

55 PA. Code, Chapter 3280. (Group Child Day Care Homes, §§ 3280.151—3280.221)

55 Pa. Code § 3280.151

§ 3280.151. Health assessment.

(a) A facility person providing direct care who comes into contact with the children or who works with food preparation shall have a health assessment conducted within 12 months prior to providing initial service in a child care setting and every 24 months thereafter. A health assessment is valid for 24 months following the date of signature, if the person does not contract a communicable disease or develop a medical problem.

(b) A health assessment shall be conducted and a report shall be written and signed by a physician, physician's assistant or CRNP. The signature must include the individual's professional title.

(c) The health assessment must include the following:

(1) A physical examination.

(2) Tuberculosis screening by the Mantoux method at initial employment. Subsequent tuberculosis screening is not required unless directed by a physician, physician's assistant, CRNP, Department of Health or local health department.

(i) If a person's medical record demonstrates a positive tuberculin skin test, that record shall be placed on file at the facility.

(ii) A record of a person with a positive tuberculin skin test must include the results of a chest x-ray and evaluation for chemoprophylaxis.

(iii) A person with a positive tuberculin skin test and a negative x-ray is not required to have further tuberculosis testing, unless one of the following occurs:

(A) The person is exposed to an active case of tuberculosis.

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(B) The person develops a productive cough which does not respond to medical treatment within 14 days.

(3) Examination for communicable diseases and the results of that examination.

(4) Information on medical problems which might threaten the health of the children or prohibit a staff person from providing adequate care to children.

(5) The physician's or CRNP's assessment of the person's suitability to provide child care.

(d) An adult individual who is employed by a facility and who provides children with social, medical, psychological or psychiatric services in addition to this chapter is required to have a current health assessment on file at the facility. An adult individual or an employe of an agency who provides those services by contract with the child's parent or the facility is not required to have a current health assessment on file at the facility.

Credits

Amended Sept. 22, 2008.

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

55 Pa. Code § 3280.151, 55 PA ADC § 3280.151

55 Pa. Code § 3280.151a

§ 3280.151a. Tuberculosis testing--statement of policy.

The Department will accept an interferongamma release assay blood test instead of the Mantoux skin test for an adult health assessment.

Credits

Adopted Feb. 4, 2012.

55 PA. Code, Chapter 3280. (Group Child Day Care Homes, §§ 3280.151—3280.221)

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

55 Pa. Code § 3280.151a, 55 PA ADC § 3280.151a

55 Pa. Code § 3280.152

§ 3280.152. Adult hygiene.

A facility person shall wash his hands before meals and snacks, after toileting and after diapering a child.

Credits

Adopted Apr. 4, 1992.

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

55 Pa. Code § 3280.152, 55 PA ADC § 3280.152

55 Pa. Code § 3280.153

§ 3280.153. Facility persons with symptoms of disease.

A facility person with symptoms of a communicable disease or infection that can be transmitted directly or indirectly and which may threaten the health of children in care shall be excluded from attendance until the operator receives notification from a physician or CRNP that the person is no longer considered a threat to the health of others. The notification shall be retained in the facility person's file. Exclusion from the facility is required for diseases and conditions specified in 28 Pa. Code Chapter 27 (relating to communicable and noncommunicable diseases). The Department of Health will provide, upon request, a list of communicable diseases.

Credits

Adopted Apr. 4, 1992.

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

55 Pa. Code § 3280.153, 55 PA ADC § 3280.153

55 PA. Code, Chapter 3280. (Group Child Day Care Homes, §§ 3280.151—3280.221)

55 Pa. Code § 3280.154

§ 3280.154. Facility persons with skin disorders.

(a) A facility person with a discharging or infected wound, sore, lesion on the hands, arms or an exposed portion of the body shall be excluded from child care and food preparation activities until the operator receives written notification from a physician or CRNP that the person may return to child care or food preparation. The notification shall be retained in the person's file.

(b) A facility person with a herpes infection may not be present with infants younger than 3 months of age.

Credits

Adopted Apr. 4, 1992.

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

55 Pa. Code § 3280.154, 55 PA ADC § 3280.154

55 Pa. Code § 3280.155

§ 3280.155. Discrimination based on illness.

A facility person or an individual seeking employment or placement who has an illness that is not transmitted by casual contact shall be permitted the right to continued employment, placement, employment opportunity or placement opportunity to the extent of the person's ability to perform the stated job function.

Credits

Adopted Apr. 4, 1992.

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

55 Pa. Code § 3280.155, 55 PA ADC § 3280.155

55 PA. Code, Chapter 3280. (Group Child Day Care Homes, §§ 3280.151—3280.221)

55 Pa. Code § 3280.161

§ 3280.161. Food.

- (a) Food stored, prepared or served shall be clean, wholesome, free from spoilage, free from adulteration and safe for human consumption.
- (b) Food that has been previously served to a person or returned from a table shall be discarded.
- (c) Potentially hazardous food brought from the child's home or provided by the facility shall be refrigerated.
- (d) Fresh fruits and vegetables that are not used on the day of purchase shall be refrigerated.
- (e) The only canned foods permitted for children's consumption are those commercially preserved in airtight jars or cans.
- (f) A facility shall provide a sufficient number of refrigerators to contain foods which require refrigeration.

Credits

Adopted Apr. 4, 1992.

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

55 Pa. Code § 3280.161, 55 PA ADC § 3280.161

55 Pa. Code § 3280.162

§ 3280.162. Meals.

- (a) If a child receives care for 4 or more consecutive hours, nutritional, appropriately-timed meals and snacks shall be served.
- (b) Meals and snacks may be provided by the parent, upon agreement between the parent and the operator.

55 PA. Code, Chapter 3280. (Group Child Day Care Homes, §§ 3280.151—3280.221)

(c) Food may not be withheld from children for purposes of discipline.

(d) Children may not be forced to eat food.

Credits

Adopted Apr. 4, 1992.

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

55 Pa. Code § 3280.162, 55 PA ADC § 3280.162

55 Pa. Code § 3280.163

§ 3280.163. Food groups.

(a) A lunch or dinner prepared at the facility for children of toddler age or older shall have at least one item from each of the following food groups:

(1) Dairy products--milk, milk products and cheese.

(2) Protein group--meat, fish, poultry, eggs, cheese, peanut butter, dried beans, peas and nuts.

(3) Fruits and vegetables--including a wide variety of green, white, yellow, red vegetables and fruits.

(4) Grain group--whole grain and enriched products, such as breads, cereals, pastas, crackers and rice.

55 PA. Code, Chapter 3280. (Group Child Day Care Homes, §§ 3280.151—3280.221)

(b) Breakfast prepared at the facility for children of toddler age or older shall have at least one item from three of the four food groups listed in subsection (a).

Credits

Adopted Apr. 4, 1992.

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

55 Pa. Code § 3280.163, 55 PA ADC § 3280.163

55 Pa. Code § 3280.164

§ 3280.164. Food servings.

Food servings shall be portioned suitably for the size and age of the children in care. Additional food in reasonable amounts shall be made available to children upon request of the parent or child.

Credits

Adopted Apr. 4, 1992.

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

55 Pa. Code § 3280.164, 55 PA ADC § 3280.164

55 Pa. Code § 3280.165

§ 3280.165. Menus.

The operator shall discuss the general menu plan with the parent so that the daily nutritional needs of the child can be met.

Credits

Adopted Apr. 4, 1992.

55 PA. Code, Chapter 3280. (Group Child Day Care Homes, §§ 3280.151—3280.221)

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

55 Pa. Code § 3280.165, 55 PA ADC § 3280.165

55 Pa. Code § 3280.166

§ 3280.166. Meals for infants.

Meals for infants shall be provided in accordance with the following requirements:

(1) A written statement giving formula and feeding schedule shall be obtained from the parent.

(2) New foods shall be introduced only after consultation with the child's parent.

(3) Disposable nursers shall be used unless bottles are provided by the parent or unless a commercial dishwasher is used by the facility.

(4) Disposable nursers and bottles shall be labeled with the child's name.

(5) An infant 6 months of age or younger shall be held while being bottle fed.

(6) Neither an infant nor a toddler is permitted to sleep with a bottle in his mouth.

(7) Bottled formula may not be heated in a microwave oven.

Credits

55 PA. Code, Chapter 3280. (Group Child Day Care Homes, §§ 3280.151—3280.221)

Adopted Apr. 4, 1992.

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

55 Pa. Code § 3280.166, 55 PA ADC § 3280.166

55 Pa. Code § 3280.171

§ 3280.171. Pick-up and drop-off points.

(a) The operator shall notify local traffic safety authorities in writing of the location of the facility and about the program's use of pedestrian and vehicular routes around the group child day care facility.

(b) Safe pedestrian crossways, pick-up and drop-off points and bike routes shall be appropriately determined in the vicinity of the facility and communicated to the children and parent in writing.

(c) Written notification of safe routes shall be posted in the facility in a conspicuous location.

(d) Children shall be picked up and discharged only at locations specified by the operator as safe locations.

Credits

Adopted Apr. 4, 1992.

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

55 Pa. Code § 3280.171, 55 PA ADC § 3280.171

55 Pa. Code § 3280.172

§ 3280.172. Consent.

55 PA. Code, Chapter 3280. (Group Child Day Care Homes, §§ 3280.151—3280.221)

(a) Transportation by the facility requires written parental consent, except for transportation of school-age children who are transported to or from a child care facility in vehicles owned or operated by the school district. See § 3280.221(b)(13)(1) (relating to requirements specific to school-age programs).

(b) If a child has a problem or special need such as seizures or motion sickness that may require special care during transportation, written parental instruction regarding treatment of the problem or special need shall accompany the child being transported.

(c) Written information required in subsections (a) and (b) shall be given to the operator of a vehicle transporting the child.

Credits

Adopted Apr. 4, 1992.

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

55 Pa. Code § 3280.172, 55 PA ADC § 3280.172

55 Pa. Code § 3280.173

§ 3280.173. Transportation ratio.

(a) The staff-child ratios specified in § 3280.52 (relating to ratio requirements) shall apply when infant, young or older toddler and preschool children are transported. The maximum group size requirements at § 3280.52 do not apply during transportation.

(b) The driver may not be considered part of the staff-child ratio when infant, young or older toddler or preschool children are transported.

(c) When school-age children are transported, the driver may be considered part of the staff-child ratio required in § 3280.52.

Credits

Adopted Apr. 4, 1992.

55 PA. Code, Chapter 3280. (Group Child Day Care Homes, §§ 3280.151—3280.221)

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

55 Pa. Code § 3280.173, 55 PA ADC § 3280.173

55 Pa. Code § 3280.174

§ 3280.174. Age of driver.

The operator of the vehicle shall be 18 years of age or older and shall have a valid operator's license.

Credits

Adopted Apr. 4, 1992.

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

55 Pa. Code § 3280.174, 55 PA ADC § 3280.174

55 Pa. Code § 3280.175

§ 3280.175. Safety restraints.

(a) A child 7 years of age or younger shall be transported in accordance with the requirements for parents and guardians as set forth in 75 Pa.C.S. § 4581 (relating to restraint systems).

(b) Safety restraints installed in the vehicle at the time of manufacturing shall be used by occupants.

(c) Manufacturer's instructions for use of safety restraints shall be kept in the vehicle at all times.

(d) School buses with a seating capacity of 16 or more children used in transporting preschool or school-age children are exempt from subsections (a)--(c).

55 PA. Code, Chapter 3280. (Group Child Day Care Homes, §§ 3280.151—3280.221)

Credits

Amended Sept. 22, 2008.

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

55 Pa. Code § 3280.175, 55 PA ADC § 3280.175

55 Pa. Code § 3280.176

§ 3280.176. Vehicles.

- (a) A vehicle shall be insured under 75 Pa.C.S. §§ 1701--1799.7 (relating to the Motor Vehicle Financial Responsibility Law).
- (b) The doors on a vehicle shall be locked whenever the vehicle is in motion.
- (c) No more than three persons may occupy the front seat of an automobile.
- (d) The back of a pickup truck may not be used to transport children.
- (e) The cargo area of a station wagon may not be used to transport children.
- (f) In accordance with 67 Pa. Code Chapter 171 (relating to school buses and school vehicles), the facility may not transport a child in an 11-15 passenger van.

Credits

Amended Sept. 22, 2008.

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

55 PA. Code, Chapter 3280. (Group Child Day Care Homes, §§ 3280.151—3280.221)

55 Pa. Code § 3280.176, 55 PA ADC § 3280.176

55 Pa. Code § 3280.177

§ 3280.177. Supervision.

(a) Children may not be left unattended in a vehicle.

(b) Children shall be supervised during boarding and exiting vehicles by an adult who remains outside the vehicle.

Credits

Adopted Apr. 4, 1992.

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

55 Pa. Code § 3280.177, 55 PA ADC § 3280.177

55 Pa. Code § 3280.178

§ 3280.178. Transportation first-aid kit.

A first-aid kit, including the contents specified in § 3280.75 (relating to first-aid kit) shall be in the vehicle when children are being transported. The kit may be the same kit described in § 3280.75.

Credits

Adopted Apr. 4, 1992.

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

55 Pa. Code § 3280.178, 55 PA ADC § 3280.178

55 PA. Code, Chapter 3280. (Group Child Day Care Homes, §§ 3280.151—3280.221)

55 Pa. Code § 3280.181

§ 3280.181. Individual records.

- (a) An operator shall establish and maintain an individual record for each child enrolled in the facility.
- (b) Information in a child's record shall be kept current by the operator.
- (c) A parent is required to review and update the emergency contact information and the financial agreement at least once every 6 months or as soon as there is a change in the information.
- (d) Following review, a parent shall attest to the accuracy of information in subsection (c) by affixing a dated signature to the record.
- (e) If emergency information is updated in a master file, it shall be updated accordingly in other facility records.

Credits

Adopted Apr. 4, 1992.

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

55 Pa. Code § 3280.181, 55 PA ADC § 3280.181

55 Pa. Code § 3280.182

Green &
Pale Yellow

§ 3280.182. Content of records.

A child's record must contain the following information:

55 PA. Code, Chapter 3280. (Group Child Day Care Homes, §§ 3280.151—3280.221)

(1) Initial and subsequent health reports.

(2) The dates of application, admission and withdrawal of the child.

(3) Signed parental consent for emergency medical care for the child. Written consent is required prior to admission.

(4) Signed parental consent for administration of medications or special dietary needs.

(5) Signed parental consent for administration of minor first-aid procedures by facility staff. Written consent is required prior to admission.

(6) Signed parental consent for transportation, walking excursions, swimming and wading.

(7) Reports of accidents, injuries and illnesses involving a child in care at the facility. The original report shall be given to the parent on the day of the incident. The second copy of the report shall be retained at the facility in an accident file. The third copy of the report shall be retained at the facility in the child's file.

(8) A copy of the initial agreement and subsequent written agreements between the parent and the operator. The parent shall receive the original agreement.

Credits

Amended Sept. 22, 2008.

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

55 Pa. Code § 3280.182, 55 PA ADC § 3280.182

55 PA. Code, Chapter 3280. (Group Child Day Care Homes, §§ 3280.151—3280.221)

55 Pa. Code § 3280.183

§ 3280.183. Confidentiality of records.

A facility person may not disclose information concerning a child or family, except in the course of inspections and investigations by agents of the Department.

Credits

Adopted Apr. 4, 1992.

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

55 Pa. Code § 3280.183, 55 PA ADC § 3280.183

55 Pa. Code § 3280.184

§ 3280.184. Release of information.

- (a) The parent shall have access to the child's complete child day care record.

- (b) Except as provided in § 3280.183 (relating to confidentiality of records), release or dissemination of information in a child's record may be made by the operator and only with written parental consent. When file material is released, the person who authorized the release shall record the following information in the child's file:
 - (1) The name and position of the individual to whom the information was released.

 - (2) The date the information was released.

 - (3) The portions of the record that were released.

55 PA. Code, Chapter 3280. (Group Child Day Care Homes, §§ 3280.151—3280.221)

(4) The purpose of the release.

(5) The signature of the individual who authorized the release.

Credits

Adopted Apr. 4, 1992.

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

55 Pa. Code § 3280.184, 55 PA ADC § 3280.184

55 Pa. Code § 3280.185

§ 3280.185. Record retention.

A copy of the child's record shall be retained at the facility for at least 1 year after termination of service, unless the entire record is transferred by the operator to the parent or guardian or to another agency at the request of the parent or guardian.

Credits

Adopted Apr. 4, 1992.

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

55 Pa. Code § 3280.185, 55 PA ADC § 3280.185

55 Pa. Code § 3280.191

§ 3280.191. Individual records.

An individual record is required for each facility person.

55 PA. Code, Chapter 3280. (Group Child Day Care Homes, §§ 3280.151—3280.221)

Credits

Adopted Apr. 4, 1992.

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

55 Pa. Code § 3280.191, 55 PA ADC § 3280.191

55 Pa. Code § 3280.192

§ 3280.192. Content of records.

A record shall include a copy of the following information:

- (1) The name, address and telephone number of the facility person.
- (2) Verification as follows:
 - (i) Verification of age.
 - (ii) Verification of child care experience, education and training prior to service at the facility.
 - (iii) Verification of child care experience, education and training following the outset or service at the facility.
 - (iv) Acceptable verification of experience, education or training is a transcript or a diploma or a letter signed by a representative of the experiential, educational or training entity.
- (3) A written report of initial and subsequent health assessments, including the results of initial and subsequent tuberculin skin tests, x-rays or other medical documentation necessary to confirm freedom from communicable tuberculosis.

55 PA. Code, Chapter 3280. (Group Child Day Care Homes, §§ 3280.151—3280.221)

(4) A copy of requests for the criminal history record and child abuse registry clearance information, a copy of the disclosure statement and a copy of the completed clearance information required under the CPSL.

(5) Two written, nonfamily references from individuals attesting to the person's suitability to serve as a facility person.

(6) Records of training required by the Department.

Credits

Adopted Apr. 4, 1992.

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

55 Pa. Code § 3280.192, 55 PA ADC § 3280.192

55 Pa. Code § 3280.193

§ 3280.193. Confidentiality of records.

A facility person may not disclose information concerning another facility person or adult providing a service at the facility except in the course of investigations or inspections by agents of the Department.

Credits

Adopted Apr. 4, 1992.

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

55 Pa. Code § 3280.193, 55 PA ADC § 3280.193

55 PA. Code, Chapter 3280. (Group Child Day Care Homes, §§ 3280.151—3280.221)

55 Pa. Code §§ 3280.201 to 3280.209

§§ 3280.201 to 3280.209. (Reserved).

Credits

Reserved Sept. 22, 2008.

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

55 Pa. Code §§ 3280.201 to 3280.209, 55 PA ADC §§ 3280.201 to 3280.209

55 Pa. Code § 3280.211

§ 3280.211. Waivers of staff qualifications.

A staff person previously granted a waiver of staff qualification is permanently qualified at the position level specified by the waiver.

Credits

Adopted Apr. 4, 1992.

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

55 Pa. Code § 3280.211, 55 PA ADC § 3280.211

55 Pa. Code § 3280.212

§ 3280.212. Indoor and outdoor capacity.

Indoor and outdoor capacity established by the Department in a certified group day care home prior to April 4, 1992, shall remain in effect.

55 PA. Code, Chapter 3280. (Group Child Day Care Homes, §§ 3280.151—3280.221)

Credits

Adopted Apr. 4, 1992.

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

55 Pa. Code § 3280.212, 55 PA ADC § 3280.212

55 Pa. Code § 3280.213

§ 3280.213. Approval by the Department of Labor and Industry.

(a) A facility certified by the Department as of April 4, 1992, will be permitted 12 months beyond the expiration date of the current certificate of compliance to comply with the requirements of the Department of Labor and Industry, or its delegate agency, as described at § 3280.15 (relating to building codes).

(b) A facility certified by the Department as of April 4, 1993, will be permitted until April 4, 1994, to comply with the requirements of the Department of Labor and Industry, or its delegate agency, as described in § 3280.15.

Credits

Adopted Apr. 4, 1992.

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

55 Pa. Code § 3280.213, 55 PA ADC § 3280.213

55 Pa. Code § 3280.214

§ 3280.214. Insurance.

A facility certified by the Department as of April 4, 1992, will be permitted 12 months beyond the expiration date of the current certificate of compliance to comply with the requirement for liability insurance, as described in § 3280.17 (relating to liability insurance).

55 PA. Code, Chapter 3280. (Group Child Day Care Homes, §§ 3280.151—3280.221)

Credits

Adopted Apr. 4, 1992.

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

55 Pa. Code § 3280.214, 55 PA ADC § 3280.214

55 Pa. Code § 3280.215

§ 3280.215. Play surfaces.

(a) A facility lawfully operating as of September 22, 2008, has until September 22, 2010, to comply with the protective surface requirement described in § 3280.102(c) (relating to condition of play equipment).

(b) A facility lawfully operating as of September 22, 2008 which has a play surface not in compliance with § 3280.102(e) has until September 22, 2010 to comply with § 3280.102(e).

Credits

Amended Sept. 22, 2008.

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

55 Pa. Code § 3280.215, 55 PA ADC § 3280.215

55 Pa. Code § 3280.216

§ 3280.216. Stacked cribs and crib slats.

A facility certified by the Department as of April 4, 1992, will be permitted until April 4, 1993, to comply with requirements relating to stacked cribs and crib slats, as described at § 3280.105(c) (relating to rest equipment).

Credits

55 PA. Code, Chapter 3280. (Group Child Day Care Homes, §§ 3280.151—3280.221)

Adopted Apr. 4, 1992.

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

55 Pa. Code § 3280.216, 55 PA ADC § 3280.216

55 Pa. Code § 3280.221

§ 3280.221. Requirements specific to school-age programs.

(a) If a child is required to be enrolled in public or private school under the Public School Code of 1949 (24 P. S. §§ 1-101--27-2702) and if the child is not enrolled and if the child is not exempted from enrollment under the Public School Code, a child day care facility may not admit the child for care during the hours when the child is required by law to attend public or private school.

(b) A facility or a space in a facility in which care is provided exclusively to school-age children shall comply only with the following:

(1) *General provisions.* Sections 3280.1--3280.4 (relating to general provisions).

(2) *General requirements.* Sections 3280.11--3280.26 (relating to general requirements).

(3) *Staff persons and volunteers.* Sections 3280.31--3280.34.

(4) *Staff:child ratio.* Sections 3280.51, 3280.52(b) and 3280.53 (relating to staff:child ratio).

(5) *Physical site:*

55 PA. Code, Chapter 3280. (Group Child Day Care Homes, §§ 3280.151—3280.221)

(i) Physical site requirements do not apply for a school-age program located in a school building that is under section 776.1 of the Public School Code of 1949 (24 P. S. § 7-776.1); specifically, a program operated for school-age children in a public or private school building, a building used by an intermediate unit, or an area vocational-technical school building which meets the physical site requirements acceptable to the Department of Education.

(ii) A school-age program not located in a school building referenced in subparagraph (i) must comply with requirements located in §§ 3280.61, 3280.62, 3280.64, 3280.67, 3280.69, 3280.72(a), 3280.73, 3280.74, 3280.76, 3280.78, 3280.79 and 3280.81(a) and (c).

(6) *Firesafety.* Sections 3280.91(a) and 3280.92--3280.94 (relating to firesafety).

(7) *Equipment.* Sections 3280.101, 3280.102(a)--(c) and (g), 3280.107 and 3280.108.

(8) *Program.* Sections 3280.111, 3280.113, 3280.115(a) and (b), 3280.116 and 3280.118.

(9) *Procedures for admission.* Sections 3280.121--3280.124 (relating to procedures for admission). When a school-age child attends the facility 15 hours or less per week, the operator is not required to complete the Department's approved form to provide information to the family about the child's growth and development in the context of the services being provided referenced in § 3280.124(a)(3).

(10) *Child health.* Sections 3280.131--3280.134(a) and 3280.136--3280.138. An equivalent health report completed by a school is acceptable as documentation of child health for a school-age child.

(11) *Adult health.* Sections 3280.151--3280.153, 3280.154(a) and 3280.155 (relating to adult health).

(12) *Nutrition:*

(i) In a facility operating a school-age program for fewer than 4 consecutive hours, the nutrition requirements do not apply.

55 PA. Code, Chapter 3280. (Group Child Day Care Homes, §§ 3280.151—3280.221)

(ii) If a program operates for 4 or more consecutive hours or if a program provides meals or snacks, the primary staff person shall comply with §§ 3280.161--3280.165.

(13) *Transportation:*

(i) A facility is exempt from transportation requirements when children attending care at the facility are transported in vehicles owned and operated by the school district in which the facility is located.

(ii) A facility not operating under the provisions referenced in subparagraph (i) shall comply with requirements located in §§ 3280.171--3280.178 (relating to transportation).

(14) *Child records.* Sections 3280.181--3280.185 (relating to child records).

(15) *Adult records.* Sections 3280.191--3280.193 (relating to adult records).

(16) *Special exceptions.* Sections 3280.211--3280.213 and 3280.215.

(17) *Telephone.* Staff persons shall have immediate access to a working telephone on the facility premises. If a land-line telephone is not accessible to staff persons during the hours of facility operation, a wireless telephone is acceptable.

Credits

Amended Sept. 22, 2008.

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

55 Pa. Code § 3280.221, 55 PA ADC § 3280.221