

REGULATION FOR THE 21ST CENTURY

August 31, 2005

The initial kick-off meeting was held, with a wide variety of stakeholders, including county staff, center and home providers, state staff, parents, and community representatives present. A general overview of the goals of the workgroup were presented. Participants broke into 3 small groups where they worked on dividing the rules into three risk categories:

- **Serious** – rules, that if violated, immediately endanger the health and safety of children.
- **Moderate** – rules, that if violated repeatedly, may endanger the health and safety of children.
- **Minimal** – rules, that if violated repeatedly, may negatively affect a child's optimal social, emotional, physical and cognitive development.

October 4, 2005

The group reviewed the rules which had commonly been placed into the serious, moderate, and minimal risk categories. Each group was then given several rules that had been placed in the serious risk category, and were asked to tease apart the rules, to determine which sections were cause for placement. Groups were further asked to determine into which one of five pre-determined issue areas the rule should be placed. The five issue areas were as follows:

- **Lack of supervision** – failure to have responsibility of, and accountability for, the activity of each child as a result of not being physically present and/or near enough to intervene as needed.
- **Not keeping children free from harm** – failure to maintain systems and demonstrate actions protecting children from any person or situation determined to be unsafe.
- **Unsafe, Unsanitary Equipment and Environment** – failure to keep equipment and the physical environment free from identified hazards which immediately put children at risk of injury and/or illness.
- **Administrative Negligence** – failure to maintain administrative systems addressing established laws governing child care facilities, personnel, and documentation.
- **Lapses in Medical and Special Health Procedures** – failure to follow procedures in categories of medication and health, that could result in great harm and/or death.

November 10, 2005

A presentation was given regarding the work occurring on a national basis, as it relates to fines/sanctions, with discussion following. It was then discussed that the previous five risk areas had been reduced to four, with those rules falling under “Keeping Children Free From Harm” being redistributed to one of the other four areas. Small group work continued, with individual rules sections being reviewed. Each group generated scenarios, which could occur in child care facilities, which illustrated the most serious rule violations.

December 8, 2005

An overview of the current work of the Bureau of Child Care and Development was presented, with particular focus on those initiatives currently in place that have a relationship to the work of Regulation for the 21st Century. It was emphasized that a strong regulatory foundation must be in place in order to build programs of quality and school readiness.

A list of rules were identified that posed a risk of serious harm, which would immediately lead to a fine being assessed. These centered on administrative practices and facilities related items.

Small groups were formed and participants examined specific serious risk violations. Participants were asked to describe different levels of rule violations, based on scope and severity, and began to assess possible sanctions based on these levels.

January 12, 2006

Much of the meeting was spent in small group breakouts. The matrix that was used at the December meeting was expanded to include both scope and severity continuums. Group members again worked on describing rule violations as they fell within the matrix and assigning potential sanctions.

The risk areas have further been refined and reduced to three categories. The categories and their definitions are as follows:

- **Supervision – Failure to have responsibility of, and accountability for, the activity of each child as a result of not being physically present and/or near enough to intervene if needed.**
- **Administrative Negligence – Failure to maintain administrative systems addressing established laws governing child care facilities, personnel, and documentation.**
- **Safe and Sanitary Equipment and Environment – Failure to keep equipment and the physical environment free from identified hazards which immediately put children at risk of injury and/or illness.**

February 9, 2006

A brief overview of legislation currently being considered, that affects the work of Regulation for the 21st Century, was presented.

Definitions for the three risk areas were further redefined. Additionally, three subcategories within each risk area have been created, in order to help send a concise message as to the nature of the rule violations within each area. The definitions and subcategories are as follows:

- **Lack of Supervision – Failure to have responsibility of and accountability for the activity of each child as a result of not being physically present and/or near enough to intervene if needed, which consequently places children in imminent danger.**
 - Sub-Headings - Children Shall Never Be Left Alone**
 - Ratios Shall Be Maintained at All Times**
 - Children Shall Be Actively Supervised**

- **Administrative Negligence – Failure to implement and/or maintain systems designed to protect children from person and/or situations which consequently places children in imminent danger.**
 - Sub-Headings – Children Shall Be Cared for by “Fit” Personnel**
 - Children Shall Be Protected from Abuse and Neglect**
 - Children Shall Have Health and Medication Needs Met Safely**
- **Environmental Hazards – Failure to keep equipment and/or the physical environment free from identified hazards which consequently places children in imminent danger.**
 - Sub-Headings – Children Shall be Cared for in Facilities**
 - Appropriately Maintained and Inspected**
 - Children Shall Be Provided With Equipment and/or Space that Are Safely Maintained**
 - Children Shall Not be Exposed to Unsafe Materials**

Small group participants created definitions/explanations for each of the sub-headings in order for providers and consumers to easily understand the types of rule violations which would fall into each category.

March 9, 2006

The group was presented with a “quick check” document for review and comments. The “quick check” is a brochure which would be used by child care personnel to identify the three serious risk areas, and the rules within each risk area, that if violated, would lead to fines or sanctions. Within the brochure are checklists that could be used to assess compliance, and questions which could be asked to assure appropriate systems are in place.

A draft copy of the final report from the workgroup was also shared. This draft includes recommendations around denial of an initial license, formal extension of a probationary period, conditions surrounding the use of summary suspension, and rule violations which would result in fine/sanctions being assessed to a center.

Finally, suggestions and comments were elicited from the group regarding next steps to be taken, and how to continue moving the work forward.