

STATEMENTS OF POLICY

Title 55—PUBLIC WELFARE

DEPARTMENT OF PUBLIC WELFARE

[55 PA. CODE CHS. 3270, 3280 AND 3290]

Supervision of Children in Child Day Care Facilities

Purpose

The purpose of this statement of policy is to clarify that the Department of Public Welfare (Department) has added §§ 3270.113b, 3280.113b and 3290.113a (relating to supervision of children off premises—statement of policy) to require that children shall be supervised at all times while they are in the care of the facility. The requirements apply to children in the facility premises and on facility excursions off the premises.

Background

The Department's regulations for child day care facilities require that children on the facility premises be supervised at all times. The intent of the regulations is to require supervision of children at all times while children are in the care of a child care facility, both at the facility and on facility excursions away from the facility premises.

The regulations do not explicitly state that supervision and staff:child ratio requirements apply to children on facility excursions off the premises. Some individuals may interpret the regulations to mean that supervision of children and adherence to staff:child ratios while on facility excursions off the premises is not required and therefore not the responsibility of the facility staff. This interpretation could result in serious injuries to or loss of a child in care.

Discussion

Supervision of children is basic to the prevention of harm. Parents contract with a facility to supervise their children, to prevent children from engaging in risk-taking behaviors that may result in injury and to be available for rescue in an emergency. The need for supervision is typically greater off-premises than on.

Children often test their skills and limitations, creating heightened risk to health and safety when children move from the familiar surroundings of the day care facility to another location during a facility excursion. Children may wander off to investigate an unfamiliar environment, play hide-and-seek or come into contact with a stranger. To protect children from harmful situations when on a facility excursion off the premises, facility staff shall provide supervision at all times.

Contact Person

Comments and questions regarding this statement of policy should be directed to Regional Day Care Directors, Originator: Diana Ramirez, Human Services Program

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Effective Date

This statement of policy is effective immediately upon publication in the *Pennsylvania Bulletin*.

(*Editor's Note:* The regulations of the Department, 55 Pa. Code Chapters 3270, 3280 and 3290, are amended by adding statements of policy in §§ 3270.113b, 3280.113b and 3290.113a to read as set forth in Annex A.)

ESTELLE B. RICHMAN,
Secretary

Fiscal Note: 14-BUL-066. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 55. PUBLIC WELFARE

PART V. CHILDREN, YOUTH AND FAMILIES MANUAL

Subpart D. NONRESIDENTIAL AGENCIES, FACILITIES AND SERVICES

ARTICLE I. LICENSING/APPROVAL

CHAPTER 3270. CHILD DAY CARE CENTERS PROGRAM

§ 3270.113b. Supervision of children off premises— statement of policy.

Children on facility excursions off the premises shall be directly supervised at all times by a staff person. The requirement for supervision includes compliance with the staff:child ratio requirements in §§ 3270.51—3270.54.

CHAPTER 3280. GROUP CHILD DAY CARE HOMES PROGRAM

§ 3280.113b. Supervision of children off premises— statement of policy.

Children on facility excursions off the premises shall be directly supervised at all times by a staff person. The requirement for supervision includes compliance with the staff:child ratio requirements in §§ 3280.51—3280.53 (relating to staff-child ratio).

CHAPTER 3290. FAMILY CHILD DAY CARE HOMES PROGRAM

§ 3290.113a. Supervision of children off premises— statement of policy.

Children on facility excursions off the premises shall be directly supervised at all times by a staff person. The requirement for supervision includes compliance with the staff:child ratio requirement in § 3290.52 (relating to ratio requirements).

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