

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

55 Pa. Code § 3270.1

§ 3270.1. Introduction.

This chapter is promulgated to facilitate the safe and healthful care of a child in a child day care center and to support families by providing care that promotes the emotional, cognitive, communicative, perceptual-motor, physical and social development of the child.

Credits

Adopted Apr. 4, 1992.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.1, 55 PA ADC § 3270.1

55 Pa. Code § 3270.2

§ 3270.2. Purpose.

The purpose of this chapter is to provide standards to aid in protecting the health, safety and rights of children and to reduce risks to children in child day care centers. This chapter identifies the minimum level of compliance necessary to obtain the Department's certificate of compliance.

Credits

Adopted Apr. 4, 1992.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.2, 55 PA ADC § 3270.2

55 Pa. Code § 3270.3

§ 3270.3. Applicability.

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

(a) This chapter applies to facilities in which out-of-home care is provided, at any one time, for part of a 24-hour day to seven or more children, 15 years of age or younger, including:

- (1) Care provided to a child at the parent's work site when the parent is not present in the child care space.
- (2) Care provided in private or public, profit or nonprofit facilities.
- (3) Care provided before or after the hours of instruction in nonpublic schools and in private nursery schools and kindergartens.

(b) This chapter does not apply to:

- (1) Care provided by relatives.
- (2) Care furnished in places of worship during religious services.
- (3) Care provided in a facility where the parent is present at all times child care is being provided.
- (4) Care provided during the hours of instruction in nonpublic schools and in private nursery schools and kindergartens.

(c) A legal entity seeking to operate a child day care facility as defined in this chapter shall apply for an initial or renewal certificate of compliance in accordance with the requirements established in Chapter 20 (relating to licensure or approval of facilities and agencies).

(d) Requirements relating to programs serving only school-age children are in § 3270.241 (relating to requirements specific to school-age programs).

Credits

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

Adopted Apr. 4, 1992.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.3, 55 PA ADC § 3270.3

55 Pa. Code § 3270.3a

§ 3270.3a. Applicability--statement of policy

This chapter is not applicable to a part-day school-age program for children who attend kindergarten or older but under 16 years of age as follows:

(1) A part-day school-age program that operates for less than 90 consecutive days per calendar year from the date the program opens to the date the program closes. This clarification does not apply to a legal entity that has a certificate of compliance to operate a child care center or group child care home and that increases its enrollment to include school-age children in the summer and on school holidays.

(2) A part-day school-age program that operates 2 hours or less per day for 3 or fewer days per week.

(3) A part-day school-age program that has a single purpose for the children's attendance and that purpose is the only focus of the program. For example, basketball or art class.

(4) Tutoring programs that are licensed by or approved and funded by the Pennsylvania Department of Education (PDE), for example:

(i) Tutoring centers and educational testing and remedial centers licensed by PDE under 22 Pa. Code Chapters 61 and 63 (relating to tutoring centers and educational testing; and remedial centers).

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

(ii) Educational assistance programs operated by school districts directly or by contract with an outside provider approved by PDE.

(iii) Classroom Plus Programs.

(iv) Supplemental Education Services Programs.

(5) A drop-in program where the child may come and go at will.

Credits

Adopted Sept. 15, 2007.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.3a, 55 PA ADC § 3270.3a

55 Pa. Code § 3270.4

Orange
& Yellow

§ 3270.4. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

ACIP--The Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention, United States Department of Health and Human Services.

Act--The Public Welfare Code (62 P. S. §§ 101--1411).

Age level--The grouping category appropriate for the child's age.

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

(i) *Infant*--A child from birth to 1 year of age.

(ii) *Young toddler*--A child from 1 to 2 years of age.

(iii) *Older toddler*--A child from 2 to 3 years of age.

(iv) *Preschool child*--A child from 3 years of age to the date the child enters kindergarten in a public or private school system.

(v) *Young school-age child*--A child who attends kindergarten to the date the child enters the 4th grade of a public or private school system.

(vi) *Older school-age child*--A child who attends the 4th grade of a public or private school system through 15 years of age.

CPS--Child Protective Services.

CPSL--Child Protective Services Law--Title 23 of the *Pennsylvania Consolidated Statutes* Chapter 63 (relating to the Child Protective Services Law).

CRNP--Certified Registered Nurse Practitioner.

Casual contact--The ordinary, routine and age-appropriate association of children, parents and facility persons in the course of daily assembly in a facility.

Certificate of compliance--A document issued by the Department to a legal entity permitting the entity to operate a specific type of facility at a specific location for a specific period of time according to applicable Department regulations. A certificate of compliance approves the operation of a facility subject to Article IX of the act (62 P. S. §§ 901-922) or licenses the operation of a facility subject to Article X of the act (62 P. S. §§ 1001-1087).

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

Child--A person 15 years of age or younger.

Child abuse--Serious physical or mental injury which is not explained by the available medical history as being accidental; sexual abuse or sexual exploitation; or serious physical neglect of a child if the injury, abuse or neglect of a child has been caused by the acts or omissions of the child's parent, by a person responsible for the child's welfare, by an individual residing in the same home as the child or by a paramour of a child's parent. A child will not be deemed to be physically or mentally abused for the sole reason that the child is in good faith being furnished treatment by spiritual means through prayer alone in accordance with the tenets and practices of a recognized church or religious denomination by an accredited practitioner thereof or is not provided specified medical treatment in the practice of religious beliefs or solely on the grounds of environmental factors which are beyond the control of the person responsible for the child's welfare, such as inadequate housing, furnishings, income, clothing and medical care.

Child care experience--Care for a child in lieu of care by the parent or guardian for part of a 24-hour day. The term includes care of foster children in a court-supervised arrangement. The term does not include care of related children who reside with an individual. The term does not include supervised onsite training in the case of a student who is fulfilling the requirements of a secondary or postsecondary child care training or educational curriculum.

Child day care center--The premises in which care is provided at any one time for seven or more children unrelated to the operator.

Child with special needs--A child who has one or more of the following:

- (i) A disability or developmental delay identifies on an IEP, an IFSP or a service agreement.
- (ii) A written behavioral plan that has been determined by a licensed physician, licensed psychologist or certified behavior analyst.
- (iii) A chronic health condition diagnosed by a licensed physician, physician's assistant or CRNP that requires health and related services of a type or amount beyond that required by children generally.

Communicable disease--An illness due to an infectious agent or its toxic products which is transmitted directly or indirectly by the infected agent to a susceptible host. Communicable diseases are specified in 28 Pa. Code Chapter 27 (relating to communicable and noncommunicable diseases).

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

Department--The Department of Human Services of the Commonwealth.

Facility--A child day care center.

Facility person--A staff person, a substitute staff person, a volunteer, a food service person, a janitorial person or another adult who serves in or is employed by a facility.

Fire protection professional--An individual knowledgeable and competent in fire inspections, fire detection, fire suppression systems and practices, fire service training, emergency preparedness planning and emergency evacuation whose competence is demonstrated by membership in a professional organization which promotes firesafety education.

Group--Children assigned to the care of one or two staff persons. A group occupies a space or a defined part of a space.

IEP--Individualized education program as defined in 22 Pa. Code §§ 14.101 and 14.131—14.133 (relating to definitions; and IEP).

IFSP--Individualized family service plan as defined in §§ 4226.5 and 4226.71--4226.77 (relating to definitions; and IFSPs).

Inspection summary--A document prepared by an agent of the Department describing each regulatory noncompliance item confirmed as a result of a facility inspection.

Legal entity--A person, society, corporation, governing authority or partnership that is legally responsible for the administration of one facility or several facilities, or one type of facility or several types of facilities.

Night care--Care for a child between the hours of 7 p.m. and 7 a.m.

Operator--The legal entity or a person designated by the legal entity to serve as the facility director.

Parent--The biological or adoptive mother or father or the guardian of the child.

Potentially hazardous food--A food that consists in whole or in part of milk or milk products, eggs, meat, poultry, fish, shellfish or other ingredients capable of supporting rapid and progressive growth of infectious or toxigenic

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

microorganisms.

Public water system--A system for the provision to the public of water for human consumption that has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year. The term includes:

(i) Collection, treatment, storage and distribution facilities under the control of the operator of the system and used in connection with the system.

(ii) Collection or pretreatment storage facilities not under control of the operator which are used in connection with the system.

(iii) A system which provides water for bottling or bulk hauling for human consumption.

Relative--A parent, child, stepparent, stepchild, grandparent, grandchild, brother, sister, half brother, half sister, aunt, uncle, niece or nephew. As applied to facilities subject to approval under Article IX of the act, the term also includes a stepbrother, stepsister or first cousin.

School-age care--Supervised child day care in a Departmentally certified facility during the hours when a child is not required to attend school.

Service agreement--A service agreement as defined in 22 Pa. Code §§ 15.2 and 15.7 (relating to definitions; and service agreement).

Space--Indoor or outdoor area designed for child care that is large enough to accommodate the maximum number of children allowed under this chapter. A space may be used by more than one group of children.

Staff person--A person included in the regulatory ratio who is responsible for child care activities.

Supervise--To be physically present with a group of children or with the facility person under supervision. Critical oversight in which the supervisor can see, hear, direct and assess the activity of the supervisee.

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

Volunteer--A person 16 years of age or older who is not included in the regulatory ratio and who assists in implementing daily program activities under the supervision of a staff person.

Waiver--The Department's written exemption from the requirement of meeting a standard in this chapter.

Year--For purposes of calculating, 1 year of child care experience is a minimum of 1,250 clock hours.

Credits

Amended Sept. 22, 2008.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.4, 55 PA ADC § 3270.4

55 Pa. Code § 3270.11

§ 3270.11. Application for and issuance of a certificate of compliance.

(a) A legal entity shall obtain a valid certificate of compliance to operate at a specific location. The certificate of compliance will be issued by the Department to a legal entity prior to commencement of operation at a specified location.

(b) A legal entity or a representative of the legal entity shall participate in an orientation training provided by the Department within 12 months prior to commencing operation of the child day care center. The orientation does not count toward the annual minimum of 6 hours of child care training required in § 3270.31(e) (relating to age and training).

(c) Application for a certificate of compliance shall be submitted to the appropriate regional day care office in accordance with Chapter 20 (relating to the licensure or approval of facilities and agencies).

(d) A certificate of compliance is issued in the manner described in Chapter 20, for a period not to exceed 12 months from the date of issue.

(e) A facility will be inspected at least once every 12 months by an agent of the Department.

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

(f) The facility is subject to announced and unannounced inspections in accordance with § 3270.24(b) (relating to Departmental access).

(g) Sanctions relating to the status of a certificate of compliance are applied under the authority of applicable sections of the act, Chapter 20 and this chapter.

(h) A facility whose certificate of compliance is current as of September 22, 2008, will not be inspected under this chapter until the current certificate of compliance is due to be renewed or when a regulatory violation is alleged and the Department responds to the alleged violation with an inspection.

Credits

Amended Sept. 22, 2008.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.11, 55 PA ADC § 3270.11

55 Pa. Code § 3270.12

§ 3270.12. Appeals.

(a) Appeals related to the Department's approval or licensure decisions shall be made under 2 Pa.C.S. §§ 501--508 and 701--704 (relating to Administrative Agency Law) and 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure).

(b) Appeals related to the Department's approval or licensure shall be made by filing a petition within 30 days after service of notice of the action.

(c) An operator may appeal a Departmental decision relating to the status of a certificate of compliance of a facility owned or operated by the legal entity.

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

(d) The Department will include information relative to appeal procedures when notifying operators of one or more of the following decisions:

- (1) The denial of a certificate of compliance.
- (2) The nonrenewal of a certificate of compliance.
- (3) The revocation of a certificate of compliance.
- (4) The issuance of a provisional certificate of compliance.
- (5) The establishment of a period for which a provisional certificate of compliance is issued.
- (6) The reduction of the maximum facility capacity.
- (7) The denial of an increase in facility capacity.
- (8) The limiting or precluding admission of persons into the facility.

(e) Subsection (b) supersedes the appeal period of 1 Pa. Code § 35.20 (relating to appeals from actions of the staff).

Credits

Amended Nov. 3, 2008.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.12, 55 PA ADC § 3270.12

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

55 Pa. Code § 3270.13

§ 3270.13. Waivers.

(a) A waiver excuses an operator from meeting a regulatory standard and substitutes another standard which the operator shall meet. The substituted standard has the same legal effect as the regulatory standard.

(b) The operator shall submit the request for waiver to the regional office before the facility is inspected for issuance or renewal of a certificate of compliance.

(c) An operator may request a waiver of only the regulatory standards in the following sections:

(1) Accreditation requirements which apply to §§ 3270.34--3270.36 (relating to director qualifications and responsibilities; group supervisor qualifications and responsibilities; and assistant group supervisor qualifications and responsibilities).

(2) Physical site requirements in §§ 3270.61--3270.82 (relating to physical site).

(3) Equipment requirements in §§ 3270.101--3270.108 (relating to equipment).

(4) Program requirements in §§ 3270.111--3270.118 (relating to program).

(d) The Department will grant a waiver only if the following conditions are met:

(1) The waiver is not requested as a substitute for correcting a Departmental citation of noncompliance.

(2) The request for waiver does not alter the applicability or purpose of a regulation.

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

- (3) The request shows evidence that the operator has a plan to achieve the objective of the regulation.
- (4) The request certifies that the operator will meet regulatory standards related to the health, safety and rights of children.
- (5) The request for waiver does not violate or condone noncompliance with another Federal or State statute or regulation.
- (6) The request for waiver may not jeopardize Federal or State funding.
- (e) A waiver previously granted for staff person qualifications remains in effect for the staff person at the location specified.

Credits

Adopted Apr. 4, 1992.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.13, 55 PA ADC § 3270.13

55 Pa. Code § 3270.14

§ 3270.14. Pertinent laws and regulations.

A facility shall be operated in conformity with applicable Federal and State laws and regulations. State agencies whose regulations may relate to the operation of a facility include the Department of Environmental Resources, the Department of Labor and Industry, the Department of Health, the Department of Education and the Department of Transportation.

Credits

Adopted Apr. 4, 1992.

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.14, 55 PA ADC § 3270.14

55 Pa. Code § 3270.15

§ 3270.15. Building codes.

A certificate of compliance will not be granted by the Department until the legal entity provides a certificate of occupancy as proof of compliance with the applicable requirements of the Department of Labor and Industry in 34 Pa. Code § 403.23 (relating to child day care facilities).

Credits

Amended Sept. 22, 2008.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.15, 55 PA ADC § 3270.15

55 Pa. Code § 3270.16

§ 3270.16. Dual licensure.

If a facility meets the definition of both a private academic school under the authority of the Department of Education and a child day care center under the authority of the Department, the legal entity shall apply for approval to operate from both Departments. The facility shall comply with 22 Pa. Code Part II (relating to State Board of Private Academic Schools) and this chapter.

Credits

Adopted Apr. 4, 1992.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.16, 55 PA ADC § 3270.16

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

55 Pa. Code § 3270.17

§ 3270.17. Service to a child with special needs.

(a) The operator shall make reasonable accommodation to include a child with special needs in accordance with applicable Federal and State laws.

(b) The operator shall permit an adult individual who provides specialized services to a child with special needs to provide those services on the facility premises as specified in the child's IEP, IFSP or written behavioral plan.

(c) The operator shall make staff persons and parents aware of community resources for the family of a child who may have special needs. The Department will provide to the operator information regarding community resources.

Credits

Amended Sept. 22, 2008.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.17, 55 PA ADC § 3270.17

55 Pa. Code § 3270.18

§ 3270.18. Liability insurance.

(a) The legal entity shall have comprehensive general liability insurance to cover the persons who are on the premises. A current copy of the insurance policy shall be on file at the facility.

(b) The operator shall report to the Department liability insurance claims brought against the operator or a facility person.

(c) A liability insurance claim report shall include the following information:

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

(1) A detailed description of the claim.

(2) The name, address and telephone number of the facility.

(3) The name, address and birth date of the claimant.

Credits

Adopted Apr. 4, 1992.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.18, 55 PA ADC § 3270.18

55 Pa. Code § 3270.19

§ 3270.19. Child abuse reporting.

(a) An operator or a staff person who has reason to believe that a child enrolled in the facility has been abused is required to report suspected child abuse to ChildLine as mandated by the CPSL.

(b) A staff person may be designated by the operator as the person responsible to notify ChildLine of suspected child abuse. The operator or designated staff person with this responsibility shall immediately notify ChildLine at 1 (800) 932-0313.

(c) Within 48 hours, a written report regarding the suspected child abuse shall be submitted by the operator or designated staff person to the CPS unit which has responsibility for investigating the report.

Credits

Adopted Apr. 4, 1992.

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.19, 55 PA ADC § 3270.19

55 Pa. Code § 3270.20

§ 3270.20. Reporting injury, death or fire.

(a) The operator shall immediately notify a child's parent and shall telephone notice to the appropriate regional office of the Department within 24 hours if one or more of the following occurs:

(1) Inpatient hospitalization or emergency room treatment of a child receiving care at the facility.

(2) A death of a child receiving care at the facility.

(3) A facility fire that requires the service of a fire department.

(b) The operator shall mail or deliver a written report to the appropriate regional office of the Department within 72 hours after the occurrence of an event listed in subsection (a).

(c) The report shall include the following information:

(1) The name, address and telephone number of the facility.

(2) The name, address and birth date of the child.

(3) The name and address of the child's parent or guardian.

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

- (4) A description of the incident, including the date, time and location of the incident and the equipment involved.
 - (5) The name and telephone number of local authorities notified.
 - (6) The nature of the treatment.
 - (7) The name and address of the place where the treatment was received.
 - (8) The required follow-up.
- (d) The staff person who prepared the report shall sign and date it.
- (e) Copies of reports shall be kept in a file at the facility.

Credits

Adopted Apr. 4, 1992.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.20, 55 PA ADC § 3270.20

55 Pa. Code § 3270.20a

§ 3270.20a. Reporting injury, death or fire--statement of policy.

The facility operator shall make reports to a child's parent and to the Department in accordance with § 3270.20 (relating to reporting injury, death or fire) if one or more of the following occurs:

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

(1) A child receiving care in the facility is lost or missing from the facility.

(2) A child in the care of the facility is left behind on a facility excursion.

(3) A child receiving care in the facility is left unattended in the facility when the facility is closed.

Credits

Adopted Apr. 22, 2009.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.20a, 55 PA ADC § 3270.20a

55 Pa. Code § 3270.21

§ 3270.21. General health and safety.

Conditions at the facility may not pose a threat to the health or safety of the children.

Credits

Adopted Apr. 4, 1992.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.21, 55 PA ADC § 3270.21

55 Pa. Code § 3270.21a

§ 3270.21a. (Reserved).

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

Credits

Adopted Dec. 27, 2003; Reserved Sept. 22, 2008.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.21a, 55 PA ADC § 3270.21a

55 Pa. Code § 3270.22

§ 3270.22. Communication with parents.

The operator shall establish oral or written communication in the language or mode of communication which is understandable to the parent.

Credits

Adopted Apr. 4, 1992.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.22, 55 PA ADC § 3270.22

55 Pa. Code § 3270.23

§ 3270.23. Parent access and participation.

A parent of a child in care shall be permitted free access, without prior notice, throughout the center whenever children are in care, unless a court of competent jurisdiction has limited the parental right of access to the child and a copy of the order is on file at the facility. Opportunity shall be provided for parents to participate in the facility's program. The operator shall maintain a yearly file which documents general announcements to promote parent participation. The file shall be updated annually.

Credits

Adopted Apr. 4, 1992.

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.23, 55 PA ADC § 3270.23

55 Pa. Code § 3270.24

§ 3270.24. Departmental access.

(a) A staff person shall provide to agents of the Department immediate access to the facility and, upon request, to the children and the files and records.

(b) An inspection will be conducted during normal business hours except when there is reasonable cause to believe that inspections at other times are necessary to detect violations of applicable laws and regulations.

(c) An agent of the Department will inspect for compliance with this chapter in all areas of the facility premises that are accessible to children.

Credits

Amended Sept. 22, 2008.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.24, 55 PA ADC § 3270.24

55 Pa. Code § 3270.24a

§ 3270.24a. (Reserved).

Credits

Adopted July 27, 1996; Reserved Sept. 22, 2008.

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.24a, 55 PA ADC § 3270.24a

55 Pa. Code § 3270.25

§ 3270.25. Availability of certificate of compliance and applicable regulations.

(a) The facility's current certificate of compliance and a copy of the applicable regulations under which the facility is certified shall be posted in a conspicuous location used by parents, with instructions for contacting the appropriate regional day care office posted at the same location.

(b) The operator shall post a copy of each inspection summary issued by the Department in a conspicuous location used by parents. The inspection summary must remain posted until an agent of the Department verifies that each regulatory noncompliance item cited on the inspection summary has been corrected.

Credits

Amended Sept. 22, 2008.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.25, 55 PA ADC § 3270.25

55 Pa. Code § 3270.25a

§ 3270.25a. (Reserved).

Credits

Adopted July 27, 1996; Reserved Sept. 22, 2008.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

55 Pa. Code § 3270.25a, 55 PA ADC § 3270.25a

55 Pa. Code § 3270.26

§ 3270.26. Compliance with nondiscrimination statutes.

(a) A certificate of compliance will not be granted by the Department to a legal entity unless compliance with civil rights laws and applicable regulations has been met. The applicable laws as identified on the certificate of compliance application are:

- (1) The Pennsylvania Human Relations Act (43 P. S. §§ 951--962.2).
- (2) The Age Discrimination Act of 1975 (42 U.S.C.A. §§ 6101--6107).
- (3) Title VI of the Civil Rights Act of 1964 (42 U.S.C.A. §§ 2000d--2000d-4a).
- (4) Title VII of the Civil Rights Act of 1964 (42 U.S.C.A. §§ 2000e--2000e-5).
- (5) Section 504 of the Rehabilitation Act of 1973 (29 U.S.C.A. § 794).
- (6) The Americans with Disabilities Act of 1990 (42 U.S.C.A. §§ 12101--12514).

(b) The appropriate forms to establish compliance shall be included with the application for certification.

Credits

Adopted Apr. 4, 1992.

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.26, 55 PA ADC § 3270.26

55 Pa. Code § 3270.27

§ 3270.27. Emergency plan.

(a) The facility shall have an emergency plan that provides for:

(1) Shelter of children during an emergency including shelter in place at the facility and shelter at locations away from the facility premises.

(2) Evacuation of children from the facility building and evacuation of children to a location away from the facility premises. The evacuation routes and evacuation plans to exit the building may be the same as those required by § 3270.94(f) and (g) (relating to fire drills).

(3) A method for facility persons to contact parents as soon as reasonably possible when an emergency situation arises.

(4) A method for facility persons to inform parents that the emergency has ended and to provide instruction as to how parents can safely be reunited with their children.

(b) The operator shall review the emergency plan at least annually and update the plan as needed. Each review and update of the emergency plan shall be documented in writing and kept on file at the facility.

(c) Each facility person shall receive training regarding the emergency plan at the time of initial employment, on an annual basis and at the time of each plan update. The date of each training and the name of each facility person who received the training shall be documented in writing and kept on file at the facility.

(d) The emergency plan shall be posted in the facility at a conspicuous location.

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

(e) The operator shall provide to the parent of each enrolled child a letter explaining the emergency procedures described in subsection (a). The operator shall also provide to the parent of each enrolled child a letter explaining any subsequent update to the plan.

(f) The operator shall send a copy of the emergency plan and subsequent plan updates to the county emergency management agency.

Credits

Adopted Sept. 22, 2008.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.27, 55 PA ADC § 3270.27

55 Pa. Code § 3270.31

§ 3270.31. Age and training.

(a) A volunteer shall be 16 years of age or older and shall be directly supervised at all times.

(b) A staff person shall be 18 years of age or older.

(c) An individual 16 years of age or older who is enrolled in an approved training curriculum may be used as a staff person, if the following guidelines are met:

(1) The curriculum is conducted by an institution approved by the Department of Education and accredited by an accrediting agency recognized by the United States Department of Education or the Council on Postsecondary Education and acceptable to the Department of Education.

(2) The curriculum includes acceptable training topics referenced in subsection (e)(2).

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

(3) The curriculum includes a minimum total of 600 clock hours, distributed as follows:

(i) A minimum of 400 clock hours of classroom training.

(ii) A minimum of 200 clock hours of supervised training in a child day care facility.

(4) A representative of the training institution certifies in writing that the individual has completed the required classroom training and is currently enrolled in the curriculum.

(5) The written certification required in paragraph (4) shall be retained in the staff file at the facility.

(d) Child care professional credentials are equivalent to the staff qualifications:

(1) A Child Development Associate (CDA) credential or a Certified Childcare Professional (CCP) credential is equivalent to 9 credit hours from an accredited college or university in early childhood education or child development and 1 year of experience with children.

(2) A Pennsylvania school-age professional credential is equivalent to 9 credit hours from an accredited college or university in elementary education or child development and 1 year of experience with children.

(e) A staff person shall obtain an annual minimum of 6 clock hours of child care training.

(1) Acceptable training is conducted in one or more of the following settings:

(i) By a secondary or postsecondary institution approved by the Department of Education and accredited by an accrediting agency recognized by the United States Department of Education or the Council of Postsecondary Accreditation and acceptable to the Department of Education.

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

(ii) By an entity that is licensed or certified professionally competent in the training topic.

(iii) In conferences or workshops.

(iv) With audio-visual materials recognized by child care professionals.

(2) Acceptable training topics include the following:

(i) Child or staff health.

(ii) Child development, early childhood education and special education.

(iii) Supervision, discipline and guidance of children.

(iv) Nutrition for children.

(v) Child care program development.

(vi) Child care staff person or volunteer professional development.

(3) Other training topics may be submitted for the Department's review and approval.

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

(4) Depending on the provisions of the appropriate regulation, training may be required for certain staff persons. The following constitutes competence in training areas:

(i) *First-aid training.* Competence is the completion of training by a professional in the field of first-aid. First-aid training will be renewed on or before expiration of certification or every 3 years, as applicable.

(ii) *Firesafety training.* Staff persons shall participate, at least annually, in firesafety training conducted by a fire protection professional. Staff persons and volunteers shall receive training in maintenance of smoke detectors, the duties of facility persons during a fire drill and during a fire and the use of the facility's fire extinguishers, not including discharge of the fire suppressant agent.

(iii) *Lifeguard training.* Competence is the completion of lifeguard training, including first-aid training and cardiopulmonary resuscitation (CPR) for child and infant.

(iv) *Water safety instruction.* Competence is the completion of basic instruction in water safety from a certified lifeguard.

(f) Completion of training shall be documented by the signature and title of a representative of the training entity and include the date training was completed. Documentation shall be retained in the facility person's file.

Credits

Amended Sept. 22, 2008; Amended May 24, 2008.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.31, 55 PA ADC § 3270.31

55 Pa. Code § 3270.31a

§ 3270.31a. (Reserved).

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

Credits

Adopted Nov. 4, 1995; Reserved Sept. 22, 2008.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.31a, 55 PA ADC § 3270.31a

55 Pa. Code § 3270.32

§ 3270.32. Suitability of persons in the facility.

- (a) The operator shall comply with the CPSL and with Chapter 3490 (relating to protective services).
- (b) Questions relating to the requirements of the CPSL shall be directed to the appropriate regional child day care office.
- (c) The operator may not allow an individual to enter the facility if the operator knows that the individual has been convicted or is awaiting trial on charges involving a crime of child abuse, child neglect, physical violence or moral corruptness.

Credits

Adopted Apr. 4, 1992.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.32, 55 PA ADC § 3270.32

55 Pa. Code § 3270.33

§ 3270.33. General requirements for facility persons.

- (a) A staff person or a substitute staff person shall meet one of the applicable staff qualifications for the position in which the person is performing.

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

(b) At least 50% of the staff persons in a facility shall be individuals qualified and functioning as directors, group supervisors and assistant group supervisors. No more than 50% of the staff persons may be of aide qualification level.

(c) A volunteer shall be supervised by a staff person who is qualified at minimum as an assistant group supervisor.

(d) One or more facility persons competent in first-aid techniques shall be at the facility when one or more children are in care.

Credits

Adopted Apr. 4, 1992.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.33, 55 PA ADC § 3270.33

55 Pa. Code § 3270.34

§ 3270.34. Director qualifications and responsibilities.

(a) A director is responsible for the general management of the facility, including the following minimum duties:

(1) Administering finances, personnel, maintenance, meal planning and preparation and transportation.

(2) Administering the facility's program objectives and activities.

(3) Designating a staff person who is responsible for compliance with this chapter in the Director's absence.

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

(4) Coordinating and planning daily activities with the group supervisors or with the assistant group supervisors in school-age program.

(5) Overall program planning.

(6) Written evaluation of staff persons on a regular basis, a minimum of one evaluation every 12 months.

(b) A director shall have attained one of the following qualification levels:

(1) A bachelor's degree from an accredited college or university in early childhood education, child development, special education, elementary education or the human services field and 1 year of experience with children.

(2) A bachelor's degree from an accredited college or university, including 30 credit hours in early childhood education, child development, special education, elementary education or the human services field and 2 years of experience with children.

(3) An associate's degree from an accredited college or university in early childhood education, child development, special education, elementary education or the human services field and 3 years of experience with children.

(4) An associate's degree from an accredited college or university, including 30 credit hours in early childhood education, child development, special education, elementary education or the human services field and 4 years of experience with children.

(c) A director shall be employed by a facility and be present at the facility site a minimum of 30 hours per week.

(d) In a facility in which 45 or fewer children are enrolled, a director may also function as a group supervisor. An individual who functions in a dual capacity shall meet the responsibilities and qualifications of a director set forth in subsections (a) and (b).

Credits

Adopted Apr. 4, 1992.

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.34, 55 PA ADC § 3270.34

55 Pa. Code § 3270.35

§ 3270.35. Group supervisor qualifications and responsibilities.

(a) A group supervisor is responsible for the following minimum duties:

- (1) Planning and implementing daily program activities.
- (2) Coordinating activities of assistant group supervisors and aides.
- (3) Assisting the director with designated activities.

(b) A group supervisor shall have attained one of the following qualification levels:

- (1) A bachelor's degree from an accredited college or university in early childhood education, child development, special education, elementary education or the human services field.
- (2) A bachelor's degree from an accredited college or university, including 30 credit hours in early childhood education, child development, special education, elementary education or the human services field and 1 year of experience with children.
- (3) An associate's degree from an accredited college or university in early childhood education, child development, special education, elementary education or the human services field and 2 years of experience with children.

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

(4) An associate's degree from an accredited college or university, including 30 credit hours in early childhood education, child development, special education, elementary education or the human services field and 3 years of experience with children.

(c) In a facility in which 45 or fewer children are enrolled, a group supervisor or a director/group supervisor shall be employed by and be present at the facility site for a minimum of 30 hours per week.

(d) A director may not function as a group supervisor in a facility in which more than 45 children are enrolled.

(e) In a facility in which more than 45 children are enrolled, a group supervisor is required for the first group of 45 enrolled children and for each group or partial group of 45 additional enrolled children.

(f) Each additional group supervisor shall be employed by and be present at the facility for a minimum of 30 hours per week.

Credits

Adopted Apr. 4, 1992.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.35, 55 PA ADC § 3270.35

55 Pa. Code § 3270.36

§ 3270.36. Assistant group supervisor qualifications and responsibilities.

(a) An assistant group supervisor is responsible for the following minimum duties:

(1) Assisting in the implementation of daily activities under the guidance of the group supervisor.

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

(2) Coordinating daily activities and supervising aides in the absence of the group supervisor.

(b) An assistant group supervisor shall have attained one of the following qualification levels:

(1) A high school diploma or a general educational development certificate and 30 credit hours from an accredited college or university in early childhood education, child development, special education, elementary education or the human services field.

(2) A high school diploma or a general educational development certificate, including 600 or more hours of secondary training described in § 3270.31(c) (relating to age and training).

(3) A high school diploma or a general educational development certificate, 15 credit hours from an accredited college or university in early childhood education, child development, special education, elementary education or the human services field and 1 year of experience with children.

(4) A high school diploma or a general education development certificate and completion of a post-secondary training curriculum described in § 3270.31(c).

(5) A high school diploma or a general educational development certificate and 2 years experience with children.

Credits

Adopted Apr. 4, 1992.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.36, 55 PA ADC § 3270.36

55 Pa. Code § 3270.37

§ 3270.37. Aide qualifications and responsibilities.

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

(a) An aide is responsible for assisting in the implementation of daily program activities.

(b) An aide shall have attained one of the following qualification levels:

(1) A high school diploma or a general educational development certificate.

(2) A minimum of an 8th grade education and enrollment in a training curriculum described at § 3270.31(c) (relating to age and training). The classroom training portion of the curriculum shall be completed. Documentation of completion of classroom training and continuing enrollment in the training curriculum shall be included in the staff person’s file.

(3) A minimum of an 8th grade education and 2 years of experience with children.

(c) An aide or a combination of aides shall be supervised at all times by a staff person qualified at minimum as an assistant group supervisor.

Credits

Adopted Apr. 4, 1992.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.37, 55 PA ADC § 3270.37

55 Pa. Code § 3270.51

§ 3270.51. Similar age level.

When children are grouped in similar age levels, the following maximum child group sizes and ratios of staff persons apply:

| <i>Similar Age Levels</i> | <i>Staff</i> | <i>Children</i> | <i>Maximum Group Size</i> | <i>Total Number of Staff Required for the Maximum Group Size</i> |
|---------------------------|--------------|-----------------|---------------------------|--|
| Infant | 1 | 4 | 8 | 2 |

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

| | | | | |
|------------------|---|----|----|---|
| Young toddler | 1 | 5 | 10 | 2 |
| Older toddler | 1 | 6 | 12 | 2 |
| Preschool | 1 | 10 | 20 | 2 |
| Young school-age | 1 | 12 | 24 | 2 |
| Older school-age | 1 | 15 | 30 | 2 |

Credits

Adopted Apr. 4, 1992.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.51, 55 PA ADC § 3270.51

55 Pa. Code § 3270.52

§ 3270.52. Mixed age level.

When children are grouped in mixed age levels, the age of the youngest child in the group determines the staff: child ratio and maximum group size in accordance with § 3270.51 (relating to similar age level).

Credits

Amended Sept. 22, 2008.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.52, 55 PA ADC § 3270.52

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

55 Pa. Code § 3270.53

§ 3270.53. Children of an operator or a staff person.

(a) The related or foster children of an operator and the children or foster children of a staff person shall be counted for the purpose of satisfying the staff/child ratio requirements in §§ 3270.51 and 3270.52 (relating to similar age level; and mixed age level).

(b) The related or foster children of an operator and the children or foster children of a staff person shall be counted for the purpose of satisfying the allocated space capacity requirements in §§ 3270.61 and 3270.62 (relating to measurement and use of indoor child care space; and measurement and use of play space).

Credits

Adopted Apr. 4, 1992.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.53, 55 PA ADC § 3270.53

55 Pa. Code § 3270.54

§ 3270.54. Minimum number of facility persons in the child care facility.

(a) At least two facility persons shall be present in the facility when two or more children are in care. At a minimum, one of the facility persons shall be a staff person.

(b) At least two facility persons shall be present when children are on an excursion away from the facility. At a minimum, one of the facility persons shall be a staff person.

(c) If the staff-child ratio warrants only one staff person, the second person may be another facility person.

Credits

Adopted Apr. 4, 1992.

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.54, 55 PA ADC § 3270.54

55 Pa. Code § 3270.55

§ 3270.55. Ratios while children are napping.

(a) While toddlers and preschoolers are napping, the following staff-child ratios apply:

| <i>Similar Age Level</i> | <i>Staff</i> | <i>Children</i> |
|--------------------------|--------------|-----------------|
| Young toddler | 1 | 10 |
| Older toddler | 1 | 12 |
| Preschool | 1 | 20 |

(b) Staff persons who are on duty but are not providing child care during naptime shall remain in the child care portion of the facility premises.

Credits

Adopted Apr. 4, 1992.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.55, 55 PA ADC § 3270.55

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

55 Pa. Code § 3270.61

§ 3270.61. Measurement and use of indoor child care space.

(a) A facility shall provide indoor child care space for individual and group small muscle activity.

(b) Indoor child care space may not be used simultaneously as play space.

(c) Indoor child care space is measured within permanent stationary partitions or walls. The allowable number of children in a space is determined by dividing the total square feet in a space by 40.

(d) Measured indoor space includes space occupied by cupboards, shelves, furniture and equipment.

(e) Measured indoor space excludes space occupied by halls, bathrooms, offices, kitchens and locker rooms.

(f) Indoor space in which children are receiving care may not be used simultaneously for other business, commercial, social or another purpose unrelated to the child care being offered.

(g) Preschool and school-age children may not be involved in small or large muscle activity in the same group space in which children are sleeping or resting.

(h) The capacity established for an indoor space may not be exceeded except in the following situations:

(1) At naptime, when toddler or preschool children are resting on rest equipment described in § 3270.106 (relating to rest equipment) if the following conditions are met:

(i) At naptime, the capacity is determined by the requirement for placement of rest equipment described in § 3270.106(f).

(ii) At naptime, the capacity may be exceeded for a period not longer than 2 1/2 consecutive hours, no more than twice in a program day.

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

(2) When older toddler, preschool or school-age children are participating in a program activity if the following conditions are met:

(i) The capacity of the indoor child care space may be exceeded for no more than two separate 1/2 hour time periods daily.

(ii) Each time period shall be designated on the facility's schedule of daily activities.

(iii) The space may not be occupied by children of the infant or young toddler age levels during a time period when the capacity is exceeded.

(iv) The number of children present in the space may not be more than twice the measured capacity of the space.

(3) When a meal is served in a space designated and measured as indoor child care space if the following conditions are met:

(i) The capacity of a space may be exceeded when children are eating for no more than 1 hour daily.

(ii) The meal time shall be designated on the facility's schedule of daily activities.

(iii) The number of children present in the space may not be more than twice the measured capacity of the space.

(i) The total number of children receiving child day care services at the facility at any one time may not exceed the facility's maximum capacity.

Credits

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

Amended Apr. 4, 1992; Amended Sept. 22, 2008.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.61, 55 PA ADC § 3270.61

55 Pa. Code § 3270.61a

§ 3270.61a. (Reserved).

Credits

Adopted Aug. 20, 1994; Amended June 1, 2000; Reserved Sept. 22, 2008.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.61a, 55 PA ADC § 3270.61a

55 Pa. Code § 3270.62

§ 3270.62. Measurement and use of play space.

(a) A facility shall provide outdoor or indoor play space to be used for large muscle activity which includes running, jumping, climbing and riding.

(b) Outdoor or indoor play space shall be measured at 65 square feet per child, except in the following situations:

(1) The minimum outdoor or indoor play space required per infant is 40 square feet.

(2) The minimum outdoor or indoor play space required per young or older toddler is 50 square feet.

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

(c) Outdoor or indoor play space shall be safe for large muscle activity.

(d) Outdoor or indoor play space in which children are receiving care may not be used simultaneously for other business, commercial, social or another purpose unrelated to the child care being offered.

Credits

Adopted Apr. 4, 1992.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.62, 55 PA ADC § 3270.62

55 Pa. Code § 3270.63

§ 3270.63. Unsafe areas in outdoor space.

If unsafe areas or conditions are in or near an outdoor play space, fencing or natural barriers are required to restrict children from those unsafe areas or conditions.

Credits

Adopted Apr. 4, 1992.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.63, 55 PA ADC § 3270.63

55 Pa. Code § 3270.64

§ 3270.64. Outside walkways.

Outside walkways shall be free from ice, snow, leaves, equipment and other hazards.

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

Credits

Adopted Apr. 4, 1992.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.64, 55 PA ADC § 3270.64

55 Pa. Code § 3270.65

§ 3270.65. Protective electrical covers.

Protective receptacle covers shall be placed in electrical outlets accessible to children 5 years of age or younger.

Credits

Adopted Apr. 4, 1992.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.65, 55 PA ADC § 3270.65

55 Pa. Code § 3270.66

§ 3270.66. Toxics.

(a) Cleaning materials and other toxic materials shall be kept in an area or container that is locked or made inaccessible to children.

(b) Cleaning materials and other toxic materials shall be stored in an original labeled container or in a container that specifies the content. Toxics shall be stored away from food, food preparation areas and child care spaces.

(c) Cleaning materials and other toxic materials shall be used in a way that does not contaminate play surfaces, food, food preparation areas and does not constitute a hazard to the children.

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

(d) Toxic plants are not permitted in a child care space.

(e) Arts and crafts materials shall be nontoxic.

Credits

Adopted Apr. 4, 1992.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.66, 55 PA ADC § 3270.66

55 Pa. Code § 3270.67

§ 3270.67. Sanitation.

(a) Trash shall be removed from the facility at least once per day.

(b) Trash shall be removed from the facility grounds at least once per week.

(c) Evidence of infestation of insects or rodents in the facility is not permitted.

(d) Trash that has been contaminated by human secretions or excrement shall be contained in closed, plastic-lined receptacles.

Credits

Adopted Apr. 4, 1992.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.67, 55 PA ADC § 3270.67

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

55 Pa. Code § 3270.68

§ 3270.68. Smoking.

(a) Cigarettes, pipes or cigars may not be smoked in a child care space, a play space or a food preparation area when children are in care or when food is being prepared.

(b) Ashes and cigarette or cigar butts are prohibited in a child care space, a play space or a food preparation area.

Credits

Adopted Apr. 4, 1992.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.68, 55 PA ADC § 3270.68

55 Pa. Code § 3270.69

§ 3270.69. Water.

(a) A facility shall provide running water and a safe and adequate supply of drinking water that complies with the standards established under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1--721.17).

(b) Hot water temperature, in areas accessible to children, may not exceed 110° F.

(c) Safe drinking water shall be made available to children of all ages throughout the day.

(d) Drinking water shall be provided to children who are out-of-doors for a period exceeding 1 hour.

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

Credits

Adopted Apr. 4, 1992.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.69, 55 PA ADC § 3270.69

55 Pa. Code § 3270.70

§ 3270.70. Indoor temperature.

(a) The indoor temperature must be at least 65° F.

(b) If the indoor temperature exceeds 82° F in a child care space, a means of mechanical air circulation must be operating.

Credits

Amended Sept. 22, 2008.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.70, 55 PA ADC § 3270.70

55 Pa. Code § 3270.71

§ 3270.71. Hot water pipes and other sources of heat.

Hot water pipes and other sources of heat exceeding 110° F that are accessible to children shall be equipped with protective guards or shall be insulated to prevent direct contact.

Credits

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

Adopted Apr. 4, 1992.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.71, 55 PA ADC § 3270.71

55 Pa. Code § 3270.72

§ 3270.72. Ventilation.

(a) Natural or mechanical ventilation shall be provided in child care spaces.

(b) Windows or doors used for ventilation shall be screened when open.

(c) Screens shall be in good repair.

(d) Windows or doors above the ground floor that open directly to the outdoors and are accessible to children shall be constructed, modified or adapted to limit the opening to 6 or fewer inches.

Credits

Adopted Apr. 4, 1992.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.72, 55 PA ADC § 3270.72

55 Pa. Code § 3270.73

§ 3270.73. Telephone.

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

A facility shall have an operable telephone and a published telephone number.

Credits

Adopted Apr. 4, 1992.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.73, 55 PA ADC § 3270.73

55 Pa. Code § 3270.74

§ 3270.74. Emergency telephone numbers.

The telephone number of the nearest hospital, police department, fire department, ambulance and poison control center shall be posted by each telephone in the facility.

Credits

Adopted Apr. 4, 1992.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.74, 55 PA ADC § 3270.74

55 Pa. Code § 3270.75

§ 3270.75. First-aid kit.

(a) A first-aid kit must be in a child care space.

(b) A first-aid kit must be inaccessible to children.

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

(c) A first-aid kit must contain the following: soap, an assortment of adhesive bandages, sterile gauze pads, tweezers, tape, scissors and disposable, nonporous gloves.

(d) One first-aid kit per child care group must accompany children and facility persons on excursions from the facility. Each first aid kit taken on an excursion must contain a bottle of water in addition to the items specified in subsection (c).

Credits

Amended Sept. 22, 2008.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.75, 55 PA ADC § 3270.75

55 Pa. Code § 3270.75a

§ 3270.75a. (Reserved).

Credits

Adopted Dec. 10, 2005; Reserved Sept. 22, 2008.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.75a, 55 PA ADC § 3270.75a

55 Pa. Code § 3270.76

§ 3270.76. Building surface requirements.

Floors, walls, ceilings and other surfaces, including the facility's outdoor play space surfaces shall be kept clean, in good repair and free from visible hazards.

Credits

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

Adopted Apr. 4, 1992.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.76, 55 PA ADC § 3270.76

55 Pa. Code § 3270.77

§ 3270.77. Paint.

- (a) Peeled or damaged paint or damaged plaster is not permitted on indoor or outdoor surfaces in the child care facility.
- (b) When indoor or outdoor surfaces are repaired or when new indoor or outdoor surfaces are painted, the paint may not contain more than .06% lead.
- (c) A child may not be present during removal of paint from the indoor or outdoor surfaces of a facility.
- (d) Removal, clean-up and disposal of leaded paint dust and debris shall be accomplished in a manner that avoids dispersal of dust and debris into the environment.
- (e) Abrasive removal methods which include dry sanding, electrical sanding and sandblasting or open flame burning, or a removal process that permits the release of leaded particulate material into the environment are prohibited.
- (f) Dust and debris generated by removal shall be disposed of in accordance with applicable Federal, State and local regulations.
- (g) Child care may resume when the removal process is completed and when all accompanying debris is removed.

Credits

Adopted Apr. 4, 1992.

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.77, 55 PA ADC § 3270.77

55 Pa. Code § 3270.78

§ 3270.78. Lighting.

Rooms, hallways, stairways, outside steps, porches and ramps shall be lighted by artificial or natural light.

Credits

Adopted Apr. 4, 1992.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.78, 55 PA ADC § 3270.78

55 Pa. Code § 3270.79

§ 3270.79. Firearms.

Weapons, firearms and ammunition are prohibited in a child day care center.

Credits

Adopted Apr. 4, 1992.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.79, 55 PA ADC § 3270.79

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

55 Pa. Code § 3270.80

§ 3270.80. Stairs.

(a) Inside and outside stairs with three or more steps shall be equipped with a handrail.

(b) Inside stairs shall be equipped with nonskid surfaces.

(c) A ramp shall be equipped with a handrail.

(d) A porch shall be equipped with a handrail.

Credits

Adopted Apr. 4, 1992.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.80, 55 PA ADC § 3270.80

55 Pa. Code § 3270.81

§ 3270.81. Glass.

A visual strip or other visual identification shall be placed on glass located in a traffic area, a child care space or a play space.

Credits

Adopted Apr. 4, 1992.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.81, 55 PA ADC § 3270.81

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

55 Pa. Code § 3270.82

§ 3270.82. Toilet areas.

(a) The following ratio of flushing toilets to toilet-trained children applies:

| <i>Similar Age Levels</i> | <i>Number of Toilet-Trained Children</i> | <i>Toilets</i> |
|--------------------------------------|--|----------------|
| Young or older toddler and preschool | 15 | 1 |
| School-age | 20 | 1 |

(b) The following ratio of sinks to children applies:

| <i>Similar Age Levels</i> | <i>Number of Toilet-Trained Children</i> | <i>Sinks</i> |
|--------------------------------------|--|--------------|
| Young or older toddler and preschool | 25 | 1 |
| School-age | 30 | 1 |

(c) A sink must be located in or near a toilet area.

(d) A training chair is not a flushing toilet. A training chair shall be emptied and sanitized after each use. An acceptable sanitizing solution is 1/4 cup of bleach combined with 1 gallon of water. A sanitizing solution shall be treated as a toxic. See § 3270.66 (relating to toxics).

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

(e) Toilets and sinks must be at proper heights for children using them or must be easily approached by means of platforms or steps.

(f) Toilets and training chairs may not be located in an area used for cooking or eating.

(g) Toilet areas and fixtures shall be cleaned daily and be in good repair.

(h) A facility person and an able child shall wash their hands after toileting and before eating. A sign on which this requirement is written shall be posted at each toilet, training chair, diapering area and sink in the facility.

(i) A toilet area, training chair area, diapering area and sink area shall be equipped with a clean, lidded waste receptacle.

(j) A source of running water for handwashing must be present in infant and toddler diapering areas. If the running water does not flow directly into a drain that is connected to a sewage system, a receptacle shall be provided to contain the water used for washing. The receptacle shall be emptied into an approved sewage system at least once a day.

Credits

Amended Sept. 22, 2008.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.82, 55 PA ADC § 3270.82

55 Pa. Code § 3270.91

§ 3270.91. Exits.

(a) Stairways, hallways, exits from rooms, exits from the facility and other means of egress serving as an exit shall be unobstructed.

(b) Protective gates are permitted, if they open easily and are not disapproved by building codes or local ordinances.

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

(c) If a door or doorway opens or exits directly into a stairwell and if there is no landing beyond the door or doorway, the door shall be restricted from opening or shall be removed and a secure barrier to prevent access to the stairwell shall be erected.

Credits

Adopted Apr. 4, 1992.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.91, 55 PA ADC § 3270.91

55 Pa. Code § 3270.92

§ 3270.92. Space heaters.

(a) Portable space heaters are not permitted.

(b) A fixed space heater shall be approved for use by a local firesafety professional. Written approval of the installation and written approval for use shall be on file at the facility.

(c) A fixed space heater shall be insulated or equipped with protective guards.

Credits

Adopted Apr. 4, 1992.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.92, 55 PA ADC § 3270.92

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

55 Pa. Code § 3270.93

§ 3270.93. Fireplaces and woodburning and coalburning stoves.

Fireplaces, fireplace inserts or woodburning and coalburning stoves, if allowed by local ordinance, shall be securely screened or equipped with protective guards while in use.

Credits

Adopted Apr. 4, 1992.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.93, 55 PA ADC § 3270.93

55 Pa. Code § 3270.94

§ 3270.94. Fire drills.

- (a) A fire drill shall be held at least every 60 days. Facility persons and children in attendance shall participate in the fire drill. Facility persons and children shall exit the building, weather permitting.
- (b) A written record shall be kept of the date, the time of day, the hypothetical location of the fire, the evacuation time, the names of facility persons and the number of children participating in the fire drill.
- (c) Fire drills shall be held at different times of the day or night, or both, if applicable.
- (d) Fire drills shall be held during various program activity times.
- (e) Hypothetical locations of the fire shall be changed for each drill.
- (f) Evacuation routes shall be posted.

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

(g) Evacuation plans shall provide for removal of all persons from the facility in a single trip.

Credits

Adopted Apr. 4, 1992.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.94, 55 PA ADC § 3270.94

55 Pa. Code § 3270.101

§ 3270.101. Type of play equipment.

(a) Play equipment and materials appropriate to the developmental needs, individual interests and ages of the children shall be provided in sufficient amount and variety to preclude long waits for use.

(b) Play equipment shall facilitate the child's emotional, cognitive, communicative, perceptual-motor, physical and social development.

(c) Play equipment and materials shall include items from the following categories:

- (1) Materials for dramatic role playing.
- (2) Toys and materials for cognitive development.
- (3) Toys and materials for visual development.
- (4) Toys and materials for auditory development.

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

(5) Toys to handle and manipulate and art materials for tactile development.

(6) Toys and equipment for large muscle development.

Credits

Adopted Apr. 4, 1992.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.101, 55 PA ADC § 3270.101

55 Pa. Code § 3270.102

§ 3270.102. Condition of play equipment.

(a) Toys, play equipment and other indoor and outdoor equipment used by the children must be clean, in good repair and free from rough edges, sharp corners, pinch and crush points, splinters and exposed bolts.

(b) Toys soiled by secretion or excretion shall be cleaned with soap and water, rinsed and sanitized before being used by a child.

(c) Outdoor equipment that requires embedded mounting must be mounted over a loose-fill or unitary playground protective surface covering that meets the recommendations of the United States Consumer Product Safety Commission. The equipment must be anchored firmly and be in good repair.

(d) Slides that are over 4 feet high must have guards along both sides of the ladder.

(e) Pea gravel and other materials with a diameter of less than 1 inch may not be used in spaces where infants or toddlers receive care.

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

(f) Indoor play equipment for climbing shall be installed or used over a protective surface covering which does not interfere with the stability of the equipment.

(g) Children’s toys and equipment, including furniture and rest equipment, described as hazardous by the United States Consumer Product Safety Commission may not be used by children at the facility and may not be on the premises at the facility. At the time of inspection, the operator shall submit to the Department written affirmation on a form provided by the Department stating that the facility is in compliance with this requirement.

Credits

Amended Sept. 22, 2008; Amended Sept. 22, 2010.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.102, 55 PA ADC § 3270.102

55 Pa. Code § 3270.102a

§ 3270.102a. (Reserved).

Credits

Adopted June 14, 1997; Reserved Sept. 22, 2008.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.102a, 55 PA ADC § 3270.102a

55 Pa. Code § 3270.102b

§ 3270.102b. Playground protective surface covering--statement of policy.

The requirement for playground protective surface covering in § 3270.102(c) (relating to condition of play equipment) means that the protective surfacing material must be safe and shock absorbing for a fall from the highest designated play surface on a piece of equipment as specified in the United States Consumer Public Safety Commission’s *Public Playground Safety Handbook*, Publication 325. This publication is available on the Internet at <http://www.epsc.gov/cpscpub/pubs/325.pdf> or by

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

calling the Consumer Public Safety Commission at (800) 638-2772.

Credits

Adopted May 9, 2009.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.102b, 55 PA ADC § 3270.102b

55 Pa. Code § 3270.103

§ 3270.103. Small toys and objects.

Toys and objects with a diameter of less than 1 inch, objects with removable parts that have a diameter of less than 1 inch, plastic bags and styrofoam objects may not be accessible to children who are still placing objects in their mouths.

Credits

Adopted Apr. 4, 1992.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.103, 55 PA ADC § 3270.103

55 Pa. Code § 3270.104

§ 3270.104. Furniture.

(a) Furniture must be durable, safe, easily cleaned and appropriate for the child's size, age and special needs.

(b) Study space, tables, chairs, paper and pencils shall be provided for school-age children in care, if necessary for the program offered by the facility.

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

Credits

Amended Sept. 22, 2008.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.104, 55 PA ADC § 3270.104

55 Pa. Code § 3270.105

§ 3270.105. High chairs.

High chairs shall have a wide base and a T-shaped safety strap.

Credits

Adopted Apr. 4, 1992.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.105, 55 PA ADC § 3270.105

55 Pa. Code § 3270.106

§ 3270.106. Rest equipment.

(a) Individual, clean, age-appropriate rest equipment shall be provided for preschool, toddler and infant children as agreed between the child's parent and the operator. The rest equipment must be labeled for the use of a specific child and used only by the specified child.

(b) Bed linens may not be used alone as age-appropriate rest equipment.

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

- (c) Stacked cribs may not be used.
- (d) Crib and playpen slats may be no more than 2 3/8 inches apart.
- (e) Seasonal, appropriate covering, such as sheets or blankets, shall be provided as agreed between the child's parent and the operator.
- (f) At least 2 feet of space is required on three sides of a bed, cot, crib or other rest equipment while the equipment is in use.
- (g) Linens, blankets and rest equipment shall be cleaned monthly, at a minimum. The operator shall arrange a cleaning schedule with the parent.
- (h) Soiled bedding shall be cleaned before it is reused.
- (i) The upper level of double-deck beds may not be used for children 8 years of age or younger.
- (j) Toys, bumper pads or pillows may not be present in a crib while an infant is sleeping in the crib.

Credits

Amended Sept. 22, 2008.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.106, 55 PA ADC § 3270.106

55 Pa. Code § 3270.107

§ 3270.107. Refrigerator.

A facility shall have an operable, clean refrigerator used to store potentially hazardous foods. The refrigerator shall be capable of maintaining food at 45° F or below. An operating thermometer shall be placed in the refrigerator.

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

Credits

Adopted Apr. 4, 1992.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.107, 55 PA ADC § 3270.107

55 Pa. Code § 3270.108

§ 3270.108. Utensils.

(a) Eating and drinking utensils shall be free from cracks and chips.

(b) Disposable cups, plates and eating utensils may be used if discarded after each use.

(c) Styrofoam cups and plates may not be used.

Credits

Adopted Apr. 4, 1992.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.108, 55 PA ADC § 3270.108

55 Pa. Code § 3270.111

§ 3270.111. Daily activities.

(a) A written plan of daily activities and routines, including a time for free play shall be established for each group. The plan

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

shall be flexible to accommodate the needs of individual children and the dynamics of the group.

(b) The written plan shall be posted in the group space.

(c) Daily activities shall promote the development of skills, social competence and self-esteem. Daily experiences shall recognize the child as an individual and give some choice of activities that respect personal privacy, lifestyle and cultural background.

Credits

Adopted Apr. 4, 1992.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.111, 55 PA ADC § 3270.111

55 Pa. Code § 3270.112

§ 3270.112. Infant and toddler stimulation.

Infants and toddlers shall be provided stimulation by being held, rocked, talked to, played with and carried.

Credits

Adopted Apr. 4, 1992.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.112, 55 PA ADC § 3270.112

55 Pa. Code § 3270.113

§ 3270.113. Supervision of children.

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

(a) Children on the facility premises and on facility excursions off the premises shall be supervised by a staff person at all times. Outdoor play space used by the facility is considered part of the facility premises.

(1) Each staff person shall be assigned the responsibility for supervision of specific children. The staff person shall know the names and whereabouts of the children in his assigned group. The staff person shall be physically present with the children in his group on the facility premises and on facility excursions off the facility premises.

(2) The requirement for supervision on and off the facility premises includes compliance with the staff: child ratio requirements in §§ 3270.51--3270.55 (relating to staff: child ratio).

(b) A facility person may not use any form of physical punishment, including spanking a child.

(c) A facility person may not single out a child for ridicule, threaten harm to the child or the child's family and may not specifically aim to degrade the child or the child's family.

(d) A facility person may not use harsh, demeaning or abusive language in the presence of children.

(e) A facility person may not restrain a child by using bonds, ties or straps to restrict a child's movement or by enclosing the child in a confined space, closet or locked room. The prohibition against restraining a child does not apply to the use of adaptive equipment prescribed for a child with special needs.

Credits

Amended Sept. 22, 2008.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.113, 55 PA ADC § 3270.113

55 Pa. Code § 3270.113a

§ 3270.113a. (Reserved).

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

Credits

Adopted July 27, 1996; Reserved Sept. 22, 2008.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.113a, 55 PA ADC § 3270.113a

55 Pa. Code § 3270.113b

§ 3270.113b. (Reserved).

Credits

Adopted July 2, 2005; Reserved Sept. 22, 2008.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.113b, 55 PA ADC § 3270.113b

55 Pa. Code § 3270.114

§ 3270.114. Outdoor activity.

Weather permitting, children shall be taken out doors daily.

Credits

Adopted Apr. 4, 1992.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.114, 55 PA ADC § 3270.114

55 Pa. Code § 3270.115

§ 3270.115. Water activity.

(a) *Swimming.*

(1) A swimming pool must conform to 28 Pa. Code Chapter 18 (relating to public swimming and bathing places).

(2) An in-ground swimming pool accessible to children must be fenced with a locked gate.

(3) An aboveground swimming pool which is not in use must be made inaccessible to children in accordance with the swimming pool barrier guidelines of the United States Consumer Product Safety Commission.

(4) An indoor swimming pool which is not in use must be made inaccessible to children.

(5) The following staff: child ratios apply while children are swimming:

| <i>Similar Age Level</i> | <i>Staff</i> | <i>Children</i> |
|--------------------------|--------------|-----------------|
| Infant | 1 | 1 |
| Young or older toddler | 1 | 2 |
| Preschool | 1 | 5 |
| Young school-age | 1 | 6 |
| Older school-age | 1 | 8 |

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

(6) When children are swimming, supervision shall include one person certified in lifeguard training, as described in § 3270.31(e)(4)(iii) (relating to age and training).

(7) The person certified in lifeguard training may not be included in the staff: child ratio.

(8) A facility person who is counted in the staff: child swimming ratio shall annually complete water safety instruction.

(b) *Wading.*

(1) Staff persons shall supervise day care children using wading pools. Staff: child ratios in subsection (a) apply when children are wading.

(2) A sanitizing solution shall be added to water in a wading pool. An acceptable sanitizing solution is 3/4 teaspoon of bleach added to 50 gallons of water.

(3) A wading pool shall be emptied daily.

(c) *Water play tables.* A water play table or a container used for water play that contains unfiltered water shall be emptied daily.

Credits

Amended Sept. 22, 2008.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.115, 55 PA ADC § 3270.115

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

§ 3270.115a. (Reserved).

Credits

Adopted July 27, 1996; Reserved Sept. 22, 2008.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.115a, 55 PA ADC § 3270.115a

55 Pa. Code § 3270.116

§ 3270.116. School-age children.

When a facility serves a school-age child, homework supervision shall be provided in accordance with arrangements determined by the parent and the operator.

Credits

Adopted Apr. 4, 1992.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.116, 55 PA ADC § 3270.116

55 Pa. Code § 3270.117

§ 3270.117. Release of children.

(a) A child shall be released only to the child's parent or to an individual designated in writing by the enrolling parent. A child shall be released to either parent unless a court order on file at the facility states otherwise.

(b) In an emergency, a child may be released to an individual upon the oral designation of the parent, if the identity of the

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

individual can be verified by a staff person.

(c) If a child is released upon the oral designation of the parent, the following information shall be logged in the child's record:

- (1) The name of the parent making the request.
- (2) The date and time of the request.
- (3) The name of the individual to whom the child is to be released.
- (4) The name of the staff person taking the call.
- (5) The name of the staff person releasing the child.

Credits

Amended Sept. 22, 2008.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.117, 55 PA ADC § 3270.117

55 Pa. Code § 3270.117a

§ 3270.117a. (Reserved).

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

Credits

Adopted Sept. 7, 1999; Reserved Sept. 22, 2008.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.117a, 55 PA ADC § 3270.117a

55 Pa. Code § 3270.118

§ 3270.118. Pets.

- (a) A pet or animal present at the facility, indoors or outdoors, shall be in good health and known to be friendly to children.
- (b) Contact with pets by the children is permitted only when a staff person is physically present.
- (c) A veterinarian's certificate of current rabies immunization is required for a cat or dog at the facility. The certificate shall be on file when the cat or dog is present.

Credits

Adopted Apr. 4, 1992.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.118, 55 PA ADC § 3270.118

55 Pa. Code § 3270.119

§ 3270.119. Infant sleep position.

Infants shall be placed in the sleeping position recommended by the American Academy of Pediatrics unless there is a medical reason an infant should not sleep in this position. The medical reason shall be documented in a statement signed by a physician, physician's assistant or CRNP and placed in the child's record at the facility.

55 PA. Code, Chapter 3270. (Child Day Care Centers, §§ 3270.1—3270.119)

Credits

Amended Sept. 22, 2008.

Current through Pennsylvania Bulletin, Vol. 45, Num. 19, dated May 9, 2015.

55 Pa. Code § 3270.119, 55 PA ADC § 3270.119