

ANNOUNCEMENT

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Pennsylvania Office of Child Development and Early Learning
Bureau of Early Learning Policy and Professional Development and Bureau of
Certification


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Subject: Updates to Prevention of Shaken Baby Syndrome, Abusive Head Trauma, and Child Maltreatment Requirements

To: DHS Certified Child Care Facilities
Early Learning Resource Centers
Office of Child Development and Early Learning Staff

From: Tracey Campanini 
Deputy Secretary, Office of Child Development & Early Learning

PURPOSE

The purpose of this announcement is to issue updated policy on federal requirements for Child Care and Development Block Grant (CCDBG) and the expectation for all certified child care facilities operating under 55 Pa. Code Chapters § 3270, § 3280, and § 3290 for compliance.

BACKGROUND

The reauthorized CCDBG Fund requires lead agencies to issue policy and regulations regarding requirements for all health and safety topics, outlined in § 98.41(a)(1), that are designed, implemented, and enforced to protect the health and safety of children. All staff in certified child care programs **must** complete a minimum annual requirement for ongoing, accessible professional development in all health and safety training requirements. Prevention of shaken baby syndrome, abusive head trauma, and child maltreatment is a required health and safety training topic that **must** be completed before a child care staff can care for children unsupervised. This means untrained child care staff must be supervised at all times by a trained, qualified child care staff person (at a minimum assistant group supervisor or primary staff person) until the untrained staff have obtained required training.

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As such, changes have been made to the following DHS child care regulations: 55 Pa. Code § 3270, § 3280, and § 3290 which now require **all** staff persons to complete professional development in all the health and safety training requirements which includes, prevention of shaken baby syndrome, abusive head trauma, and child maltreatment within 90 days of hire. All child care staff **must** also complete an annual minimum of 12 clock hours of child care training in the health and safety training requirements.

This announcement addresses new certification requirements for child care providers to develop a policy and procedure to identify the prevention of shaken baby syndrome, abusive head trauma, and child maltreatment.

DISCUSSION

The Child Protective Services Law (CPSL) requires child abuse reporting and does not address the prevention of the acts defined in the law as child abuse, including shaking a baby, abusive head trauma and child maltreatment. Child abuse includes, but is NOT limited to intentionally, knowingly or recklessly:

- Causing bodily injury to a child through any recent act or failure to act;
- Creating a reasonable likelihood of bodily injury to a child through any recent actor failure to act; and
- Forcefully shaking a child under one year of age.

In addition to 55 Pa. Code § 3270.32(a), § 3280.32(a), and § 3290.32(a) relating to suitability of persons in the facility and compliance with CPSL, and Chapter 3490, certified child care providers must ensure that they are compliant with the federal requirements at 45 CFR 98.41(a)(1)(vi) relating to the prevention of shaken baby syndrome, abusive head trauma, and child maltreatment.

To maintain compliance with 45 CFR 98.41(a)(1)(vi), in addition to the training requirements, child care providers must have a policy and procedure to identify the prevention of shaken baby syndrome, abusive head trauma, and child maltreatment.

The policy must include, but is not limited to:

- Recognition of potential signs and symptoms of shaken baby syndrome and abusive head trauma;
- Strategies for coping with a crying, fussing, or distraught child; and
- Address the prevention and identification of child maltreatment.

DHS certified child care providers can reference [Caring for Our Children Basics \(CFOCB\): Health and Safety Foundations for Early Care and Education](#) which

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represents the minimum health and safety standards experts believe should be in place where children are cared for outside of their homes for policy and procedure development.¹

Beginning **April 29, 2022**, the citations for non-compliance with federal requirements at 45 CFR 98.41(a)(1)(vi) will be issued under 55 Pa. Code § 3270.14, § 3270.21, § 3280.14, § 3280.20, and § 3290.18, all pertaining to compliance with “pertinent laws and regulations” and “general health and safety.”

Prevention of Shaken Baby Syndrome, Abusive Head Trauma, and Child Maltreatment Professional Development Training Requirement

CCDBG requires training in prevention of shaken baby syndrome, abusive head trauma, and child maltreatment. As a result, training in this health and safety topic is a requirement at 55 Pa. Code § 3270.31(f)(6), § 3280.31(f)(6), and § 3290.31(g)(6). This requires all child care staff to successfully complete all training requirement related to the prevention of shaken baby syndrome, abusive head trauma, and child maltreatment prior to a child care staff caring for children unsupervised. This means untrained child care staff must be supervised at all times by a trained, qualified child care staff person (at a minimum assistant group supervisor or primary staff person) until the untrained staff have obtained training completed before a child care staff can care for children unsupervised.

All child care staff, who have not already completed the required health and safety trainings, will be expected to show completion and documentation by April 29, 2022.

The citations for non-compliance with this training requirement will be issued under 55 Pa. Code §3270.31(f)(6), §3280.31(f)(6), and §3290.31(g)(6), relating to age and training. The citations for non-compliance with the required health and safety trainings that must be completed before caring for children unsupervised will be issued under 55 Pa. Code §3270.14, §3270.21, §3280.14, §3280.20, and §3290.18, all pertaining to compliance with “pertinent laws and regulations” and “general health and safety.”

The Pennsylvania Key offers several professional development opportunities available on the Professional Development (PD) Registry relating to the prevention of shaken baby syndrome, abusive head trauma, and child maltreatment. The PD Registry can be found [here](#).

Training topics included in the PD Registry are, but not limited to:

¹ [Caring for Our Children Basics Health and Safety Foundations for Early Care and Education \(hhs.gov\)](#)

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- *Prevention of Shaken Baby Syndrome and Abusive Head Trauma*
 - This course focuses on reducing a baby's risk of shaken baby syndrome and abusive head trauma both at home and in child care settings.
- *Shaken Baby Syndrome*
 - This course addresses the importance of understanding and preventing child abuse associated with Shaken Baby Syndrome. Upon successful completion of this course, students should be able to define Shaken Baby Syndrome, identify the occurrence and the causes of Shaken Baby Syndrome and identify the symptoms of Shaken Baby Syndrome and what to do when Shaken Baby Syndrome is suspected.
- *Protecting Infants: Reducing the Risk of SIDS and Shaken Baby Syndrome*
 - This course is designed to increase participants' knowledge about ways they can protect infants from the risks of sudden infant death syndrome (SIDS) and shaken baby syndrome (SBS). Throughout the course participants will be introduced to risk reducing and preventative strategies designed to keep infants safe. Information provided will also prepare participants to share this life-saving information with families.

Documentation and Verification of Ongoing Professional Development Training

All child care staff **must** have documentation and verification of completion of pre-service training and on-going annual professional development retained in the facility person's file or maintained in an electronic PD Registry. The documentation **must** include, but is not limited to:

- Signature of representative or trainer of the professional development entity;
- Title of a representative or trainer of the professional development entity; and
- Date professional development training was completed

The citations for non-compliance with documentation and verification of pre-service and ongoing professional development training will be issued under 55 Pa. Code §3270.31(g), §3280.31(g), §3290.31(h).

NEXT STEPS

Certified child care facilities must:

1. Read this Announcement and ensure staff take the appropriate trainings.
2. Ensure all child care staff understand their role and responsibility in prevention of shaken baby syndrome, abusive head trauma, and child maltreatment.

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3. By **April 29, 2022**, develop and implement a policy and procedure that addresses how to identify and prevent shaken baby syndrome, abusive head trauma, and child maltreatment
4. To request technical assistance please contact your regional certification office.
5. Ensure all child care staff have completed and documented the required health and safety trainings outlined in section “*Prevention of Shaken Baby Syndrome, Abusive Head Trauma, and Child Maltreatment Professional Development Training Requirement*” by **April 29, 2022**.
6. Appropriate documentation and verification of ongoing professional development training of all child care staff is retained in the facility person’s file or maintained in an electronic system, the PD Registry.
7. Direct all questions and comments to your Regional Office.

Comments and Questions regarding this announcement should be directed to the child care provider’s Regional Office of Child Development and Early Learning:

Certification Regional Office of Child Development and Early Learning

Central Region 800-222-2117

Northeast Region 800-222-2108

Southeast North and Southeast South Region 800-346-2929

Western Region 800-222-2149