction of the problem(s) and then the additional three-month period will be for successful implementation of corrections/improvements.
 - Failure to successfully complete the requirements of the CAP or QIP and/or successful implementation of corrections at any point during the Interim Status period will result in ABC Quality initiating termination of the provider and the provider may request a fair hearing, but would not be eligible for the reconsideration process
 - The provider will be subject to regular reviews and submission of portfolio documents during the Interim Status

Chapter 9 Wait Period for Re-Applying

Re-applying for enrollment with ABC Quality does not guarantee enrollment.

9.1 Wait Period for Re-Applying

Programs that voluntarily withdraw from ABC Quality must wait 6 months from the withdrawal date before they can re-apply.

Programs that are terminated due to any adverse action or denied enrollment must wait one calendar year from date before they can re-apply to ABC Quality. Re-applying is not a guarantee of enrollment. This applies to the following:

- ABC Quality initiates the termination of the Provider Agreement
- Upon expiration of the Provider Agreement, ABC Quality does not renew the Agreement

If a program appeals to ABC Quality's decision to terminate the Provider Agreement, the actual termination date would be the date the appeals process ends (date program is terminated in Child Care Scholarship) and the one year wait period would be from that date.

Program scores below 50 at Enrollment

- If the program receives technical assistance from the SC Child Care Resource & Referral Network and participates in a Quality Improvement Plan (QIP) they may reapply in 6 months. ABC Quality will verify completion of the QIP.

9.2 Exemption of Waiting Period

If extenuating circumstances exist, the Director of Early Care and Education may grant an exemption to the 1 year wait to re-apply for enrollment, if recommended by ABC Quality. No exemption will be granted for providers who are terminated for failure to maintain History of Compliance with regulatory requirements.

Chapter 10 Enrollment/Re-Enrollment Exceptions

ABC Quality reserves the right to deny enrollment or re-enrollment based on program's history, status, or previous circumstances. **Denial of enrollment is not appealable.**

Any time a new program requests enrollment, ABC Quality has the right to request the owner to submit legal documentation verifying ownership or change of ownership. This would include documents signed by a real estate attorney and deed if the building was purchased. If the building the program is in is leased and just the business is sold, then legal documents from an attorney and any other documents that can verify a purchase was made such as, but not limited to, a cancelled check from the owner to the seller, or any notarized financial document showing a transaction was made. An IRS FEIN Letter and a Limited Liability Corporation (LLC) document are not acceptable as proof of such transaction. These documents are subject to verification/approval from the SC DSS Attorney. ABC Quality also reserves the right to request the owner to provide a notarized statement that the previous owner has no financial or personal interest or association (to include working there) with the child care facility.

Reasons a provider is ineligible to enroll or re-enroll in ABC Quality.

- a. Death of a Child: When a negative action by a provider results in the death of a child at a facility.
- b. Fraud: Providers found guilty in court of committing or who have committed fraud with ABC Quality or SC Scholarship.
- c. Falsified documents: Providers who falsify or misrepresent official or legal documents (e.g., birth certificates, degrees, transcripts, etc.), or other ABC program documents (SVL, attendance records) and submit them to the ABC Quality or who may have submitted them in the past to Child Care Licensing, if provider was previously regulated.
- d. Administrative or Judicial Determination of Abuse and/or Neglect: Facilities with employees whose name is on the Central Registry of Abuse and Neglect are also ineligible for enrollment as long as the employee continues to be employed and/or present at the facility.
- b. Ineligibility to Participate in Publicly Funded Programs: Any institution or its principals who are ineligible for any other publicly funded program due to the above criteria are prohibited from participating in ABC Quality at any level. However, this prohibition does not apply if the institution or principal has been fully reinstated in, or determined eligible for, that program, including the payment of any debts owed.
- c. Programs With Two Occurrences of an Adverse Action Taken Against them and/or Have Not Been Offered Another Agreement by ABC Quality: If there have been at least two instances whereby the provider was either terminated by ABC Quality and ABC Quality was upheld, or if ABC Quality could not offer the provider another Provider Agreement, the provider cannot re-enroll. This can be two instances of the same or a combination.
- d. Programs Who Received A Grant and Did Not Comply With The Terms And Conditions Of The Grant: If the provider did not meet the terms and conditions of the grant, e.g. provider did not stay enrolled for the stated amount of time, and the funds were not paid back.
- e. Two Programs Within The Same Physical Structure Or Address: When an existing provider wants to enroll a second program, and the program is housed either within the same structure or property then the second program cannot be enrolled. For example, if two programs are operated within a community center or a church.
- f. Providers Who Have Operated Illegally: 1) Providers who have been found to be operating a program without a permit (illegal operation) by Child Care Licensing or by DSS staff or partner agencies prior to becoming enrolled with ABC Quality, or 2) if an existing ABC Quality provider is either found to be operating illegally at the enrolled site, or if the provider is operating another location that is deemed an illegal operation.

Chapter 11 Appeals Process

The program may appeal adverse actions such as termination or de-enrollment of an age group pursuant to the [SC Code Regs. 114-130 General Fair Hearings](#). The following is not appealable:

Natural ending of the provider enrollment period based on the expiration date,

- Program closure
- Failing the assessment scores during an enrollment visit
- Not enrolled due to a violation that occurred during the on-site enrollment visit
- Denial of enrollment/re-enrollment

A certified letter will be sent to the program notifying them of any adverse action with the instructions of how to request an appeal. If the certified letter is returned or is never delivered for whatever reason through no fault of SCDSS, then another letter will be sent by regular mail. An email may also be sent at the same time. To appeal the decision, a request must be made in writing within 30 days from receipt of the letter notifying the program of the negative action. The letter will give instructions on where to send the request for an appeal.

The request may be made by the program or a person acting on his/her behalf, such as a legal representative, relative, or friend. Staff must not impede, limit, or interfere in any way with the client's right to request a fair hearing. Once a representative has been appointed by the program, then all communications regarding the hearing and appeal are required to be made with that representative.

If the request for appeal is not submitted to SCDSS within the 30-day period, the right to challenge termination will be lost and the decision will become final. If the program submits their request for an appeal by regular mail, it is the program's responsibility to ensure that their request for an appeal has been received.

Once the Division of Appeals and Hearings receives a written appeal request from the program, they will notify the program in writing of the date and time for the hearing. A decision is not made on the day of the hearing. The decision is made after reviewing the testimony and evidence. If the decision rendered is not agreeable to the program, the program may appeal further to the Administrative Law Court which is outside of DSS for judicial review of their case. Any costs associated with this are the responsibility of the program.

Special Note: During the appeal process, the program is not eligible for the following opportunities: grants, promotions or recognition of the program and any special projects offered by SCDSS.

CHILD CARE SCHOLARSHIP CLIENTS DURING AN APPEAL:

Once a program has requested an appeal, they enter the "appeals status" and no new connections for Child Care Scholarship clients will be allowed to be made to the program. Programs may continue serving current children connected through the end of their current eligibility period. If they are renewed for another eligibility period, this is considered a "new connection" and thus they will not be able to continue to select you, and thus will have to find another child care placement.

NOTE: In the event ABC Quality terminates a program's enrollment during the enrollment period, and the Office of Appeals upholds the provider, any outstanding corrective action not affected by the appeal must be submitted before the program is allowed to resume client connections.

Chapter 12 Program Integrity and Accountability

SC DSS has measures in place to ensure that federal child care funds are accurately, fairly and legally administered. These measures are designed to prevent fraud, waste, abuse, and improper payments (CFR 98.68).

ABC Quality maintains a 1-800 number for complaints and this number can be used by the public to report complaints and incidents of fraud.

ABC Quality refers to fraud as the following (but not limited to:

- Intentionally making a false statement
- Misrepresentation regarding a material fact
- Failure to disclose material fact/information
- Any action that results in obtaining, attempting to obtain, or continuing to receive funds through SC Scholarship, which the provider would not otherwise qualify to receive, or to circumvent or help others circumvent the requirements of ABC Quality.

Any complaint or suspicion of fraud will be investigated. An investigation will begin no later than 3 business days from receipt of the complaint. Investigations may or may not include an on-site visit, to obtain documents/information or through other means as warranted (i.e., records, receipts, SVL). Investigations are conducted by the SC DSS staff to include but not limited to ABC Quality, Child Care Scholarship, Child Care Licensing, Internal Audits, and/or Inspector General. Programs must agree to cooperate with the investigation which may be by allowing an on-site visit(s) or by providing requested documents.

If there is evidence to support the claim of fraud, or if the provider refuses to cooperate with the investigation, then ABC Quality will initiate termination and funds could be recouped.

Chapter 13 Grants

As funds permit, ABC Quality may be able to offer grants to programs. Providers who receive a grant(s) must stay in the program for the period required in the grant agreement (if applicable) and comply with all terms and conditions of the grant. If the program does not comply by staying in ABC Quality for the required amount of time or does not comply with the conditions of the grant, recoupment of grant funds will be initiated for all or part of the grant as applicable. This will be done, if possible, by withholding the provider's last payment. **Grant Recoupments are not appealable.** Therefore, programs should consider their personal situations and capacity to comply with requirements before committing to the grant.

If a previous recoupment has been initiated against the program perhaps because of an audit, overpayment, or if the program owes money to the government due to an IRS lien, and funds are being recouped from the program through their payments, then the provider will not be eligible for any grants offered at that time due to Child Care Scholarship's requirement to automatically take the grant money in payment towards the recoupment or lien. If at the time a grant is offered, and the program is under a repayment for an IRS Lien, the program should not enter into a grant opportunity if the IRS will intercept this money for repayment.

Failure to use grants funds properly may result in the initiation of an audit by the SCDSS staff and disqualifies the program from future grant opportunities.