GENERAL LETTER NO. 12-F-24

ISSUED BY: Bureau of Child Care Services
Division of Adult, Child and Family Services

SUBJECT: Employees’ Manual, Title 12, Chapter F, CHILD DEVELOPMENT HOME REGISTRATION, pages 10, 13 through 16, 26, 27, 30, and 42, revised.

Summary

Chapter 12-F is revised to include:

♦ Technical updates,
♦ Expectations for serious injury and death reporting,
♦ Deferred judgments,
♦ Cardiopulmonary resuscitation (CPR) training, and
♦ Substitute care expectations.

Effective Date

August 1, 2017

Material Superseded

This material replaces the following pages from Employees’ Manual, Title 12, Chapter F:

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Additional Information

Refer questions about this general letter to Ryan Page, Child Care Regulatory Program Manager.
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| C        | • 35 square feet per child indoors  
          • 50 square feet of child space outdoors  
          • Quiet area for sick children  
          • Fire safety:  
            ▪ Fire extinguisher  
            ▪ Smoke detectors  
            ▪ Two direct exits | • 21 years old  
          • High school diploma or GED  
          • Have either:  
            ▪ 5 years’ experience working directly with children in child care, or  
            ▪ CDA or 2- or 4-year child care-related degree AND 4 years’ experience working directly with children in child care | • Within first 3 months:  
            ▪ Mandatory reporter training  
            ▪ First aid with rescue breathing  
            ▪ First year of registration:  
              12 hours training,  
              2 hours must be health and safety  
            ▪ Second year and following:  
              12 hours of training |

**Child Development Home Category A**

**Legal reference:** Iowa Code section 237A.3A; 441 IAC 110.13(237A)

In child development home category A, providers may care for up to six preschool children at any one time. Of these six children, not more than four children who are 24 months of age or younger may be in care. Of the four children under 24 months of age, no more than three may be 18 months of age or younger.

The provider’s own preschool age children are included in the total count. The provider’s own children attending kindergarten or a higher level are not included in the total count. In addition to these six children, up to two children who attend school may be present for less than two hours at a time.

On days when schools are closed due to emergencies such as inclement weather or physical plant failure, child development home category A providers may care for a maximum of eight children. This exception does not apply on non-emergency no-school days, such as in-service, conference, or vacation days.

A child development home category A provider must:

- Be at least 18 years old.
- Have three written references that attest to character and ability to provide child care. These may not be completed by relatives.
A person will be allowed to register for a particular category for which the person is qualified even if the amount of space required for the maximum number of children is not available. However, the total number of children authorized for the specific provider at that category will be limited by the amount of available space per child.

**Standards**

**Facility Requirements**

**Legal reference**: Iowa Code section 237A, 441 IAC 110.8(237A), 110.14(3), 110.15(3)

All child development homes must:

- Have a non-pay, working land-line or mobile telephone with emergency numbers posted for police, fire, ambulance, and poison control.
  - The number for each child’s parent, another person when the parent cannot be reached, and the child’s physician must be on paper and readily accessible by the telephone.
  - The home must prominently display all emergency information. All travel vehicles must have a copy of emergency parent contact information.
  - Maintain electrical wiring. All accessible electrical outlets must be tamper resistant or safely capped. Electrical cords will be used properly. Improper use includes running cords under rugs, over hooks, through door openings, or other uses known to be hazardous.
  - Keep combustible materials a minimum of three feet away from furnaces, stoves, water heaters, and gas dryers.
  - Provide and use approved safety gates at stairs and doorways as needed.
  - Conduct annual laboratory analysis of a private water supply to show satisfactory bacteriological quality. A nitrate analysis must be included when caring for children under the age of two. When private water supplies are determined unsuitable for drinking, provide commercially bottled water or water treated through a process approved by the health department or designee.
  - Surround any heating stove or heating element with a safety barrier in order to prevent burns.
  - Have a 2A 10BC rated fire extinguisher located in a visible and readily accessible place on each child-occupied floor.
♦ Have at least one single-station, battery-operated, UL-approved smoke detector in each child-occupied room and at the top of every stairway. Each smoke detector must be installed according to the manufacturer’s recommendations. The provider must test each smoke detector monthly and keep a record of testing for inspection purposes.

♦ Prohibit smoking and the use of tobacco products at all times in the home and in every vehicle in which children receiving care in the home are transported. Smoking and the use of tobacco products is prohibited in the outdoor play area during the home’s hours of operation. Nonsmoking signs must be posted at every entrance of the child care home and in every vehicle used to transport children. All signs must include:
  • The telephone number for reporting complaints, and
  • The Internet address of the Department of Public Health
    https://smokefreeair.iowa.gov/

♦ Comply with discharge restrictions identified at 567 IAC Chapter 69 for homes served by a private sewer system. Discharge of untreated waste water from private sewage disposal systems is prohibited. The local board of health will verify compliance at the time of renewal and new registration.

♦ Assess and control lead hazards for providers operating in a facility built before 1960. This must be completed before issuing an initial child development home registration or a renewal of the registration. To comply with this requirement, the provider must:
  • Conduct a visual assessment of the facility for lead hazards that exist in the form of peeling or chipping paint;
  • Apply interim controls on any chipping or peeling paint found, using lead-safe work methods in accordance with and as defined by Department of Public Health rules at 641 IAC Chapters 69 and 70, unless a certified inspector as defined in 641 IAC Chapter 70 determines that the paint is not lead-based paint; and
  • Submit form 470-4755, Lead Assessment and Control, as verification of the visual assessment and completion of interim controls, if necessary.

♦ Be located in a single-family residence that is owned, rented, or leased by the person or, for dual registrations, at least one of the persons who is named on the child development home’s certificate of registration.

♦ Have a valid driver’s license and adequate motor vehicle insurance for any driver who transports children for any purpose. The motor vehicle insurance must authorize the driver to operate the type of vehicle being driven. Use child restraint devices in compliance with Iowa Code 321.446.
♦ Inform parents of the presence of any pet in the home.

• Each dog or cat in the household must undergo an annual health examination by a licensed veterinarian. Document acceptable veterinary examinations on form 470-5153, *Veterinary Health Certificate*. This examination verifies that the animal’s routine immunizations, particularly rabies, are current and that the animal shows no evidence of endoparasites (roundworms, hookworms, whipworms) and ectoparasites (fleas, mites, ticks, lice).

• Each pet bird in the household must be purchased from a dealer licensed by the Iowa Department of Agriculture and Land Stewardship. Pet birds must be examined by a veterinarian to verify that the bird is free of infectious diseases. Document acceptable veterinary examinations on form 470-5153, *Veterinary Health Certificate*. Do not allow children to handle pet birds.

• Aquariums must be installed and maintained in a manner that prevents children from accessing the water or pulling over the tank.

• Immediately remove and dispose of all animal waste from the children’s areas. Do not allow children to feed or care for pets or cleanup pet waste.

• Do not allow animals in the food preparation, food storage, or serving areas during food preparation and serving times.

♦ Document all injuries that require first aid or medical care using an injury report form. Complete the form on the date the injury occurred, share the form with the parent, and keep the form in the child’s file.

♦ Have written policies regarding the care of mildly ill children and exclusion of children due to illness. The provider must inform parents of these policies.

♦ Have written policies and procedures for responding to health-related emergencies.

♦ Display the certificate of registration in a conspicuous place.

♦ Serious injuries that occur in a child care facility or in the care of facility staff must be reported to the Department within 24 hours. Serious injuries include:
  • Disabling mental illness
  • Bodily injury which creates a substantial risk of death, causes serious permanent disfigurement, or causes protracted loss or impairment of the function of any bodily member or organ
• Any injury to a child that requires surgical repair and necessitates the administration of general anesthesia

• Includes, but is not limited to, skull fractures, rib fractures, metaphyseal fractures of the long bones of children under the age of 4 years

All reports to the Department must be completed on the Healthy Child Care Iowa Child Care Injury/Incident Report Form and submitted to ccsid@dhs.state.ia.us within 24 hours of the incident.

**Use of Outdoor Space**

All child development homes must:

♦ Maintain a safe outdoor play area in good condition throughout the year. The play area must be fenced off when located on a busy thoroughfare or near a hazard which could injure a child. The play area must have both sunshine and shaded areas. The play area must be kept free from litter, rubbish, flammable materials, and contamination by drainage or ponding of sewage, household waste, or storm water.

♦ Ensure children’s safety around swimming or wading pools on the premises:
  * Drain a wading pool daily. The wading pool must be inaccessible to children when it is not in use.
  * Cover an above-ground or in-ground swimming pool that is not fenced whenever the pool is not in use. The cover must meet or exceed the ASTM International (formerly known as the American Society for Testing and Materials) specification intended to reduce the risk of drowning by inhibiting access to the water by children under five years of age.
  * Enclose an uncovered above-ground swimming pool with an approved fence that is non-climbable and has a minimum height of four feet.
  * Enclose an uncovered in-ground swimming pool with a fence that is non-climbable and is at least four feet high and flush with the ground.

If children are allowed to use an above-ground or in-ground swimming pool:

♦ Written permission from parents must be available for review.

♦ Equipment needed to rescue a child or adult must be readily accessible.

♦ The child care provider must accompany the children and provide constant supervision while the children use the pool.

♦ The child care provider must complete training in cardiopulmonary resuscitation for infants, toddlers, and children, according to the criteria of the American Red Cross or the American Heart Association.
• Administration of medication consistent with standards for parental consent
• Prevention of and response to emergencies due to food and allergic reactions
• Building and physical premises safety, including identification of and protection from hazards that can cause bodily injury such as electrical hazards, bodies of water, and vehicular traffic
• Prevention of shaken baby syndrome and abusive head trauma
• Emergency preparedness and response planning for emergencies resulted from natural disasters or a man-caused event
• Handling and storage of hazardous materials and the appropriate disposal of bio-contaminants
• Precautions in transporting children
• Child development

♦ Two hours of Iowa’s training for mandatory reporting of child abuse. This training must be repeated every five years
♦ First-aid and cardiopulmonary resuscitation (CPR) training meeting the following requirements:
  • Training must be provided by a national recognized training organization such as the:
    ▪ American Red Cross,
    ▪ American Heart Association,
    ▪ National Safety Council,
    ▪ Emergency Medical Planning (Medic First Aid), or
    ▪ By an equivalent trainer using curriculum approved by the Department.
  • First aid training must include certification in infant and child first aid.
  • The provider must maintain a valid certificate indicating the date of first aid training and the expiration date.
  • The provider must maintain a valid certificate indicating the date of CPR training and the expiration date.
  • Online blended courses for CPR must include a skills assessment in which a certified CPR instructor verifies that the participant has successfully demonstrated CPR skills.
The provider shall receive a minimum of 24 hours of training during each two-year registration period. Minimum health and safety training listed above may be counted towards the total 24 hours of required training only at the time it is received.

A provider may not use a specific training or class to meet minimum professional development hours more than one time every five years.

Training must be in one of the following content areas:

- Planning a safe, healthy learning environment (includes nutrition).
- Steps to advance children’s physical and intellectual development.
- Positive ways to support children’s social and emotional development (includes guidance and discipline).
- Strategies to establish productive relationships with families (includes communication skills and cross-cultural competence).
- Strategies to manage an effective program operation (includes business practices).
- Maintaining a commitment to professionalism.
- Observing and recording children’s behavior.
- Principles of child growth and development.

Training must be conducted by a trainer who is employed or under contract with one of the following entities or who uses curriculum or training materials developed by or obtained with written permission from one of the following entities:

- An accredited university or college
- A community college
- Iowa State University Extension
- A child care resource and referral agency
- An area education agency
- The regents’ center for early developmental education at the University of Northern Iowa
- A hospital (for health and safety, first-aid, and CPR training)
- The American Red Cross, the American Heart Association, the National Safety Council, or Medic First Aid (for first-aid and CPR training)
Substitute Providers

Legal reference: 441 IAC 110.7(2) and (237A)

Substitute providers must:

♦ Be 18-years-of-age or older.
♦ Successfully complete criminal conviction and child abuse record checks.
♦ Complete approved health and safety content area training and child abuse and neglect mandatory reporter training before caring for children and every five years thereafter.
♦ Obtain certification in infant and child first aid and cardiopulmonary resuscitation (CPR). The substitute provider must maintain a valid certificate indicating the date of training and the expiration date.

The child care provider shall assume responsibility for providing adequate and appropriate supervision at all times children are in attendance. Any substitute provider shall have the same responsibility for providing adequate and appropriate supervision. Ultimate responsibility for supervision will be with the child care provider.

All regulations regarding supervision and care of children apply to substitutes. Except in emergencies, the child care provider shall inform parents in advance of the planned use of a substitute provider.

Substitute care may be used in the home up to 25 child care hours per month and for an additional period of up to two weeks in a 12 month period. This limit applies to the child development home, regardless of the number of people who may be providing the substitute care. The provider shall maintain a written record of the number of hours substitute care was provided, including the date and the name of the substitute provider.

Substitute providers must complete the health and safety essentials training within three months or before providing substitute care, whichever occurs first.
Guidelines for Evaluating Criminal Records

Legal reference: 441 IAC 110.7(3) and (237A)

When the criminal record indicates a deferred sentence, the person is guilty of the crime involved, but the sentence is postponed. During the time the sentence is postponed, the person is on probation. At the end of the probationary period, the person is discharged from probation, but the criminal conviction still stands.

Evaluation is required for a person with a deferred sentence, whether still on probation or after probation has been completed. Occasionally you may find a deferred disposition. Treat this as a deferred sentence.

When the criminal record indicates a deferred sentence, the criminal conviction is postponed. Complete an evaluation of a prohibition of a deferred judgment according to current policy for convictions that are subject to evaluation.

When the criminal record indicates a juvenile delinquency adjudication, you may not use that adjudication against the person in a record check evaluation. Do not evaluate this adjudication. However, if you find that the grounds for the adjudication raise concern for the health and safety of children in child care, please contact central office to find an alternate resolution to your concerns.

If the person was under 18 years of age and was waived to adult court, complete an evaluation as you would for any adult conviction or founded abuse.

Consider each of the following areas when evaluating convictions for crimes. (The questions listed under each area are intended to assist you in completing an evaluation.)