



Office of Children and Family Services

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Acting Commissioner

DIVISION OF CHILD CARE SERVICES POLICY STATEMENT

16-2

Enrollment of Prekindergarten Children in School-Age Child Care Programs

ID NUMBER: 16-2

TOPIC: Enrollment of Prekindergarten Children in School-Age Child Care Programs

MODALITIES IMPACTED: School-Age Child Care Programs

APPLICABLE REGULATIONS: Title 18 of the New York State Code of Rules & Regulations §§:
413.2(b)(4) Part 414 418.1.8

CONTACT: Regional Offices
<http://ocfs.ny.gov/main/childcare/regionaloffices.asp>

EFFECTIVE: IMMEDIATELY

THIS POLICY STATEMENT IS EFFECTIVE IMMEDIATELY AND CANCELS ALL PREVIOUS MEMOS OR STATEMENTS ON THIS TOPIC.

The purpose of this policy statement is to address issues that relate to school-age child care (SACC) programs that want to provide care to children who are enrolled in half-day or full-day prekindergarten classes operated by a school, including care provided before and after school hours, care during school holidays, and care during those periods of the year in which school is not in session, including summer vacation.

The Office of Children and Family Services (the Office) regulation 18 NYCRR 413.2(b)(4) defines school-age child care as: a program or facility which is not a residence in which child day care is provided to an enrolled group of seven or more children under 13 years of age during the school year before and/or after the period such children are ordinarily in school or during school lunch periods. School-age child care programs also may provide care during school holidays and those periods of the year in which school is not in session, including summer vacation. Such programs must operate consistent with the local school calendar. The name, description or form of the entity which operates a school-age child care program does not affect its status as a school-age child care program.

Age of Children

The Office's regulations state that no child may be admitted into a SACC program unless the child is enrolled in kindergarten or a higher grade or is at least six years of age, however, a program **may request and be granted a waiver** to allow children enrolled in prekindergarten to also be enrolled in a SACC program.

While attendance in kindergarten is not part of the compulsory education mandate set forth in Education Law, most children in New York State do attend kindergarten and more children throughout the state are becoming enrolled in prekindergarten programs. These programs offer the benefits of early childhood education to children the year before they will enter kindergarten. In recognition of the fact, the children who benefit from prekindergarten may also benefit from SACC programs. The Division of Child Care Services (DCCS) will allow SACC programs to care for prekindergarten children, when the program has applied for and been granted a waiver by DCCS, of the minimum age requirement established in 18 NYCRR 413.2(b)(4). Prekindergarten children may not be enrolled in a SACC program until such a waiver is granted.

Supervision

If a SACC program seeks to enroll prekindergarten children, it must adhere to the Child Day Care Center (DCC) requirements for teacher-to-child ratios and group size for the children who are enrolled in prekindergarten. When prekindergarten children ages three to five years of age are cared for in one group, the teacher-to-child ratio and maximum group size applicable to the age of the majority of children must be followed.

Staff Qualifications

It is important that SACC program employees working with prekindergarten children understand the developmental level of children in this age group and have experience or knowledge of their programming requirements. Because of this, all group teachers caring for prekindergarten children must adhere to DCC staff qualifications for group teachers for preschoolers.

Program Structure

The SACC program must demonstrate that prekindergarten children will have distinct space and program activities appropriate to their age and development. Rooms/areas must contain age-appropriate equipment, supplies and materials. It is permissible to merge prekindergarten and kindergarten children into a single group, provided teacher-to-child ratio and group size meet regulation. However, there must be distinct space and programming for these children separate from older children. Program plans for this age group must be submitted to the licensor/registrar for review and approval. For safety reasons, prekindergarten children may not be mixed with any children older than the kindergarten-level.

Allowable Hours of Attendance

Students enrolled in a full-day prekindergarten operated by a school may attend the before-school and after-school sessions of a SACC program. Students enrolled in a half-day prekindergarten operated by a school may only attend the session of the SACC program either immediately preceding (for morning sessions) or immediately following (for afternoon sessions) their school day. For example: a child attending half-day prekindergarten in the morning may attend the before-school SACC program but not the after-school SACC program; similarly, a child attending the afternoon half-day prekindergarten program may attend the after-school SACC program but not the before-school SACC program.

Children enrolled in either half-day or full-day prekindergarten may attend SACC programs during short vacation periods, holidays and snow days. On these days, it is permissible for the half-day prekindergarten child to be in attendance for the full time of program operation.

Children who are enrolled in kindergarten with a start date of attendance for the following September may attend a school-age child care program the summer before they actually attend kindergarten.

Children who have attended a prekindergarten program and were also attending a school-age program before/after the pre-kindergarten program may continue to attend the school age program during the summer vacation period.

Children who have not yet attended a preschool program, even if enrolled in preschool with a start date of attendance of the following September, may not attend a school-age program during the summer vacation period.

Summer vacation begins the day after the last day of the school year.

Approved By:



Date: August 1, 2016

Janice M. Molnar, Ph.D.
Deputy Commissioner