

BUREAU OF CERTIFICATION NEWSLETTER

LATEST NEWS AND REGULATORY UPDATES

SUMMER 2023

Disclaimer: Not all regulations are addressed in this newsletter. Providers are required to comply with ALL regulations associated with their facility.



Regulatory Highlights- Ventilation

55 Pa. Code [§3270.72](#);
[§3280.72](#); [§3290.70](#)

With warmer weather approaching please remember if you choose to open doors and windows for ventilation, they must be screened, and the screens must be in good repair. This helps by allowing air to flow while keeping insects and other pests out. If you choose to open windows or doors above the ground floor that open directly to the outdoors and are accessible to children, please remember that these windows or doors must be constructed, modified, or adapted to limit the opening six inches or fewer.

Natural or mechanical ventilation must be provided in child care spaces. Please refer to the regulations at [§3270.72](#), [§3280.72](#), and [§3290.70](#) for additional guidance.

Ensure Adequate Hydration, Stay Hydrated Water

55 Pa. Code §3270.69; §3280.69; §3290.67

Hydration is always important, but especially in hot and humid weather as people tend to lose fluids through sweat. It is important to make sure children and staff stay hydrated throughout the day, especially in the summer months. 55 Pa. Code [§3270.69\(d\)](#), [§3280.69\(c\)](#), and [§3290.67\(b\)](#) states “Drinking water shall be provided to children who are out-of-doors for a period exceeding 1 hour.” To lower the risk of dehydration, make time to schedule water breaks while outside. Busy children often need encouragement to stop and take a break to hydrate.

Please make sure that your facility has a safe and adequate supply of drinking water available to children of all ages throughout the day as stated in 55 Pa. Code [§3270.69\(c\)](#), [§3280.69\(b\)](#), and [§3290.67\(a\)](#).

In addition, as stated in [§3270.69\(a\)](#) “A facility shall provide running water and a safe and adequate supply of drinking water that complies with the standards established under the Pennsylvania Safe Drinking Water Act (35P.S. §§ 721.1-721.17).” If you have any questions regarding the safety of your facility’s drinking water, please contact your certification representative for guidance.

Children have higher water requirements per unit of body weight compared to adults. Dehydration in children is relatively common. Drinking water isn’t the first thing on a busy child’s mind, but it should be for staff who are caring for these children. If a drink isn’t in front of them, children may not notice how thirsty they are until they are nearly dehydrated.

Make hydration fun for younger children by offering water in colorful cups or with silly, curly straws. We also get water through some of the foods we eat, especially fruits and vegetables. Making hydrating foods like fruits and vegetables a part of a child’s diet is both nutritious and provides essential hydration.



55 Pa. Code [§3270.69\(c\)](#), [§3280.69\(b\)](#) and [§ 3290.67\(a\)](#) A safe and adequate supply of drinking water shall be made available to children of all ages throughout the day.

Indoor Temperature

55 Pa. Code §3270.70; §3280.70; §3290.68

Summer brings high temperatures. It is important to not only stay hydrated but keep children comfortable throughout the day. 55 Pa. Code [§3270.70](#), [§3280.70](#), and [§3290.68](#) address the indoor temperature requirements for a child care facility. Indoor temperatures must be at least 65° F. If the indoor temperature exceeds 82° F a means of mechanical air circulation must be operating.

Weather Watch

Important Links and Contact Information

It is important to be mindful of the weather conditions prior to taking children outdoors. Providers need to be mindful of not only the temperature, but the humidity levels as well.

A good reference tool to see if the outdoor conditions are suitable for outdoor activities is [Child Care Weather Watch](#).



Water Activities- Swimming, Wading, Water Play Tables

55 Pa. Code §3270.115; §3280.115; §3290.115

When it comes to summer fun, a person's mind naturally drifts to swimming and wading as wonderful ways to cool off in the summer heat. These fun summer activities bring an added level of supervision to ensure the safety of children. Per the American Academy of Pediatrics, children can drown in as little as one inch of water and drowning is the number one cause of death for children between the ages of 1-4[1]. With those facts in mind, now is the time to review your facility's water safety protocols, keeping in mind the following regulations at 55 Pa. Code [§3270.115](#), [§3280.115](#), and [§3290.115](#).

- A swimming pool must conform to [28 Pa. Code Chapter 18](#) (related to public swimming and bathing places). This pertains to child care centers and group homes.
- An in-ground swimming pool accessible to children must be fenced with a locked gate.

- An above ground swimming pool which is not in use must be made inaccessible to children in accordance with the swimming pool barrier guidelines of the [US Consumer Product Safety Commission](#).
- An indoor swimming pool which is not in use must be made inaccessible to children.
- When children are swimming, supervision shall include one person certified in lifeguard training, as described in [§3270.31\(e\)\(4\)\(iii\)](#), [§3280.31\(e\)\(4\)\(ii\)](#), or [§3290.31\(f\)\(4\)\(ii\)](#) (related to age and training).

Continued on page 4

[1] Pool Dangers and Drowning Prevention-When It's Not Swimming Time. (n.d.) American Academy of Pediatrics. [Pool Dangers and Drowning Prevention—When It's Not Swimming Time - HealthyChildren.org](#)

Water Activities- Swimming, Wading, Water Play Tables

55 Pa. Code §3270.115; §3280.115; §3290.115

continued

- The facility must have a complete file for the lifeguard including documentation of current lifeguard certification in addition to all requirements outlined under [§3270.192](#), [§3280.192](#), or [§3290.192](#).
- A facility person who is counted in the staff:child swimming ratio shall annually complete water safety instruction. As per 55 Pa. Code [§3270.31\(e\)\(4\)\(iv\)](#), [§3280.31\(e\)\(4\)\(iii\)](#) or [§3290.31\(f\)\(4\)\(iii\)](#), competence is the completion of basic instruction in water safety from a certified lifeguard.
- Staff persons shall supervise children in care using wading pools. Staff:child ratios used for swimming apply when children are wading.
- A sanitized solution shall be added to water in a wading pool. An acceptable sanitizing solution is ¾ teaspoon of bleach added to fifty (50) gallons of water.
- A wading pool shall be emptied daily.
- A water play table, or a container used for water play that contains unfiltered water shall be emptied daily.

[3270.115\(a\)\(5\)](#) and [3280.115\(a\)\(5\)](#): The following staff:child ratios apply while children are swimming:

Similar Age Level	Staff	Children
Infant	1	1
Young or Older Toddler	1	2
Preschool	1	5
Young School-Age	1	6
Older School-Age	1	8

Please Note: When swimming and wading are taking place, swimming ratios apply to all children even those not swimming or wading.

Always keep children safety in mind when around water. Prevent unsupervised access during non-swim times and provide close, constant supervision while in or around water*. Please note: The Department encourages alternatives to swimming such as water tables and sprinklers.

**Regulatory not just a recommendation*

Water Activities- Swimming, Wading, Water Play Tables

55 Pa. Code §3270.115; §3280.115; §3290.115

continued

[3290.115\(a\)\(5\)](#): Swimming and wading ratios shall be maintained as follows:

Similar Age Level	Staff	Children
Infant	1	1
Young or Older Toddler	1	2
Preschool	1	5
Young School-Age	1	6
Older School-Age	1	6

Please Note: The ratios differ slightly between center/group and family child care homes.

The following safety guidelines are recommended by the American Academy of Pediatrics to help protect children from drowning. In some instances, these recommendations may be required under [§3270.115](#), [§3280.115](#), or [§3290.115](#):

- Whenever children under 5 years of age are in or around water, an adult should be within arm’s length, providing “touch supervision”.*
- Install a fence at least four (4) feet high around all four sides of the pool. The fence should not have openings or protrusions that a young child could use to get over, under, or through. *
- Make sure pool gates open out from the pool, and self-close and self-latch at a height children cannot reach. * Consider alarms on the gate to alert you when someone opens the gate. Consider surface wave or underwater alarms as an added layer of protection.
- The gate should be kept locked at all times*. The lock should be checked often to make sure it is working properly.
- Keep rescue equipment (a shepherd’s hook- a long pole with a hook on the end- and life preserver) and a portable telephone near the pool. Choose a shepherd’s hook and other rescue equipment made of fiberglass or other materials that do not conduct electricity.
- Avoid inflatable swimming aids such as “floaties”. They are not a substitute for approved life jackets and can give children and caregivers a false sense of security.
- Avoid entrapment: Suction from pool and spa drains can trap a swimmer underwater. Do not use a pool or spa if there are broken or missing drain covers. Ask your pool operator if your pool or spa’s drains are compliant with the Pool and Spa Safety Act.
- Daily check and empty any containers that may have collected water such as garbage cans, buckets, or wading pools.

**Regulatory not just a recommendation*

Supervision

55 Pa. Code [§3270.113](#); [§3280.113](#); [§3290.113](#)

With providers planning for summer activities, including field trips, it's important to take some time to review specific regulations. This section of the newsletter will highlight one of those regulations, "supervision." Supervision means "to be physically present with a group of children or with the facility person under supervision. Critical oversight in which the supervisor can see, hear, direct, and assess the activity of the supervisee." (55 Pa. Code [§3270.4](#); [§3280.4](#) and [§3290.4](#))

55 Pa. Code [§3270.113](#), [§3280.113](#) and [§3290.113](#) speak to the supervision of children. Children on the facility premises and on facility excursions off the premises must be supervised by a qualified staff person at all times.

Each staff person is assigned the responsibility for supervision of specific children. The staff person must know the names and whereabouts of the children in their assigned group. The staff person shall be physically present with the children in their care.

When transporting children, please refer to 55 Pa. Code [§3270.177](#), [§3280.177](#) and [§3290.175](#). Children may not be left unattended in a vehicle. Center and group child care providers are required to have an adult who remains outside the vehicle supervise children during both the boarding and exiting of a vehicle.

Emergency Contact Information

55 Pa. Code [§3270.124](#); [§3280.124](#); [§3290.124](#)

Emergency contact information is required for all children enrolled at a child care facility. Emergency contact must specify who is to be contacted in an emergency. Emergency information specific to each child must accompany a staff person when children leave the facility on walking and riding excursions.

Each facility must have a written plan identifying the means for transporting a child to emergency care as well as staffing provisions in the event of an emergency. The plan must be displayed in a conspicuous location at the facility as well as accompany staff persons when leaving with children on an excursion. Take time to review the records of each child to ensure contact information is up to date.



Where's Baby? Look Before You Lock!

NHTSA Reminds Parents to "Look Before You Lock"

Heatstroke is the number one killer of children, outside of car crashes. That's why the Administration for Children and Families (ACF) has joined with the National Highway Traffic Safety Administration (NHTSA) to attempt to reduce these deaths by reminding parents and caregivers about the dangers of heat-stroke and leaving children in hot cars.


As temperatures across the country continue to escalate to above average highs, it is more important than ever to understand the health effects for children. Infants and young children are particularly sensitive to extreme heat and must rely on others to keep them safe. When left in a hot vehicle, a young child's body temperature may increase three to five times more quickly than an adult's.

- Total number of U.S. pediatric vehicular heatstroke deaths, 2023 [1]: **8**
- Total number of U.S. pediatric vehicular heatstroke deaths, 2022: **33**
- Total number of U.S. pediatric vehicular heatstroke deaths, 1998-present: **948**

There is training surrounding children and hot vehicles available on the National Safety Council's website: [Child Passenger Safety Learning Portal](https://www.nsc.org/child-passenger-safety-learning-portal) ([carseateducation.org](https://www.carseateducation.org)).

[1] Heatstroke Deaths of Children in Vehicles. Jan Null, CCM Dept of Meteorology & Climate Science San Jose State University 2003





Pediatric Vehicular Heatstroke by the Numbers

Updated through 4/30/2023

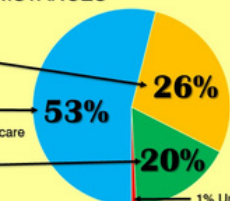
100% of heatstroke deaths of children in cars are preventable

TOTAL SINCE 1998
942 DEATHS

AVERAGE PER YEAR
38

During summer that's almost 2 per week

CIRCUMSTANCES



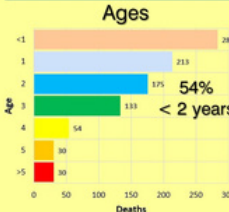
53% Forgotten
Nearly half not dropped at childcare

26% Gained Access

20% Knowingly Left

1% Unknown

Ages

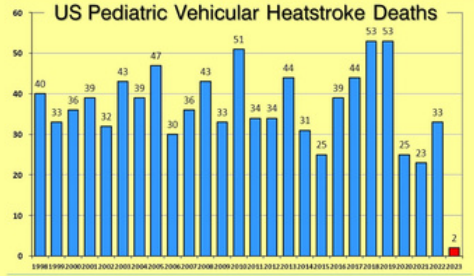


54% < 2 years

Forgetting Can Happen to Anyone

Mom, Dad, Grandparent, Sitter, Teacher, Administrator, Police, Dentist, Social Worker, Military, Physician, Judge, Barber, Principal, Lawyer, Waiter, Engineer, Coach, Accountant, Secretary, Firefighter, Researcher, Clergy, Childcare Provider, Barista, Tradesman, Student, Anyone.


US Pediatric Vehicular Heatstroke Deaths



HOW HOT? HOW FAST?

80% of total heat rise occurs in the 1st 30 min.
Max temps can exceed: **140°**

Interior temperatures can be 50° higher than outside.



SAFETY TIPS


Never leave children unattended in a vehicle. **NOT EVEN FOR A MINUTE!**

Always check the backseat. Leave your wallet or purse as a reminder.


Always keep vehicle locked and keys out of reach.

Make arrangements with your childcare provider to call if child is absent.

CALL 9-1-1 if you see a child alone in a vehicle.



Noheatstroke.org



Transportation

55 Pa. Code §3270.171-.178; §3280.171-178; §3290.171-.176

If your facility transports children, you must obtain written parental consent for each child prior to any transportation for all facility types. Additional information is provided in sections “Emergency Contact Information” and “Content of Child Records.”

In child care centers and group child care homes, if a child has a medical condition, health issue, or special need such as seizures or motion sickness that may require special care during transportation, written parental instructions regarding treatment of the problem or special need shall accompany the child being transported. Written consent and parental instructions (if applicable) should be given to the operator or attendant of a vehicle transporting the children.

Child care facilities must comply with 55 Pa. Code [§3270.174](#), [§3280.174](#), or [§3290.172](#) requiring an individual operating any vehicle for transportation of children in the child care facility to be at least 18 years of age and have a valid operator’s license.

If your facility transports children, please remember the required staff to child ratios during transportation must follow the regulations at 55 Pa. Code [§3270.51](#) (similar age level), [§3270.52](#) (mixed age level), and [§3280.52](#) (ratio requirements) when infants, young and older toddlers, and preschool age children are transported.

The maximum group size requirements do not apply during transportation. When infants, young and older toddlers, and preschool age children are transported, the driver may NOT be considered towards the staff to child ratios.

When school-age children are being transported, the driver may count towards the staff to child ratios as defined in 55 Pa. Code [§3270.51](#), [§3270.52](#), and [§3280.52](#).

In accordance with 67 Pa. Code Chapter 171 (relating to school buses and school vehicles), the facility may not transport a child in an 11-15 passenger van. All vehicles should be insured in accordance with 75 Pa.C.S. § § 1701—1799.7 (relating to the Motor Vehicle Financial Responsibility Law). Whenever a vehicle is in motion, the doors on the vehicle should be locked.

55 Pa. Code [§3270.175](#), [§3280.175](#) and [§3290.173](#) is the section of the regulations, under transportation, that addresses safety restraints. Safety restraints installed in the vehicle at the time of manufacturing shall be used by occupants. Instructions for use of safety restraints shall be kept in the vehicle at all times. A child 7 years of age or younger shall be transported in accordance with the requirements for parents and guardians as set forth in 75 Pa.C.S. §4581 (relating to restraint systems).



First-Aid and Transportation First-Aid Kit

55 Pa. Code §3270.75; §3280.75; §3290.73 and §3270.178; §3280.178; §3290.176

Summer is here and that means that children are spending more time outside. Outside play means that children are at a greater risk for scrapes, bumps, and bruises. Please take this time to ensure that your first-aid kit is in compliance with 55 Pa. Code §3270.75(c), §3280.75(c), and §3290.73(c) by having the following items in your first-aid kit: soap, an assortment of adhesive bandages, sterile gauze pads, tweezers, tape, scissors, and disposable nonporous gloves.

Summer also sees an increase in field trips that take the children away from the facility. As per 55 Pa. Code [§3270.75\(d\)](#), [§3280.75\(d\)](#), and [§3290.73\(d\)](#), one first-aid kit per child care group must accompany children and facility persons on excursions from the facility. Each first aid kit taken on an excursion must contain a bottle of water in addition to the items specified in subsection (c). Also, as per 55 Pa. Code [§3270.178](#), [§3280.178](#) and [§3290.176](#), a first-aid kit shall be in the vehicle when children are being transported. The kit may be the same kit described at 55 Pa. Code [§3270.75](#), [§3280.75](#), and [§3290.73](#).

Just a reminder, as per 55 Pa. Code [§3270.75\(b\)](#), [§3280.75\(b\)](#), and [§3290.73\(b\)](#), a first-aid kit must be inaccessible to children.

Keeping your first-aid kit in compliance with the regulations will ensure that you have the supplies you need to handle scrapes, bumps, and bruises both at the facility or on the road.



Content of Child Records

55 Pa. Code §3270.182; §3280.182; §3290.182

With new children arriving for summer care, it is important for providers to obtain and maintain individual records for each enrolled child. 55 Pa. Code [§3270.182](#), [§3280.182](#), and [§3290.182](#) address what must be contained in a child's record. It is important to ensure that a signed consent for emergency medical care and consent for administering first-aid is on file prior to the child beginning care. Signed consent is also required for administration of medications, special dietary needs, transportation, walking excursions, swimming, and wading.

Transporting children by the facility requires written parental consent. Take time to review the records of each child to ensure consent signatures are on file.

In the event of accident, injury, or illness involving a child in care at the facility, incident reports must be completed as per 55 Pa. Code [§3270.182\(7\)](#), [§3280.182\(7\)](#), and [§3290.182\(7\)](#).

Reporting Injury, Death, Fire

55 Pa. Code [§3270.20](#); [§3280.19](#); [§3290.17](#)

One hates to think of a child being injured while in care. Unfortunately, there are times when this happens, and the following conditions require a provider to notify the parent immediately and the appropriate regional office within 24 hours:

- Inpatient hospitalization or emergency room treatment of a child receiving care at the facility.
- A death of a child receiving care at the facility.
- A facility fire that requires the services of a fire department.



The provider is required to provide a written report to the appropriate regional office within 72 hours after the occurrence. The report shall include the following information:

- The name, address, and telephone number of the facility.
- The name, address, and birth date of the child.
- The name and address of the child's parent or guardian.
- A description of the incident, including the date, time and location of the incident and the equipment involved.
- The name and telephone number of local authorities notified.
- The nature of the treatment.
- The name and address of the place treatment was received.
- The required follow-up.

The person who prepared the report shall sign and date the report and copies of the report shall be kept in a file at the facility.

Child Medication and Special Diets

55 Pa. Code [§3270.133](#); [§3280.133](#); [§3290.133](#)

The operator shall make reasonable accommodation in accordance with applicable Federal and State laws to facilitate administration of medication or a special diet that is prescribed by a physician, physician's assistant or CRNP as treatment related to the child's special needs.

Facility persons are not required to administer medication or special diets which are requested or required by a parent, a physician, a physician's assistant or a CRNP but are not treatment related to the child's special needs.

If your facility administers medication, please remember the regulation at 55 Pa. Code [§3270.133](#), [§3280.133](#) and [§3290.133](#) requires medication to be stored in a locked area of the facility or in an area that is out of reach of children. Also, medication must be stored in accordance with the manufacturer's or health professional's instructions on the original label.

Child care providers must utilize a [Medication Log](#) and have written parental or guardian consent to administer the medication. Remember to take life-saving medication with children on trips and store them appropriately while on the excursion.

Staff:Child Ratios

55 Pa. Code [§3270.51](#), [.52](#) & [.54](#); [§3280.51](#) & [.52](#); [§3290.51](#) & [.52](#)

Pennsylvania sets limits for how many children an adult can care for in a child care facility. This supports healthy child development and keeps children safe. Take a moment to review the regulation to comply with the similar and mixed age level ratios.

Center

Similar age level: 55 Pa. Code [§3270.51](#)

When children are grouped in similar age levels, the following maximum group sizes and ratios of staff persons apply:

Similar Age Levels	Staff	Children	Maximum Group Size
Infant	1	4	8
Young Toddler	1	5	10
Older Toddler	1	6	12
Preschool	1	10	20
Young school-age	1	12	24

Mixed age level: 55 Pa. Code [§3270.52](#)

When children are grouped in mixed age levels, the age of the youngest child determines the staff:child ratio and maximum group size in accordance with 3270.51 (relating to similar age level).

Minimum number of facility persons in the child care facility: 55 Pa. Code [§3270.54](#)

3270.54(b): At least two facility persons shall be present when children are on an excursion away from the facility. At a minimum, one of the facility persons shall be a staff person.

Group

Ratio Requirements: 55 Pa. Code §3280.52

3280.52(a)(1): A primary staff person shall be present in a facility when six or fewer children are in care unless the staff:child ratio specified in subsection (b) or (c) requires a second or third staff person.

3280.52(a)(2): At least two facility persons shall accompany any number of children on an excursion away from the facility.

3280.52(b): When children are grouped in similar age levels, the following child group sizes and ratios of staff persons apply:

Similar Age Levels	Staff	Children	Maximum Group Size
Infant	1	4	12
Young Toddler	1	5	12
Older Toddler	1	6	12
Preschool	1	10	12
Young school-age	1	12	12
Older school-age	1	15	12

3280.52(c): When children are grouped in mixed age levels, the age of the youngest child in the group determines the staff:child ratio and maximum group size in accordance with the requirements in subsection (b).

Family

Ratio Requirements: 55 Pa. Code §3290.52

The operator may provide care to no more than five related and unrelated infants and toddlers at any one time. The following number of infants and toddlers are permitted in a family child care home:

- 1.If no infants are in care, five toddlers are permitted.
- 2.If one infant is in care, four toddlers are permitted.
- 3.If two infants are in care, three toddlers are permitted.