

## *Delacare Center Regulation Changes*

*(100 + things you may want to know)*

1. OCCL may grant a license exemption to programs that provide a specific skill instruction. Dance studios, karate practice, art lessons, etc. are included in this group. (3F)
2. OCCL prohibits people who had their license revoked or application denied from receiving a license for three years. (11Aiii) People who had their license revoked or application denied may appeal the decision to Superior Court at their expense. (11Ci)
3. OCCL must be notified within five business days of the resignation, termination, transfer, or hiring of the early childhood or school-age administrator, early childhood curriculum coordinator, or school-age site coordinator. (13B)
4. When known to the center, OCCL must be notified within one business day when a child is injured at the center and receives medical/dental treatment (other than first aid at the center). A written incident report must be sent to OCCL within three business days. (13C)
5. When known to the center, OCCL must be notified within one business day when a child has medical treatment due to an adverse effect to medication or a medication error happened (such as administering the wrong medication to a child, administering the wrong dose, failure to administer the medication, administering a medication to the wrong child, or administering the medication by the wrong route). A written incident report must be sent to OCCL within three business days. (13C)
6. Phone calls from OCCL must be returned within two business days. (13E)
7. Child and staff attendance records are to be kept for three months. (16)
8. Daily tracking sheets for attendance are not required. Staff members must document children's attendance at arrival, departure, and when a child does not stay with the entire class. (Parents/guardians can be asked to help document, but ultimately the licensee is responsible.) For programs where children begin the day in one room and are relocated to another classroom, attendance must be taken when they arrive at the first location, when they leave that location, when they join their assigned class, and when they leave for the day or when they leave their assigned class. (16B)
9. An enrollment meeting is not required if it is not possible. (17D)
10. Children's files are to be complete by the first day of attendance, except for the health appraisal and developmental assessment. (19)
11. Parent/guardian cell phone numbers are required, if applicable. (19)
12. Emergency numbers for two people authorized for the release of a child are required. These may include parents or guardians. (19)
13. Written parent permission for swimming activities is required. (19)

14. The center must keep children's files for three months after the child departs from care. (19)
15. Staff files are to be complete at hire, except for fingerprint verification, health appraisal, professional development plan, and annual training hours. (20)
16. A staff member may use a résumé or personal data sheet instead of an application in his/her file. (20)
17. References taken by telephone and written down are acceptable. (20)
18. Service letters or documentation showing the administrator made at least two requests to receive service letters is required. Two additional references are required if unable to obtain at least one service letter. (20)
19. Fingerprinting must be scheduled before the staff works with children. (20)
20. A staff member can provide a health appraisal within 60 days of hire if there is documentation showing the staff member was unable to get an appointment sooner. (20)
21. Staff members must sign a drug and alcohol prohibition acknowledgment. (20)
22. Staff must review safe sleep procedures (for centers serving infants) and child abuse recognition and reporting yearly. Written documentation is required. (20)
23. Staff files are to be kept for three months after the staff member leaves employment. (20)
24. The fingerprint receipt is required within 30 days of starting employment. Staff cannot be left alone with children until the results of the state police background check are received. (22C)
25. Orientation for staff now needs to include safe sleep procedures, including prevention of sudden infant death syndrome, shaken baby syndrome and abusive head trauma; prevention and response to emergencies due to food allergies; building and physical premises safety; handling and storage of hazardous materials; proper disposal of bio-contaminants; food and nutrition services; physical activity; screen time; photographing or videotaping children; and transporting children. Written documentation is required. (25)
26. Owners who do not work as a staff member and are at the center less than 7 hours per week do not need a file. (26B)
27. Delaware First only accepts diplomas and degrees from regionally accredited schools to become qualified. Delaware First and OCCL may make an exception for someone already enrolled and actively working to complete a non-regionally accredited program. Anyone in this position should contact OCCL immediately. (27)
28. A DOE qualifications certificate must be in the staff file or sent for within 60 days of hire. (27C)
29. If a person submits fraudulent qualifications information to OCCL or DE First, new or revised information will not be accepted for one year. (27Cii)

30. Diplomas and degrees from another country must be evaluated by an independent credentialing agency approved by DE First. (27Civ)
31. The EC administrator who handles administrative duties only needs 15 clock hours in administrative training. (27Di)
32. The EC administrator or EC curriculum coordinator only needs 15 clock hours of training in infant or toddler development and curriculum. (27Fi)
33. Staff can now become qualified using the new qualifications of less experience and inclusion of other education/training. The DOE applications and verification of experience forms were updated. (27 & 77)
34. Staff can begin accruing supervised experience by registering to participate in supervised experience using OCCL's website. Supervised experience is to be documented using the form on OCCL's website and submitted to OCCL. (27 & 77)
35. Interns may be alone with children when walking children to or from: the bathroom, receiving first aid treatment, the bus stop, or one area or classroom to another. They may also supervise an ill child waiting for parent pick-up. (27Ji & 77Di)
36. EC or SA Interns must have a qualifications certificate. (27J & 77D)
37. EC or SA aides do not have a qualifications certificate. (27k & 77E)
38. The EC admin or EC curriculum coordinator must only be on site 60% of the hours of operation. If the administrator is responsible for two sites (with capacities less than 60) the administrator or curriculum coordinator needs to be on site 50% of the hours of operation. (28D)
39. The administrator must designate a staff member qualified as at least an EC teacher to be in charge in the absence of the EC administrator or EC curriculum coordinator. This person needs documented training in the day-to-day operations of the center, such as the center's emergency procedures, opening/closing procedures, location of and access to child and staff files, and supervision of children and staff. (28Di)
40. Texting or other cell phone usage by staff is not allowed when providing direct care to children. (28F)
41. In specific instances, centers may ask for a variance allowing a DE-certified teacher to follow a ratio of 1:20 for school-age children. (30)
42. Staff members may mix infants and toddlers with older children during the first and last 90 minutes of the day or when 12 or fewer children are present in the facility. (30E)

43. Practicum volunteers from a college or university only need fingerprinting for their school, not a complete file. They may not be alone with children. (31Biv)
44. As of 4/7/16, the legislation regarding background checks changed. Special services people do not need to be fingerprinted as long as a staff member is always supervising them. If the center does not wish to assign a staff member to observe this special activity, the center must get parent/guardian permission for the child to participate in the activity so the contracted special service person can be used as an authorized release. For example, I, Dorothy Smith, give permission for John Smith to participate in Soccer Stars on Tuesdays from 9 am-10 am. While providing this special service, this person may be left alone with children as long as he/she was fingerprinted for the center. However, the number of children per contracted special service persons cannot exceed the ratios defined in regulation 30. (31C)
45. Administration of medication, CPR, and first aid now count toward annual training. Administration of medication counts as one clock hour. Unless otherwise noted on the card, CPR and first aid count for three hours each (six in total) when taken separately. Unless otherwise noted on the card, OCCL will count three hours toward annual training if a person takes CPR and first aid together. (32)
46. Owners, substitutes, and volunteers who work less than seven hours per week and do not count in staff/child ratios do not need annual training. (32Aiii)
47. Staff never providing direct child care (such as clerical, bus driver, etc.) do not need annual training. (32Aiv)
48. Annual training hours are not required for staff members who have worked for less than six months. Staff employed more than six months, but less than a year, must have only half of the required annual training hours. (32D)
49. A professional development plan is required within three months of hire and only needs to contain professional development goals for the upcoming year. (33)
50. Staff members must complete first aid and CPR within two months of hire. (34A)
51. Transition plans are needed when enrolling a child. The center may add the plan to the parent handbook. (35A)
52. The center must have security procedures. (36A)
53. Paper recycling containers do not need to be covered. (36G)
54. The center may remain open when the heating or cooling system fails, as long as the temperature remains between 60°F and 90°F and the center can restore the required temperature within four hours. (36Q)
55. Classrooms and indoor areas used by children must be between 68°F and 82°F. (36Q)

56. Children's storage space/cubbies must be labeled. (38C)
57. Trampolines are prohibited. This includes the small ones. OCCL allows field trips to trampoline parks. Centers may use bouncy houses for special occasions only. (40E)
58. Children over age one must wear a helmet when riding bikes or toys with over 20-inch wheels, -when using wheeled equipment (roller blades, skateboards, etc.) , and while standing on scooters with handles. Field trips to a roller rink do not require the use of helmets. (41)
59. Head-to-toe sleeping is no longer required. (42)
60. Pack and plays cannot have ripped mesh. (42B)
61. Blankets are no longer allowed in cribs with infants. (42Dii)
62. Toys or objects attached to sleeping equipment are no longer allowed. (42Dii)
63. If the center allows swaddling, a swaddle-blanket sleeper and written parent permission are required. (42Div)
64. Sleep positioning devices may be used if a doctor's note is provided. It must explain how the infant is to be placed and how to use the device. (42E)
65. The ratio for toilets to school-age children is 1:25. (43B)
66. Urinals in preschool-age programs count for capacity as half a toilet if placed at an appropriate height and there are a significant number of males served. (43B)
67. Centers can only use liquid soap in the bathroom. (43F)
68. Staff members do not need to wear gloves for diaper changes or runny noses unless blood is present. (46)
69. Emergency plans must also include the following: communication and reunification with families; accommodations of infants, toddlers, and children with disabilities or chronic medical conditions; continuation of child care services in the period following the emergency disaster; and lockdown procedures. (49)
70. Centers need one day's worth of supplies for sheltering-in-place. (49C)
71. The center must have a working voicemail and report a phone number change to OCCL and parents within one business day. (52A)
72. People providing only transportation do not need a DE First qualifications certificate. (53A)
73. The center must document the transportation arrangements it provides to and from the child's school with the parents and school. (53D)

74. The center must follow the new ratios for field trips and routine program outings when vehicles are not used. The staff/child ratios are infant: 1:2, young toddler: 1:4, older toddler: 1:6, young preschool: 1:8, older preschool: 1:10, and school-age: 1:15. Two staff must always be present unless the children are school-age. (54)
75. Children contained in a buggy can go for a walk with one staff member, assuming the center maintains the proper ratio. (54Bi)
76. School-age children may walk to the bus stop or school with one staff member as long as 15 or fewer school-age children are present. (54C)
77. Child health appraisals are good for 13 months. (57)
78. Staff members are to observe children when they arrive to check for signs of illness, injury, abuse, or neglect. The staff member viewing the child is to be trained in health exclusions, communicable disease, physical injury, and abuse and neglect. Specific concerns and observations are to be documented as well as steps taken to assist the child. If child abuse and neglect is suspected you need to call the Child Abuse Report Line @ 1 800 292-9582. (58)
79. Adverse effects/medication errors must be reported to the child's parent immediately. (60E)
80. A parent/guardian must be notified immediately when a serious or potentially serious injury happens. Serious injury means any impact to a child's head, any injury which creates a substantial risk of death, disfigurement, extended damage of health, or loss or damage to a body part. (61Ai)
81. Less serious injuries require the parent/guardian/authorized release to be notified before the child leaves the center. (61Ai)
82. The parent/guardian/authorized release must sign the accident report before the child leaves care for the day. (61Aii)
83. The center must record all attempts to notify the parent of a serious injury. (61Aiii)
84. The center must immediately notify the parent/guardian about significant medical events, such as a seizure, asthma attack, or severe allergic reaction. (61B)
85. A sling can replace a triangular bandage in a first aid kit. (62)
86. Wooden finger splints, not just plastic or metal, are acceptable. (62)
87. Water must be available at all times, indoors and outdoors. (63A)
88. The center is to have a clean and private designated space for breastfeeding. The bathroom and kitchen cannot be used for this space. (63B)
89. A center must provide meals and snacks unless parents are informed at the time of application that the center does not provide food. The center must inform parents of the importance of child nutrition. (63D)

90. The center does not need to supplement children's food brought from home. (63G)
91. Centers not providing food do not need to submit a menu to OCCL or post one. (63H)
92. The center may not serve whole milk to children over two when the center provides meals/snacks. The center must serve one percent or two percent milk. (63H)
93. Changes to the menu must be documented on or before the date the food is served. (63Hv)
94. Train staff members who work with infants on handling, storing, preparing, and feeding breast milk and formula. (64A)
95. When infants are old enough to use a feeding chair, staff members do not need to hold them during feeding. (64Aiii)
96. The center may serve juice in a bottle with written parent permission. (64Cxiv)
97. Children cannot be physically restrained. (65E)
98. The regulations now list social-emotional as one topic on lesson plans. (66B)
99. The center must post lesson plans. (66Ci)
100. The posted daily activity schedule can be flexible based on the children's interests/needs. (66E)
101. Weekly activities in lesson plans can include healthy habits rather than only cooking or food exploration. (66G)
102. Screen time activities now include all electronic equipment with a screen. (66J)
103. Infant/toddler development plans must be completed within 45 days of enrollment. (67B)
104. Walkers cannot be used without a doctor's note. (68E)
105. Thirty-minute sleep checks for infants must be conducted and documented. (68G)
106. Infant and toddlers may spend no more than 30 minutes while awake in confining equipment. Infants must be given something to do during this time. (69 A&B)
107. Trash cans in school-age programs located in a school do not need to be covered. (76)
108. If responsible for more than one center, a SA administrator must document a 30-minute visit to each school-age center per week. (78A)
109. A staff member qualified as at least a SA assistant must be designated to be in charge in the absence of the SA administrator or SA site coordinator. This person needs documented training in the day-to-

day operations of the center such as the center's emergency procedures, opening/closing procedures, location of and access to child and staff files, and supervision of children and staff. (78F)