

From: Williams, Edwina (VDSS) [mailto:edwina.williams@dss.virginia.gov]
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To: licensinglistserv@virginiainteractive.org
Subject: New and Revised Technical Assistance for Licensed Child Day Centers

This file is being sent to providers of child day care centers from the Virginia Department of Social Services Email Distribution Service.

Please do not reply to this email.

Please review the attached technical assistance carefully.

The attached document is a supplement to the *Standards for Licensed Child Day Centers Technical Assistance* guidance document and is being sent to highlight the large number of new and updated technical assistance questions/answers added this quarter.

Please update your files with the complete
Standards for Licensed Child Day Centers Technical Assistance at:
http://www.dss.virginia.gov/files/division/licensing/cdc/intro_page/current_providers/guidance_procedures/cdc_ta_09-11.pdf

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***Supplement to the
Standards for Licensed Child Day Centers Technical Assistance
September, 2011***

New Technical Assistance Q/A

22 VAC 15-30-10 Definition of Sanitize

Question: *Are Lysol wipes or Lysol spray permitted to sanitize?*

Answer: Lysol (or any other brand) wipes are not permitted because the definition of sanitize requires ‘the surface of the item is sprayed or dipped into the disinfectant solution and allowed to air dry’. Wipes cannot dip or spray, so they would not meet the requirement. If not using a bleach/water solution, the spray must be a commercial chemical disinfectant approved by the US EPA, with manufacturer’s instructions followed. The label should indicate ‘hospital grade’ germicide or disinfectant and there will be an EPA registration number on the bottle. The manufacturer’s instructions must be followed exactly.

22 VAC 15-30-50-M 14 year old child attending

Question: *What are the requirements for a 14 year old child attending a licensed child day program?*

Answer: When a child 13 years and older is receiving supervision, all requirements for children must be met.

22 VAC 15-30-70 A- Children’s records made available to parents

Question: *What records are required to be made available to parents, as required by 22 VAC 15-30-70A?*

Answer: Children’s records include what is required by 22 VAC 15-30-80, Children’s Records and 22 VAC 15-30-140, individual service, education or treatment plan for therapeutic child day

programs. If a center chooses to keep any other information or documents about the child in the child's file that is not required by 22 VAC 15-30-80 or 22 VAC 15-30-140, that additional information becomes part of the children's record and therefore the requirement to make children's records available to parents on request (22 VAC 15-30-70A) applies.

22 VAC 15-30-70 B- Records and reports on children required to be maintained for 2 years after termination

Question: *What records and reports on children must be maintained and made accessible for two years after termination of services to a child?*

Answer: The following written records or reports must be maintained and made accessible for two years after termination of services to a child:

22 VAC 15-30-80 A, Children's records

22 VAC 15-30-100 A-B, Attendance records and reports

22 VAC 15-30-130 A-B, Individual assessment for therapeutic child day programs

22 VAC 15-30-140, Individual service, education or treatment plan for therapeutic child day programs

22 VAC 15-30-440 F, Parent's permission and assessment to assign child to different age group

22 VAC 15-30-560 B, Parent's permission for child to swim and statement about swimming skills

22 VAC 15-30-580 A2, Parent's permission for center to administer medication

22 VAC 15-30-580 L, Record of medication given to children

22 VAC 15-30-580 C3, authorization from parent and physician for long term medication

22 VAC 15-30-610 M, Injury records

22 VAC 15-30-630 C, Formula records

22 VAC 15-30-640 L, Parent's permission for transportation and field trips

22 VAC 15-30-230 Online training to meet qualifications

Question: *Is online training, such as <http://www.cceionline.edu/> permitted to meet program director qualifications?*

Answer: Generally, online coursework cannot be used to meet director qualifications UNLESS all of the requirements in 22 VAC 15-30-230.A.4.b are also met.

22 VAC 15-30-340 B Portable heaters

Question: *Can a portable heater that is not being used in an emergency situation be used in a classroom? Can a center use a portable heater in areas of the center that are not used by children e.g. Director's office?*

Answer: A portable heater can only be used in a center in case of an emergency and in accordance with manufacturer's instructions. The manufacturer's instructions will likely address

children's accessibility to the heater. The standards do not specify where in the center the portable heater can be used.

22 VAC 15-30-380 F Playground areas for infant/toddlers

Question: *Would foam interlocking square pads placed over concrete be considered an unpaved surface for the separate infant and toddler playground area?*

Answer: Yes. 22 VAC 15-30-380-F requires that the facility has a separate playground area for infant/toddlers that has 25 sq. ft of unpaved surface per infant /toddler on the outdoor area. By placing foam interlocking square pads over the concrete (paved) surface of the patio, the top surface would become "unpaved".

22 VAC 15-30-390 Urinals

Question: *When a center that is requesting a capacity of 35 preschool children has only one unisex bathroom that contains one toilet and one urinal, is this sufficient?*

Answer: No. 22 VAC 15-30-390-A requires that centers shall be provided with at least two flushable toilets that are readily available to children and two sinks. The urinal would not be included in the requirements of 22 VAC 15-30-390-A

22 VAC 15-30-410 Resilient surfacing

Question: *Is Poly Green Foam acceptable as resilient surfacing? Is the 'Synlawn' brand system acceptable as resilient surfacing?*

Answer: Poly Green Foam meets the criteria for resilient surfacing with a critical fall height of 6 ft when it is installed according to the manufacturer's instructions. The "Synlawn" system is acceptable as a resilient surface if it is installed according to the manufacturer's instructions, which include foam padding under the synthetic turf. The "Synlawn" website states that the "Synlawn" resilient surfacing system has been designed for all types of playground equipment and tested in accordance with ASTM/ IPEMA standards and CSA approved fall attenuation with a critical fall height up to 12 feet. If there are any questions, it would be up to the facility to request testing documentation. The manufacturer also has playground consideration guidelines regarding the height of the equipment, the areas of high use and HIC (Head Injury Criteria) requirements. Centers must keep documentation that surfacing is installed according to the manufacturer's instructions.

22 VAC 15-30-461.1- Sleep Time for infants

Question: *Is a facility prohibited from waking a 9 month old child as requested by the parent, after 2 ½ hours of sleep?*

Answer: No, the standards do not prohibit the facility from following a parent request to awaken their child before a certain length of sleep time has elapsed. Standard 22VAC 15-30- 461 states "there shall be a flexible daily schedule for infants based on their individual needs." It is beyond the authority of the standards to prohibit a private business, from having the discretion to consider all parent requests (unless prohibited by the CDC standards). A child's individual needs

are not solely determined by the child's behavior; there may be other factors to consider. There should be a dialogue between the center director, the child's parent and teacher, then on a case by case basis, a decision would be made that best meets the individual needs of the child. The center's decision should take into consideration that the parent's request is age and stage appropriate for their child, reasonable, and that it does not rise to a level that would be considered child abuse or neglect.

22 VAC 15-30-500-D Indoor resilient surfacing

Question: *Do we have guidance/resources on types of indoor resilient surfacing other than the rubber mats/tiles listed on the American Society for Testing and Materials(ASTM) chart?*

Answer: The National Program for Playground Safety's "Selecting Playground Surface Materials: Selecting the Best Surface Material for your Playground" is the only resource referenced in the Standards for Licensed Child Day Centers. The Technical Assistance for standard 10 Definition of Resilient Surfacing states" ...rubber mats/tiles shown in the chart on pages 6-7 of the National Program for Playground Safety's "Selecting Playground Surface Materials: Selecting the Best Surface Material for your Playground" would be an example of resilient surfacing that could be used indoors. Otherwise, there is no distinction in the standards between indoor and outdoor resilient surfacing.

Question: *Are resilient surfacing and fall zones required for indoor soft play equipment for toddlers?*

Answer: Resilient surfacing is only required if the indoor slides and climbing equipment is over 36 inches. If the equipment is over 18 inches and less than 36 inches, the equipment shall not be over bare floor. Fall zone requirements in 22 VAC 15-30-410-B apply if the indoor equipment is used for climbing or has moving apparatus.

22 VAC 15-30-430 C Requirements during field trip transportation

Question: *Do centers have to maintain ratios while children are being transported to and from a field trip? Is a program leader required to be present on the vehicle during this transportation?*

Answer: No, ratios described in 22 VAC 15-30-440 E are not required to be maintained during field trip transportation and a program leader is not required to be present during field trip transportation. Once the children come back together at the destination of the field trip, the requirements in 22 VAC 15-30 430 C would apply.

22 VAC 15-30-430 D Student teachers

Question: *Do student teachers count as aides and need to be supervised by a qualified program leader? Are they considered volunteers? Can aides be volunteers?*

Answer: No. If student teachers are not counted in the staff-child ratio and are not serving as the lead teacher's classroom aide, the requirements of 22 VAC 15-30-430 D do not apply. In this circumstance the student teachers are volunteers and not aides. Yes, aides can be volunteers.

22 VAC 15-30-490 E Infant daily record

Question: *Is the infant daily record described in 22 VAC 15-30-490 E required to be kept for 2 years?*

Answer: No, the infant daily record required by 490 E is not required to be kept. It is required to be posted.

22 VAC 15-30-510 L Sleep sacks

Question: *Are sleep sacks prohibited?*

Answer: No. Sleep sacks for infants lessen the risk level for Sudden Infant Death Syndrome and are a better choice than a regular blanket. The new sleep sacks are not made of materials like a comforter, and would meet the intent of 22 VAC 15-30-510-L. If a center uses a sleep sack for an infant they must also have a bottom sheet to meet the intent of 22 VAC 15-30-520-A. If using a sleep sack for a premature infant, the center would have to make sure that sack would not be too large for them.

22 VAC 15-30-520 D Pillow pets

Question: *Since "Pillow Pets" are technically pillows; do they have to be covered if used when sleeping?*

Answer: Pillow Pets are stuffed toys that can be used as a pillow or a stuffed animal toy. The corresponding standard would depend on how the Pillow Pet was being used by the child in care. If it is being used by the child as a pillow when sleeping, then 22 VAC 15-30-520-D requires that pillows when used shall be assigned for individual use and covered with pillow cases. 22 VAC 15-30-520-C requires that linens shall be cleaned and washed weekly. 22 VAC 15-30-510-L requires that pillows and comforters shall not be used by children under the age of two in cribs, cots, rest mats or beds. 22 VAC 15-30-500-M 3 prohibits the use of pillows or filled comforters in play yards. If the Pillow Pet is used as a stuffed animal toy for a child then 22 VAC 15-30-500 I requires that "If other personal articles are used, they shall be individually assigned."

22 VAC 15-30-575 A Hand washing and toileting procedures

Question: *If children have to leave the building to wash hands before/after eating, do they need to use wipes to clean their hands immediately before/after eating? Sometimes it can take 15-20 minutes for the whole class to get hands washed.*

Answer: No. The requirement to wash hands before eating is to cut down on the amount of germs shared. After eating, is twofold, not only allergy issues, but children usually get pretty grimy with food substances when they eat. Washing hands after eating keeps the 'food substances' off everything else they touch after eating.

22 VAC 15-30-580 Medications

Question: *Can a MAT staff administer rectal medications to a child?*

Answer: Yes, MAT staff can administer rectal, vaginal or injected medications as long as they have child-specific training.

22 VAC 15-30-585 Authorizations for Topical Skin Products

Question: *Is the brand name required on the written authorization for topical skin products?*

Answer: No, the standard does not require product name or brand name on written authorizations for topical skin products.

22 VAC 15-30-585 A Lip Balm

Question: *How should a child day center handle Lip Balm that is brought in for use by a child in care? Is a parent's written permission needed? What are the storage requirements?*

Answer: Lip Balm is considered an over the counter topical skin product. 22 VAC 15-30-585-A requires that over the counter skin products shall be used in accordance with manufacturer's recommendations and shall not be kept or used beyond the expiration date of the product. Written authorization by the parent is not required. The Standards for Licensed Child Day Centers do not address storage requirements of this product. 22 VAC 15-30-500-I requires ... "If personal articles are used, they shall be individually assigned". Best practice would be to monitor the child's use of the Lip Balm so that it is only used by the individual child to prevent the spread of germs.

22 VAC 15-30-585 C Diaper Cream

Question: *If diaper cream is being used for "prevention," how long is the authorization form good for?*

Answer: A parent can authorize the use for "prevention" as long as they deem necessary.

22 VAC 15-30-590 A First Aid and CPR Training

Question: *Are online classes acceptable for first aid and CPR certification?*

Answer: The Division of Licensing Programs does not accept online CPR/First Aid courses if it does not also include an in-person skills demonstration as part of the training. Certifications for first aid and CPR courses require students to show competency by successfully passing a knowledge test and demonstrating skills proficiently. CPR courses must be appropriate for the entire age span of the children in the center's care.

Question: *Will licensing accept EMT (Emergency Medical Technician) certification through the VA Dept of Health & certified by the Director of EMS (Emergency Medical Services) in place of Standard/Basic First Aid certification?*

Answer: Yes, Virginia EMT certification can be substituted for standard CPR and first aid training. As long as the EMT certification is current, their EMT training included a curriculum for CPR / First Aid that has been previously approved by the Division of Licensing Programs (DOLP) and they can provide appropriate documentation, a Virginia EMT certification is an acceptable substitution. If an organization has a course/training that has not been approved by DOLP and wishes to submit their curriculum to the DOLP for evaluation, they can complete a “Request for First Aid and Cardiopulmonary Resuscitation (CPR) Course Approval” form. The form may be viewed at http://www.dss.virginia.gov/files/division/licensing/alf/intro_page/current_providers/forms/032-05-0095-00-eng.pdf

22 VAC 15-30-600 d 1 Activated charcoal

Question: *Where can we purchase activated charcoal?*

Answer: Many natural food stores sell activated charcoal. You could also check in a health food store or order online. Your local red cross may know of local availability.

22 VAC 15-30-620 F Serving milk

Question: *Does a center have to serve milk at lunch and supper, or can they offer children a choice of milk, water, or juice?*

Answer: The center must serve milk at lunch and supper as required by USDA, not offer a choice of beverage. USDA does not recommend 'choices' of milk, juice or water served during lunch or supper.

22 VAC 15-30-620 G When food is brought from home

Question: *When food is ordered in and not provided by the center, what responsibility does the center have? Does the center have to provide milk at lunch if they are not providing the meal?*

Answer: If the parents provide the food, or the center orders food that is paid for by the parent, the center does not have to meet USDA requirements described in 22 VAC 15-30-620 F. The center would not be required to serve milk at lunch. 22 VAC 15-30-620 G requires the center to have extra food or provisions to obtain food if children forget their lunch, bring a lunch that is inadequate in quantity, or bring in spoiled food.

Revised Technical Assistance Q/A

22 VAC 15-30-260-A.4.a (Revised)

Question: *How do we apply 260.A.4.a to long term employees who have obtained this training/experience over a period of years?*

Answer: If a person is promoted to Program Leader, then they must have the 24 hours of training required by the standard within the 6 months prior to being promoted or within 30 days

after being promoted. A Program Leader will not need to redo the 24 hours of training if they transfer to another facility as long as they have documentation that they were qualified at the previous center.

22 VAC 15-30-620.F.4. - Foods Considered Choking Hazards (Revised)

Question: *Is there a specific list of foods that pose choking hazards to children three years of age or younger? Can hot dogs and grapes be served if they are cut into pieces? Are raisins choking hazards?*

Answer: It is not possible to provide a list to cover all the *potential food* items that can pose a choking hazard to young children. However, foods that are round, hard, small, slippery, or thick and slippery are considered high-risk foods for young children because they can lodge in small airways causing a child to choke.

Examples of these foods are: hot dogs (whole or sliced into rounds), raw carrot rounds, whole grapes, hard candy, chewing gum, nuts, seeds, hard pretzels, peanuts, popcorn, marshmallows, spoonfuls of peanut butter, and chunks of meat larger than can be swallowed whole.

Raisins are not choking hazards. Caring For Our Children states "although dried fruits are sometimes mentioned as food hazards, a search of the literature does not identify a single instance where raisins were associated with a lethal choking incident. Because raisins are wrinkled, air likely gets around them, enabling the child's cough to remove them from the airway."

Hot dogs and grapes may be served to children three years of age or younger IF cut into small, non-round pieces, as shown in photo 1 below.



Photo 1

Hotdogs are to be cut lengthwise from end to end multiple times as shown in photo 2 below, and then minced into very small pieces as shown in photo 3.



Photo 2

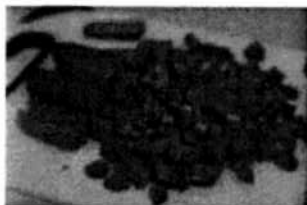


Photo 3