

September, 2010

Dear Providers:

September is a busy time of the year for all of us. Schools open, child care attendance increases and everyone, in one way or another, is affected by these changes. I am guessing that some of you may not have had time to follow the progress of recent legislative bills that will affect child care programs. With this in mind, I am sending you this letter to update you on the two bills passed into law in August 2010. In addition, I am including a host of other interesting updates to keep you current. Here is the news:



Cardiopulmonary Resuscitation (CPR) & First Aid Training Become a Requirement

On August 13, 2010 a law was passed that requires all child care providers to have at least one employee who holds a valid certificate in cardiopulmonary resuscitation (CPR) and first aid on the premise of the child care program during the program's operating hours. As written, this law may require that most programs have multiple persons trained in both courses so that the program stays in compliance when any one of those trained staff persons is absent. In addition, substitutes for family day care providers would also need to be trained in CPR and First Aid when supervising children in the absence of a provider and alternate provider. This law goes into effect on December 11, 2010. CPR and First Aid courses are widely available in most communities.



Pesticides Use on Day Care Center Playgrounds, Turf and Playing Fields

Day Care Centers only: In addition to laws already in effect for pesticide use in day care centers, a new law, effective November 14, 2010, prohibits all pesticide applications to the day care center's playgrounds, turf and playing fields. There are some exceptions in the law, including the use of pesticides in aerosol spray cans that are 18 ounces or smaller. The aerosol spray may be used to protect individuals from imminent threat from stinging or biting insects such as venomous spiders, bees, wasps and hornets. The Division will post more information about this topic, as it becomes available, on the Division of Child Care Services website at: <http://www.ocfs.state.ny.us/main/childcare/default.asp>.



A Few Reminders/Clarifications Concerning Past Correspondence on New Laws

Training Hours: The change in law that allows the Division to increase the numbers of years between renewals from two years to four years **does not change the requirement in law that all day care employees receive 30 hours of training every two years. Thirty hours of training every two years remains the requirement.** Licensors and registrars will be requiring documentation of training from all programs at the two year mark, in a four-year license. All providers and employees must also complete a minimum of fifteen hours of training during the first six months of licensure/registration or employment.

Inspection required: All family and group family day care providers who wish to increase their capacity or change the terms and conditions of their license/registration, as written on their current license, need to schedule an inspection and receive OCFS approval, prior to making any changes to the program. The regulations require that: *The provisions specified on the registration/license are binding and the program must operate in compliance with the terms of the registration/license. The number and age range of children specified thereon are the maximum number and age range of children who may be in the care of the family day care home at any one time.* **If you have questions about whether you need an inspection, call your licensing representative.**

Inspection focus: The method to determine whether a provider may care for an increase in capacity or additional children under the age of two has not changed. Licensors and registrars will use the guidelines and methods already in place. As you know, caring for infants includes having adequate space for napping, diapering, dressing, eating and playing. Infants need a quiet, calm environment away from too much stimulation from older children. Toddlers need space to be active learners and develop motor competence and sensory motor intelligence. School age children need a safe and secure environment that fosters their growing independence. Licensors/registrar must assess the needs of the children in care with the environment in which they will receive that care. Licensors/registrar will ask questions of the provider such as: Where will children Nap? Play? Study? Eat? Should an emergency arise, will you be able to safely evacuate a larger group of children? Licensors and registrars will assess the program's activities against the overall space needed to perform those activities. Licensors/registrar may also recommend that a provider open up space by removing a piece of furniture or assessing what space may already be available in the home to be utilized for child care.

The group family child care assistant: Day care regulations require that group family day care providers employ an assistant and that the assistant must be on-site during the hours that care is provided. [413.2(j)] There is an exception to this regulation: the provider is permitted to care for children alone (without the assistant) when the capacity level does not exceed eight and there are no more than two children under the age of two years and two of the eight children in care are school-age. This exception does not change the requirement to employ an assistant. In addition, the assistant must receive 30 hours of training every two years. The intent of having both as requirements – to have an assistant and to require training – is to make sure a trained assistant is available to care for children when enrollment increases. Any group family day care provider, who decides to stay permanently at a capacity level of eight, should consider applying for a family day care registration.

Informational sessions on the new laws: OCFS is working on an informational video that will be posted to the website and will be available in the Division's regional offices. The video will cover the new laws and offer a question and answer segment. Keep checking the child care website for a posting on updated training opportunities on these important topics. The Division expects to offer the training this fall.

“Dear Provider Letters”: This is a reminder that the Division of Child Care Services posts all “Dear Provider” letters to its website at: <http://www.ocfs.state.ny.us/main/childcare/letters.asp>. If you need information from past correspondence, you will be able to see it on the website. Here’s an additional tip: letters are posted and available on the website much sooner than the hard copy letter reaches you.



New E- Learning On-Line Course

An OCFS sponsored on-line training course will be available mid- September, 2010. The course title is ***Prevention of Lead Poisoning and Other Dangers to Children***. The training includes information on the dangers of lead poisoning, your regulatory responsibilities concerning lead testing for enrolled children, and sources of lead in and around your home. The course is very specific to the business of child care and how to keep the environment safe from lead hazards. You will hear information concerning what to look for, what agencies will provide technical assistance, and the Federal Renovation, Repair, and Painting rule. Child Care providers who take this course will receive credit toward the 30 hours of training needed every two years to maintain their license or registration. Check out the growing number of courses available through the Early Childhood Education and Training Program (ECETP) E-Learning at: <http://www.tsg.suny.edu/elearn.shtm>.



Do You Have an E-Mail Address?

The Division is considering the benefits of e-mail communication with child care providers. The Division’s goal is to communicate information to providers in a faster and less expensive way. In preparing for this, we ask that in your conversations with your licensur or registrar, that you take a minute to share or update your e-mail address with them.



September & October Videoconference Training: Literacy and Emergency Preparedness

On September 16, 2010 the Division is offering training in ***Developing Literacy in an Electronic Age***. Hopefully this letter reaches you in time to register for September’s videoconference. YES! E-mail would reach you faster than this Letter. On October 14, 2010 the Division will offer videoconference training in ***Emergency Preparedness***. To register for either course go to: <http://www.tsg.suny.edu/signup.shtm>.



Breastfed Babies Welcome Here - CACFP Certificate

Babies were born to be breastfed! The American Academy of Pediatrics recommends exclusive breastfeeding during the first six months of life and continued breastfeeding during the second six months for optimal infant growth and development. The NYS Child and Adult Care Food Program (CACFP) has developed a breastfeeding child care certificate program designed to recognize child care centers and

family day care homes across New York State that support mothers who have chosen to continue to breastfeed after returning to work or school. Please visit the following website for information on how to become a “breastfeeding friendly” child care program: <http://www.health.state.ny.us/prevention/nutrition/cacfp/>. For more information on supporting breastfeeding mothers, visit: <http://www.breastfeedingpartners.org>.



Whooping Cough Outbreaks

Currently, several states are reporting an increase in Pertussis (whooping cough) cases, including a state-wide epidemic in California. Take action by making sure you and the children in your care are up to date with vaccinations. This includes DTaP vaccine for infants and children and Tdap booster for adolescents and adults. For more information on whooping cough, go to the following link: <http://www.cdc.gov/features/pertussis/>



Phone Call from Regional Office Supervisors

In the next few months, you may receive a call from one of the Division of Child Care Services supervisors. She/he will be asking a series of questions about your recent inspection. Your answers will help the Division to assess the quality of the inspection. We thank you in advance for your feedback.

Have a wonderful school year and thank you for all you do to keep New York’s children safe, healthy and happy.

Sincerely,



Janice Molnar, Ph.D.
Deputy Commissioner
Division of Child Care Services